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Note du Président du Conseil de sécurité

Au paragraphe 2 de sa résolution 2680 (2023), le Conseil de sécurité a demandé au Groupe d'experts créé en application de la résolution 1874 (2009) de lui présenter un rapport de mi-mandat contenant ses conclusions et recommandations. Le Président communique donc ci-après le rapport émanant du Groupe d'experts (voir annexe).

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Merci de recycler

Annexe

Lettre datée du 8 septembre 2023, 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 2680 (2023) du Conseil, le rapport de mi-mandat sur ses travaux.

Le rapport a été communiqué le 4 août 2023 au Comité du Conseil de sécurité créé par la résolution 1718 (2006), qui l'a examiné le 29 août 2023.

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 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 août 2023, adressée au Président 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)

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 2680 (2023), le rapport de mi-mandat 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

Pendant la période considérée, de janvier à juillet 2023, les tensions politiques et militaires dans la péninsule coréenne ont continué de croître.

La République populaire démocratique de Corée a continué de bafouer les sanctions du Conseil de sécurité dans bon nombre de domaines. Elle a poursuivi la mise au point d'armes nucléaires et la production de matières fissiles nucléaires, même si son dernier essai nucléaire connu remonte à septembre 2017. De nouveaux travaux de construction ont été menés sur le site de Yongbyon et les activités ont continué sur le site d'essais nucléaires de Punggye-ri. Le programme de missiles balistiques a été poursuivi sans faiblir : la République populaire démocratique de Corée a tiré au moins 19 missiles balistiques à courte portée à propergol solide et, comme en 2022, a conduit des essais de missiles balistiques intercontinentaux (deux à combustion liquide et deux à propulsion solide). Le Hwasong-18, premier missile balistique intercontinental à propergol solide du pays, a été testé le 13 avril et le 12 juillet. Le Groupe d'experts a continué également d'enquêter sur les transferts immatériels de technologies qui pourraient avoir été effectués en violation des sanctions.

Dans le présent rapport, le Groupe d'experts décrit les tactiques de contournement des sanctions très variées auxquelles recourent les navires livrant des produits pétroliers raffinés à la République populaire démocratique de Corée. Elles comprennent des moyens plus sophistiqués d'échapper à la détection, le changement des lieux d'échanges dans les eaux concernées et l'augmentation du nombre des navires impliqués dans des transbordements à phases multiples. Selon les renseignements obtenus par le Groupe d'experts, le pays a continué d'importer des produits pétroliers raffinés en violation des résolutions du Conseil de sécurité. L'acquisition de navires en contravention des sanctions du Conseil s'est poursuivie : le pays a acheté 14 nouveaux navires pendant la période considérée. Les exportations illicites de charbon en provenance de la République populaire démocratique de Corée, effectuées de navire à navire, ont continué.

Même si la frontière de la République populaire démocratique de Corée est demeurée fermée dans une large mesure, les volumes d'échanges commerciaux ont augmenté, principalement du fait de la reprise du trafic ferroviaire. Des produits étrangers d'une grande diversité ont vite refait leur apparition. Le Groupe d'experts a continué d'enquêter sur les rapports faisant état d'importations d'articles de luxe.

Après un niveau record de vols par moyens cyber en 2022, se chiffrant à 1,7 milliard de dollars, les pirates de la République populaire démocratique de Corée ont continué de viser avec succès les échanges de cryptomonnaies et autres moyens financiers dans le monde. Des acteurs coopérant avec le Bureau général de reconnaissance de ce pays ont continué d'utiliser des cybertechniques avancées pour dérober des fonds et des informations, visant en particulier des sociétés dans les secteurs des cryptomonnaies, de la défense, de l'énergie et de la santé.

La République populaire démocratique de Corée a continué d'avoir accès au système financier international et a mené des opérations financières illicites. Le Groupe d'experts a enquêté sur des institutions financières et des représentants de ce pays opérant à l'étranger qui facilitent de telles activités. La réouverture de la frontière pourrait augmenter le nombre de transferts subreptices d'espèces et d'articles de grande valeur par des ressortissants de la République populaire démocratique de Corée. Le Groupe d'experts a enquêté sur des informations selon lesquelles des ressortissants travaillant à l'étranger percevraient des revenus en

violation des sanctions, notamment dans les secteurs des soins médicaux, de l'informatique, de la restauration et du bâtiment.

Le Groupe d'experts a continué d'enquêter sur des allégations d'exportations de matériel de communication militaire et de munitions par la République populaire démocratique de Corée et a ouvert plusieurs enquêtes à la suite de soupçons de ventes d'armes et d'autres types d'appui militaire à des États Membres.

Il existe peu de données fiables sur la situation humanitaire du pays. Les organisations humanitaires interrogées par le Groupe d'experts ont dit rencontrer des difficultés constantes dans l'acheminement de l'aide et constater une nouvelle dégradation de la situation du pays. Les sanctions de l'ONU et leur application ont eu des effets involontaires dont l'importance relative demeure cependant impossible à distinguer de bon nombre d'autres facteurs.

Le Groupe d'experts apprécie les contributions des États Membres à ses travaux.

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I. Introduction

1. Au paragraphe 2 de sa résolution 2680 (2023), le Conseil de sécurité a demandé au Groupe d'experts créé en application de la résolution 1874 (2009) de lui présenter un rapport de mi-mandat contenant ses conclusions et recommandations. Sauf indication contraire, les informations figurant dans le présent rapport couvrent la période du 28 janvier au 28 juillet 2023[1].

II. Activités récentes liées aux programmes nucléaire ou de missiles balistiques

Programme nucléaire

2. La République populaire démocratique de Corée a poursuivi les activités relatives à la mise au point d'armes nucléaires et à la production de matières fissiles nucléaires en violation des résolutions du Conseil de sécurité. Le Groupe d'experts a observé de nouveaux travaux de construction sur l'ensemble du site de Yongbyon et des activités soutenues au site d'essais nucléaires de Punggye-ri, même si aucun essai nucléaire n'a été relevé depuis septembre 2017.

Inspection par Kim Jong Un des « armes nucléaires tactiques »

3. Le 28 mars, les médias d'État ont annoncé que Kim Jong Un avait inspecté les « armes nucléaires tactiques Hwasan-31 (화산-31) ». Un État Membre a relevé par la suite que la République populaire démocratique de Corée avait récemment « signalé que l'accent avait été mis sur la mise au point d'armes nucléaires dites "tactiques" qui étaient presque certainement destinées à être utilisées dans la péninsule et avaient probablement des ogives à plus faible rendement que celles de systèmes à plus longue portée ». Un autre État Membre a considéré que faute d'informations sur le détonateur interne et les spécifications techniques connexes, « il était difficile d'établir si le dispositif présentait les caractéristiques physiques généralement associées aux armes nucléaires tactiques… qu'il était peut-être dévoilé à des fins de supercherie … et qu'une analyse approfondie s'imposait » (voir annexe 1).

4. Pendant l'inspection de Kim Jong Un, des diagrammes des vecteurs conçus pour porter des ogives d'armes nucléaires tactiques Hwasan-31 ont été montrés (voir photographe à l'annexe 1). Le Groupe d'experts estime que ces vecteurs, qui ont été mis à l'essai sur différentes plateformes en divers lieux (voir par. 18), étayent les affirmations faites par la République populaire démocratique de Corée depuis janvier 2021 relatives au renforcement de ses capacités d'armes nucléaires tactiques[2].

Site d'essais nucléaires de Punggye-ri

5. On voit sur des images satellites capturées au début du mois de mars 2023 un camion et une structure en forme de tente, qui pourrait servir à protéger du matériel et des éléments placés près de l'entrée du Tunnel 3[3]. Des câbles de ventilation, d'électricité, de communication et de raccordement pouvant provenir du matériel d'essai du Tunnel 3 étaient visibles. Dans une zone administrative, on apercevait au début du mois de février plusieurs membres du personnel dans un espace ouvert, bien qu'aucune construction importante de bâtiments de soutien n'ait été observée (voir

[1] Les parties expurgées du rapport ont été rayées en noir dans les encadrés ou floutées pour empêcher l'identification physique des personnes.

[2] S/2023/171, par. 5.

[3] Sur la base des informations fournies par des experts extérieurs consultés par le Groupe d'experts.

annexe 2). Le Groupe d'experts a noté de petites structures non identifiées près de l'entrée du Tunnel 4 depuis la fin d'avril[4].

Site de Yongbyon

Réacteur à eau légère

6. Un État Membre a relevé d'éventuels essais du circuit d'eau de refroidissement associé au réacteur à eau légère en mars et en avril 2023, estimant que le réacteur pouvait devenir opérationnel à tout moment. L'analyse de l'imagerie satellite par le Groupe d'experts montre un rejet d'eau intermittent près du fleuve Kuryong depuis janvier sensiblement au même emplacement observé par le Groupe d'experts en 2022[5]. La construction d'un nouveau bâtiment a débuté en mars près du bâtiment d'appui à l'ouest du réacteur, et une construction mineure supplémentaire a été observée près de trois autres bâtiments de soutien achevés en 2022 (voir annexe 3).

Centrale nucléaire expérimentale de Yongbyon (5 MWe)

7. Les évaluations des États Membres et l'analyse de l'imagerie satellite ont montré que le réacteur de 5 MWe était toujours opérationnel. Des rejets d'eau de refroidissement du réacteur se sont produits de manière continue, a l'exception d'interruptions intermittentes constatées au début et au milieu du mois d'avril[6]. Plusieurs types de véhicules ont été observés régulièrement autour du réacteur (voir annexe 4).

Laboratoire radiochimique

8. L'analyse de l'imagerie satellite montre des mouvements constants de véhicules près de la zone du parc automobile au laboratoire radiochimique. Des piles de matériaux ont été observés près du bâtiment de réception du combustible irradié entre les mois de février et d'avril[7]. Un groupe de réflexion a signalé de nouvelles activités d'excavation au nord-est du laboratoire radiochimique en mars [8] qui ont été corroborées par la suite par le Groupe d'experts (voir annexe 5). L'Agence internationale de l'énergie atomique estime que ce site, ainsi qu'un autre, servent à stocker des déchets nucléaires[9], bien que le Groupe d'experts note qu'aucun signe n'indique, de manière concluante, un retraitement du combustible irradié entre le mois de janvier et la fin du mois de juillet. La centrale à vapeur associée à l'usine de retraitement et à ses opérations de manipulation des déchets n'était par exemple pas opérationnelle durant cette période.

Usine de fabrication de barres de combustible nucléaire de Yongbyon

9. Un État Membre a estimé que la construction de plusieurs bâtiments dans la zone sud du site, détectée par l'imagerie satellite au début du mois de mars, était probablement destinée à des fins administratives. Une grue déployée au sud du bâtiment de production de tétrafluorure d'uranium reste en place, indiquant

[4] Un centre de recherche a également observé la construction de deux petites structures. Voir https://beyondparallel.csis.org/punggye-ri-update-new-activity-at-tunnel-no-4. Selon des experts extérieurs consultés par le Groupe d'experts, cela pourrait être lié à des activités de ré-excavation menées par la suite dans le tunnel.

[5] S/2023/171, par. 8.

[6] Selon des experts extérieurs, le réacteur a été probablement fermé durant de courtes périodes. Voir www.38north.org/2023/04/possible-refueling-at-yongbyons-5-mwe-reactor.

[7] Selon un expert extérieur, ces matériaux serviraient à des activités d'entretien et de construction.

[8] Voir www.38north.org/2023/03/satellite-imagery-reveals-new-activity-at-the-old-waste-site-at-yongbyon.

[9] S/2023/171, par. 11 et annexe 6-4.

probablement que la rénovation du bâtiment n'est pas encore achevée. Le Groupe d'experts note des signes éventuels de rénovation du bâtiment de production de dioxyde d'uranium (voir annexe 6).

Mine d'uranium et usine de concentration de Pyongsan

10. L'imagerie satellite montre que la mine et l'usine étaient encore opérationnelles. Le Groupe d'experts a observé que les piles de résidus s'étaient élargies dans les deux mines, tout comme les activités régulières de wagons à l'usine (voir annexe 7).

Autres sites

11. Le Groupe d'experts a continué de surveiller les activités à proximité de Kangson et dans la zone de Yongdoktong. On trouvera les détails aux annexes 8 et 9.

Missiles balistiques

12. Le programme de missiles balistiques s'est poursuivi à un rythme soutenu, marqué par une intensification des essais et exercices au mois de mars (voir annexe 10). La République populaire démocratique de Corée a peut-être atteint un seuil dans la propulsion de missiles balistiques après la mise à l'essai, le 13 avril, d'un nouveau missile à propergol solide appelé Hwasong-18 (signifiant un objectif de portée intercontinentale), tiré sur une distance horizontale de 1 000 kilomètres. Cette évolution pourrait, au fil du temps, renforcer la composante stratégique de l'arsenal du pays. Comme en 2022, la mise à l'essai de missiles balistiques intercontinentaux, à combustible liquide ou à propergol solide, a été l'une des deux grandes tendances observées, l'autre étant les tirs parallèles de missiles balistiques à courte portée à propergol solide (au moins 19 unités tirées). Dans les deux cas, le pays a signalé ses activités dans un objectif assumé de dissuasion nucléaire aux niveaux stratégique et tactique.

13. En tout, au moins 23 tirs de missiles balistiques ont été effectués par la République populaire démocratique de Corée (voir annexe 10) : 4 tirs de missiles balistiques intercontinentaux (2 dotés de propulseurs à carburant liquide et 2 de propulseurs à poudre) et 19 de missiles balistiques à courte portée (tous dotés de propulseurs à poudre)[10].

Missiles balistiques intercontinentaux

14. L'essai limité et conséquent d'un missile balistique intercontinental (ICBM) à propergol solide à trois étages, le Hwasong-18 (voir annexe 11), est intervenu le 13 avril à partir d'une aire de lancement située à 20 kilomètres au nord-est de Pyongyang. La traînée d'échappement, comme on le voit dans une vidéo de la Télévision centrale coréenne du 14 avril[11], est conforme à la combustion de propergol solide. Ce tir s'est produit après un nouvel essai de propulseur à poudre le 15 décembre 2022 à Sohae[12] et un autre le 29 ou le 30 janvier 2023 à Magunpo[13], d'après un État Membre et une source ouverte (voir annexe 15)[14], et la présentation, dans des conteneurs, de cinq missiles balistiques intercontinentaux inconnus, lors d'un défilé militaire le 8 février

[10] Deux experts estiment qu'il n'existe pas suffisamment de preuves pour établir les spécificités et la technologie ayant servi aux projectiles tirés par la République populaire démocratique de Corée décrits dans le présent paragraphe.

[11] Voir https://kcnawatch.org/kctv-archive/64395c9bbc9b7.

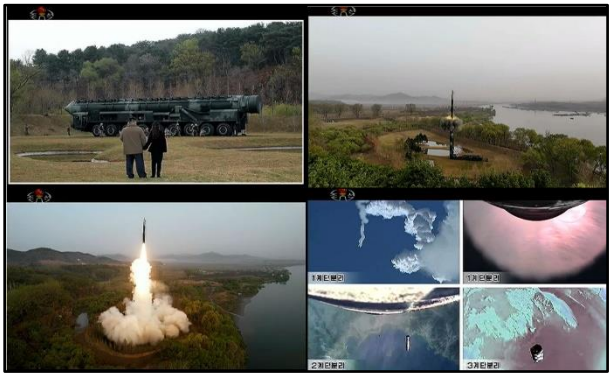
[12] S/2023/171, par. 27.

[13] 39° 48′ 06″ N 127° 33′ 39″ E. Le 15 décembre 2022, un nouveau propulseur à poudre avait été mis à l'essai sur le banc d'essai moteur horizontal à Sohae, récemment construit, aux coordonnées 39° 39′ 06″ N 124° 42′ 57″ E (S/2023/171, par. 27).

[14] Voir https://twitter.com/DaveSchmerler, 30 janvier 2023.

à Pyongyang (voir annexe 12). Les principaux préparatifs sur le site, en prévision du tir du Hwasong-18, près de l'une des demeures de Kim Jong Un, la présence de Kim et de sa fille, et la communication élaborée relevée ensuite dans les médias officiels[15] montre la confiance dans le succès du lancement, vite revendiqué par les autorités de la République populaire démocratique de Corée, laquelle a procédé au deuxième tir d'un Hwasong-18 le 12 juillet à partir de la même aire de lancement, de nouveau revendiqué comme réussi (voir annexe 10).

Figure I
Tir d'un missile balistique intercontinental Hwasong-18 le 13 avril 2023



Source : Télévision centrale coréenne (14 avril 2023).

15. Avant le tir du Hwasong-18, la République populaire démocratique de Corée a procédé également à deux tirs de missiles balistiques intercontinentaux à propergol liquide qui avaient été vus précédemment. Selon l'état-major interarmes de la République de Corée et le Ministère japonais de la défense, un missile balistique a été tiré le 18 février depuis l'aéroport international de Sunan, suivant une trajectoire en cloche vers l'est (voir annexe 10). Les photographies diffusées par l'Agence centrale de presse coréenne montrent ce qui semble être un missile balistique intercontinental Hwasong-15 tiré à partir d'un transporteur-érecteur-lanceur (TEL) depuis l'aéroport international de Sunan[16]. L'Agence centrale de presse coréenne a présenté ce tir comme étant d'exercice plutôt que correspondant à un essai. Le 16 mars, l'état-major interarmes de la République de Corée ont signalé un nouveau tir de missile balistique depuis l'aéroport international de Sunan, suivant une trajectoire en cloche vers l'est. Les photographies diffusées par l'Agence centrale de presse coréenne montrent ce qui semble être un missile balistique Hwasong-17 lancé depuis un transporteur-érecteur-lanceur à 11 essieux. Les médias officiels de la République populaire démocratique de Corée l'ont à nouveau qualifié de succès[17].

16. Un État Membre a relevé une modification dans cette nouvelle version du Hwasong-17 : la partie inférieure du premier étage du missile est plus rectiligne que constaté précédemment (voir fig. II). Cela permet de réduire la traînée pendant la

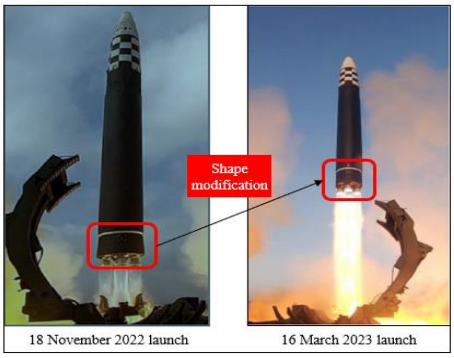
[15] Agence centrale de presse coréenne, Télévision centrale coréenne et *Rodong Sinmun*. Voir également https://kcnawatch.org/newstream/1681458619-912978826/another-mighty-entity-showing-continuous-development-of-strategic-force-unveiled-in-dprk-respected-comrade-kim-jong-un-guides-first-test-fire-of-new-type-icbm-hwasongpho-18-on-spot.

[16] Voir https://kcnawatch.org/newstream/1676776192-691717962/icbm-launching-drill-staged.

[17] Voir https://kcnawatch.org/newstream/1679039432-23076180/demonstration-of-toughest-response-posture-of-dprk%e2%80%99s-strategic-forces-icbm-hwasongpho-17-launched.

partie atmosphérique du vol, ce qui porte à croire que le Bureau général des missiles [18] est par ailleurs confiant dans la performance et la stabilité du missile.

Figure II
Tir d'un Hwasong-17 le 16 mars 2023



Source : Agence centrale de presse coréenne (le 17 mars 2023).

Source : Ministère japonais de la défense (16 mars 2023), annoté par le Groupe d'experts.

17. La République populaire démocratique de Corée a tenu, en présence de Kim Jong Un, une cérémonie de prise d'armes le 8 février sur la Place Kim Il Sung à Pyongyang pour célébrer le soixante-quinzième anniversaire de la fondation de l'Armée populaire coréenne. Des États Membres et le Groupe d'experts estiment que les principaux systèmes d'armes montrés à cette occasion étaient un nouveau type de missile balistique intercontinental, peut-être à propergol solide, dont cinq unités étaient transportées dans des conteneurs sur des transporteurs-érecteurs-lanceurs WS 51200 à neuf essieux [19], 11 ou 12 missiles balistiques intercontinentaux Hwasong-17 (un nombre record), des missiles balistiques à courte portée KN-23[20] et KN-25 ainsi qu'une « nouvelle arme tactique guidée ». La présentation de 17 transporteurs-érecteurs-lanceurs, nombre exceptionnel, pendant le défilé, laisse croire que la République populaire démocratique de Corée maîtrise la production de ces véhicules de soutien lourds (voir annexe 13).

[18] Une organisation de la République populaire démocratique de Corée citée pour la première fois officiellement en février 2023. Un État Membre estime qu'elle a été créée pour « mettre au point, produire et gérer des missiles et mener des missions en vue du fonctionnement et du déploiement d'une ou de plusieurs armes nucléaires stratégiques ou tactiques majeures ».

[19] Vu pour la première fois en République populaire démocratique de Corée pendant un défilé en avril 2012.

[20] Semble avoir deux variantes. Voir https://opennuclear.org/sites/default/files/2023-01/Report-NORTH-KOREAN-SHORT-RANGE-SYSTEMS%20%281%29.pdf.

Missiles balistiques tactiques

18. Les tirs de missiles balistiques intercontinentaux décrits ci-avant ne doivent pas éclipser le tir fréquent de missiles balistiques à courte portée à propergol solide : au moins 19 tirs à huit occasions (voir annexe 10). Ils semblent avoir été réalisés dans contextes opérationnel simulés, apparemment pour exposer l'état de préparation des forces armées du pays, à la manière des exercices menés le 25 septembre et le 9 octobre 2022[21]. Les tirs de missiles balistiques à courte portée en 2023 incluaient le lancement d'un missile KN-23 depuis un silo situé dans la zone de Sohae le 19 mars (voir annexe 22), dans le cadre d'un « exercice de simulation de contre-attaque nucléaire », selon l'indication donnée par l'Agence centrale de presse coréenne. Ce tir a été confirmé par l'état-major interarmes de la République de Corée et le Ministère japonais de la défense (voir annexe 10). L'Agence centrale de presse coréenne a signalé qu'une ogive factice avait explosé à 800 m au-dessus de l'eau. Si cette information était avérée, cela montrerait une intention et capacité de maximiser l'impact de l'explosion d'une ogive nucléaire au-dessus du sol, tout en réduisant l'émission de poussière radioactive.

Figure III
Tirs simultanés de missiles balistiques à courte portée le 9 mars 2023 depuis le lac Taesong

Source : Télévision centrale coréenne (9 mars 2023).

[21] S/2023/171, par. 28.

Figure IV
Lancement d'un missile balistique à courte portée KN-23 en silo le 9 mars 2023 depuis la zone de Sohae

Source : Télévision centrale coréenne (20 mars 2023).

19. Les médias officiels de la République populaire démocratique de Corée ont systématiquement fait mention de la bonne préparation des forces armées. Un État Membre estime que la République populaire démocratique de Corée cherche désormais à déployer ses missiles au sein des forces armées. Elle met en avant leur entraînement et sa disposition à utiliser des missiles pour renforcer la crédibilité de sa dissuasion.

20. Kim Jong Un a conféré une plus grande importance encore à ces tirs de missiles balistiques à courte portée en appelant à consolider une capacité nucléaire tactique. Le 1er janvier, il a célébré le déploiement comme arme nucléaire tactique du « lance-roquettes multiples de très grande taille », nouvellement produit, affirmant que ce système tenait « entièrement la Corée du Sud à portée de frappe et pouvait emporter une ogive nucléaire tactique »[22]. Il a réaffirmé ainsi sa volonté d'atteindre une dissuasion nucléaire fondée sur des composantes tactiques et stratégiques, conformément aux objectifs stratégiques énoncés dans un discours prononcé en janvier 2021 lors du huitième Congrès du Parti du travail de Corée (voir annexe 16). En outre, au cours des défilés militaires du 8 février et du 27 juillet, les missiles balistiques à courte portée ont été particulièrement mis en avant, notamment les KN-23, KN-25 et une « nouvelle arme tactique », avant la présentation des missiles balistiques intercontinentaux.

Lancement d'un satellite militaire

21. Le 31 mai, l'Administration nationale du développement aérospatial (KPe.029) a cherché à mettre en orbite un satellite militaire après la notification faite par la République populaire démocratique de Corée à l'Organisation maritime internationale (OMI)[23, 24] au sujet de trois « zones de chute » qui seraient actives du

[22] Discours prononcé le 1er janvier 2023 à l'occasion de la cérémonie de don d'un système de lance-roquettes multiples de 600 mm. Voir https://kcnawatch.org/newstream/1672543895-380674944/respected-comrade-kim-jong-un-makes-reply-speech-at-ceremony-of-donating-600mm-super-large-multiple-launch-rocket-system.

[23] L'OMI a demandé instamment à la République populaire démocratique de Corée de cesser les tirs illicites de missiles balistiques effectués sans notification préalable au-dessus des routes de navigation internationales, dans une résolution adoptée le 31 mai.

[24] L'Organisation de l'aviation civile internationale (OACI) n'a pas été notifiée. Voir les mesures prises par la suite par l'OMI et l'OACI (voir annexe 17).

30 mai au 10 juin. Les chefs d'état-major interarmées de la République de Corée ont signalé que le tir s'était produit à 6 h 29 (heure locale coréenne) depuis Tongchang-ni, sur l'emplacement de la récente aire de lancement modernisée en République populaire démocratique de Corée (voir annexe 19) et qu'une partie de la fusée était tombée à 270 kilomètres au large de la côte ouest de la République de Corée. Le lanceur spatial Chollima-1, fondé en partie sur le programme de missiles balistiques intercontinentaux à propergol liquide, n'est cependant pas parvenu à mettre en orbite sa charge utile, le satellite Malligyong-1. Les images diffusées par l'Agence centrale de presse coréenne montrent au départ une traînée d'échappement claire et lumineuse résultant de la combustion de combustible liquide au premier étage. La République populaire démocratique de Corée a, par la suite, attribué la perte de poussée « au démarrage anormal du moteur du deuxième étage après la séparation du premier étage pendant le vol normal » (voir annexe 20). La République de Corée a, depuis, diffusé des photographies de sections du corps de la roquette et du satellite Malligyong-1 qu'elle avait repêchées en mer (voir annexe 21). Le Groupe d'experts poursuit son enquête.

Principales caractéristiques

22. Les États Membres ont signalé ou corroboré la plupart des informations sur les trajectoires des tirs de missiles balistiques. Les tirs contribuent à l'accomplissement de deux des objectifs de la feuille de route quinquennale de la République populaire démocratique de Corée de janvier 2021 : l'acquisition de capacités relatives à « un missile balistique intercontinental à propergol solide basé au sol » et à « des armes nucléaires tactiques ». Elle a confirmé ses ambitions et diffusé les succès qu'elle revendique en tenant le défilé militaire du 8 février et celui du 27 juillet visant à célébrer le soixante-dixième anniversaire de l'armistice mettant fin à la guerre de Corée (voir annexe 14).

23. La mise en orbite réussie d'un satellite de reconnaissance militaire fonctionnel ajouterait le cas échéant aux moyens de ciblage de la République populaire démocratique de Corée, autre objectif contenu dans la feuille de route de janvier 2021. Ce tir en particulier a pu être motivé autant par des considérations de communication politique interne et de prestige que par la volonté de disposer d'un réel instrument commandement et contrôle[25]. On doit s'attendre à ce que des moyens considérables continuent d'être alloués à ce programme. L'Administration nationale du développement aérospatial a annoncé qu'elle envisageait le lancement d'un deuxième satellite « dans les meilleurs délais possibles »[26].

24. La République populaire démocratique de Corée porte de plus en plus ses efforts sur la propulsion solide, majoritairement utilisée au premier semestre de 2023. L'essai du Hwasong-18 est une indication préliminaire de cette évolution dans le domaine intercontinental, et cet effort en faveur de la propulsion à propergol solide pourrait, à terme, améliorer le degré de préparation de l'arsenal du pays. La mise au point de différents missiles et plateformes de lancement (comme en attestent les tirs de deux missiles de croisière à partir d'un sous-marin le 12 mars, le test d'un KN-23 a partir d'un silo le 19 mars, l'augmentation de la capacite en véhicules transporteurs-érecteurs-lanceurs et le tir à partir d'un réservoir le 25 septembre 2022) ainsi que l'augmentation simplement du volume de de missiles disponibles [27] pourraient

[25] L'estimation préliminaire de l'état-major interarmes de la République de Corée est que le satellite Malligyong-1 n'a pas d'utilité militaire en tant que satellite de reconnaissance.

[26] Voir https://kcnawatch.org/newstream/1685600207-36284567/kcna-report.

[27] Un État Membre estime que la présentation de 12 missiles balistiques intercontinentaux Hwasong-17 le 8 février 2023 avait pour but d'afficher une nouvelle capacité de production de masse.

accroître l'ampleur et la résilience de l'arsenal du pays. Au début de 2023, Kim Jung Un avait préconisé « une augmentation exponentielle de l'arsenal nucléaire du pays » (voir annexe 18). L'Agence centrale de presse coréenne a ensuite déclaré qu'un exercice tactique conduit les 18 et 19 mars « visait à renforcer notablement les capacités du pays en matière de dissuasion militaire et de contre-attaque nucléaire »[28]. Ces faits nouveaux et ces déclarations dénotent une stratégie de dissuasion dérivée de celle de seconde frappe, qui pourrait compenser partiellement les difficultés à développer un sous-marin à la fois lanceur d'engins balistiques et furtif.

Transfert immatériel de technologies et activités des universités de la République populaire démocratique de Corée

25. Le Groupe d'experts a continué d'enquêter sur le transfert immatériel de technologies ayant trait à la République populaire démocratique de Corée (voir résolution 2321 (2016) du Conseil de sécurité, par. 11).

26. S'agissant du cas d'un chercheur de la République populaire démocratique de Corée employé par un institut de recherche en Suède depuis 2020[29], cet institut a informé le Groupe d'experts de la résiliation de l'emploi du chercheur à la mi-mars 2023, conformément à une décision des autorités d'immigration suédoises de la fin du mois de février 2023 de rejeter sa demande de carte de résidence et de permis de travail et de l'expulser (voir annexe 23). Le Groupe d'experts a prié la Suède de lui fournir un complément d'informations.

27. Le Groupe d'experts a enquêté sur un reportage diffusé dans les médias[30] selon lequel l'universitaire Im Song-jin, un ressortissant de la République populaire démocratique de Corée qui travaillait à l'université Kim Il Sung, avait publié des articles scientifiques avec des universitaires chinois. Le Groupe d'experts a constaté que M. Im avait publié des études conjointes depuis 2019 avec des universitaires chinois relevant d'un institut de recherche basé à Beijing et était affilié à une autre université en Chine en 2019 (voir annexe 24). Le Groupe d'experts avait noté auparavant qu'on pouvait qualifier le domaine de recherche de M. Im comme étant celui des produits qui, par nature, ont un double usage[31]. Il a demandé à la Chine de fournir des renseignements ayant trait aux échanges universitaires entre les instituts chinois et les universités de la République populaire démocratique de Corée ainsi qu'à l'actuel poste de M. Im dans une université chinoise. La Chine a répondu que « les informations parues dans les médias étaient d'une inexactitude criante… les deux articles cités par les médias étaient fondés sur une coopération normale d'études scientifiques fondamentales, qui n'avaient pas un caractère à double usage et n'avaient rien à voir avec la prolifération nucléaire … la participation d'Im Song-Jin aux deux articles se limitait à une communication sur des questions théoriques, les universitaires chinois ne lui ayant fourni aucune donnée. Ils l'avaient cité comme coauteur uniquement par respect. Cette communication n'était pas un échange dans le cadre d'une coopération scientifique et technique et ne constituait donc pas une violation des dispositions connexes des résolutions … Im n'était pas retourné à l'université à la fin de sa visite en septembre 2015 et n'y détenait aucun poste officiel … Il s'était rendu dans cette université avant l'adoption de la résolution 2321 en 2016 » (voir annexe 25).

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[28] Voir https://kcnawatch.org/newstream/1679299314-83338627/nuclear-counterattack-simulation-drill-conducted-in-dprk.

[29] S/2023/171, par. 17 et annexe 11.

[30] Voir www.dw.com/en/despite-un-sanctions-german-research-institute-worked-with-north-korean-scientists/a-63890089.

[31] S/2023/171, par. 19 et 20 et annexes 13 à 15.

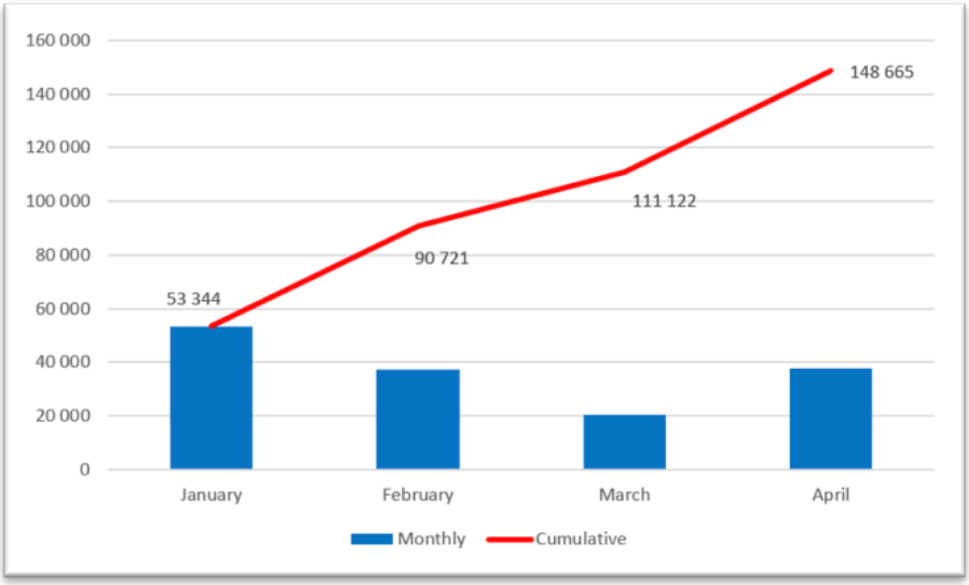
III. Sanctions sectorielles et maritimes[32, 33]

Commerce maritime

Plafond des produits pétroliers raffinés

28. Les États Membres sont tenus d'aviser le Comité de toutes livraisons de produits pétroliers raffinés à la République populaire démocratique de Corée[34]. Au 10 juillet 2023, le site Web du Comité affichait un total de 157 862, 701 barils (31,57 %) livrés par rapport au plafond annuel autorisé de 500 000 barils de produits pétroliers raffinés (voir fig. V).

Figure V
Cargaisons déclarées de produits pétroliers raffinés à la République populaire démocratique de Corée, janvier-avril 2023
(Nombre de barils)



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

29. Un État Membre a fourni des données et des images satellites de 25 pétroliers battant pavillon de la République populaire démocratique de Corée qui effectuaient 46 livraisons de produits pétroliers raffinés à Nampo et à d'autres installations pétrolières du 1er janvier au 1er mai 2023 (voir annexe 26). Sur les 25 pétroliers battant pavillon de la République populaire démocratique de Corée, 9 sont inscrits sur la liste du Conseil de sécurité et auraient ainsi été interdits d'entrée dans des ports étrangers pour charger des produits pétroliers raffinés [voir résolution 2321 (2016), par. 12 c)]. Le Groupe d'experts note également que les transferts d'hydrocarbures entre navires

[32] Les informations figurant dans la présente section étaient pertinentes au mois de juin 2023 ou à la date à laquelle elles avaient été consultées dans les bases de données ou fournies au Groupe d'experts. Il se peut qu'elles ne reflètent pas les mises à jour communiquées par le Système mondial intégré de renseignements maritimes de l'OMI, comportant des informations rétroactives datant d'avant juin, qui ont été saisies ultérieurement.

[33] Les heures sont enregistrées en heure d'hiver de New York, en temps universel coordonné ou en heure locale, selon la source de données d'origine.

[34] Résolution 2397 (2017) du Conseil de sécurité, par. 5.

battant pavillon de de la République populaire démocratique de Corée sont interdits aux termes des dispositions du paragraphe 11 de la résolution 2375 (2017).

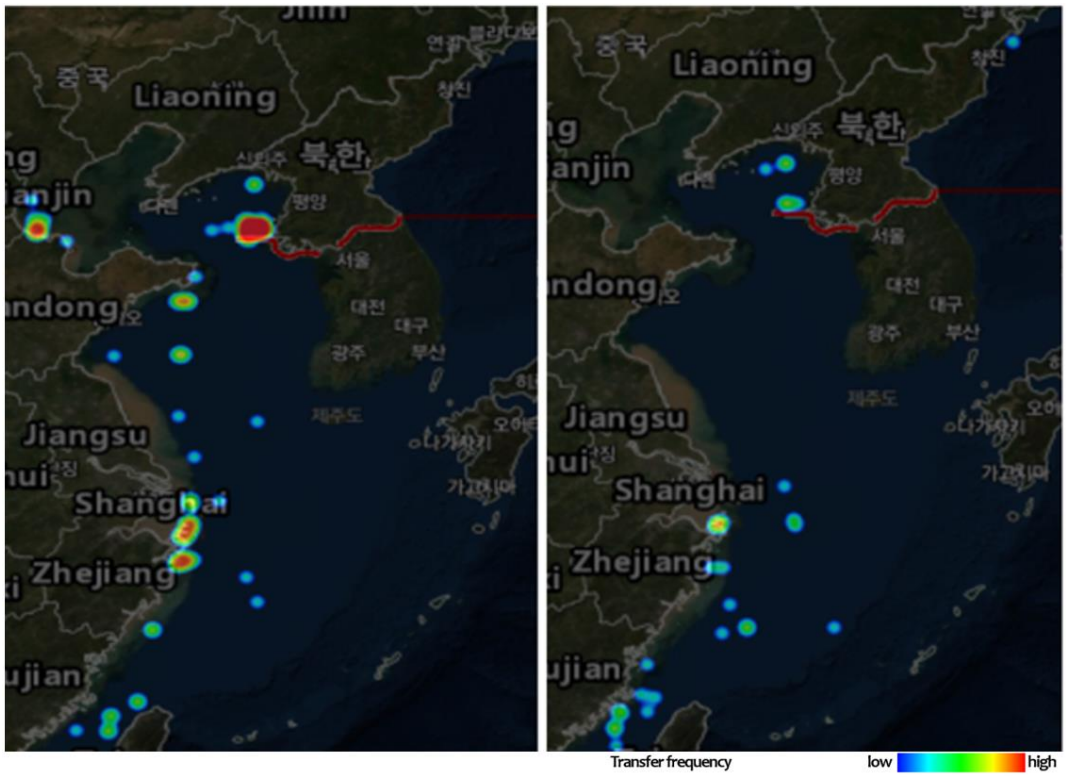
30. Selon l'État Membre, la République populaire démocratique de Corée « a probablement importé quelque 781 497 [barils] de produits pétroliers raffinés au cours de 46 livraisons. Les quantités déchargées étant estimées à 90 % [poids en lourd], [la République populaire démocratique de Corée] a enfreint probablement le plafond de 500 000 [barils] autour du 2 avril. Même à 60 % [poids en lourd], [la République populaire démocratique de Corée] a dépassé le plafond de 500 000 [barils] à compter du 1er mai » (voir annexe 26). Un autre État Membre a estimé que quelque 80 000 tonnes (638 400 barils) de pétrole raffiné avaient été illicitement importées par la République populaire démocratique de Corée au premier trimestre de 2023 (voir annexe 27)[35, 36].

Eaux touchées

31. Le Groupe d'experts a continué de surveiller les navires qui avaient procédé à des échanges commerciaux illicites dans les secteurs correspondant aux zones maritimes communiquées par un État Membre dans la figure VI (voir annexe 28).

Figure VI
Zones de transfert illicite d'hydrocarbures entre navires de la République populaire démocratique de Corée en 2022 et au premier semestre de 2023

Pour l'ensemble de l'année 2022 Au premier semestre de 2023



Source : Un État Membre.

[35] Le taux de conversion du Comité est de 7,98 barils de produits pétroliers raffinés par tonne.

[36] Deux experts sont d'avis qu'il s'agit là de données estimatives de ces deux États Membres et le Groupe d'experts n'est actuellement pas en mesure d'établir une distinction entre les livraisons licites de produits pétroliers raffinés qui ont été signalées au Comité et les livraisons illicites.

Méthodes de contournement des sanctions

Changement des lieux d'échanges dans les eaux territoriales

32. La République populaire démocratique de Corée a continué d'utiliser les eaux territoriales pour effectuer des transferts illicites, notamment dans des zones nouvellement observées. Le Groupe d'experts a relevé des activités de navire à navire autour de l'île de Ch'o-do[37] ainsi que plus au nord, autour de l'île de Sokdo-ri (voir annexe 29). Hors des eaux de la République populaire démocratique de Corée, les navires de ce pays ont continué d'exporter son charbon dans les eaux chinoises et une nouvelle zone d'échanges commerciaux a été répertoriée par un État Membre près de l'île de Taishan (voir par. 74 à 76).

Éviter la détection

33. Le Groupe d'experts a continué d'observer un recours généralisé à des mesures de contournement des sanctions : transferts illicites dans l'obscurité (habituellement à l'aube et au crépuscule), transferts de navire à navire pendant de plus courts laps de temps, faux identifiants et interruption des signaux transmis par le système d'identification automatique (AIS) pendant les transferts. D'autres mesures de contournement de la détection, signalées par les États Membres comprennent : l'utilisation de mots codés, le blocage des signaux transmis par le système et l'émission de signaux « camouflés »[38]. Ces mesures ne sont pas mutuellement exclusives et les navires suspects en utilisent généralement plusieurs.

Falsification de l'emplacement

34. Ceux qui contournent les sanctions imposées à la République populaire démocratique de Corée recourent à une nouvelle forme de géomanipulation[39], destinée à brouiller les pistes en donnant l'impression que les navires se trouvent ailleurs (voir annexe 30). Le 4 avril par exemple, une base de données maritimes a enregistré l'ancien navire de livraison directe[40] *New Konk* (numéro OMI : 9036387) transmettant sur son identifiant frauduleux connu, *F.Lonline* (Identité dans le service mobile maritime (MMSI) : 312162000), qui aurait transité par le détroit de Taïwan et serait entré en mer de Chine méridionale. L'imagerie satellite a confirmé que le navire se trouvait en fait dans la baie de Sansha (Chine) lorsque les manipulations ont commencé.

35. Tandis que ses itinéraires étaient géomanipulés, le *New Konk*, transmettant sous un autre nom frauduleux, le *Lifan* (voir fig. VII), s'est mis à naviguer en direction du nord, avant de cesser ses transmissions du système d'identification automatique à la mi-avril (voir fig. VIII).

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[37] Le Groupe d'experts a signalé qu'il s'agissait d'une nouvelle zone d'activité en 2022. Voir S/2022/668, par. 35 et 36 et annexe 26.

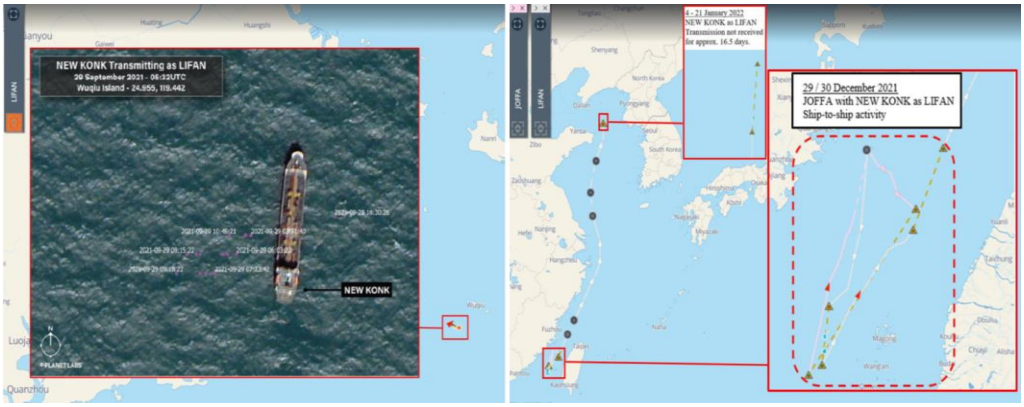
[38] Ces méthodes avaient déjà été observées, comme l'a signalé un autre État Membre dans le cas du *Gold Star* (numéro OMI : 9146247). Voir S/2021/777, par. 62 à 67 et annexe 35.

[39] Décrite également comme une manipulation des systèmes mondiaux de navigation par satellite, la géomanipulation a lieu lorsqu'un navire manipule son système mondial de navigation par satellite pour faire croire qu'il se trouve ailleurs. Cette géomanipulation avait déjà été répertoriée dans les eaux de l'Amérique latine et du Moyen-Orient mais a été recensée pour la première fois dans le contexte du contournement des sanctions imposées à la République populaire démocratique de Corée. Voir également www.nytimes.com/2022/09/03/world/americas/ships-gps-international-law.html.

[40] Terme utilisé pour décrire les pétroliers n'appartenant pas à la République populaire démocratique de Corée qui ont livré du pétrole raffiné dans les ports du pays avant la pandémie de maladie à coronavirus (COVID-19).

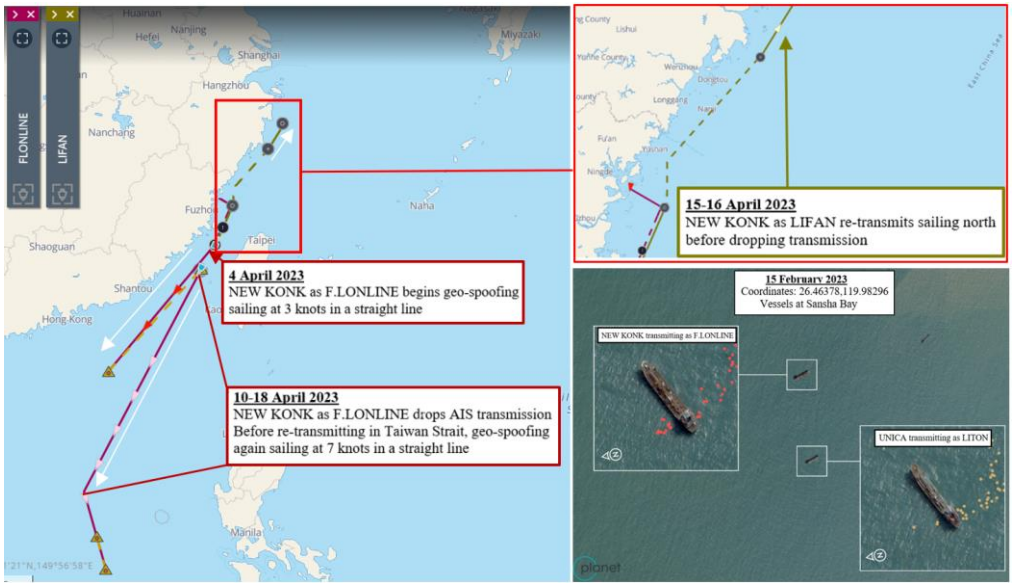
Figure VII
Le *New Konk* transmettant en tant que *Lifan* en septembre et décembre 2021

Septembre 2021 *Décembre 2021*



Source : Windward, annoté par le Groupe d'experts ; imagerie satellite en médaillon, État Membre.

Figure VIII
Navires suspects utilisant des identifiants frauduleux en février 2023 dans la baie de Sansha et géomanipulant leurs voyages en avril 2023



Source : Windward ; image satellite en médaillon ; Planet Labs et superposition des pistes AIS par Windward, annotée par le Groupe d'experts.

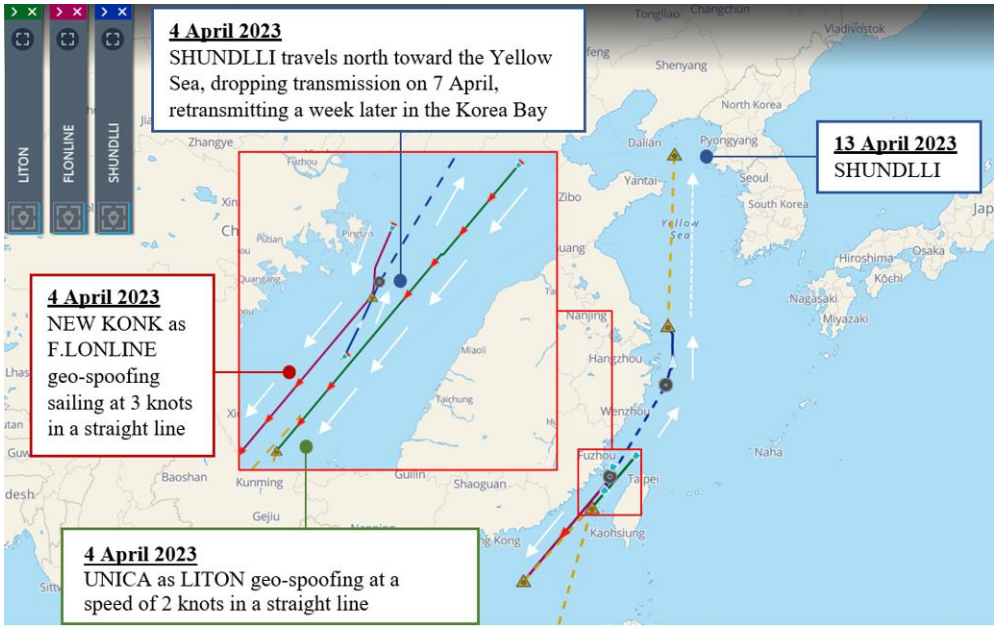
36. Le 21 avril, un navire de même longueur que le *New Konk* se trouvait dans les eaux où d'anciens navires de livraison directe rejoignaient des pétroliers de la République populaire démocratique de Corée pour décharger leurs cargaisons de pétrole illicites[41].

37. Au moment où le *New Konk* amorçait une géomanipulation, un autre ancien navire de livraison directe, l'*Unica* (numéro OMI : 8514306), lui a emboîté le pas,

[41] S/2023/171, par. 37 et annexe 31.

utilisant un identifiant frauduleux connu, le *Liton* (numéro MMSI : 457106000). Le *Shundlli* battant pavillon togolais (numéro OMI : 8355724), sur lequel enquête également le Groupe d'experts (voir par. 71 à 73) transmettait, de même, dans les parages[42]. Les mouvements synchrones de plusieurs navires suspects au même emplacement étaient vraisemblablement une tentative de brouiller la surveillance du navire (voir fig. IX).

Figure IX
Géomanipulation simultanée du *New Konk* et de l'*Unica*, 4 avril 2023



Source : Windward, annoté par le Groupe d'experts.

Transbordement illicite de pétrole raffiné

Livraisons illicites persistantes de pétrole à l'aide d'anciens navires de livraison directe

38. Le *New Konk*, l'*Unica* et le *Diamond 8* (numéro OMI : 9132612) ont continué de livrer du pétrole raffiné dans la zone économique exclusive de la République populaire démocratique de Corée (voir annexe 31). Ils l'ont fait sous de nouveaux noms, qui sont venus s'ajouter aux noms frauduleux connus, que le Groupe d'experts avait déjà identifiés[43]. On trouvera dans le tableau 1 une liste actualisée des MMSI frauduleuses, utilisées par ces navires en 2023. Le Groupe d'experts estime qu'ils sont probablement à présent sous le contrôle de la République populaire démocratique de Corée.

39. Le *New Konk* est suspecté par exemple d'avoir assumé au mois de mai l'identité frauduleuse du *Lian* et d'avoir transmis un numéro MMSI (667001395) appartenant au *Joffa*, dont le Groupe d'experts avait indiqué la mise au rebut en avril 2022[44]. Le nom *Lian* est pratiquement identique à *Lifan*, le nom frauduleux utilisé par le *New*

[42] Alors que l'*Unica* et le *New Konk* géomanipulaient simultanément leurs emplacements d'AIS, le *Shundlli* a commencé à voguer en direction du nord, tout en ayant de vastes interruptions dans son système d'identification automatique, jusqu'à ce qu'il atteigne la baie de Corée.

[43] S/2023/171, tableau 2.

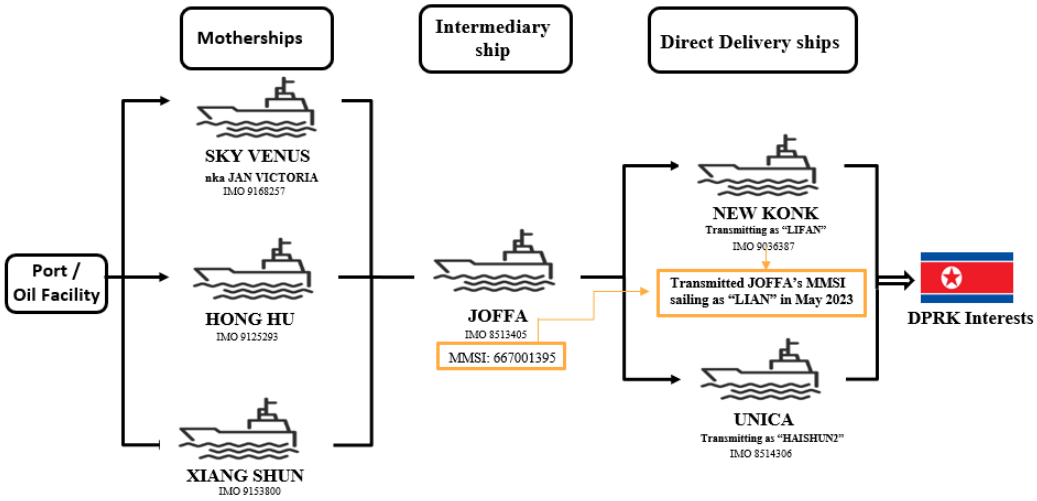
[44] S/2022/668, par. 41 à 46 et annexes 28, 30, 32.6 et 34.

Konk lorsqu'il effectuait des transferts de navire à navire avec le *Joffa* en décembre 2021 (voir fig. X). Les itinéraires du *Lian* en mai et en juin, comme indiqué sur la plateforme maritime, rappellent ceux empruntés précédemment par le *New Konk*, ce qui montre la poursuite des livraisons illicites de pétrole à la République populaire démocratique de Corée (voir fig. XI).

40. Depuis décembre 2022, le *Shundlli* a également livré du pétrole raffiné en recourant aux mêmes méthodes que le *New Konk* et l'*Unica* (voir par. 72).

Figure X

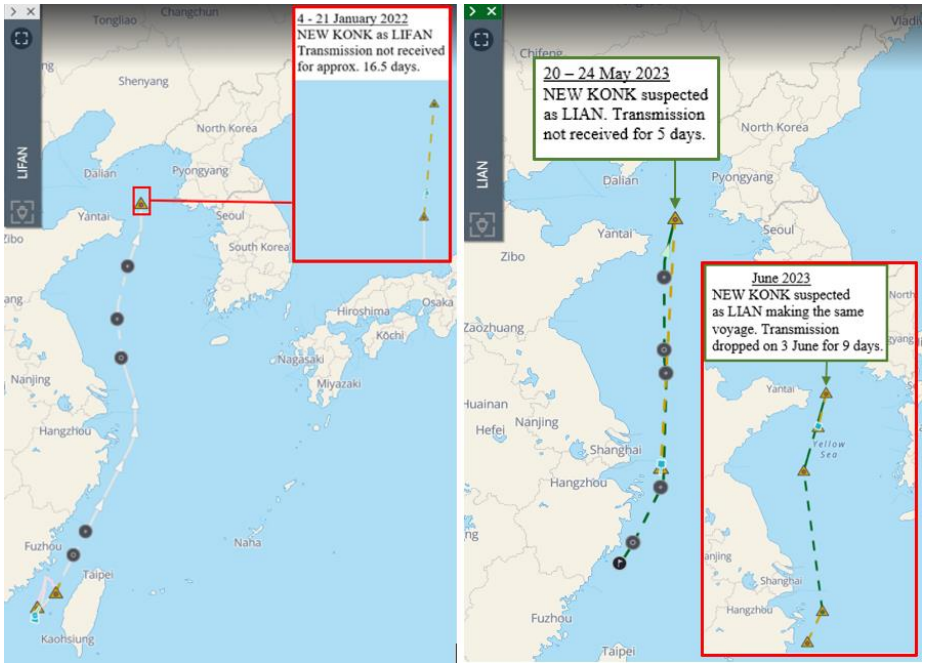
***Le New Konk* en 2023 utilisant le numéro d'Identité dans le service mobile maritime du *Joffa,* aujourd'hui mis au rebut. Les deux pétroliers ont procédé à des transferts de navire à navire les 29 et 30 décembre 2021**



Source : Le Groupe d'experts.

Note : En plus du *Joffa*, le *Sky Venus*, le *Hong Hu* et le *Xiang Shun* ont été depuis mis au rebut.

Figure XI
Comparaison des itinéraires du *New Konk* (« *Lifan* ») en janvier 2022 et du *New Konk* (« *Lian* ») en mai et en juin 2023



Source : Windward, annoté par le Groupe d'experts.

Tableau 1
Tableau des identifiants frauduleux transmis de janvier à mai 2023[45]

Ship name	Fraudulent identifier
NEW KONK (IMO: 9036387)	F.LONLINE MMSI: 312162000 LIFAN MMSI: 312165230 MMSI: 312165923 LIAN MMSI: 667001395
UNICA (IMO: 8514306)	LITON MMSI: 457106000
DIAMOND 8 nka NAM DAE BONG (IMO: 9132612)	SHUNLI MMSI: 457111000

Source : Le Groupe d'experts.

Note : Voir également l'annexe 32.

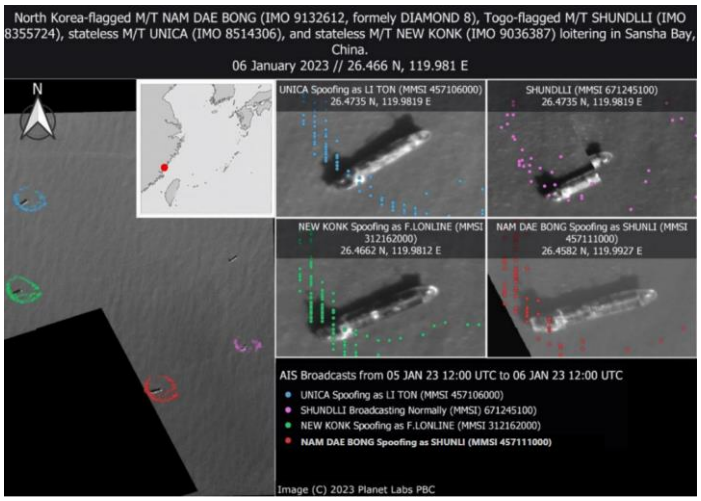
41. Depuis 2020, le Groupe d'experts a signalé que d'anciens navires de livraison directe s'abritaient souvent dans les eaux de la baie de Sansha entre deux trajets illicites (voir annexe 33)[46]. Lorsqu'ils s'y trouvent, ces navires transmettent rarement

[45] Alors que les anciens navires de livraison directe continuaient de transmettre des noms frauduleux connus, quelques-uns de leurs numéros MMSI ont été manipulés.

[46] Le Groupe d'experts a encouragé les autorités compétentes dans les eaux territoriales où ces navires ont pu s'amarrer ou procéder à des échanges à mener des enquêtes et à l'en informer. Voir S/2023/171, par. 39 et 40.

des signaux au moyen du système d'identification automatique ou alors en transmettent de frauduleux (voir fig. XII). Un exemple évoqué ci-après en détail est un pétrolier battant pavillon de la République populaire démocratique de Corée sous le nom de Nam Dae Bong en août 2021 (précédemment le *Diamond 8* : le site Web de l'OMI n'a été actualisé, à cet égard, qu'en 2023)[47]. Pour cette raison, quand le Groupe d'experts l'avait signalé, le pétrolier appartenait déjà à la flotte de la République populaire démocratique de Corée lorsqu'il se trouvait dans la baie de Sansha et effectuait ses trajets illicites de carburant. Le Groupe d'experts a demandé l'assistance des autorités chinoises pour obtenir des renseignements sur d'anciens navires de livraison directe et des individus associés facilitant des transferts illicites de pétrole, afin de favoriser la désorganisation de futurs achats de pétrole par ces navires. La Chine a répondu que les autorités compétentes continuaient d'enquêter et que d'après « les constatations préliminaires, le *New Konk*, l'*Unica*, le *Diamond 8*/*Nam Dae Bong* et le *Shundlli* n'avaient pas de registres d'entrée ou de sortie de ports en Chine depuis 2020 » (voir annexe 25).

Figure XII
Anciens véhicules de livraison directe dans la baie de Sansha, 6 janvier 2023



Source : Un État Membre.

Activités de contournement des sanctions

42. La République populaire démocratique de Corée continue de contourner les sanctions, comme suit[48] :

a) transferts d'hydrocarbures de navire à navire durant des phases multiples, qui ont souvent pour point de départ le détroit de Taiwan ;

b) activité clandestine du système d'identification automatique (non comptabilisée pendant les périodes de non-transmission du système, pouvant faciliter une escale ou une activité de navire à navire) des navires intermédiaires[49] ;

[47] L'OMI actualise les données relatives aux pavillons des navires d'après les informations fournies par l'État du pavillon.

[48] S/2022/132 et S/2022/668.

[49] Le Groupe d'experts emploie l'expression « navires intermédiaires » pour désigner les pétroliers qui, tout au long de la chaîne de transfert d'hydrocarbures de navire à navire en phases multiples, transfèrent leur cargaison de pétrole à d'anciens navires de livraison directe, à des navires non

c) transmission d'identifiants frauduleux par d'anciens navires de livraison directe au moment de se rendre dans les eaux de la République populaire démocratique de Corée pour y retrouver ses pétroliers ;

d) exploitation de navires appartenant à des entreprises enregistrées se caractérisant par : une empreinte restreinte ou inexistante en ligne, des renseignements sur le registre des sociétés ne mentionnant comme contacts que des secrétaires d'entreprise, des courriels enregistrés qui semblent être impossibles à contacter, l'utilisation d'adresses « aux bons soins de » et une propriété effective inconnue.

43. Les deux exemples suivants illustrent des cas sur lesquels le Groupe d'experts a commencé à enquêter en 2023.

Cas nº 1 : navire ravitailleur – Ever Glory – Nam Dae Bong *(«* Diamond 8/Shunli *»)* – *République populaire démocratique de Corée*

Transferts de pétrole (voir fig. XIII) :

44. Tout en transmettant frauduleusement sous le nom de *Shunli* (numéro MMSI : 457111000), le *Diamond 8*[50] a quitté les eaux de la baie de Sansha autour du 17 février, vogué en direction du sud, le long du détroit de Taiwan, et retrouvé l'*Ever Glory* battant pavillon sierra-léonais (numéro OMI : 9102813). Le Groupe d'experts avait déjà signalé que le vrai *Shunli* (numéro OMI : 8514435) avait en fait été mis au rebut en 2021[51].

45. Après leur rendez-vous, le *Diamond 8*/*Shunli* a réintégré la baie de Sansha, puis navigué en direction du nord, atteignant les eaux de la République populaire démocratique de Corée autour du 13 mars. Avant de retrouver le *Diamond 8*/*Shunli*, l'*Ever Glory* avait rencontré autour du 21 janvier le navire ravitailleur (« navire ravitailleur X »), lequel avait chargé du pétrole au port de Mailiao deux jours auparavant. Après avoir réceptionné le pétrole du navire ravitailleur, l'*Ever Glory* est retourné dans la zone du port de Kaohsiung où il est resté jusqu'au 17 février, lorsqu'il a pris la direction du sud pour s'amarrer le long du *Diamond 8*/*Shunli* plus tard durant la journée.

46. La société britannique de commerce Success Regent Development Limited (« Success Regent »), constituée aux Îles Vierges britanniques et établie à Kaohsiung, a indiqué, en réponse aux demandes de renseignement du Groupe d'experts, que le navire ravitailleur X avait transféré le 21 janvier à l'*Ever Glory* 4 100 tonnes de pétrole (estimées à quelque 4 millions de dollars). Par ailleurs, la société Full Victory Enterprise Co., Ltd (« Full Victory »), constituée à Anguilla et établie à Tainan, a acheté la cargaison de pétrole du Success Regent pour l'*Ever Glory*. Success Regent a également confirmé que sa société, enregistrée comme le propriétaire du navire ravitailleur X, le gestionnaire technique du navire, Mega Glory Holdings, et l'entité ayant acheté la cargaison de pétrole au port de Mailiao pour le compte de Success Regent avaient tous un propriétaire commun.

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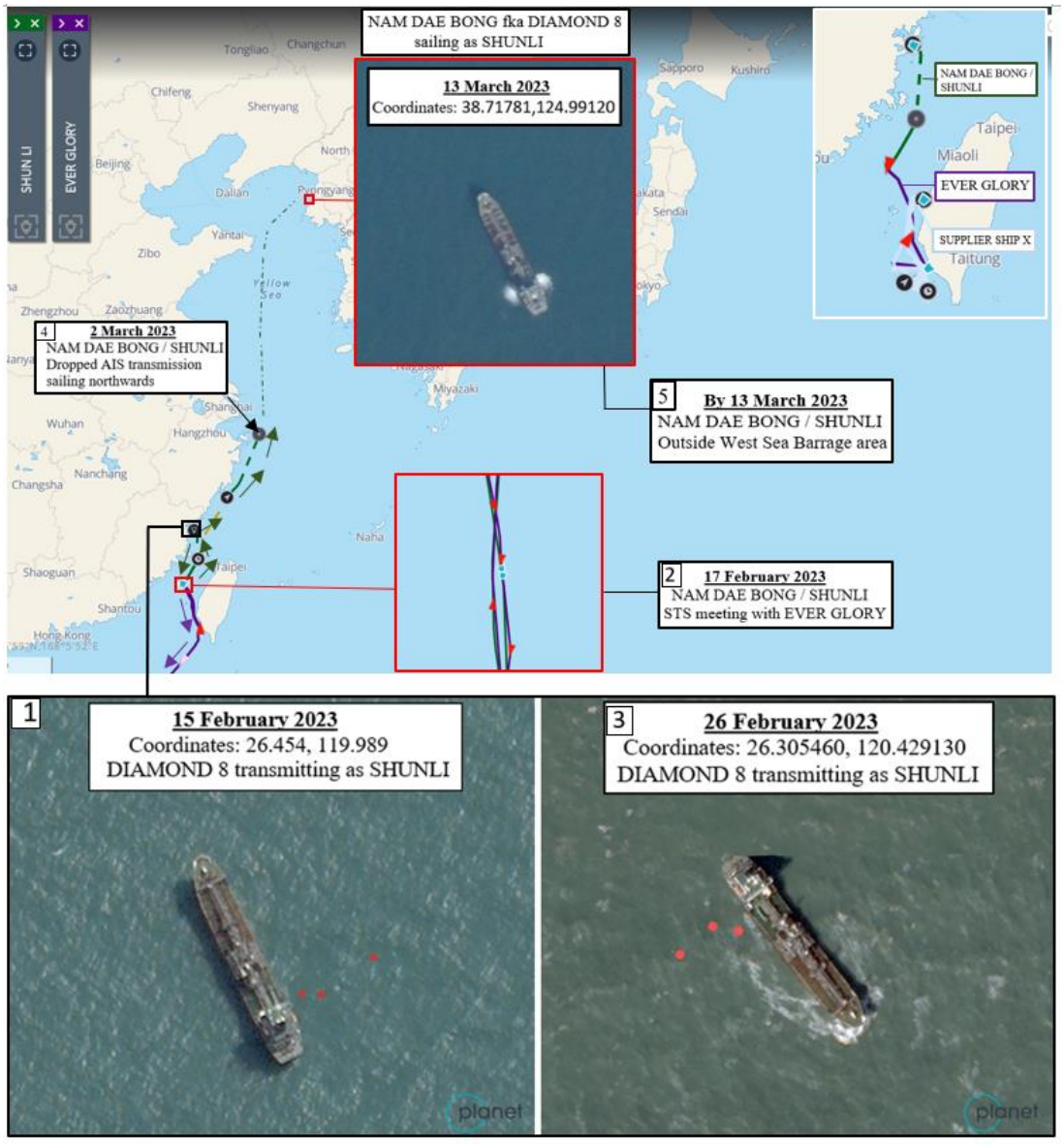
dotés de numéro OMI ou à des pétroliers camouflés de la République populaire démocratique de Corée.

[50] Le *Diamond 8* a fait l'objet d'enquêtes de la part du Groupe d'experts dans plusieurs rapports et son inscription sur la liste a été recommandée du fait de la livraison illicite de pétrole raffiné à la République populaire démocratique de Corée en 2019 et en 2020.

[51] S/2022/668, par. 42.

Figure XIII
Le *Nam Dae Bong*/*Shunli* amarré à côté de l'*Ever Glory* avant son arrivée en République populaire démocratique de Corée, février-mars 2023



Source : Windward (lignes en pointillé indiquant la route prévue) ; imagerie satellite, Planet Labs et superposition AIS par Windward, annoté par le Groupe d'experts.

47. La société Success Regent a indiqué avoir fait preuve de diligence raisonnable à l'égard du navire receveur, l'*Ever Glory*, en janvier[52]. Elle a déclaré : « nous ne traitons pas directement affaires » avec le propriétaire enregistré de l'*Ever Glory*, mis à part le fait que Full Victory avait désigné l'*Ever Glory* comme le navire récipiendaire de la cargaison de pétrole. Le Groupe d'experts note que Full Victory était également l'acheteur qui avait été cité concernant la cargaison de pétrole

[52] Le Groupe d'experts note que la Success Regent avait déclaré par ailleurs que son équipe de vérification de la conformité avait pris les précautions qui s'imposaient concernant l'acheteur de la cargaison de pétrole pour l'*Ever Glory*, Full Victory, le 3 mai 2023. Il a demandé de nouvelles précisions à la Success Regent.

demandée par le navire ravitailleur X au pétroler *Midas* battant pavillon mongol (numéro OMI : 9105279) (voir cas nº 2 et figure XVI).

Entités et individus associés

48. Sur la base d'enquêtes antérieures, de registres d'expédition obtenus auprès de divers interlocuteurs et de renseignements de première main, dont les données du registre des entreprises[53], le Groupe d'experts a établi des associations entre diverses entreprises liées à l'individu A (voir fig. XVIII), lequel a répliqué notamment que lui, ses sociétés et ses associés avaient agi comme détenteurs de documents de conformité et ne participaient pas aux échanges commerciaux. Le Groupe d'experts étudie ces informations (voir annexe 34). Les enquêtes se poursuivent.

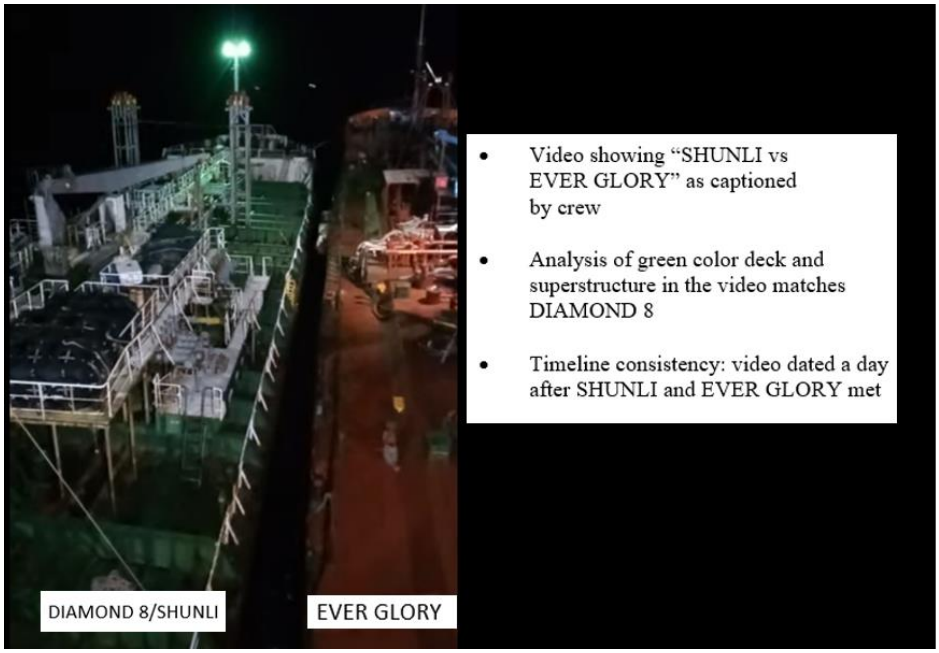
49. Kindom Honor Ltd (« Kindom Honor »), le propriétaire enregistré de l'*Ever Glory*, a déclaré au Groupe d'experts que le navire avait chargé 4 000 tonnes de diesel dans les « eaux septentrionales des Philippines » du 4 au 8 janvier pour qu'elles soient livrées les 17 et 18 février à son client, « M. Qui » Guo Rong de Fujian, dans le port de Tainan. Après de nouvelles demandes de renseignement, Kindom Honor est revenu sur sa déclaration antérieure, expliquant qu'il avait renoncé à l'achat, auprès du marchand philippin, de carburant dont il a évoqué « la piètre qualité ». Il a confirmé avoir acheté du carburant à la Success Regent « car le propriétaire du Full Victory … avait de très bons rapports avec [la Success Regent] » et obtenait ainsi des prix plus avantageux.

50. En réponse à la demande de renseignements du Groupe d'experts sur le navire receveur qui avait par la suite chargé du pétrole de l'*Ever Glory* les 17 et 18 février, Kindom Honor a expliqué que « du fait que les deux navires s'étaient amarrés l'un près de l'autre, la nuit, et que la ligne de visée n'était pas bonne, le capitaine de l'*Ever Glory* n'avait pas suivi les normes opérationnelles du Kindom Honor pour enregistrer l'information relative à l'identification du navire ». Il a affirmé que « personne ne parlait coréen à bord… et que personne n'avait suspecté que le navire récepteur de la cargaison assignée par M. Qui … ait un lien, quel qu'il soit, avec [la République populaire démocratique de Corée] », ajoutant que « Kindom Honor ne s'était jamais servi de l'*Ever Glory* pour entreprendre une activité maritime illicite, quelle qu'elle soit ». À la question posée par le Groupe d'experts de savoir à quel navire Kindom Honor pensait transférer la cargaison de pétrole, la société a admis que certains navires récepteurs pouvaient « dissimuler leur nom ».

51. Kindom Honor a affirmé qu'il contrôlait pleinement l'*Ever Glory*, lequel n'avait jamais croisé le *Nam Dae Bong*/*Diamond 8* et ne s'était jamais amarré aux côtés d'un navire dénommé *Shunli* ». Une vidéo affichée dans les médias sociaux montre néanmoins un transfert apparent de navire à navire entre l'*Ever Glory* et le *Shunli*, contredisant la déclaration de Kindom Honor (voir fig. XIV). L'examen par le Groupe d'experts des séquences vidéo, son analyse du système d'identification automatique et les renseignements obtenus séparément auprès d'autres interlocuteurs, comme la nationalité de l'équipage de l'*Ever Glory*, qui correspondait à la langue employée dans le message affiché dans les médias sociaux, cadre avec son évaluation, à savoir que les deux navires s'étaient effectivement amarrés à couple à la mi-février.

[53] Information détenue par le Groupe d'experts.

Figure XIV
Le *Shunli* et l'*Ever Glory* côte à côte, 19 février 2023



Source : Image d'une vidéo affichée dans les médias sociaux, annotée par le Groupe d'experts.

52. La Success Regent a déclaré que le 3 mai, son équipe de vérification de la conformité avait entamé son devoir de diligence et demandé à Full Victory « de montrer les contrats établis avec les clients et les registres d'expédition pertinents » (voir annexe 35), mais n'avait reçu de réponse que le 5 juillet. Le Groupe d'experts a réclamé ces documents à la Success Regent.

53. Le Groupe d'experts a également écrit à d'autres parties concernées. Il a reçu une aide des Îles Marshall et des Seychelles. La Sierra Leone n'a pas encore répondu et LW Maritime Service Co., Ltd non plus.

Cas n° 2 : navire ravitailleur – Midas – Shundlli – *République populaire démocratique de Corée*

Transferts de pétrole (voir fig. XV)

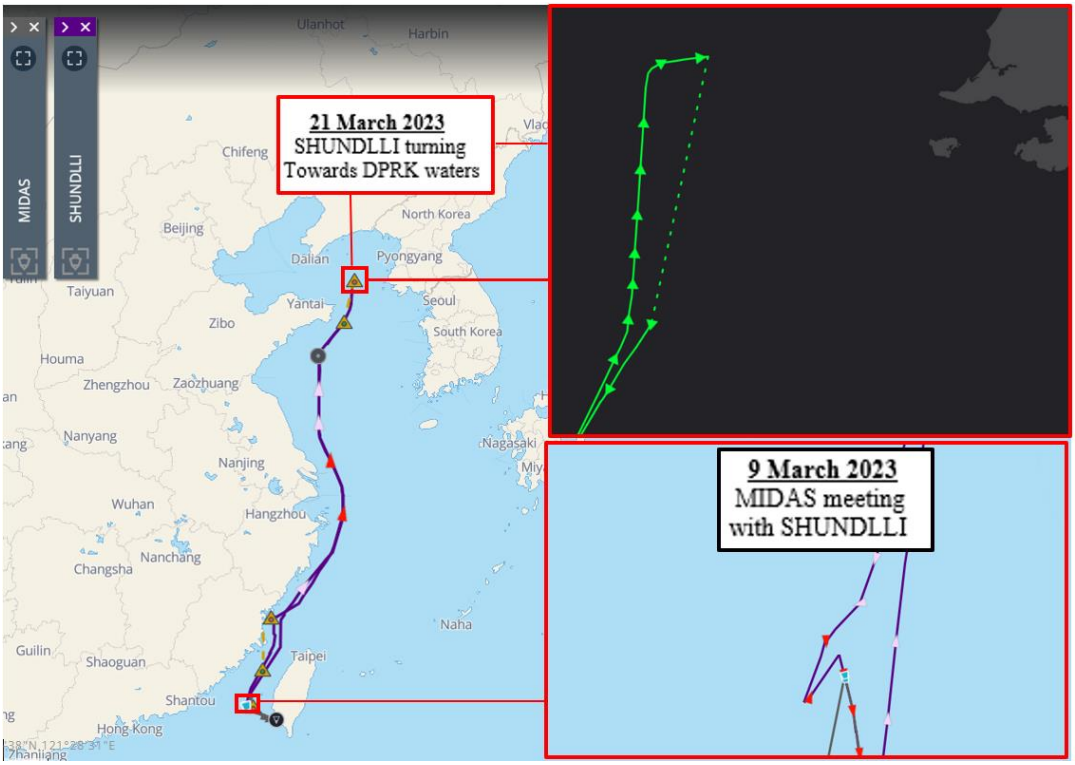
54. Une nouvelle cargaison illicite de pétrole destinée à la République populaire démocratique de Corée a été transbordée de la même façon le mois suivant. Autour du 9 mars, le *Midas* (numéro OMI : 9105279) a procédé à un transfert de navire à navire avec le *Shundlli* dans le détroit de Taiwan. Le *Shundlli* (voir par. 34 à 37) avait fait l'objet d'une enquête dans les médias en décembre 2022, qui avaient signalé qu'il aurait livré du pétrole raffiné à la République populaire démocratique de Corée[54], ce qui faisait de lui un récidiviste. Comme pour l'*Ever Glory*, le navire intermédiaire, le *Midas*, avait été repéré dans la zone du port de Kaohsiung avant de réceptionner le pétrole transféré du même navire ravitailleur X[55]. Avant de croiser le *Midas*, ce navire ravitailleur s'était lui aussi trouvé dans le port de Mailiao. Le navire intermédiaire *Shundlli* avait également quitté les eaux de la baie de Sansha pour aller à la rencontre

[54] Les autorités de la République de Corée ont confirmé au Groupe d'experts qu'elles enquêtaient sur un individu qui avait négocié le transfert de pétrole au navire gigogne *Mercury* (numéro OMI : 9262170). Voir également www.ft.com/content/41e47ba2-3e3b-414b-905b-df4336f22bed.

[55] De février à mars 2023.

du *Midas* dans le détroit de Taiwan, puis pris la direction du nord, par la mer de Chine orientale. Tout en signalant que sa destination était Dalian, le *Shundlli* avait fait un virage vers l'est, en direction des eaux de la République populaire démocratique de Corée, et cessé ensuite de transmettre sur le système d'identification automatique autour du 21 mars.

Figure XV
Le *Shundlli* rencontre le *Midas*, avant de regagner les eaux de la République populaire démocratique de Corée, mars 2023



Source : Windward et S&P Global Sea-web.

Entités et individus associés

55. Le propriétaire enregistré du *Midas* est Laurel International Co Ltd, constitué aux Samoa (« Laurel International ») et opérant à Taiwan. Son exploitant et gérant administratif est Navigator Ship Management Ltd (« Navigator Ship ») établi à Kaohsiung, lequel a les mêmes coordonnées que Green Ship Management Ltd (« Green Ship »), aux « bons soins » de la société propriétaire de l'*Ever Glory*. Green Ship était également mis en copie, par le cabinet d'avocats représentant Laurel International, de la correspondance avec le Groupe d'experts concernant le *Midas*.

56. Laurel International a déclaré que la cargaison de pétrole achetée à la Success Regent devait être transférée du navire ravitailleur X au *Midas*. Le pétrole serait ensuite transféré du *Midas* à un navire récepteur pour le compte de Qiu Guo Shu, un négociant de la province de Fujian, avec lequel Laurel International traitait affaires depuis longtemps. Prié de fournir des renseignements sur le navire récepteur du *Midas*, Laurel International a affirmé que ledit transfert était « une livraison exceptionnelle » durant laquelle « 1 000 tonnes de diesel » avaient été transbordées au « *Shundlli* », au lieu de la pratique habituelle consistant à livrer la cargaison de pétrole directement aux navires des clients. Pour ce qui est du devoir de diligence,

Laurel International a déclaré avoir demandé à Navigator Ship, qui n'aurait par ailleurs pas participé à l'opération commerciale du *Midas*, de confirmer que les renseignements fournis par M. Qiu sur la société immatriculée à laquelle appartenait le *Shundlli* étaient conformes à ceux inscrits dans le registre des sociétés de Hong Kong et que le « *Shundlli* n'était pas un navire de la [République populaire démocratique de Corée] ». Pour ce qui est des registres de communication relatifs au transfert de pétrole, le Groupe d'experts s'est entendu dire que M. Qiu ne savait pas utiliser un smartphone.

57. Laurel International a également déclaré : « la cargaison de diesel achetée… à la Success Regent en mars 2023 … [avait été] entièrement vendue à des navires de pêche chinois et à des navires spécialisés dans les activités offshore par l'entremise de M. Qiu » (voir fig. XVI). Le Groupe d'experts note que la cargaison de pétrole avait été transbordée avec succès et qu'en revanche, les renseignements obtenus séparément d'un État Membre indiquaient un transfert de 1 800 tonnes d'une cargaison de pétrole du *Shundlli* au pétrolier de la République populaire démocratique de Corée *Kum Ryong 3* (numéro OMI : 8610461) (voir par. 71 à 73). Il constate que les barils à bord du *Midas* contenaient, d'après les factures, quelque 1 800 tonnes de pétrole.

Figure XVI
Factures d'entités associées à des transferts de cargaisons de pétrole

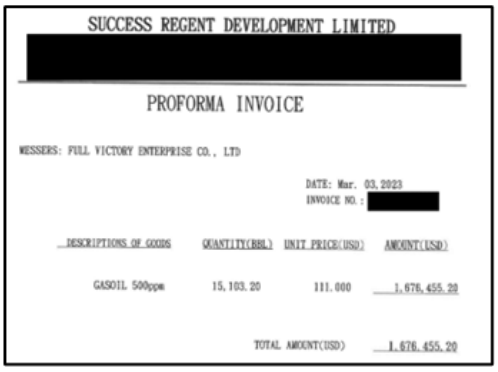
Facture pour des transferts de pétrole à l'*Ever Glory*

SUCCESS REGENT DEVELOPMENT LIMITED
[redacted]
COMMERCIAL INVOICE
DATE: Feb. 01, 2023
INV. NO.:
CONTRACT NO. [redacted]
MESSERS: FULL VICTORY ENTERPRISE CO.,LTD
SUPPLY TANKER [redacted]

DATE	VESSEL NAME	DESCRIPTION OF GOODS	QUANTITY (BBL)	UNIT PRICE (USD)	AMOUNT (USD)
2023/1/31	Ever Glory	Gasoil 10ppm	30,744.83	130.905	US$3,901,672.65

TOTAL AMOUNT US$3,901,672.65

Facture pour des transferts de pétrole au *Midas*


SUCCESS REGENT DEVELOPMENT LIMITED
[redacted]
PROFORMA INVOICE
MESSERS: FULL VICTORY ENTERPRISE CO., LTD
DATE: Mar. 03,2023
INVOICE NO.: [redacted]

DESCRIPTIONS OF GOODS	QUANTITY(BBL)	UNIT PRICE(USD)	AMOUNT(USD)
GASOIL 500ppm	15,103.20	111.000	1,676,455.20

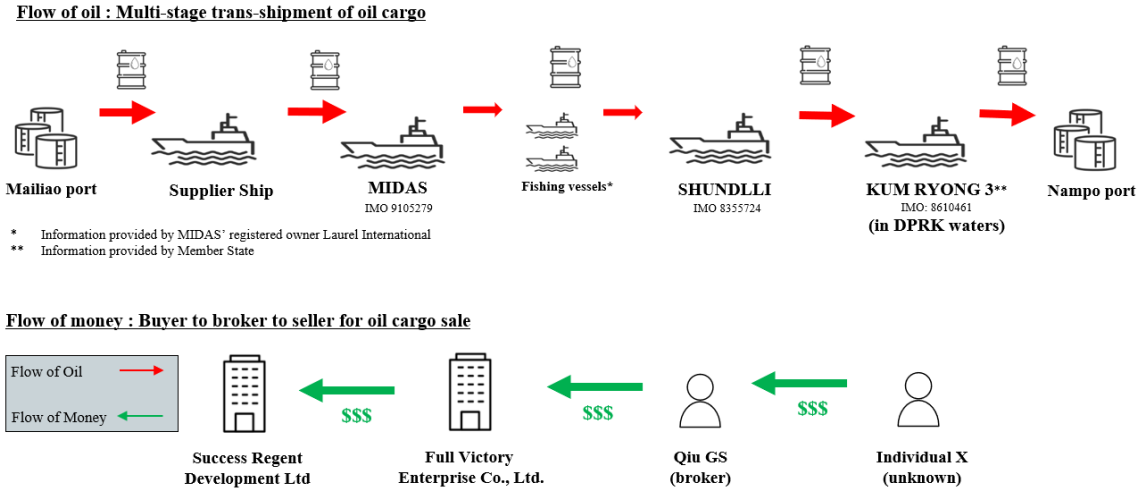
TOTAL AMOUNT(USD) 1,676,455.20

Source : Le Groupe d'experts.

58. La Success Regent a fourni, au nom du navire ravitailleur X, les documents et les renseignements demandés par le Groupe d'experts, qui a cherché à obtenir des précisions pour savoir pourquoi la société avait adressé à Full Victory une lettre datée du 30 mars 2023, rejetant toute nouvelle activité commerciale avec le *Midas*, en raison des doutes suscités par les documents soumis. On trouvera à l'annexe 36 de plus amples détails sur la vente de la cargaison de pétrole sous-traitée par le navire ravitailleur X en tant que premier vendeur/fournisseur sur la base du franco le long du navire ou du franco à bord.

59. La figure XVII illustre le mouvement de pétrole et d'argent.

Figure XVII
Transport de cargaisons de pétrole et flux financiers y relatifs dans le cas n° 2, mars 2023



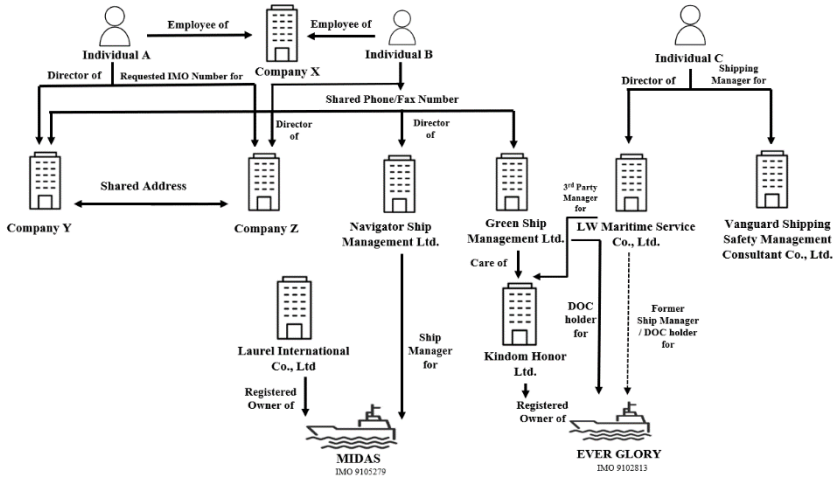
Source : Le Groupe d'experts.

60. En comparant les réponses du Kindom Honor (*Ever Glory*) et du Laurel International (*Midas*), le Groupe d'experts a noté des similitudes dont : recours au même cabinet d'avocats, mise en copie de la même partie extérieure (Green Ship), mêmes méthodes de diligence raisonnable, ressemblance des noms et des antécédents des courtiers impliqués, affirmations selon lesquelles les acheteurs finals des cargaisons de pétrole étaient des « navires de pêche chinois », sans autres preuves documentaires à l'appui, incapacité de fournir des relevés de communication réels ou l'identité du navire concernant les transferts de pétrole, le même acquéreur (Full Victory) dans le cas de l'*Ever Glory* et des achats par le *Midas* de cargaisons de pétrole du navire ravitailleur X et utilisation des mêmes méthodes de paiement. En décrivant les opérations financières des courtiers relatives aux cargaisons de pétrole reçues de l'*Ever Glory* et du *Midas*, les deux sociétés ont expliqué qu'en raison de problèmes d'envois de fond auxquels se heurtaient les « clients chinois » payant en dollars des États Unis, les paiements s'effectuaient en espèces, au moyen de services bancaires clandestins, afin de pouvoir traiter affaires en monnaie locale, d'où l'impossibilité de donner des détails sur les versements. Voir annexes 37 et 38 pour les réponses pertinentes, sous forme éditée, fournies par Kindom Honor et Laurel International, et les comparaisons du Groupe d'experts.

61. Si Laurel International a affirmé avoir acheté la cargaison de pétrole directement à la Success Regent, les renseignements financiers indiquent que Full Victory avait effectué le versement à la Success Regent concernant la cargaison de pétrole transférée du navire ravitailleur X au *Midas* avant le transfert de navire à navire entre ce dernier et le *Shundlli*. À la suite des nouvelles demandes de renseignement du Groupe d'experts, Laurel International a déclaré qu'il opérait « sous la supervision de sa société mère, Full Victory » qui était « un principal apporteur de capitaux à Laurel International ». Le Groupe d'experts continue d'enquêter sur l'achat par Full Victory de cargaisons de pétrole à bord de l'*Ever Glory* et du *Midas*, qui ont été transbordées à la République populaire démocratique de Corée. La Mongolie a donné suite aux demandes de renseignement du Groupe d'experts, qui attend une réponse des Samoa.

62. On trouvera à la figure XVIII un diagramme des entités associées, liées au *Midas* et à l'*Ever Glory*.

Figure XVIII
Liens observés entre des entités[56] et des personnes au cours de l'enquête sur le *Midas* et l'*Ever Glory*



Source : Le Groupe d'experts.

Note : Voir également annexe 34[57].

Vente et acquisition de navires

63. De janvier à mai, le République populaire démocratique de Corée a acheté 14 navires, en violation persistante des résolutions pertinentes du Conseil de sécurité interdisant la fourniture, la vente ou le transfert directs ou indirects de navires à ce pays. On trouvera dans le tableau 2 (voir également annexe 39) une liste actualisée des navires battant pavillon de la République populaire démocratique de Corée depuis 2021 qui n'avaient pas été cités dans le tableau 33 du rapport S/2023/171. Le Groupe d'experts continue de surveiller d'autres navires qui sont probablement sous le contrôle de ce pays mais ne battent pas officiellement son pavillon et s'attend à l'inscription de nouveaux navires sur la liste.

64. L'analyse du Groupe d'experts des acquisitions récentes par la République populaire démocratique de Corée se présente comme suit :

a) légère hausse du nombre de caboteurs chinois battant pavillon de la République populaire démocratique de Corée : ils représentent à présent la majorité des bateaux acquis à ce jour en 2023[58]. La plupart n'ont pas de numéro OMI et n'ont donc pas été immatriculés pour entreprendre de longues traversées internationales. Avec peu ou pas de numéro OMI, de traces d'itinéraires ou d'historique de propriété, ces caboteurs ne présentent aucune preuve commerciale de leur acquisition jusqu'au moment d'arborer officiellement le pavillon de la République populaire démocratique de Corée ;

b) acquisition de navires plus grands et plus neufs ;

[56] D'après les registres du commerce, l'OMI et les registres d'enregistrement des navires.

[57] Les entités ayant fait l'objet d'une correspondance recouvrent les entreprises « aux bons soins de ».

[58] 80 % des navires acquis par République populaire démocratique de Corée de janvier à mai 2023 naviguaient précédemment en tant que cabotiers chinois, contre quelque 50 % en 2022.

c) acquisition principalement de vraquiers, de porte-conteneurs ou de navires de charge ;

d) attribution par la République populaire démocratique de Corée de nouveaux noms à un nombre limité de navires récemment acquis en 2023, dont le *Ryon Phung* (numéro OMI : 9154189) (anciennement *Sin Phyong 11*) et l'*A Bong 1* (numéro OMI : 8669589) (anciennement *Kum Ya Gang 1*).

65. Durant les cinq premiers mois de 2023, le Groupe d'experts a répertorié, par un suivi de la base de données maritimes et des dossiers de l'OMI, 10 navires battant précédemment pavillon chinois ou appartenant à des entités chinoises, qui ont été transférés à la flotte de la République populaire démocratique de Corée (voir annexe 40). Il s'est servi de bon nombre d'analyses du comportement des navires et de signatures pour les identifier. Dans certains cas, en l'absence de renseignements ou de traces des itinéraires empruntés, les navires n'ont pu être identifiés que lorsqu'ils se mettaient à transmettre des données dans les eaux de la République populaire démocratique de Corée.

66. La Chine a répondu : « Le *Shunchao 9*, le *Hui Yi*, le *Hong Jie 1*, le *Run Hong 58*, le *Xin Hong Xiang 77*, le *Wen Tong Fa Zhan* et le *Xianghui 10* ont été radiés en mai 2022, janvier 2023, août 2022, novembre 2021, octobre 2022, février 2023 et novembre 2018, respectivement. Ils n'ont pas été réimmatriculés depuis. Le *Zhi Kun 6* et le *Hua Jin Sheng 8* sont encore immatriculés comme des navires chinois. Le *Hong Tai 215* n'a pas fait de demande d'enregistrement de la nationalité » (voir annexe 25).

67. Le Groupe d'experts a également surveillé un certain nombre de caboteurs battant pavillon chinois qui s'étaient rendus en République populaire démocratique de Corée[59]. Ils avaient emprunté des voies longeant les côtes et affichaient des interruptions considérables, au niveau du système d'identification automatique, avant d'arriver en République populaire démocratique de Corée. Parmi les navires surveillés, le *Bao Ying Hai 18* (numéro MMSI : 412550950) et le *Xin Yang Hong* (numéro OMI : 8358192) ont intégré la flotte de la République populaire démocratique de Corée sous les noms de *Song Nim 9* (numéro OMI : 8360248) et de *Nam Pho 5*, respectivement. Comme beaucoup de ces cabotiers chinois ne disposaient pas d'informations publiques sur leurs propriétaires, le Groupe d'experts a demandé des renseignements à la Chine, notamment sur l'immatriculation des navires, les propriétaires effectifs, les documents de douane, l'achat des navires et leur vente avant qu'ils ne quittent les eaux chinoises. Il a prié les autorités chinoises de communiquer les questions aux propriétaires des navires. On trouvera de plus amples détails à l'annexe 41.

68. La Chine a répondu que « le *Bao Ying Hai 18*, le *Xin Yang Hong*, le *Qiming 168* et le *Fu Long 98* avaient été radiés à la fin de 2022 et au début de 2023 et … n'avaient pas été réimmatriculés depuis » et qu'il n'existait donc pas de renseignements sur « leur emplacement exact ». Elle a également déclaré ne pas avoir trouvé les « registres d'entrée et de sortie du *Xin Hang Shun* et du *Long Xin 12* des ports » et ne pas disposer « d'informations détaillées sur ces navires » (voir annexe 25).

69. Compte tenu de la complexité de la vente d'un navire, notamment les intermédiaires et les courtiers, et de l'absence de vérification sur l'acheteur, le Groupe d'experts a noté la difficulté consistant à repérer la vente de navires à la République populaire démocratique de Corée. Pour atténuer les risques, il a rappelé les meilleures

[59] La surveillance de ces navires par le Groupe d'experts a porté sur la période de septembre 2022 à mai 2023.

pratiques qu'il avait recommandées et les étapes du devoir de diligence durant la vente des navires, comme indiqué dans son rapport le plus récent[60].

Tableau 2

Navires acquis (1er janvier-1er mai 2023) et liste actualisée de navires acquis précédemment et non immatriculés (2021-2022), complétant la liste antérieure du Groupe d'experts de navires battant pavillon de la République populaire démocratique de Corée dans le rapport S/2023/171

Year 2023					
	IMO number	**Ship name**	**Type**	**DWT**	**Previously referenced in Panel reports**
1	8660909	SIN PHYONG 10 ex WALES	Cargo	28451	-
2	1015167	TAE DONG MUN 1 ex SHOU XIANG 8	Cargo	8667	-
3	1017787	MO RAN BONG 7 ex HUA XIANG 669	Cargo / Container	5115	-
4	1018614	UN HA SU ex WEN TONG 7	Cargo	3282	-
5	8592774	HWA PHYONG ex HAI SHUN FENG 6	Cargo / Container	5529	-
6	8598431	THAE JA BONG ex XIANG HUI 10	Cargo	5114	Detailed in current report
7	8662933	HWANG RYONG SAN ex HUA JIN SHENG 8	Cargo	3278	Detailed in current report
8	8360248	SONG NIM 9 ex BAO YING HAI 18	Cargo	6431	Detailed in current report
9	8360406	TOK SONG ex HONG TAI 215	Cargo	14,116	Detailed in current report
10	8358697	KUM GANG 1 ex HUI YI	Cargo	6310	Detailed in current report
11	8360250	HYANG SAN ex WEN TONG FA ZHAN	Cargo	5007	Detailed in current report
12	9054896	A SA BONG ex HAI JUN	Tanker	4785	Yes (S/2022/668, S/2022/132, and current report)
13	8358192	NAM PHO 5 ex XIN YANG HONG	Cargo	4831	Detailed in current report
14	1016355	SONG NIM 5 ex WANG HAO 1	Cargo	5263	-
Year 2022					
	IMO number	**Ship name**	**Type**	**DWT**	**Previously referenced in Panel reports**
15	8669589	A BONG 1 / KUM YA GANG 1 ex HENG XING	Tanker	3221	Yes (S/2023/171, S2022/667, S/2019/171 and current report)
16	8891297	PU YANG 2 ex SF BLOOM	Cargo / Container	3539	Yes (S/2023/171, listed as suspected acquired by DPRK)
17	8356584	KYONG SONG 3 ex ANNI	Cargo / Container	5226	Yes (S/2023/171, listed as suspected acquired by DPRK)

[60] S/2023/171, par. 97 i) à iii).

Year 2022					
	IMO number	**Ship name**	**Type**	**DWT**	**Previously referenced in Panel reports**
18	9142409	CHON HA 2 ex SHUN CHAO 9	Cargo / Container	4860	Current report
19	8864464	PUK CHON 2 ex SEA STAR 5	Cargo	4835	Detailed in current report
20	8358324	MO RAN BONG 5 ex HONG JIE 1	Cargo / Container	5515	Detailed in current report
21	8596122	UN SUN ex HUA YUAN DA 9	Cargo	5150	-
22	1015533	TAE RYONG 3 ex XING HONG XIANG 77	Cargo	5116	Detailed in current report
23	9536272	PU YANG 6 ex SEA GLORY	Cargo / Container	4802	-
24	9088031	HWANG GUM PHYONG 3 ex YUKO MARU 8	Cargo	4635	Detailed in current report
25	8597827	PHO HANG 1 ex AN YUAN 1	Cargo / Container	3637	-
26	8718639	JANG SU ex WEN XIANG	Cargo	3457	Detailed in current report
27	8660909	SAE GIL ex ZHI KUN 6	Cargo	4730	Detailed in current report
28	9154189	RYON PHUNG ex SIN PHYONG 11 / ex CONTREL	Tanker	3159	Yes (S/2023/171, and current report)
29	8597944	HONG DAE 2 ex HUA YU 108	Cargo	4519	-
Year 2021					
	IMO number	**Ship name**	**Type**	**DWT**	**Previously referenced in Panel reports**
30	8312497	SONG WON 2 ex NEW REGENT	Tanker	5167	Yes (S/2021/211, S/2020/840, S/2020/151, S/2019/171)
31	9132612	NAM DAE BONG ex DIAMOND 8	Tanker	9273	Yes (S/2022/668, S/2022/132, S/2021/777, S/2021/211, S2020/840, S/2020/151, and current report)
32	8593209	MO RAN BONG 1 ex RUN HONG 58	Cargo	2162	Detailed in current report

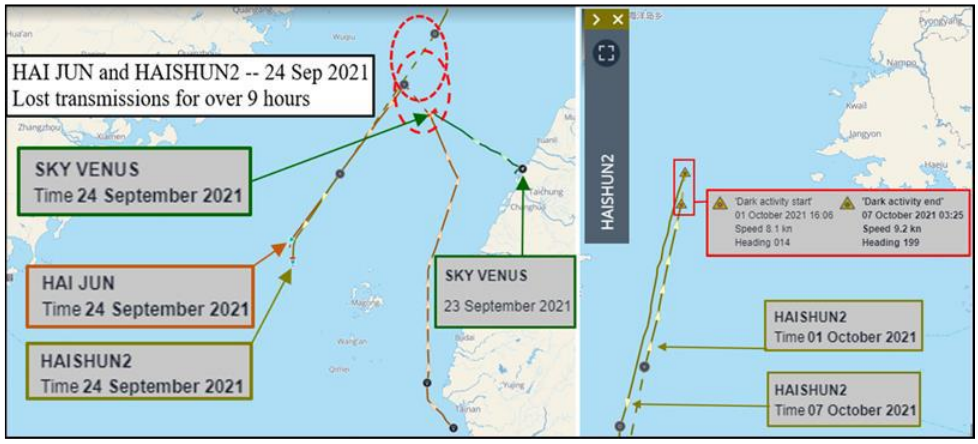
Source : Le Groupe d'experts ; renseignements sur les navires obtenus de S&P Global et des dossiers de l'OMI.

Note : La plupart des entrées relatives aux navires ont été datées rétroactivement.

70. Le navire intermédiaire, le *Hai Jun* (numéro OMI : 9054896)[61] (voir fig. XIX), a été acquis par la République populaire démocratique de Corée en 2023 et navigue à présent sous le nom d'*A Sa Bong* (voir fig. XX).

[61] S/2022/132, par. 53 à 58 et annexes 36, 37 et 42 et S/2022/668, par. 40 et annexe 27.

Figure XIX
Le *Hai Jun* comme navire intermédiaire entre le *Sky Venus* (numéro OMI : 9168257) et l'*Unica* en septembre 2021



Source : Windward, annoté par le Groupe d'experts.

Figure XX
Le *Hai Jun* naviguant comme l'*A Sa Bong* à Nampo le 2 mai 2023

Source : Un État Membre et Maxar Technologies, annoté par le Groupe d'experts.

Facilitateurs

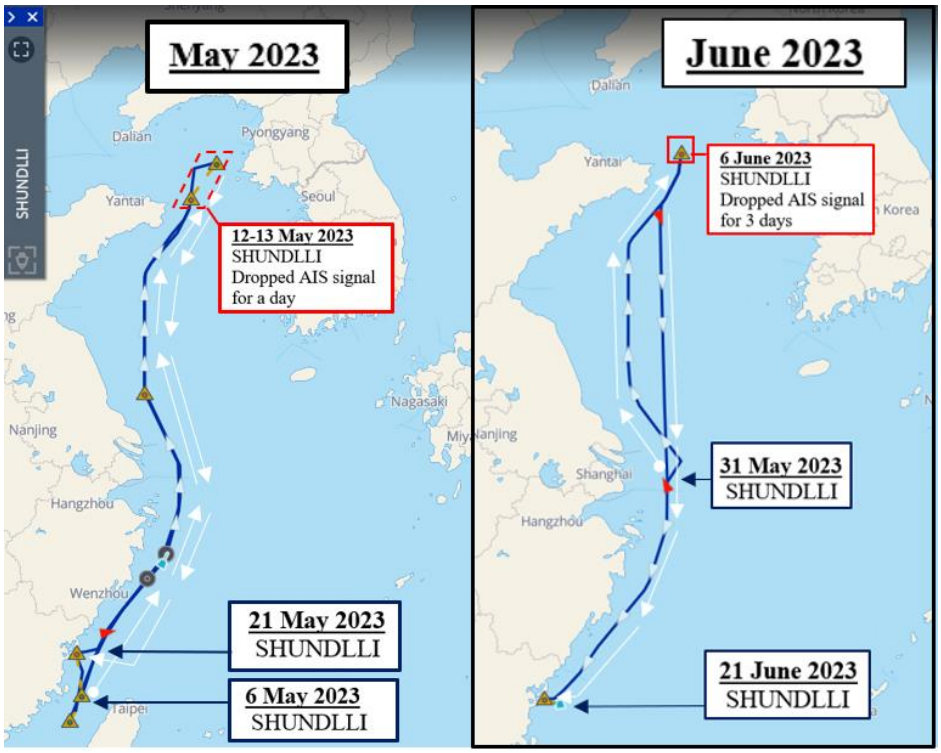
71. Le Groupe d'experts enquête sur HongKong Great Star Development Ltd/香港偉星發展有限公司 (« HKGSD »), une entité derrière plusieurs navires suspects, qui était le dernier propriétaire enregistré et exploitant des navires suivants, avant qu'ils ne battent pavillon de la République populaire démocratique de Corée :

a) le *Sea Star 5*, renommé *Puk Chon 2* (numéro OMI : 8864464), battant pavillon de la République populaire démocratique de Corée à compter de juillet 2022 ;

b) le *Yuko Maru 8*, renommé *Hwang Gum Phyong 3* (numéro OMI : 9088031), battant pavillon de la République populaire démocratique de Corée à compter d'octobre 2022.

72. Par ailleurs, depuis janvier 2022, HKGSD est le propriétaire enregistré et l'exploitant du navire *Shundlli*, qui a transbordé du pétrole destiné à la République populaire démocratique de Corée depuis le *Midas* en mars 2023 (voir par. 54 à 56). Les modes de traversée mensuelle du *Shundlli* ont révélé des transferts illicites supplémentaires au moins jusqu'au mois de juin (voir fig. XXI). Un État Membre a fourni des données sur des livraisons mensuelles illicites du *Shundlli* à des pétroliers de la République populaire démocratique de Corée de décembre 2022 à juin 2023 (voir tableau 3 et annexe 42).

Figure XXI
Échantillons des voyages du *Shundlli*, appartenant au HongKong Great Star Development Ltd, en mai et en juin 2023



Source : Windward, annoté par le Groupe d'experts.

Tableau 3
Cargaisons de pétrole transférées par le *Shundlli* aux pétroliers de la République populaire démocratique de Corée de décembre 2022 à juin 2023

No.	Date and Time	Location	Presumed DPRK receiving vessel	Presumed amount of refined petroleum
1	Dawn of 8 December 2022	381710N, 1240546E (104km Southwest of West Sea Dam)	CHONG RYONG SAN (no IMO number recorded)	Approx. 1,300 tons
2	Evening of 22 March to dawn of 23 March 2023	Unknown	KUM RYONG 3 (IMO: 8610461)	Approx. 1,800 tons
3	Dawn to morning of 13 April 2023	381600N, 1240400E (107km southwest of West Sea Dam)	UN HUNG (IMO: 9045962)	Approx. 2,000 tons
4	Noon of 13 May to dawn of 14 May 2023	382056N, 1240500E (102km southwest of West Sea Dam)	KUM CHIN KANG 2 (no IMO number recorded)	Approx. 2,000 tons
5	Near midnight of 8 June to dawn of 9 June 2023	381612N, 1240507E (105km southwest of West Sea Dam)	CHON MA SAN (IMO: 8660313)	Approx. 2,000 tons

Source : Un État Membre

Note : Aucun des pétroliers de la République populaire démocratique de Corée ne transmettait de signaux et le *Shundlli* aurait bloqué son système d'identification automatique au moment du déroulement des transferts. La date et les horaires sont précisés en heure locale.

73. Le Groupe d'experts a écrit aux anciens registres d'immatriculation du pavillon et à HKGSD. Le Panama a répondu qu'il avait radié le *Sea Star 5* le 7 juin 2022, au motif du transfert de l'État du pavillon aux Palaos. La République populaire démocratique de Corée en est pourtant devenue l'État du pavillon en juillet. Les Palaos n'ont pas encore répondu au sujet du *Yuko Maru 8*. L'enquête se poursuit.

Exportations de charbon depuis la République populaire démocratique de Corée

74. Dans ses rapports depuis 2019, le Groupe d'experts a décrit les cargaisons de charbon exporté illégalement à bord de navires de la République populaire démocratique de Corée au moyen de transferts de navire à navire dans les eaux territoriales chinoises, en violation des résolutions pertinentes. Les navires de la République populaire démocratique de Corée dont il avait été observé qu'ils exportaient du charbon ont été à nouveau repérés par le Groupe d'experts dans les eaux du Lianyungang où du charbon en provenance de la République populaire démocratique de Corée avait déjà été exporté[62]. Un État Membre a estimé que du charbon en provenance de la République populaire démocratique de Corée était déchargé en ce lieu (voir l'exemple à la figure XXII). Les eaux près de l'île de Taishan ont été répertoriées par le même État Membre comme étant une nouvelle zone d'exportation de charbon en provenance de la République populaire démocratique de Corée au moyen de transferts de navire à navire. Cette zone se trouve au sud des eaux du Ningbo-Zhoushan[63] où s'étaient déroulées les exportations de charbon en provenance de la République populaire démocratique de Corée.

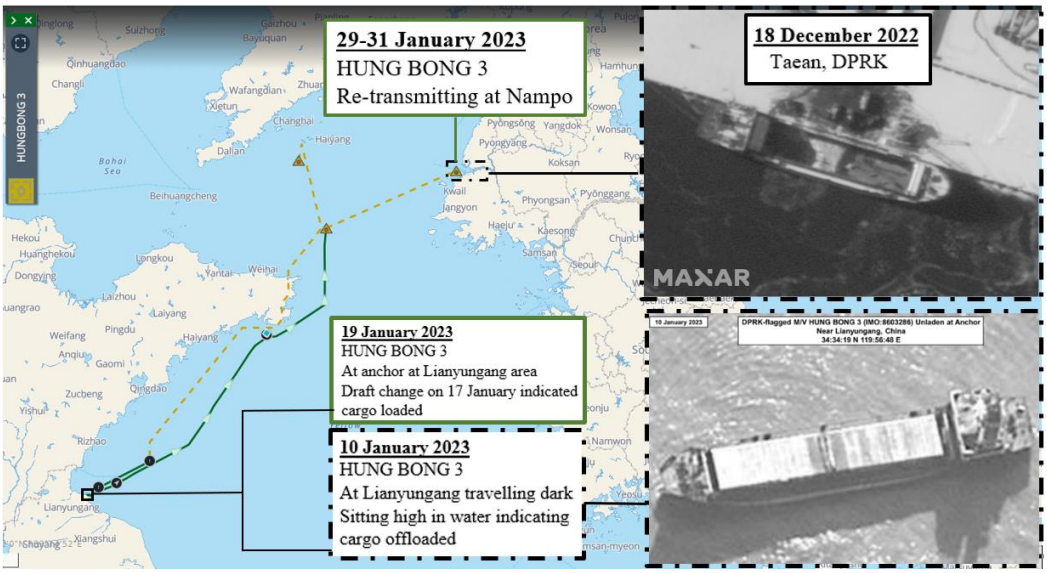
75. Si un nombre limité de navires exportant du charbon en provenance de la République populaire démocratique de Corée transmettent par intermittence des signaux du système d'identification automatique, habituellement après avoir déchargé

[62] S/2020/151, par. 67 à 70, et S/2021/777, par. 85 et annexe 43.

[63] Sections des rapports du Groupe d'exports consacrées à l'exportation de charbon par voie maritime depuis 2019.

leur cargaison illicite[64], beaucoup continuent de se déplacer dans l'obscurité pendant la majeure partie de leurs voyages illicites. Les autorités maritimes compétentes dans les eaux territoriales où se trouvent ces navires devraient cependant être encore en mesure de surveiller leur présence et leurs activités, en vue de l'application des résolutions pertinentes du Conseil de sécurité. Le Groupe d'experts demande de nouveau aux autorités portuaires et douanières d'accroître la surveillance des navires récepteurs et des registres d'expédition et de saisir tout navire suspecté de transporter des articles interdits. Voir annexe 43 concernant d'autres cas.

Figure XXII
Le *Hung Bong 3* se déplaçant de nuit pour décharger sa cargaison, Lianyungang, décembre 2022-janvier 2023



Source : Windward, annoté par le Groupe d'experts. Imagerie : (en haut) Maxar Technologies, (en bas) un État Membre.

Note : Les lignes en discontinu dénotent l'absence de transmission du système d'identification automatique.

76. Le Groupe d'experts a demandé à la Chine des renseignements sur l'exportation de charbon par des navires de la République populaire démocratique de Corée dans les eaux du Lianyungang et dans d'autres eaux territoriales chinoises en 2023, notamment sur : les cargaisons déchargées par les navires de la République populaire démocratique de Corée au moyen de transferts de navire à navire dans ces eaux, les identifiants des navires récepteurs, les entités et les individus qui possèdent, exploitent ou achètent des cargaisons à partir de navires de la République populaire démocratique de Corée, les registres d'expédition et les opérations financières. Concernant le *Hung Bong 3*, la Chine a indiqué que le navire avait « déclaré une entrée dans le port de Lianyungang depuis Nampo en janvier 2023 alors qu'il était vide … et était reparti … sans cargaison ». Voir annexe 25 pour des renseignements sur d'autres navires, demandés par le Groupe d'experts.

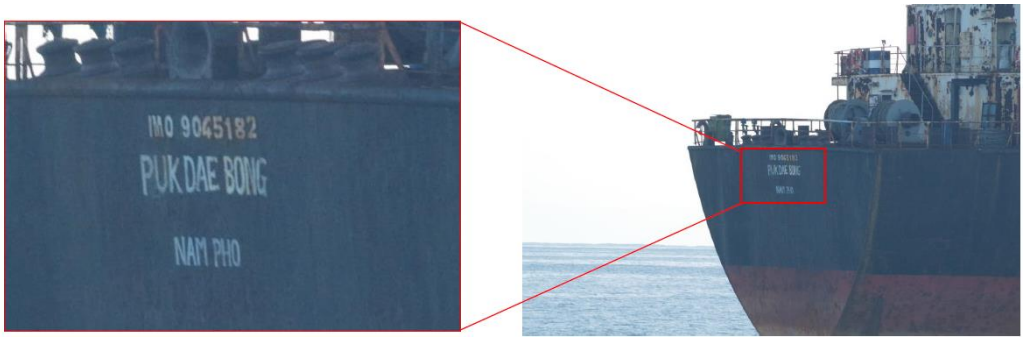
[64] S/2023/171, annexe 48.

Camouflage de navires

Manœuvres frauduleuses des navires de la République populaire démocratique de Corée

77. Pour pouvoir continuer de naviguer et de commercer, les navires de la République populaire démocratique de Corée et ceux agissant pour son compte se sont camouflés sur les plans numérique et physique, notamment par la voie de formes complexes de blanchiment de l'identité du navire[65]. Un État Membre a fourni au Groupe d'experts une photographie prise en octobre 2022 du navire visé par des sanctions, battant pavillon de la République populaire démocratique de Corée, le *Puk Dae Bong*[66] (anciennement *Hua Fu*) dont le numéro OMI, repeint sur la coque, appartenait à un autre navire de la République populaire démocratique de Corée, le *Myong Sin* (voir fig. XXIII). D'après l'analyse du Groupe d'experts, le *Myong Sin* avait une superstructure très différente de celle du *Puk Dae Bong* (voir annexe 44). Si aucun navire de charge ne transmettait de signaux du système d'identification automatique à la date de la photographie de l'État Membre, les deux navires avaient, à certaines occasions, transmis les identifiants du système l'un de l'autre, pendant de longues périodes d'activité clandestine, probablement pour masquer la localisation du *Puk Dae Bong*.

Figure XXIII
Le *Puk Dae Bong* visé par des sanctions portant un autre numéro OMI sur sa coque, 27 octobre 2022



Source : Un État Membre.

Questions de pêche

Exportations éventuelles de produits de la mer par la République populaire démocratique de Corée

78. Le Groupe d'experts enquête sur la vente présumée de produits de la mer en provenance de la République populaire démocratique de Corée[67] par l'entremise d'une société chinoise. Selon un État Membre, des produits de la mer en provenance de la République populaire démocratique de Corée ont été vendus au marché de Yanji-Ouest[68] par une société chinoise, la North Korean Seafood Wholesale[69], jusqu'au mois de juillet 2022 (voir annexe 45). La Chine a répondu que la société, dans ce marché,

[65] S/2022/132, par. 43 à 51 (*New Konk* en tant que *F.Lonline*), et S/2021/777, par. 29 à 41 (*Subblic* en tant que *Hai Zhou 168*, le *Billions No.18* en tant qu'*Apex*).
[66] Le numéro OMI du navire est en réalité le 9020003.
[67] Les ventes de produits de la mer en provenance de la République populaire démocratique de Corée sont interdites aux termes des dispositions du paragraphe 9 de la résolution 2371 (2017) du Conseil de sécurité.
[68] 延吉西市场.
[69] 北朝鲜海鲜批发.

« utilisait la bannière ‘North Korea Seafood Wholesale’ depuis des années pour attirer des clients et avait établi que les produits de la mer vendus sur ce stand étaient en fait importés de la Fédération de Russie par des voies légales et non obtenues illégalement de la République populaire démocratique de Corée » (voir annexe 25).

Recommandations

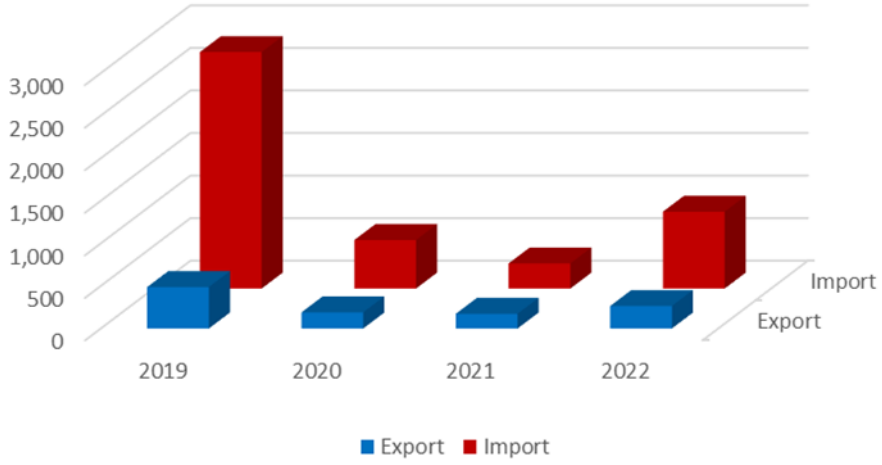
79. La République populaire démocratique de Corée continue d’avoir des échanges commerciaux, principalement par voie maritime. Corrélativement, le contournement et les violations des sanctions persistent et les méthodes de contournement gagnent en complexité au fil du temps. Les nombreuses recommandations relatives aux voies maritimes formulées dans les précédents rapports du Groupe d’experts demeurent fondamentales.

Statistiques du commerce et questions douanières

Analyse des statistiques du commerce de la République populaire démocratique de Corée

80. D’après les données disponibles[70, 71], le volume d’échanges commerciaux de la République populaire démocratique de Corée en 2022 était plus du double de celui de 2021 et s’est accru de plus de 50 % par rapport à 2020 (voir fig. XXIV). Le principal facteur expliquant cette augmentation a été la reprise du trafic ferroviaire de marchandises avec la Chine, comme l’avait observé le Groupe d’experts dans ses rapports antérieurs. Les échanges avec la Chine ont constitué plus de 90 % du commerce extérieur de la République populaire démocratique de Corée en 2022. Malgré cet accroissement, le volume total des échanges enregistrés dans le pays est resté à environ un tiers du niveau enregistré avant la pandémie en 2019.

Figure XXIV
République populaire démocratique de Corée, commerce enregistré, 2019-2022
(En millions de dollars É.-U.)



Source : Trade Map du Centre du commerce international, consulté le 9 juillet 2023.

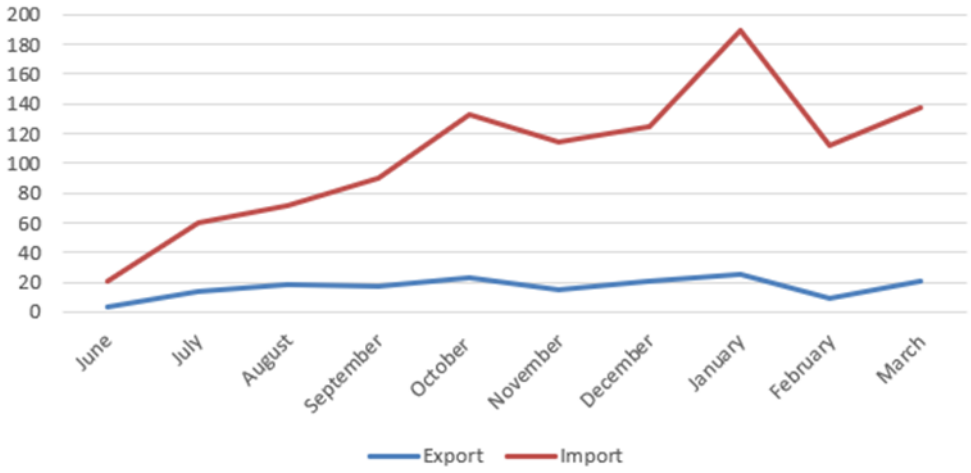
[70] Sur la base des statistiques du commerce actualisées de la République populaire démocratique de Corée pour 2022. Elles seront modifiées au fur et à mesure que les États Membres feront part de leurs échanges bilatéraux sur les plateformes de statistiques du commerce pertinentes, comme le Trade Map du Centre du commerce international.

[71] Il s’agit, dans les statistiques du commerce publiées, de cas résultant d’utilisations erronées des codes de pays (voir par. 85), qui devraient être corrigées par les autorités douanières des États Membres.

81. D'après les statistiques du commerce, les trois premiers produits déclarés qui ont été exportés par la République populaire démocratique de Corée en 2022 (voir annexe 46) étaient les combustibles minéraux et les huiles minérales [code 27 du Système harmonisé (SH)], les minerais, les scories et les cendres (code SH 26) et le fer et l'acier (code SH 72). Les trois premiers produits déclarés qui ont été importés par le pays étaient le plastique (code SH 39), les graisses et les huiles animales ou végétales (code SH 15) et le caoutchouc (code SH 40)[72]. Ces chiffres relatifs aux volumes d'échanges sont toutefois constitués à partir des registres douaniers des pays partenaires commerciaux et, dans certains cas, saisis de manière erronée. Ces statistiques ne recouvrent pas les marchandises exportées et importées illicitement par la République populaire démocratique de Corée comme le charbon et le pétrole raffiné (voir par. 29, 30 et 74 à 76)[73].

82. Le volume global des échanges commerciaux de la République populaire démocratique de Corée a progressivement augmenté de juin 2022 à mars 2023 (voir fig. XXV). Bien que les importations mensuelles du pays soient restées inférieures aux niveaux prépandémiques, les exportations mensuelles ont atteint, voire dépassé, les niveaux prépandémiques. Le volume mensuel des échanges devrait encore augmenter en 2023, compte tenu de la tendance à la normalisation des échanges avec la Chine.

Figure XXV
Statistiques du commerce qui ont été enregistrées, République populaire démocratique de Corée, juin 2022-mars 2023 (par mois)
(En millions de dollars É.-U.)



Source : Trade Map du Centre du commerce international, consulté le 9 juillet 2023.

[72] Voir annexe 46 pour la liste complète des statistiques du commerce de la République populaire démocratique de Corée en 2022, par produit.
[73] Un État Membre a fourni ses estimations sur les tendances récentes en matière d'exportations illicites de charbon par la République populaire démocratique de Corée (voir annexe 47).

Surveillance de l'interdiction sectorielle

83. Le Groupe d'experts a continué de surveiller les exportations et importations interdites auxquelles a procédé la République populaire démocratique de Corée[74, 75]. Les codes SH utilisés à cette fin sont indiqués à l'annexe 50. Les informations présentées ci-après recouvrent principalement la période d'octobre 2022 à mars 2023[76, 77].

84. Sur la base des données nationales relatives aux échanges du Centre du commerce international, certains produits de base semblent relever de catégories faisant l'objet de sanctions. Le Groupe d'experts a demandé des renseignements à 15 États Membres sur des opérations effectuées avec la République populaire démocratique de Corée, dont des détails sur les rejets de demandes de dédouanement ou les saisies de marchandises[78].

85. Plusieurs des 15 États Membres ont indiqué qu'aucune activité d'échange commercial n'avait été enregistrée avec la République populaire démocratique de Corée et que les statistiques s'expliquaient principalement par l'utilisation erronée des codes de pays durant la procédure de déclaration en douane, c'est-à-dire celui de la République populaire démocratique de Corée (KP) au lieu de celui de la République de Corée (KR). Un État Membre a répondu que les opérations menées étaient conformes au régime de sanctions des Nations Unies[79]. Le Groupe d'experts note que certains États Membres ont encore du mal à déterminer si certains articles en provenance ou à destination de la République populaire démocratique de Corée sont interdits de transfert ou non.

86. Le Groupe d'experts a continué de chercher à obtenir des informations auprès des autorités douanières d'États Membres sur l'application concrète des obligations que leur imposent les sanctions, telle que l'exigence d'inspecter toutes les cargaisons en provenance et à destination de la République populaire démocratique de Corée, de saisir les articles interdits trouvés lors des inspections et de les détruire. On trouvera un exemple de l'application nationale des résolutions du Conseil de sécurité par les autorités douanières singapouriennes à l'annexe 51.

Recommandations

87. **Le Groupe d'experts souligne ses recommandations antérieures, à savoir que :**

a) des mesures appropriées soient prises par l'Organisation internationale de normalisation et par les États Membres, notamment des

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[74] Concernant l'enquête du Groupe d'experts sur les statistiques du commerce de la République populaire démocratique de Corée d'avril à septembre 2022, le Canada et El Salvador ont répondu qu'elles étaient inexactes, en raison des mauvais codes saisis dans les données douanières. Dans le cas d'El Salvador, le pays d'origine des marchandises importées était la République de Corée. Voir également annexe 48. Pour ce qui est des statistiques, voir S/2023/171, annexe 57.

[75] Au sujet du commerce par la République populaire démocratique de Corée de produits de la mer, voir par. 78.

[76] Voir annexe 49 pour le tableau de comparaison entre les statistiques du commerce de la République populaire démocratique de Corée et les réponses fournies par les États Membres sur les échanges avec ce pays.

[77] Les statistiques du commerce globales de la République populaire démocratique de Corée disponibles au 9 juillet 2023 couvrent la période allant jusqu'au mois de mars 2023.

[78] Selon les statistiques disponibles, 23 États Membres ont signalé des échanges commerciaux avec la République populaire démocratique de Corée ; 15 d'entre eux ont échangé des produits de base relevant des codes SH restreints.

[79] Voir annexe 52 pour les réponses des États Membres.

activités de sensibilisation à l'intention des autorités douanières respectives, pour empêcher l'utilisation erronée des codes de pays ;

b) les États Membres rationalisent leurs listes de contrôle des exportations et des importations, en s'appuyant sur la liste informelle des produits interdits (voir annexe 50) ;

c) les autorités douanières des États Membres utilisent la liste susmentionnée pour informer les agents commerciaux se trouvant dans leurs juridictions respectives à des fins de diligence raisonnable, en particulier lorsqu'ils ont affaire à de tels produits à proximité de juridictions soumises à sanctions comme la République populaire démocratique de Corée ;

d) concernant les États Membres qui ont besoin d'assistance sur la question de l'interdiction sectorielle, que le Comité envisage une action de sensibilisation à des fins d'information.

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

Embargos

Global Communications (Glocom)

88. En 2017, le Groupe d'experts a conclu que Glocom, une entreprise établie à l'époque en Malaisie, qui promouvait et vendait du matériel de communication radio destiné à des organisations militaires et paramilitaires était une société écran pour Pan Systems Pyongyang Branch (« Pan Systems Pyongyang ») de la République populaire démocratique de Corée. Elle est administrée par le Bureau général de reconnaissance (KPe.031), le principal bureau de renseignement du pays[80].

89. Le Groupe d'experts a enquêté par la suite sur deux cargaisons présumées de matériel radio de Glocom destinées à la Direction du Ministère éthiopien de la défense nationale en juin 2022[81]. Selon un État Membre, une société indonésienne, Advanced Technology Facility, a tenu en décembre 2022, au nom de Pan Systems Pyongyang, une formation à l'intention des Forces éthiopiennes de défense nationale sur l'utilisation des radios de Glocom.

90. Le Groupe d'experts a également constaté qu'Advanced Technology Facility semblait avoir promu et vendu sur son site Web du matériel qui serait lié à des produits de Glocom[82]. Il a estimé, après une analyse comparative des photographies affichées sur le site Web d'Advanced Technology Facility, que le matériel avait été fabriqué à l'origine par Glocom. De plus, un des produits, ER-310, affiché sur le site Web, relevait probablement du même type de matériel de communication que le GR-310 de Glocom, utilisé par la Direction du Ministère éthiopien de la défense nationale (voir annexe 53). L'Indonésie, l'Éthiopie et Advanced Technology Facility n'ont pas encore répondu.

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[80] S/2017/150, par. 77, 79 et 85.

[81] S/2023/171, par. 115.

[82] Au moins deux produits affichés sur le site Web d'Advanced Technology Facility sont presque identiques en apparence et ont des descriptions et des spécifications semblables aux produits figurant dans le catalogue de Glocom. Voir www.armscontrolwonk.com/archive/1205992/not-your-usual-game-of-whack-a-mole.

Allégations de courtage d'armes et de matériel connexe de la République populaire démocratique de Corée

91. Le Groupe d'experts enquête sur des informations selon lesquelles un ressortissant slovaque, Ashot Mkrtychev, aurait cherché à négocier pour le compte de la République populaire démocratique de Corée des armes et du matériel connexe à la fin de 2022 et au début de 2023. Un État Membre a inscrit M. Mkrtychev sur sa liste en mars (voir annexe 54). Selon le communiqué de presse publié, « Mkrtychev a collaboré avec des responsables de la [République populaire démocratique de Corée] afin d'obtenir plus de deux dizaines de types d'armes et de munitions pour le compte de la Russie en échange de matériels tels que des avions de ligne, des matériaux bruts et des produits de base à envoyer à la [République populaire démocratique de Corée]. Les négociations de Mkrtychev avec la [République populaire démocratique de Corée] et des responsables russes ont porté sur une coopération mutuellement avantageuse entre la Corée du Nord et la Russie, qui recouvrait des versements financiers et des accords de troc… Mkrtychev s'est employé avec un ressortissant russe à localiser des appareils commerciaux susceptibles d'être livrés à la [République populaire démocratique de Corée] ».

92. La Fédération de Russie a répondu : « les renseignements sur les négociations qui auraient été menées par le ressortissant slovaque A. Mkrtychev pour la fourniture d'armes et de munitions de la République populaire démocratique de Corée à la Russie en échange de marchandises sont des insinuations infondées de la part des États-Unis d'Amérique et ne sont pas confirmés » (voir annexe 55). Les États-Unis ont fourni les renseignements relatifs au passeport de M. Mkrtychev (voir annexe 56). La Slovaquie n'a pas encore apporté de réponse.

Rapports sur les exportations d'armes de la République populaire démocratique de Corée

93. Dans un article daté du 28 avril paru dans les médias, il a été affirmé que des lance-roquettes multiples BM-11, des bombes planantes AGP-250 et des fusées guidées de 122 mm fabriqués par la République populaire démocratique de Corée étaient employés au Soudan[83]. Il était reconnu dans l'article que l'identification des armes n'avait pas été officiellement confirmée[84] ; le Groupe d'experts note cependant que la République populaire démocratique de Corée aurait fourni des éléments de contrôle de fusées à guidage de précision de 122 mm et des bombes AGP-250 au Soudan en 2013[85]. Le Soudan n'a pas encore répondu.

94. Le 2 mai, le dirigeant du Burkina Faso, Ibrahim Traoré, pendant un entretien à la télévision nationale, a reconnu notamment que son armée détient des armes fabriquées en République populaire démocratique de Corée, achetées dans les années 1980[86]. Il s'est dit intéressé par l'achat éventuel d'armes supplémentaires auprès de la République populaire démocratique de Corée alors que les liens avec ce pays[87] sont en train d'être renouvelés. Le Burkina Faso n'a pas encore répondu.

95. Le Groupe d'experts continue d'enquêter sur une société du Myanmar, Royal Shune Lei Co. Ltd (« Royal Shune Lei »)[88] qui avait négocié l'importation d'armes pour le compte de l'armée du Myanmar fournies par Korea Mining Development

[83] Voir www.nknews.org/2023/04/north-korean-weapons-could-be-contributing-to-bloodshed-in-sudan-experts-say.

[84] Il n'existe pas d'informations sur la date de l'acquisition présumée d'armes de la République populaire démocratique de Corée.

[85] S/2017/150, par. 106.

[86] Voir www.youtube.com/live/7aEgXcmzPvE?feature=share&t=2760.

[87] Voir www.youtube.com/watch?v=7aEgXcmzPvE&t=2760s.

[88] Adresse : Bahosi Housing, Lanmadaw Township, Yangon, Myanmar.

Trading Corporation (KPe.001) (« KOMID »)[89], inscrite sur la liste de l'ONU. Un État Membre a signalé que Royal Shune Lei « avait travaillé en 2022 avec des éléments de la [République populaire démocratique de Corée] », inscrits sur la liste de l'ONU, pour l'achat de kits de bombes aériennes à guidage. Le patron de Royal Shune Lei préside également une société établie en Thaïlande, TMA Network Group Co., Ltd. Il se peut que Royal Shune Lei ait travaillé avec Chromo Science Co Ltd, sis au Myanmar. Le Myanmar et la Thaïlande n'ont pas encore répondu.

96. Le Groupe d'experts a continué d'enquêter sur des allégations relatives à l'exportation par la République populaire démocratique de Corée d'armements pour le compte de la Fédération de Russie[90]. Outre l'affirmation selon laquelle en novembre 2022 des munitions (obus d'artillerie, fusées et missiles d'infanterie) avaient été livrées par voie ferroviaire, les États-Unis ont signalé que la KOMID et le Groupe Wagner étaient derrière ce marché. La Fédération de Russie a répondu : « les photographies fournies par un État Membre ne constituent pas des preuves suffisantes et n'indiquent pas une violation des mesures restrictives internationales imposées à Pyongyang. Le mouvement de marchandises en provenance ou à destination de la [République populaire démocratique de Corée] s'effectue en tenant compte des exigences imposées par le Conseil de sécurité dans ses résolutions concernant ce pays. Les interdictions et restrictions imposées par les sanctions du Conseil sont respectées. Les autorités russes compétentes n'ont pas constaté de violations » (voir annexe 57). Le Groupe d'experts n'a pas obtenu de preuves supplémentaires et ne peut toujours pas confirmer que le train, sur les images fournies[91] ait servi à transporter des munitions.

Suspicion de coopération militaire avec la République populaire démocratique de Corée

97. D'après un article paru dans les médias, le Gouvernement de transition au Mali a entrepris un projet visant à construire une fabrique de munitions, avec l'appui de la République populaire démocratique de Corée[92]. Il cite les visites effectuées au Mali par des diplomates de la République populaire démocratique de Corée postés en Guinée. Le Mali et la Guinée n'ont pas encore répondu.

Armes légères et de petit calibre

98. Tout en notant l'évaluation faite par un groupe de réflexion selon laquelle l'embargo sur les armes du Conseil de sécurité a réduit le commerce d'armes légères et de petit calibre par la République populaire démocratique de Corée en général[93], le Groupe d'experts a enquêté sur des informations relatives à d'éventuelles opérations « d'armes et de matériel connexe », importés par la Pologne depuis la République populaire démocratique de Corée en 2022 (se chiffrant à 5 492 dollars, selon la base de données Comtrade de l'ONU (https://comtradeplus.un.org)[94]. La Pologne a

[89] S/2023/171, par. 124.
[90] S/2023/171, par. 122 et 123.
[91] S/2023/171, annexe 68.
[92] Voir https://netafrique.net/cooperation-mali-coree-du-nord-un-projet-de-construction-dune-usine-de-munitions-a-bamako.
[93] Voir www.38north.org/2022/09/north-koreas-trading-of-small-arms-and-light-weapons-open-source-information-analysis-of-sanctions-implementation. Le Groupe d'experts avait cependant déjà recensé des opérations relatives à des articles pouvant être considérés comme relevant de la catégorie des « armes et du matériel connexe » entre la République populaire démocratique de Corée et plusieurs États Membres (voir S/2023/171, par. 118 à 121).
[94] Le Groupe d'experts note que la Pologne est le seul pays pour lequel les données douanières indiquaient des exportations en 2022 depuis la République populaire démocratique de Corée d'armes légères et de petit calibre. Dans ce contexte, un expert extérieur a donné au Groupe

répondu que « l'analyse des bases de données nationales … ne révélait pas, au cours de la période en question, d'importations de marchandises classées sous les codes SH 9305 et 9306 ou d'autres articles liés à des armes en provenance de la [République populaire démocratique de Corée] qui lui étaient destinés (voir annexe 58).

Application de l'interdiction relative aux articles de luxe

99. La réouverture partielle de la frontière en 2023 a facilité la réapparition du commerce de détail concernant des articles étrangers très divers, dont certains pouvant être qualifiés d'articles de luxe, notamment des produits de marques internationales, ainsi que des voitures neuves fabriquées à l'étranger, selon des témoins oculaires et des reportages dans les médias. Les statistiques du commerce de la République populaire démocratique de Corée[95] reflètent des volumes accrus de biens de consommation importés portant les codes SH 24, 33, 43, 60 à 66 et 91, entre autres, alors que ces groupes de marchandises peuvent comprendre des articles susceptibles d'être classés comme des produits de luxe. Les enquêtes se poursuivent.

100. Les autorités singapouriennes ont, pendant une séance d'information, déclaré au Groupe d'experts en juin : « les enquêtes ont établi que 9 sociétés s'étaient livrées à du commerce interdit avec la [République populaire démocratique de Corée] de 2013 à 2018, vendant des marchandises à l'exportation ou jouant un rôle logistique ; 5 entreprises et 9 personnes ont été poursuivies, dont 3 entreprises et 7 personnes qui ont été condamnées pour leur rôle dans ce commerce. Des enquêtes sont en cours concernant une autre société et deux autres personnes » (voir annexes 59 et 60). Le Groupe d'experts note qu'il importe de surveiller les marchandises en transit ou en transbordement au moment de l'application des résolutions du Conseil de sécurité relatives aux sanctions imposées à la République populaire démocratique de Corée.

101. Le Groupe d'experts a ouvert des enquêtes en se fondant sur les images d'une voiture Land Rover Defender nouvellement livrée à Pyongyang en janvier 2023. Le fabricant lui a répondu qu'il s'agissait d'une « Land Rover Defender 110, probablement d'un modèle de 2020 ». Les enquêtes se poursuivent.

102. Le Groupe d'experts a poursuivi son enquête sur un piano à queue observé en République populaire démocratique de Corée en 2021, de marque Steinway, à en croire les médias[96, 97]. Steinway Musical Instruments, Inc. a répondu qu'il ne pouvait pas « établir avec certitude s'il s'agissait d'un piano Steinway sans l'inspecter physiquement et sans en examiner le numéro de série (à supposer qu'il en ait un) », mais que de « multiples incohérences à première vue laissaient entendre qu'il ne s'agissait probablement pas d'un Steinway » (voir annexe 62).

Recommandations

103. **Le Groupe d'experts recommande de nouveau 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),**

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d'experts trois explications possibles sur « l'absence d'indications de la [République populaire démocratique de Corée] relatives à d'éventuelles exportations en Russie » : a) la République populaire démocratique de Corée ne rend pas compte de ses activités commerciales à l'ONU ; b) les États Membres, dont la Fédération de Russie, ne divulguent pas pleinement les données du commerce extérieur ; c) aucune exportation n'a été faite par République populaire démocratique de Corée.

[95] Voir par. 80 à 82.

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

[97] S/2022/132, par. 148.

2094 (2013), 2270 (2016) et 2321 (2016) du Conseil de sécurité, en évitant d'en élargir inutilement le champ d'application, afin de ne pas restreindre l'offre de marchandises autorisées à la population civile et d'éviter les conséquences humanitaires.

104. **Le Groupe d'experts recommande que les États Membres encouragent leurs entités commerciales et leurs ressortissants participant à l'exportation d'articles de luxe à insérer une disposition contractuelle pour interdire les transferts à la République populaire démocratique de Corée.**

Bureau général de reconnaissance (KPe.031)

105. Le Groupe d'experts a continué de surveiller les cyberattaques attribuées à des auteurs de cybermenaces de la République populaire démocratique de Corée subordonnés au Bureau général de reconnaissance[98], dont Kimsuky, le groupe Lazarus et BlueNoroff[99], et d'enquêter sur elles. Comme indiqué précédemment, ces acteurs cherchent principalement à recenser et à attaquer des cibles, afin de solliciter des informations de manière frauduleuse, qui ont de la valeur pour la République populaire démocratique de Corée et lui permettent d'engendrer illicitement des revenus (voir par. 139 à 144).

106. Bon nombre d'États Membres ont inscrit sur leur liste les auteurs de cybermenaces subordonnés au Bureau général de reconnaissance et des unités connexes en son sein[100, 101]. En février et en mai, deux États Membres ont inscrit sur leur liste le Bureau de surveillance (reconnaissance) technique. Des États Membres ont publié des avertissements et des alertes, fournissant des informations détaillées sur les opérations et les indicateurs d'alerte, concernant les auteurs de cybermenaces[102].

107. Selon les rapports de sociétés de cybersécurité et les renseignements fournis par un État Membre, Kimsuky a continué de mener des campagnes d'hameçonnage ciblé, d'installer des logiciels malveillants au moyen de divers types de pièces jointes et de créer des sites Web et des localisateurs uniformes de ressources (URL) usurpés afin de recueillir les informations d'identification des cibles. Le groupe Lazarus a mené des campagnes malveillantes contre des sociétés qui sont dans les secteurs des cryptomonnaies, de la défense, de l'énergie et de la médecine. Dans un cas, une double compromission de la chaîne d'approvisionnement a été observée pour la première fois. BlueNoroff a poursuivi ses campagnes d'hameçonnage ciblé et a déployé pour la première fois des logiciels malveillants visant les utilisateurs de macOS. Toutefois, dans un cas, les courriels étaient destinés à diriger les personnes interrogées à leur insu vers une page de collecte d'informations d'identification, ce qui représentait un écart par rapport à sa technique usuelle consistant à installer des logiciels malveillants.

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[98] Voir S/2020/840, annexe 48, pour le rôle joué par le Bureau général de reconnaissance dans les cyberactivités de la République populaire démocratique de Corée.

[99] Les noms utilisés dans la présente section en ce qui concerne les auteurs de cybermenaces et leurs campagnes sont largement employés dans le secteur de la cybersécurité.

[100] Voir S/2023/171, fig. XXXVII, pour les auteurs de cybermenaces au sein de l'organigramme du Bureau général de reconnaissance.

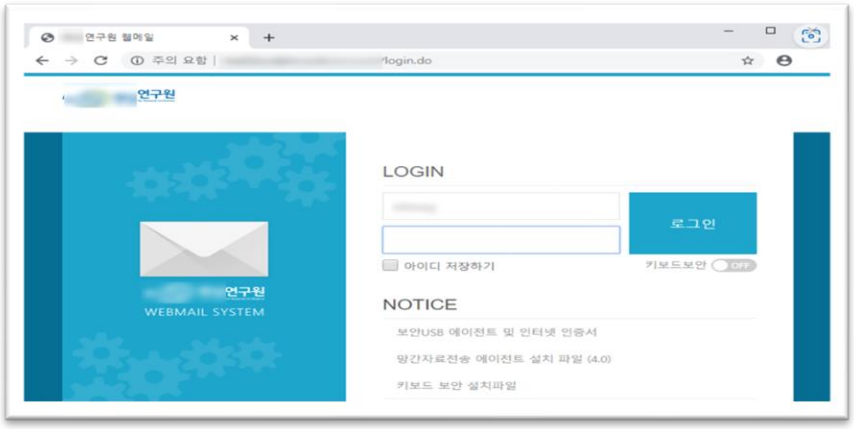
[101] Voir https://home.treasury.gov/news/press-releases/jy1498 et www.mofa.go.kr/www/brd/m_4080/view.do?seq=373338&page=53.

[102] Concernant Kimsuky, par exemple, voir annexe 63.

Kimsuky[103, 104]

108. Une firme de cybersécurité a signalé que Kimsuky distribuait des pièces jointes malveillantes déguisées, à savoir des documents macros dans Word, des fichiers d'aide Microsoft HTML ou des fichiers OneNote, qui, une fois exécutés, laissent échapper des données de l'ordinateur de la victime, notamment des informations sur le système et les logiciels antivirus installés. Dans un autre cas, Kimsuky a créé un site Web de courriels (voir fig. XXVI) qui semble identique à celui d'un institut de recherche lié à la République populaire démocratique de Corée et se sert de messages d'hameçonnage ciblé pour inciter les victimes à se connecter, fournissant ainsi à Kimsuky les informations de connexion[105].

Figure XXVI
Création d'une page de connexion au courriel Web visant des chercheurs liés à la République populaire démocratique de Corée



Source : ASEC.

109. Kimsuky est principalement connu pour les attaques d'ingénierie sociale qu'il mène au moyen d'un hameçonnage ciblé, mais il a également visé directement des serveurs Web. Une société de cybersécurité a signalé en mars qu'il avait attaqué le serveur Web du service d'information Internet d'une entreprise du bâtiment qui était exposée car ses correctifs n'avaient pas été mis à jour. L'intrusion a permis l'installation du logiciel malveillant Meterpreter[106] dans les systèmes visés pour aider Kimsuky à contrôler le serveur Web. Dans un autre cas, il se serait servi d'un flux de données additionnel pour dissimuler un logiciel malveillant qui recueille des données

[103] Une société de cybersécurité a publié un rapport détaillé sur Kimsuky (dit APT43) en mars 2023. Voir https://mandiant.widen.net/s/zvmfw5fnjs/apt43-report. Il est noté dans le rapport qu'APT43 est souvent surveillé publiquement en tant que Kimsuky, même si la société pense qu'APT43 constitue un groupe distinct. Une autre firme de cybersécurité décrit l'auteur de cybermenaces ARCHIPELAGO de la République populaire démocratique de Corée comme un sous-groupe d'APT43. Voir https://blog.google/threat-analysis-group/how-were-protecting-users-from-government-backed-attacks-from-north-korea.

[104] Pour d'autres cas liés à Kimsuky, voir annexe 65.

[105] Voir annexe 64 pour des liens vers des rapports connexes.

[106] Le logiciel malveillant Meterpreter est une porte dérobée qui peut produire divers comportements malveillants à l'issue d'ordres donnés par un auteur de cybermenaces. Il est fourni par Metasploit, un outil en libre accès, qui sert de cadre d'essais d'intrusion.

en démarrant le script Visual Basic intégré dans un fichier de langage de balisage hypertexte (HTML)[107].

110. Selon un avertissement émis en mars 2023 par deux États Membres[108, 109] Kimsuky a lancé une campagne d'hameçonnage ciblé au moyen de l'utilisation d'extensions Google Chrome malveillantes pour exfiltrer des courriels Gmail en exploitant l'interface de programmation d'applications Chrome DevTools afin de faciliter l'interception et le vol de messages électroniques. L'alerte comprend également un avertissement au sujet de l'utilisation par Kimsuky des logiciels malveillants FastFire, FastViewer et FastSpy visant les appareils Android[110].

111. Une firme de cybersécurité a signalé qu'en mai[111], Kimsuky avait mené une campagne d'hameçonnage invitant à des échanges sur des questions géopolitiques d'actualité afin d'attirer des cibles du monde entier en vue de l'installation d'un nouvel outil de reconnaissance, ReconShark, qui recueille des données sensibles et contourne les mécanismes de sécurité. Le logiciel malveillant ReconShark sévissait lorsque la cible ouvrait un document téléchargé et activait les macros. ReconShark dérobait des données aux systèmes infectés, tels que les mécanismes de détection et d'intervention aux points terminaux, et envoyait les données volées à un serveur de commandement et de contrôle par l'infrastructure de gestion de Windows (Windows Management Instrumentation).

112. Le Groupe d'experts a appris par un État Membre que Kimsuky portait également la responsabilité d'activités d'hameçonnage ciblé menées à l'aide du logiciel ReconShark, visant les messageries électroniques de divers membres du personnel des Nations Unies. Il déguisait des courriels d'hameçonnage ciblé pour faire croire qu'ils provenaient d'agences de presse et de groupes de réflexion, sollicitant des observations et contributions écrites. Ils étaient adressés à partir des adresses électroniques andersonj@rfa.ink et ashraf@ipinst.online.

Groupe Lazarus[112]

113. En mars, des pirates ont compromis les applications de bureau de 3CX[113] pour Windows et macOS et y ont inséré des logiciels malveillants. Les clients de 3CX ont donc téléchargé par inadvertance des versions malveillantes du logiciel vocal et vidéo de l'entreprise. Les assaillants s'en sont servis pour télécharger et exécuter un code arbitraire sur les appareils des victimes. Cette attaque contre la chaîne logistique[114]

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[107] Voir annexe 64 pour des liens vers des rapports connexes.

[108] Voir www.verfassungsschutz.de/SharedDocs/publikationen/EN/prevention/2023-03-20-joint-cyber-security-advisory-korean.html.

[109] Voir www.nis.go.kr/resources/synap/skin/doc.html?fn=NIS_FILE_1679299138913.

[110] Le Groupe d'experts avait cité le logiciel malveillant visant Android dans son rapport S/2023/171, annexe 79. Voir également https://medium.com/s2wblog/unveil-the-evolution-of-kimsuky-targeting-android-devices-with-newly-discovered-mobile-malware-280dae5a650f.

[111] Voir www.sentinelone.com/labs/kimsuky-evolves-reconnaissance-capabilities-in-new-global-campaign.

[112] Pour d'autres cas liés au groupe Lazarus, voir annexe 67.

[113] 3CX est un développeur et distributeur international de Voix sur IP qui fournit des services de téléphonie à de nombreuses organisations. Selon son site Web, il compte plus de 600 000 clients et 12 millions d'utilisateurs dans divers secteurs, dont l'aérospatiale et les soins de santé. Il fournit des logiciels aux clients qui peuvent utiliser ses systèmes au moyen d'un navigateur Web et d'applications mobiles ou de bureau.

[114] En juillet 2023, JumpCloud, une société de gestion de l'informatique, a annoncé qu'un auteur de cybermenace de la République populaire démocratique de Corée avait obtenu un accès non autorisé à son système pour viser un ensemble restreint et précis de ses clients (voir www.sentinelone.com/labs/jumpcloud-intrusion-attacker-infrastructure-links-compromise-to-north-korean-apt-activity et https://jumpcloud.com/blog/security-update-incident-details). Les firmes de cybersécurité ont établi que le groupe Lazarus portait la responsabilité de cette attaque

était le résultat d'une attaque précédente de la chaîne logistique contre Trading Technologies, une société de logiciels financiers, un rare exemple de la façon dont un seul assaillant s'est servi d'une attaque de la chaîne logistique de logiciels pour en mener une autre en aval. Les cibles comprenaient des infrastructures critiques dans le secteur de l'énergie. Les entreprises de cybersécurité ont attribué cette attaque au groupe Lazarus[115].

114. Le 18 avril, un État Membre a annoncé[116] que le groupe Lazarus avait piraté 207 ordinateurs dans 61 organisations et agences locales, dont 4 firmes de biotechnologie et 3 autres liées à la défense. Il a exploité une faille dans un logiciel essentiel pour les services bancaires et financiers électroniques sur Internet et utilisé des codes malveillants distribués par l'intermédiaire de sites Web de médias compromis. Il a utilisé au cours du processus une « attaque par point d'eau »[117]. L'État Membre est parvenu, au moyen d'une intervention interinstitutions, à bloquer l'accès des assaillants.

115. Une société de cybersécurité a informé en juin le Groupe d'experts que de mai à novembre 2022, le groupe Lazarus avait été observé en train de viser des organismes de recherche dans les secteurs public et privé, ainsi que dans les secteurs de la recherche médicale et de l'énergie dans un État Membre, et leurs chaînes logistiques. Cette campagne intitulée « No Pineapple » (Pas d'ananas)[118, 119] portait sur la collecte de renseignements et avait commencé par une attaque contre une entreprise dont le groupe avait exploité les failles CVE-2022-27925 (exécution de codes à distance) et CVE-2022-37042 (contournement de l'authentification), lesquelles portent atteinte à la plateforme de collaboration numérique Zimbra[120]. En y accédant, il a exfiltré le contenu des boîtes aux lettres pour recueillir des informations. Il s'est ensuite déplacé latéralement vers un autre dispositif vulnérable sur le même réseau et a utilisé le logiciel malveillant Dtrack[121], une porte dérobée permettant de voler des informations, pour subtiliser au bout du compte 100 gigaoctets de données.

BlueNoroff

116. Une firme de cybersécurité a signalé en janvier[122] que le groupe avancé et persistant de menaces dit TA444, parrainé par la République populaire démocratique de Corée, qui « se recoupe avec BlueNoroff », avait adressé des courriels d'hameçonnage à diverses cibles dans de multiples États Membres à la fin de

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de la chaîne logistique visant à dérober des cryptomonnaies (voir www.reuters.com/technology/n-korea-hackers-breached-us-it-company-bid-steal-crypto-sources-2023-07-20).

[115] Voir www.crowdstrike.com/blog/crowdstrike-detects-and-prevents-active-intrusion-campaign-targeting-3cxdesktopapp-customers, www.welivesecurity.com/2023/04/20/linux-malware-strengthens-links-lazarus-3cx-supply-chain-attack, www.mandiant.com/resources/blog/3cx-software-supply-chain-compromise et https://symantec-enterprise-blogs.security.com/blogs/threat-intelligence/xtrader-3cx-supply-chain.

[116] Voir annexe 66 pour plus de détails.

[117] Dans une « attaque par point d'eau », l'assaillant infecte un site Web fréquemment visité ou couramment utilisé par les personnes ou organisations visées, en vue de compromettre les ordinateurs des victimes lorsqu'elles visitent le site Web infecté par l'installation de logiciels malveillants supplémentaires.

[118] Voir https://labs.withsecure.com/content/dam/labs/docs/WithSecure-Lazarus-No-Pineapple-Threat-Intelligence-Report-2023.pdf.

[119] Ce message d'erreur est transmis par un logiciel malveillant d'accès à distance lors du téléchargement de données volées sur le serveur du groupe Lazarus.

[120] Voir www.cisa.gov/news-events/cybersecurity-advisories/aa22-228a pour un avis de cybersécurité sur les vulnérabilités et expositions courantes liées à Zimbra.

[121] Voir S/2023/171, par. 171, et S/2020/151, par. 119, pour en savoir plus sur les logiciels malveillants Dtrack.

[122] Voir www.proofpoint.com/us/blog/threat-insight/ta444-apt-startup-aimed-at-your-funds.

décembre 2022, couvrant plusieurs « secteurs verticaux », dont l'éducation, l'administration et les soins de santé, outre les finances[123]. Les leurres par courriels incitaient les utilisateurs à cliquer sur une « URL de SendGrid »[124] qui redirigeait les victimes vers une page de collecte d'informations d'identification. Il s'agirait d'un écart par rapport aux opérations antérieures de TA444, qui comprenaient généralement l'installation directe de logiciels.

117. En avril, BlueNoroff a été observé pour la première fois en train de viser des utilisateurs de macOS au moyen d'un nouveau logiciel malveillant baptisé RustBucket[125] qui se fait passer pour une application de visualisation de fichiers PDF, incitant les victimes à télécharger et à ouvrir l'application. RustBucket déploie ensuite un cheval de Troie qui lui permet de dérober des informations sensibles, de supprimer ou de modifier des fichiers, d'installer d'autres logiciels malveillants et de contrôler à distance le système compromis. En juin, une autre firme de cybersécurité a détecté une version actualisée de RustBucket dotée de capacités améliorées de s'installer de manière durable et d'éviter toute détection[126].

Travailleurs à l'étranger

118. Le Groupe d'experts poursuit ses enquêtes sur les ressortissants de la République populaire démocratique de Corée qui perçoivent des revenus à l'étranger (travailleurs à l'étranger), en contravention du paragraphe 8 de la résolution 2397 (2017) du Conseil de sécurité. Il note que du fait de la fermeture de la frontière de la République populaire démocratique de Corée, les États Membres ont du mal à rapatrier les ressortissants de ce pays, conformément à la résolution.

Informaticiens[127]

Chinyong Information Technology Cooperation Company (ou Jinyong)

119. Selon un État Membre et des informations en accès libre, Chinyong Information Technology Cooperation Company (« Chinyong IT »), une entité subordonnée au Ministère des forces armées populaires (KPe.054) (également connu sous le nom du Ministère de la défense et du Ministère de la défense nationale), « emploie des délégations d'informaticiens de la [République populaire démocratique de Corée] qui opèrent dans » de multiples pays. De plus, un ressortissant de la République populaire démocratique de Corée dénommé Kim Sang Man, dont il sait qu'il est posté à Vladivostok (Fédération de Russie) et serait le directeur général de Chinyong IT, aurait été impliqué dans la vente et le transfert de matériel informatique pour le compte de la République populaire démocratique de Corée et aurait reçu en 2021 des transferts de cryptomonnaies d'informaticiens en Chine et en Fédération de Russie. Les ressortissants de la République populaire démocratique de Corée, Kim Ki Hyok,

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[123] Les activités du TA444 ont toujours été motivées par des considérations d'ordre pécuniaire. Le groupe est connu par exemple pour sa campagne « Snatchcrypto ». Voir S/2022/668, par. 127.

[124] SendGrid est un outil de commercialisation par courriel dans le nuage, qui aide les commerciaux et les développeurs à gérer des campagnes et à mobiliser le public.

[125] Voir www.jamf.com/blog/bluenoroff-apt-targets-macos-rustbucket-malware.

[126] Voir www.elastic.co/security-labs/DPRK-strikes-using-a-new-variant-of-rustbucket et www.sentinelone.com/blog/bluenoroff-how-dprks-macos-rustbucket-seeks-to-evade-analysis-and-detection.

[127] Voir www.state.gov/guidance-on-the-democratic-peoples-republic-of-korea-information-technology-workers and www.mofa.go.kr/eng/wpge/m_25525/contents.do pour les directives et les avertissements destinés aux États Membres sur les informaticiens de la République populaire démocratique de Corée à l'étranger. Le Groupe d'experts a interrogé plusieurs experts sur ces travailleurs (voir annexe 68 pour ses constatations, qui sont conformes aux directives et avertissements destinés aux États Membres).

Jon Yon Gun[128] et King Song Il, représentants de Chinyong IT en Fédération de Russie, en République démocratique populaire lao et en Chine, respectivement, auraient participé à la génération illicite de recettes à l'étranger pour le compte de la République populaire démocratique de Corée[129]. Deux États Membres ont inscrit sur leur liste Chinyong IT et Kim Sang Man en mai, et l'un des deux a rajouté à sa liste le même mois les ressortissants de la République populaire démocratique de Corée Kim Ki Hyok, Jon Yon Gun et Kim Song Il[130].

120. Le Groupe d'experts a également été informé par un État Membre que Chinyong IT avait procédé, de 2017 à 2022, à des opérations se chiffrant à plus de 50 millions de dollars et conservait des dizaines de comptes bancaires pour blanchir des recettes illicites. Selon l'État Membre, une société établie dans un pays tiers a été directement impliquée dans le blanchiment d'argent pour le compte de Chinyong IT. L'État Membre a fourni des informations selon lesquelles Chinyong IT avait utilisé bon nombre de comptes bancaires et de services de transferts d'argent afin d'effectuer des opérations se chiffrant à plus de 20 millions de dollars pour le compte de l'équipe de Chinyong IT basée en République démocratique populaire lao entre le début de l'année 2020 et le début de l'année 2022, ainsi qu'à plus de 5 millions de dollars pour le compte des équipes de Chinyong IT établies en Chine et en Fédération de Russie à la mi-2022. Les enquêtes se poursuivent.

121. La Fédération de Russie a répondu qu'elle n'avait « pas de données sur des ressortissants nord-coréens qui seraient, selon des parties tierces, sur son territoire, suspectés d'avoir violé les sanctions financières du Conseil de sécurité en participant à des activités précises dans le cyberespace ». La Chine a répondu qu'elle « n'avait constaté aucune cyberactivité financière de la part des individus concernés à l'intérieur de ses frontières » (voir annexe 25). La République démocratique populaire lao n'a pas encore répondu.

République démocratique populaire lao

122. Le Groupe d'experts avait signalé précédemment qu'un informaticien de la République populaire démocratique de Corée aurait développé et fourni des programmes informatiques à bon nombre de diverses sociétés au moyen d'une plateforme freelance[131]. M. Oh et huit autres ressortissants de la République populaire démocratique de Corée avaient fui Doubaï (Émirats arabes unis) pour se rendre à Vientiane, en décembre 2021. La République démocratique populaire lao a répondu que M. Oh et deux autres individus (Kim Il Hyok et Kim Myong Chol) avaient quitté Vientiane en février 2023 et que les six autres seraient « rapatriés dans leur pays d'origine » et que « leurs dossiers seraient communiqués au [Groupe d'experts] une fois que la mesure aurait été appliquée ». En juin, le Groupe d'experts a obtenu des informations selon lesquelles les huit individus avaient quitté Vientiane. Il attend de la République démocratique populaire lao des renseignements relatifs à l'immigration sur ces personnes.

123. Un État Membre a communiqué des informations au Groupe d'experts selon lesquelles Tongmyong Technology Trade Company (« Tongmyong Tech »), qui serait une affiliée du Département de l'industrie des munitions (KPe.028) postée en République démocratique populaire lao, aurait dépêché à l'étranger des

[128] Le Groupe d'experts a appris en juin 2023 que Jon Yon Gun avait quitté la République démocratique populaire lao.

[129] Voir annexe 69 pour plus d'informations sur les ressortissants de la République populaire démocratique de Corée cités dans le présent paragraphe.

[130] Voir https://home.treasury.gov/news/press-releases/jy1498 et www.mofa.go.kr/www/brd/m_4080/view.do?seq=373689&page=17.

[131] S/2023/172, par. 153, and S/2022/668, par. 142.

informaticiens de la République populaire démocratique de Corée. Selon l'État Membre, le ressortissant de la République populaire démocratique de Corée, Kim Hyo Dong, est le représentant de Tongmyong Tech, basé en République démocratique populaire lao. De plus, deux autres ressortissants de la République populaire démocratique de Corée postés en République démocratique populaire lao, Yu Song Hyok et Yun Song Il, auraient aidé des informaticiens de la République populaire démocratique de Corée à trouver des bureaux et des logements et à négocier avec des courtiers étrangers pour encaisser des actifs virtuels détournés. Ces deux individus gèrent également un restaurant de la République populaire démocratique de Corée[132] en République démocratique populaire lao (voir par. 124)[133]. Pour ces raisons, l'État Membre a inscrit sur sa liste Tongmyong Tech, Kim Hyo Dong, Yu Song Hyok et Yun Song Il en mai 2023[134]. La République démocratique populaire lao n'a pas encore répondu. Les enquêtes se poursuivent.

Personnes travaillant dans la restauration

124. Le Groupe d'experts avait rapporté précédemment que quatre restaurants et un marché de nuit employaient des ressortissants de la République populaire démocratique de Corée qui auraient dû être rapatriés à compter de décembre 2019[135]. La République démocratique populaire lao a répliqué que « la propriété et l'exploitation de deux de ces restaurants avaient été transférées à des citoyens laotiens qui les avaient rouverts sous le même nom, continuant à servir de la nourriture coréenne » et qu'elles étaient totalement conformes aux règlementations laotiennes et ne contredisaient plus les résolutions du Conseil de sécurité. Le Groupe d'experts note que la République démocratique populaire lao n'a pas fourni d'informations sur les ressortissants de la République populaire démocratique de Corée travaillant dans la restauration. De plus, si des ressortissants de ce pays continuent de contrôler le restaurant ou d'en tirer bénéfice, le fait d'en transférer la propriété ou l'exploitation à une personne sur place pourrait constituer une tactique de contournement des sanctions[136]. Les enquêtes se poursuivent.

Travailleurs médicaux

Libye

125. Selon les informations obtenues par le Groupe d'experts, une équipe médicale de la République populaire démocratique de Corée travaillait dans un hôpital de Libye en janvier. Elle avait été transportée à Koufra à bord d'un avion qui avait été affrété par une société libyenne de transports aériens. D'après l'enquête du Groupe d'experts,

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[132] Tokyo Sushi & Teppanyaki (adresse : Donchan Road, Thatkhao Village, Sisattanak District, Vientiane).

[133] Voir annexe 71 pour des informations sur les ressortissants de la République populaire démocratique de Corée cités dans le présent paragraphe.

[134] Voir www.mofa.go.kr/www/brd/m_4080/view.do?seq=373689&page=1.

[135] S/2022/132, par. 174 et annexe 82.

[136] De précédentes enquêtes ont montré que pour dissimuler leur implication dans des activités de contournement des sanctions imposées à la République populaire démocratique de Corée, des personnes et des entités appartenant ou n'appartenant pas à ce pays ont recouru à des facilitateurs étrangers pour pouvoir opposer un déni plausible et ont modifié l'enregistrement des sociétés, des avions et des navires, notamment en remplaçant les noms de ressortissants de la République populaire démocratique de Corée par ceux d'étrangers, alors que les premiers en conservaient le contrôle ou tiraient d'autres avantages. Voir par exemple S/2013/337, par. 78 et 110 et annexe XIII, S/2015/131, par. 131 et 132, S/2017/150, par. 154, S/2018/171, par. 189, S/2019/171, annexes 46 et 47, et S/2022/668, par. 64 et annexe 39. Pour une précédente enquête sur les restaurants de la République populaire démocratique de Corée en République démocratique populaire lao, voir S/2020/840, par. 133.

au moins 10 des travailleurs avaient été employés au Sénégal de 2019 à 2020[137]. Le Groupe d'experts a demandé à la Libye de fournir un complément d'informations. Les enquêtes se poursuivent (voir annexe 72).

Mozambique

126. Le Groupe d'experts a obtenu des informations selon lesquelles au moins trois travailleurs médicaux de la République populaire démocratique de Corée semblaient travailler dans deux hôpitaux du Mozambique en décembre 2022. Le Mozambique a répondu qu'il « était conscient de la volonté qui avait été manifestée … de mettre un terme à l'emploi de nouveaux médecins de la [République populaire démocratique de Corée] et d'annuler les contrats existants » et a ajouté qu'il « se souciait de médecins hautement qualifiés et spécialisés pour renforcer les exigences du Service national de la santé » (voir annexe 73).

Sénégal

127. Au Sénégal, une équipe médicale de la République populaire démocratique de Corée a travaillé de 2019 à 2020 en divers lieux, en collaboration avec une organisation non gouvernementale (ONG). Celle-ci a indiqué, en réponse à la demande de renseignements du Groupe d'experts, qu'une équipe médicale de la République populaire démocratique de Corée constituée de 30 membres avait été présentée à l'organisation par un ambassadeur de la République populaire démocratique de Corée et avait travaillé avec l'ONG à maintes occasions, notamment lors de manifestations religieuses et locales, à titre bénévole. Le Groupe d'experts a demandé au Sénégal de fournir un complément d'information sur la rémunération que l'équipe aurait pu toucher en échange de ses activités (voir annexe 74). Les enquêtes se poursuivent.

Travailleurs dans le bâtiment

128. Le Groupe d'experts avait écrit à bon nombre d'États Membres et d'entités au sujet de ressortissants de la République populaire démocratique de Corée qui travailleraient à l'étranger tout en étant ayant des visas d'étudiants[138] et a obtenu confirmation de cette pratique par un État Membre[139].

129. Le Groupe d'experts a enquêté sur une affaire de travailleurs de la République populaire démocratique de Corée, suspectés d'être impliqués dans un accident sur le chantier de construction d'un immeuble résidentiel à Korsakov, à Sakhaline (Fédération de Russie) en avril 2020. Le bureau du procureur de la ville de Korsakov a établi que la société impliquée, LLC Euro-Standard[140], avait autorisé des citoyens étrangers à travailler sur le chantier de construction d'un immeuble résidentiel de plusieurs étages, en violation du code du travail et de la loi sur la migration. La Fédération de Russie a répliqué que « les deux citoyens de la [République populaire démocratique de Corée] blessés durant la construction d'un immeuble résidentiel effectuaient un stage dans le cadre de leurs études à l'institution d'enseignement supérieur de l'université d'État de Sakhaline financée par le Gouvernement fédéral » (voir annexe 75).

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[137] Le Groupe d'experts a annoté les photographies originelles des individus dans les annexes à des fins de protection de la confidentialité.

[138] S/2020/151, par. 146 et annexe 39, S/2020/840, par. 108 et 137 à 139 et annexe 54, S/2021/211, par. 130 et annexe 67, et S/2022/132, par. 176 et 177 et annexe 83.

[139] S/2020/840, par. 139.

[140] ООО "Евро-Стандарт".

Recommandation

130. **Le Groupe d'experts rappelle aux États Membres qu'il n'existe pas de dérogation humanitaire ou médicale à l'obligation, conformément aux dispositions du paragraphe 8 de la résolution 2397 (2017) du Conseil de sécurité, touchant le rapatriement vers la République populaire démocratique de Corée de tous les ressortissants de ce pays qui perçoivent des revenus sur un territoire relevant de leur juridiction ainsi que de tous les attachés préposés à la sûreté et relevant du Gouvernement de la République populaire démocratique de Corée qui contrôlent ces ressortissants de la République populaire démocratique de Corée qui travaillent à l'étranger, sauf si l'État Membre concerné détermine que le ressortissant de la République populaire démocratique de Corée est également un de ses propres nationaux ou un ressortissant de la République populaire démocratique de Corée dont le rapatriement est interdit, sous réserve du respect de la législation nationale et du droit international applicables.**

V. Financement

131. Le Groupe d'experts estime que la République populaire démocratique de Corée continue d'accéder au système financier international et de participer à des opérations financières illicites, en violation des résolutions du Conseil de sécurité.

Représentants bancaires de la République populaire démocratique de Corée à l'étranger

132. Le Groupe d'experts enquête sur des informations selon lesquelles le ressortissant de la République populaire démocratique de Corée, Sim Hyon Sop, est le représentant de la Korea Kwangson Banking Corporation [141] (KPe.025) (« KKBC »), établi dans un pays tiers jusqu'à une date récente, mais posté actuellement à Dandong (Chine)[142]. Selon un État Membre, de 2021 à mars 2023, M. Sim a reçu un montant de plus de 24 millions de dollars en monnaies virtuelles blanchies, dont au moins 12 millions de dollars de la part d'informaticiens de la République populaire démocratique de Corée subordonnés au Département de l'industrie des munitions (KPe.028). Quelques-uns de ces informaticiens auraient obtenu un emploi de manière illicite dans des sociétés des États-Unis et auraient demandé à être rémunérés pour leur travail en monnaies virtuelles. M. Sim aurait en outre ordonné directement à des courriers de gré à gré (voir par. 142) d'envoyer des versements à des sociétés écrans au moyen de fonds provenant de monnaies virtuelles volées, afin que ces sociétés écrans puissent effectuer des paiements en monnaie fiduciaire en vue de l'acquisition de biens au nom de la République populaire démocratique de Corée. Deux États Membres ont inscrit M. Sim sur leur liste en avril 2023[143]. La Chine a répondu qu'elle n'avait « constaté aucune cyberactivité financière illicite de la part des personnes concernées à l'intérieur de ses frontières » (voir annexe 25).

133. Selon l'information communiquée par un État Membre, M. Sim, au nom de la KKBC, avait travaillé également avec d'autres individus concernant l'achat de biens pour le compte de la République populaire démocratique de Corée, se servant de sociétés écrans, de faux registres d'expédition et d'autres moyens de tromperie. L'État Membre a estimé que ces activités avaient permis à la République populaire

[141] Subordonné à la Foreign Trade Bank (KPe.047).

[142] Voir www.justice.gov/usao-dc/press-release/file/1581281/download.

[143] Voir https://home.treasury.gov/news/press-releases/jy1435 et www.mofa.go.kr/www/brd/m_4080/view.do?seq=373600&page=1.

démocratique de Corée d'engranger des recettes de près de 700 millions de dollars. M. Sim et ses partenaires auraient également acheté en 2019 un hélicoptère d'un pays tiers pour le compte de la République populaire démocratique de Corée, en violation des résolutions[144]. Les enquêtes se poursuivent.

Accès au système financier international

134. Selon un État Membre, Green Pine Associated Corporation (KPe.010) travaille avec un ressortissant d'un pays tiers pour accéder à des services bancaires. L'Etat membre note également que l'on sait de Green Pine Associated Corporation[145] qu'il se sert de noms de sociétés écrans de la République populaire démocratique de Corée. Les enquêtes se poursuivent. Les sociétés écrans comprennent :

a) Jihyang Associated Corporation ;

b) Jihyang Technology Trade Company ;

c) Jihyang Trading Corporation ;

d) Korea Construction & Gym Equipment Corporation ;

e) Gym Equipment Corporation ;

f) Gym Equipment Associated Corporation ;

g) Gymnastic Equipment Corporation ;

h) Korea Construction and Sports Equipment United Corporation ;

i) Sports Equipment United Corporation.

135. Le Groupe d'experts continue de recevoir des informations selon lesquelles des personnes et des entités de la République populaire démocratique de Corée accèdent de manière illicite au système financier international (voir par. 120). De même, selon un État Membre, une entité subordonnée au Ministère des forces armées populaires (KPe.054) utilise des dizaines de comptes bancaires dans des pays tiers pour rapatrier les bénéfices sous le contrôle de son siège social. Les enquêtes se poursuivent.

Coentreprises, entités de coopération et activités commerciales illicites

136. Le Groupe d'experts a ouvert une enquête sur la Korean National Insurance Company (KPe.048) (« KNIC ») qui, selon un État Membre, a considérablement renforcé, ces dernières années, ses activités avec des compagnies d'assurance et de réassurance et des cabinets juridiques du monde entier pour régler d'anciennes réclamations et participer à de nouvelles polices d'assurance. Pour camoufler son identité et contourner les sanctions du Conseil de sécurité, la KNIC travaillerait au nom de ses sociétés écrans ou sociétés subordonnées, dont Rainbow Intermediaries, Samhae Insurance Corporation et Polestar Insurance Company et leurs représentants à l'étranger (dont beaucoup sont « sous couvert diplomatique » dans des ambassades de la République populaire démocratique de Corée). La KNIC a des antécédents dans des activités de fraude à l'assurance, selon un État Membre et des articles diffusés dans les médias[146], et les sociétés qui lui sont subordonnées sont suspectées d'être

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[144] Voir www.justice.gov/usao-dc/press-release/file/1584251/download.

[145] Les trois premières sociétés sont citées dans le document S/2022/668, par. 120.

[146] Voir par exemple www.theguardian.com/uk-news/2017/apr/23/uk-freezes-assets-of-north-korean-company-in-south-london-insurance-nuclear-weapons, www.washingtonpost.com/wp-dyn/content/article/2009/06/17/AR2009061703852.html?wpisrc=newsletter, https://lloydslist.maritimeintelligence.informa.com/ID013001/KNIC-refutes-new-fraud-allegations et https://go.recordedfuture.com/hubfs/reports/cta-2020-0209.pdf. L'État Membre a rapporté que la KNIC et le Gouvernement de la République populaire démocratique de Corée avaient tenté de

impliquées, de même, dans des activités frauduleuses. Elles se seraient servies d'entreprises locales comme intermédiaires pour recevoir ou envoyer des paiements, afin de contourner les sanctions. Le Groupe d'experts a demandé des renseignements aux sociétés qui auraient traité avec la KNIC et des entités qui lui sont subordonnées mais la plupart n'ont pas encore répondu. Les enquêtes se poursuivent.

137. Selon un État Membre, la République populaire démocratique de Corée continue d'établir des coentreprises et des entités de coopération aux fins de contourner les sanctions et de se servir de sociétés écrans. Le Groupe d'experts enquête sur les nouveaux renseignements fournis par un État Membre au sujet de l'individu Choi Chon Gon, qui a établi en Mongolie en 2019 la société écran Hanne Ulaan LLC (« Hanne Ulaan »), de la République populaire démocratique de Corée, qu'il a utilisée aux fins de l'acquisition de marchandises pour le compte de Pyongyang. Le Groupe d'experts avait enquêté précédemment sur M. Choi et Hanne Ulaan, et les autorités mongoles avaient informé à l'époque le Groupe d'experts que les documents d'enregistrement de la société avaient été transférés à une adresse à Moscou qui correspondait à celle de l'ambassade de la République populaire démocratique de Corée. La Mongolie avait estimé à prime abord que Hanne Ulaan était une société écran de la République populaire démocratique de Corée à des fins de contournement des sanctions et indiqué avoir gelé les fonds dans les comptes bancaires liés à Hanne Ulaan et à M. Choi[147]. En juin, un État Membre a inscrit sur sa liste Hanne Ulaan et M. Choi au motif de leur participation à des marchés financiers illicites pour le compte de la République populaire démocratique de Corée[148]. Les enquêtes se poursuivent.

138. Le Groupe d'experts note que la réouverture partielle récente de la frontière par la République populaire démocratique de Corée pourrait entraîner une augmentation du nombre de transferts par ses ressortissants d'argent liquide et d'objets de grande valeur. Certains ressortissants voyageant à l'étranger sont connus pour transporter dans leurs bagages des objets de grande valeur, notamment de l'argent liquide, de l'or et des produits issus de la faune sauvage, afin d'échapper aux sanctions[149]. Selon les renseignements communiqués par un État Membre, la République populaire démocratique de Corée continue de faire appel à des passeurs de fonds. Les enquêtes se poursuivent.

Génération illicite de recettes au moyen de cyberactivités

139. En février, une firme de cybersécurité a signalé[150] que des cyberacteurs de la République populaire démocratique de Corée parrainés par l'État, comme le groupe Lazarus[151], portaient la responsabilité d'un vol de cryptomonnaies d'une valeur de près de 1,7 milliard de dollars en 2022, plus du triple du montant dérobé en 2021 (voir fig. XXVII). Elle estime également que le pays accorde la priorité à des piratages de cryptomonnaies en vue de « financer ses programmes d'armes nucléaires ». Sur le montant total volé en 2022 par des auteurs de cybermenaces de la République populaire démocratique de Corée, près des deux tiers (quelque 1,1 milliard de dollars)

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commettre une fraude à l'assurance en surassurant des usines de la République populaire démocratique de Corée ou d'autres bâtiments dès l'établissement d'une police ou en gonflant le montant des pertes monétaires et aussi, vraisemblablement, en inventant de toutes pièces des demandes d'indemnisation en cas de catastrophe.

147 S/2021/211, par. 152 et annexe 89.

148 Voir www.mofa.go.kr/www/brd/m_4080/view.do?seq=373848&page=1.

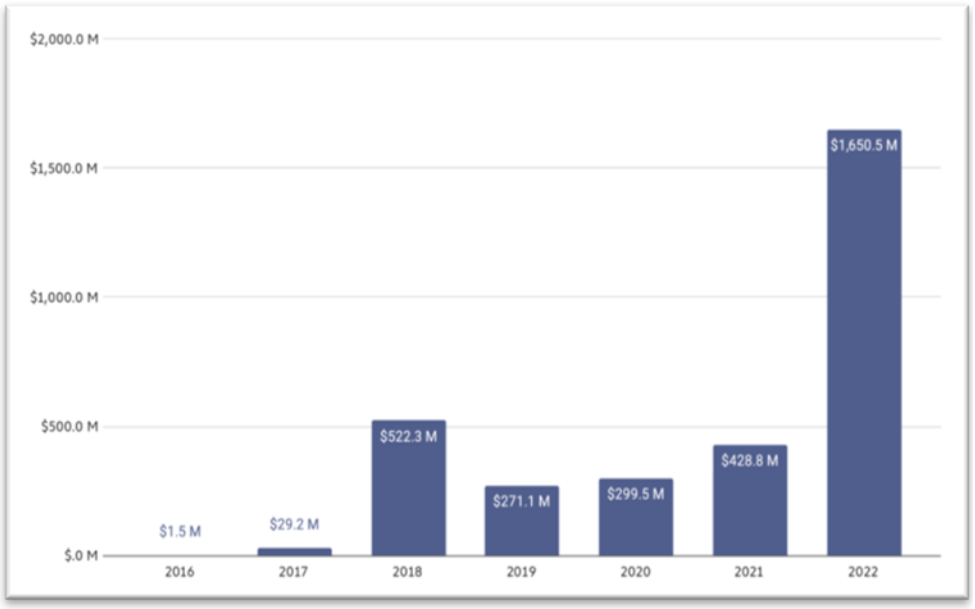
149 Voir par exemple résolution 2321 (2016) du Conseil de sécurité, par. 35, résolution 2270 (2016), par. 37, et résolution 2094 (2013), par. 14 ; https://static.rusi.org/OP-embassies-and-elephants-north-koreas-involvement-in-the-IWT-final-web.pdf.

150 Voir https://blog.chainalysis.com/reports/2022-biggest-year-ever-for-crypto-hacking.

151 Subordonné au Bureau général de reconnaissance (KPe.031), voir par. 105 à 107 et 113 à 115.

provenaient d'attaques visant des plateformes de financement décentralisées, dont les piratages des réseaux Harmony Bridge[152] et Ronin d'Axie Infinity[153, 154]. De même, selon un reportage paru en mai dans les médias, sur la base d'une analyse distincte d'une société de cybersécurité[155], la République populaire démocratique de Corée vise les biens virtuels de multiples sociétés d'États Membres « en vue d'obtenir des devises étrangères dont elle se sert pour financer son programme de missiles », dérobant des cryptomonnaies d'une valeur de 2,3 milliards de dollars de 2017 à 2022. Le responsable d'un État Membre a estimé en mai que les cyberactivités malveillantes de la République populaire démocratique de Corée finançaient la moitié de son programme de missiles[156, 157].

Figure XXVII
Montant annuel total des cryptomonnaies volées par les auteurs de cybermenaces de la République populaire démocratique de Corée, 2016-2022
(En millions de dollars É.-U.)



Source : Chainalysis.

[152] Les autorités des États Membres ont coopéré avec des sociétés d'échanges de cryptomonnaies et de cybersécurité pour récupérer les fonds de ces pirates. Voir https://hub.elliptic.co/analysis/elliptic-collaborates-with-binance-and-huobi-to-freeze-lazarus-group-hack-proceeds.

[153] S/2022/668, par. 147 et 148, et S/2023/171, par. 165.

[154] En février 2023, l'autorité nationale d'enquête et de poursuites des délits économiques et environnementaux de Norvège (Økokrim) a annoncé que quelque 60 millions de couronnes norvégiennes en cryptomonnaies avaient été récupérées. Voir www.okokrim.no/record-cryptocurrency-seizure-in-the-axie-case.6585495-549344.html.

[155] Voir https://asia.nikkei.com/Spotlight/Cryptocurrencies/North-Korean-crypto-thefts-target-Japan-Vietnam-Hong-Kong.

[156] Voir https://edition.cnn.com/2023/05/10/politics/north-korean-missile-program-cyberattacks/index.html et www.youtube.com/watch?v=fz_3PZq8gXs.

[157] D'autres États Membres ont également estimé publiquement que la République populaire démocratique de Corée se servait de cyberactivités malveillantes pour financer ses programmes de missiles et son programme nucléaire. Voir par exemple https://en.yna.co.kr/view/AEN20230719008400320. https://en.yna.co.kr/view/AEN20230719008400320 -:~:text=SEOUL%2C%20July%2019%20(Yonhap),

140. Les auteurs de cybermenaces de la République populaire démocratique de Corée continuent de viser le secteur des actifs virtuels et notamment les prestataires de services en la matière, afin de contourner les sanctions de l'ONU. Le Groupe d'experts continue d'enquêter sur les violations des sanctions financières par la République populaire démocratique de Corée.

Secteur des cryptomonnaies

141. Une société de cybersécurité a signalé [158] en février 2023 que le nouveau mélangeur de cryptomonnaies virtuel Sinbad était fort probablement le nouveau nom de Blender.io[159]. Il aurait blanchi près de 100 millions de dollars en Bitcoin provenant de piratages attribués au groupe Lazarus, dont celui d'Harmony Bridge en juin 2022. Il a « le même individu ou groupe en charge » de ses opérations, et des portefeuilles liés à un opérateur qui serait lié à Blender.io ont également révélé un transfert de cryptomonnaies à Sindbad[160]. Le mode de comportement sur la chaîne des deux mélangeurs serait très similaire, à savoir les traits spécifiques des opérations et l'utilisation d'autres services visant à brouiller les pistes. En outre, « le mode de fonctionnement du mélangeur Sinbad est identique à celui de Blender à maints égards, notamment les codes de mixeur à dix chiffres, les lettres de garantie signées par le prestataire, comportant l'adresse officielle, et un délai maximum de sept jours concernant les opérations ». Les enquêtes se poursuivent.

142. Le Groupe d'experts enquête sur les informations fournies par un État Membre sur le ressortissant chinois Wu Huihui, courtier de monnaies virtuelles de gré à gré, ayant facilité la conversion en monnaie fiduciaire de monnaies virtuelles volées par des cyberacteurs de la République populaire démocratique de Corée, et Cheng Hung Man, un courrier de gré à gré d'un pays tiers, établi à Hong Kong, qui travaillait avec M. Wu pour remettre les paiements à des sociétés en échange de monnaies virtuelles. M. Cheng se serait servi de sociétés écrans pour permettre à des acteurs de la République populaire démocratique de Corée de contourner les contrôles de financement illicite dans les institutions financières. MM. Wu et Cheng ont été inscrits sur la liste d'un État Membre en avril[161]. Ils ont été encadrés dans ces activités par un troisième ressortissant de la République populaire démocratique de Corée, Sim Hyon Sop (voir par. 132 et 133). À la demande de renseignements du Groupe d'experts sur MM. Wu et Cheng, la Chine a répondu qu'elle n'avait « constaté aucune cyberactivité financière illicite par les individus concernés à l'intérieur de ses frontières … et que les cyberactivités citées par le Groupe d'experts ne relevaient pas du champ interdit par les résolutions » (voir annexe 25).

143. Le 3 juin, Atomic Wallet, un portefeuille décentralisé non hébergé, basée en Estonie, a confirmé avoir obtenu des informations sur des portefeuilles compromis [162]. Une firme de cybersécurité a estimé que le groupe Lazarus en était responsable, notant que le blanchiment de crypto-actifs volés avait été suivi « d'une série de mesures absolument identiques à celles employées pour blanchir les produits de piratages antérieurs, perpétrés par le groupe Lazarus »[163]. Les actifs volés ont été blanchis par

[158] Voir https://hub.elliptic.co/analysis/has-a-sanctioned-bitcoin-mixer-been-resurrected-to-aid-north-korea-s-lazarus-group.

[159] En 2022, un État Membre a inscrit sur sa liste les mélangeurs de cryptomonnaies Blender.io et Tornado Cash. Voir S/2022/668, par. 147, et S/2023/171, par. 161.

[160] Une autre firme de cybersécurité (voir note de bas de page 150) note avoir « observé des portefeuilles appartenant à des pirates liés à la Corée du Nord envoyer des fonds au service [Sinbad] ».

[161] Voir https://home.treasury.gov/news/press-releases/jy1498.

[162] Voir https://atomicwallet.io/blog/june-3rd-event-statement.

[163] Voir https://hub.elliptic.co/analysis/north-korea-s-lazarus-group-likely-responsible-for-35-million-atomic-crypto-theft.

l'intermédiaire de Sinbad. D'après des renseignements complémentaires fournis par la même société[164], plus de 100 millions de dollars ont été subtilisés dans plus de 5 500 portefeuilles compromis. Il a également été estimé que les pirates « s'étaient tournés vers l'échange [de cryptomonnaies] Garantex basé en Russie[165] pour blanchir les actifs volés. Garantex a été inscrit sur la liste d'un État Membre en avril 2022[166]. À la suite des demandes de renseignements du Groupe d'experts, l'Estonie a répondu que l'affaire faisait l'objet d'une enquête.

Logiciels rançonneurs

144. Le Groupe d'experts note que les deux États Membres ont émis une alerte en février au sujet d'une campagne mondiale de rançongiciels menée par la République populaire démocratique de Corée visant des infrastructures essentielles et de santé[167]. Ils ont mis en garde les victimes contre le versement de rançons car « cela ne garantissait aucunement la récupération des dossiers et des archives et faisait peser des risques en matière de sanctions ». L'alerte comprend des recommandations visant à repousser et atténuer les incidents liés aux logiciels rançonneurs, des détails sur les failles et expositions communes et des indicateurs de compromission concernant les variantes des rançongiciels Maui et H0lyGh0st[168]. Selon l'alerte, la République populaire démocratique de Corée a mis à profit les recettes tirées des attaques de rançongiciels pour financer d'autres cyberopérations malveillantes et les priorités et objectifs du pays.

Recommandations

145. **Le Groupe d'experts engage les États Membres à faire preuve de vigilance à l'égard du contournement des sanctions financières par la République populaire démocratique de Corée au moyen de l'utilisation, par ses entités tombant sous le coup de sanctions de l'ONU, de sociétés écrans et de sociétés subordonnées. Il encourage également les États Membres à lui fournir ainsi qu'au Comité, selon qu'il sera utile, les noms des sociétés et autres données d'identification.**

146. **Le Groupe d'experts recommande à nouveau que les États Membres appliquent dès que possible les directives du Groupe d'action financière sur les actifs virtuels et les prestataires de services liés aux actifs virtuels, notamment la pleine application de la recommandation révisée 15 (et la « Règle concernant les voyages »).**

147. **Le Groupe d'experts recommande également que les États Membres envisagent des contacts plus dynamiques avec le secteur des actifs virtuels pour veiller à sensibiliser davantage aux cybervols d'actifs virtuels perpétrés par la République populaire démocratique de Corée, ainsi que des mesures appropriées pour combattre et repousser de telles attaques.**

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[164] Voir https://hub.elliptic.co/analysis/north-korea-linked-atomic-wallet-heist-tops-100-million.

[165] Garantex, qui était immatriculé en Estonie en 2019, a perdu sa licence de prestataire de services de monnaies virtuelles en février 2022. Selon un État Membre, la majorité des activités en cours de Garantex dans le domaine des monnaies virtuelles sont menées à Moscou et à Saint-Pétersbourg (Fédération de Russie).

[166] Voir https://home.treasury.gov/news/press-releases/jy0701.

[167] Voir annexe 76 pour l'avertissement conjoint intitulé « #StopRansomware: Ransomware Attacks on Critical Infrastructure Fund DPRK Malicious Cyber Activities ».

[168] L'auteur de cybermenaces de la République populaire démocratique de Corée qui est derrière les attaques de rançongiciels se fait appeler Andariel. Voir S/2023/171, par. 163 et 164.

VI. Effets humanitaires non recherchés des sanctions

148. Au paragraphe 25 de la résolution 2397 (2017), le Conseil de sécurité a réaffirmé que les sanctions étaient censées être sans conséquences humanitaires négatives pour la population civile de la République populaire démocratique de Corée et souligné que la responsabilité première de la République populaire démocratique de Corée est de pourvoir pleinement aux besoins de subsistance de son peuple. Le Groupe d'experts a continué de surveiller les informations disponibles relatives à la situation humanitaire et à l'aide humanitaire fournie au pays, conformément aux paragraphes 24 et 25 de la résolution 2397 (2017) et aux autres résolutions pertinentes.

149. Le Groupe d'experts note que la résolution 2664 (2022) nouvellement adoptée, dans laquelle le Conseil de sécurité a souligné la nécessité d'atténuer au mieux toute conséquence humanitaire négative imprévue et suggéré des mesures à cette fin, ainsi que la mise à jour par le Comité le 2 juin 2023 de la Notice n° 7 d'aide à l'application, intégrant les éléments pertinents de la résolution 2664 (2022) et une explication quant à son application dans le cadre de l'aide humanitaire à la République populaire démocratique de Corée[169].

Situation humanitaire

150. Le Groupe d'experts continue de constater l'absence de données fiables sur la situation humanitaire en République populaire démocratique de Corée, notamment du fait de la fermeture de la frontière et de l'incapacité de la plupart des observateurs et organisations humanitaires qui en résulte de pouvoir rendre compte de la situation régnant dans le pays. Il note également l'absence de méthode de travail qui permettrait de dissocier les conséquences des sanctions multilatérales imputables à d'autres facteurs. Il a poursuivi la pratique consistant à adresser un questionnaire aux organisations humanitaires (voir annexe 78), dont on trouvera les réponses anonymisées à l'annexe 79.

151. Les entités des Nations Unies, les États Membres et les organisations non gouvernementales continuent de décrire la situation humanitaire en République populaire démocratique de Corée comme se dégradant, 11,3 millions de personnes ayant besoin d'une assistance et 45,5 % de la population étant sous-alimentée, selon des sources des organismes des Nations Unies[170]. La sécurité alimentaire, la nutrition des enfants, la couverture vaccinale, l'accès à l'eau propre et les services d'hygiène et d'assainissement de base se sont tous aggravés[171].

152. La situation humanitaire en République populaire démocratique de Corée résulte sans doute d'un ensemble de facteurs recouvrant, en ordre descendant, les politiques socioéconomiques du pays accordant la priorité aux armes de destruction

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[169] Voir annexe 77 pour les mises à jour de la Notice n° 7 d'aide à l'application.

[170] Voir www.fao.org/documents/card/en/c/cc3017en.

[171] Malgré une récolte d'automne moyenne, les comptes rendus sur les prix des denrées alimentaires en République populaire démocratique de Corée étaient contradictoires (voir par exemple www.38north.org/2023/06/north-korean-market-prices-suggest-serious-food-shortages et www.rfa.org/korean/in_focus/nk_nuclear_talks/foodprice-06262023095213.html). Le Bureau de la coordination des affaires humanitaires a estimé en 2022 que le nombre de personnes en situation d'insécurité alimentaire avait augmenté pour atteindre 60 % de la population (voir https://reliefweb.int/report/democratic-peoples-republic-korea/crisisinsight-weekly-picks-31-may-2023). Les rapports faisant état d'une augmentation du nombre de décès dus à la famine sont largement répandus, même si les opinions divergent (voir annexes 80 et 81). Des experts extérieurs ont déclaré au Groupe d'experts qu'il était plausible que certaines régions connaissent des conditions proches de la famine et que certains groupes soient en situation de famine.

massive et aux missiles balistiques, la pandémie de maladie à coronavirus (COVID-19) et la fermeture de la frontière qui en a résulté, les catastrophes naturelles et la faible priorité donnée par le pays à l'aide humanitaire[172] ainsi que les effets non voulus des sanctions.

153. Un léger assouplissement de la politique de fermeture de la frontière et un relâchement des mesures de quarantaine au printemps 2023 ont favorisé une certaine reprise des importations de céréales, d'autres produits alimentaires et d'articles médicaux, améliorant au moins légèrement la situation à compter de l'été. Il se peut que les décideurs en République populaire démocratique de Corée accordent une plus grande priorité à la production agricole et céréalière[173].

154. Même si toute évaluation précise demeure difficile, sur la base des estimations antérieures et des informations fournies par les États Membres, les acteurs humanitaires et les experts indépendants, le Groupe d'experts note que même si l'influence relative des sanctions a diminué depuis la fermeture, au début de 2020, de la frontière liée à la COVID-19, il ne fait guère de doute que les sanctions des Nations Unies et leur application ont pesé involontairement sur la situation humanitaire et certains aspects des opérations d'aide, exacerbant les problèmes causés par les politiques économiques du pays. Avant la pandémie, le Groupe d'experts avait signalé[174], sur la base d'informations provenant de diverses sources, que les effets imprévus des sanctions sur les besoins humanitaires de la population civile pourraient recouvrir :

a) une augmentation de la marginalisation sociale, tandis que les élites réagissent, face aux sanctions de l'ONU et autre, en resserrant leur contrôle sur ces ressources [175, 176] ;

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[172] En février, un quotidien officiel de la République populaire démocratique de Corée a déclaré que compter sur l'aide extérieure pour remédier aux pénuries alimentaires reviendrait à accepter des « bonbons empoisonnés » (voir www.nknews.org/pro/state-media-review-north-korea-rejects-humanitarian-aid-as-poison-candy et http://rodong.rep.kp/ko/index.php?MTJAMjAyMy0wMi0yMi1OMDI4QDE1QDJAQDBAMjg==). Une organisation humanitaire a déclaré au Groupe d'experts : « les autorités nord-coréennes ne pensent pas que l'aide humanitaire améliorera fondamentalement leur situation économique ; elles croient en fait que cela ne fera qu'augmenter la dépendance de leurs membres et responsables de haut rang à l'égard du monde extérieur ».

[173] Les dirigeants du pays ont fait de l'agriculture une priorité à la septième séance plénière du huitième Comité central du Parti du travail de Corée en mars 2023, et la production céréalière a été désignée en décembre 2022 comme étant le premier des « 12 objectifs majeurs ». Voir www.kcna.kp/en/article/q/be316125bbf4e33c49d80b628336942c.kcmsf et www.kcna.kp/en/article/q/ca7280c2250709518dc9e8e91bac53cf.kcmsf.

[174] S/2019/171, par. 176, S/2019/691, par. 83, S/2020/151, par. 209, S/2020/840, par. 156 à 158 et 160, S/2021/211, par. 168 à 171, S/2021/777, par. 174 à 178, S/2022/132, par. 187 à 190, S/2022/668, par. 163 à 166, et S/2023/171, par. 179 et 180. Voir également annexe 82 du présent rapport.

[175] Deux experts estiment qu'un contrôle plus marqué de l'État entraîne une dépression du secteur marchand, ce qui, depuis 2017, s'est traduit par une diminution de l'accès des familles ordinaires au marché, ainsi que par une réduction de leurs budgets.

[176] À l'alinéa 4 du préambule de la résolution 2397 (2017), le Conseil de sécurité s'est déclaré vivement préoccupé par le fait que le pays continue de mettre au point des armes nucléaires et des missiles balistiques en détournant des ressources critiques au détriment de la population de la République populaire démocratique de Corée alors que les besoins des habitants sont très loin d'être satisfaits.

b) une diminution des sources de revenus concernant les personnes employées dans les secteurs touchés par les sanctions et le chômage constant qui en résulte[177] ;

c) la persistance des pénuries de matériel agricole[178] et de carburant[179] qui exacerbent les très faibles niveaux de mécanisation de l'agriculture[180] ;

d) l'augmentation de la perturbation des chaînes logistiques médicales[181, 182].

Opérations des organisations humanitaires

155. Avant la pandémie, l'ampleur de l'aide humanitaire représentait environ 2 dollars par habitant et par an[183] et constituait une ressource essentielle dans certaines zones géographiques et pour les groupes de population vulnérables. Les organisations humanitaires signalent que la fermeture de la frontière et d'autres mesures de prévention de la pandémie ont entraîné divers résultats, dont la suspension ou la diminution sévère des activités d'aide des organisations, une capacité réduite d'évaluer l'effet éventuel des sanctions et une dégradation de la situation humanitaire en République populaire démocratique de Corée. Si des organisations ont souligné que les offres d'aide n'avaient pas suscité de réponse positive, plusieurs autres ont signalé pouvoir apporter un faible niveau de fournitures humanitaires à la République populaire démocratique de Corée en 2023, qui bénéficiait d'un suivi limité.

156. Les organisations humanitaires qui ont répondu ont souligné également les difficultés en cours à la fourniture de l'aide, du fait de la fermeture de la frontière, de la longueur de la période de quarantaine et de questions administratives et liées à la désinfection. Les organisations n'ont pas la même appréciation des effets possibles

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[177] La République populaire démocratique de Corée garantit l'emploi total de sa population (articles 29 et 30 de sa constitution). Deux experts estiment que cette mention n'est pas pertinente.

[178] Le secteur des munitions en République populaire démocratique de Corée peut fabriquer de grandes quantités de divers équipements et machines agricoles, si le Gouvernement décide d'allouer les ressources nécessaires (voir https://kcnawatch.org/newstream/1664356199-252182552/kim-jong-un-sends-farm-machines-to-south-hwanghae-province). Deux experts pensent que cette estimation est erronée et incomplète, étant donné que des articles interdits sont nécessaires à la production de tels biens.

[179] Les États Membres ont fourni des informations selon lesquelles la République populaire démocratique de Corée avait dépassé de loin le plafond sur l'importation de produits pétroliers raffinés chaque année depuis l'imposition de ce plafond au titre de la résolution 2397 (2017) du Conseil de sécurité (voir par. 29 et 30) ; entre-temps, les importations de pétrole brut n'ont pas atteint le plafond de 4 millions de barils par an, et le pays continue d'exporter du charbon en violation des résolutions (voir par. 74 à 76). Après l'imposition du plafond sur le pétrole, le volume total d'importations de produits pétroliers raffinés a baissé.

[180] Deux experts estiment que la diminution globale des recettes d'exportation, causée par l'interdiction sectorielle, a entraîné une réduction des ressources disponibles, concernant les importations de matériels agricoles, d'engrais et de carburant, et que les importations de ces produits ont également été entravées par l'interdiction sectorielle sur « les importations ». Selon ces mêmes experts, la nourriture, l'énergie et la sécurité sociale ont pâti.

[181] Il n'existe pas d'interdiction à l'exportation des médicaments et des fournitures médicales en République populaire démocratique de Corée. Les organisations humanitaires se sont efforcées d'acheminer les fournitures dont le pays avait besoin par la voie de procédures de dérogation opérationnelles bien établies, à des fins humanitaires.

[182] Deux experts estiment que la désorganisation des importations d'articles essentiels à des fins médicales est occasionnée par la baisse des réserves en devises étrangères et par l'interdiction sectorielle « sur les importations » (pour des exemples d'articles médicaux interdits, voir S/2019/171, annexes 86 et 87), ainsi que par la réduction des risques par des fournisseurs étrangers.

[183] Voir https://reliefweb.int/report/democratic-peoples-republic-korea/provisional-2020-dpr-korea-needs-and-priorities-overview.

des sanctions de l'ONU sur leurs activités, citant notamment les facteurs éventuels suivants :

a) l'absence de filière bancaire ;

b) la diminution du nombre de fournisseurs se présentant aux appels d'offres, ce qui en influence le prix et la qualité ;

c) une augmentation des délais douaniers ;

d) une charge de travail supplémentaire pour les demandes de dérogation ;

e) les délais d'achat.

Deux organisations ont estimé que la politique de fermeture de la frontière avait gravement exacerbé la situation humanitaire dans le pays et que les sanctions de l'ONU avaient peu ou pas d'influence ; deux autres ont estimé que la dégradation de la situation humanitaire découlait à la fois de la fermeture de la frontière et des sanctions.

157. Beaucoup d'organisations qui ont répondu ont indiqué que la procédure améliorée de dérogation humanitaire en cours était suffisante et se sont félicitées de la mise à jour par le Comité de la Notice n° 7 d'aide à l'application. Plusieurs organisations ont recommandé une période de dérogation plus longue ou une prorogation automatique, jusqu'à la fin du projet approuvé, et des dérogations permanentes pour certains produits à faible risque. La plupart ne prévoient pas une réouverture totale de la République populaire démocratique de Corée en 2023 et plusieurs craignent de ne bénéficier que d'un accès limité à l'avenir.

158. Selon une source officielle de l'ONU, en 2023, certaines contraintes d'accès ont été assouplies, ce qui a permis l'acheminement de médicaments, de vaccins, d'éléments nutritifs et de fournitures liées à l'eau, l'assainissement et l'hygiène. Cependant, du fait que les mesures liées à la COVID-19 n'ont été que quelque peu atténuées, les agents humanitaires ne peuvent toujours pas se rendre dans les sites de distribution pour s'assurer de la distribution des fournitures. Le Comité a accordé quatre nouvelles dérogations et neuf prorogations de l'aide humanitaire.

Recommandations

159. **Le Groupe d'experts apprécie les séances d'information semestrielles tenues par les entités compétentes des Nations Unies sur les conséquences imprévues des sanctions et recommande que le Comité poursuive cette pratique.**

160. **Le Groupe d'experts souligne une fois de plus l'urgence de rétablir un réseau bancaire durable en vue des opérations humanitaires en République populaire démocratique de Corée.**

161. **Le Groupe d'experts recommande que, dans le contexte de l'application de la résolution 2664 (2022) du Conseil de sécurité, les organismes des Nations Unies, notamment le Comité, tiennent compte des informations fournies par les acteurs humanitaires sur l'atténuation des effets néfastes que pourraient avoir les sanctions de l'ONU sur la population civile et sur l'aide humanitaire en République populaire démocratique de Corée.**

162. **Le Groupe d'experts recommande de nouveau que :**

a) le Conseil de sécurité continue de se pencher sur les questions et les procédures à même d'atténuer les éventuelles conséquences néfastes imprévues des sanctions sur la population civile de la République populaire démocratique de Corée et sur les opérations d'aide humanitaire ;

b) le Comité et d'autres parties prenantes concernées continuent d'envisager concrètement l'idée de faire bénéficier d'une dérogation des exportations choisies, faisant actuellement l'objet de sanctions, dont les bénéfices pourraient servir à financer des fournitures humanitaires ;

c) le Comité envisage des contacts plus actifs avec la société civile sur le plan de la fourniture d'une assistance humanitaire à la République populaire démocratique de Corée, pour aider à l'application de la résolution 2664 (2022) du Conseil de sécurité ;

d) le Comité envisage concrètement l'idée de dérogations renouvelables et permanentes pour les acteurs de l'aide humanitaire et les produits à l'aide humanitaire.

VII. Rapports nationaux de mise en œuvre

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

163. Au 28 juillet 2023, 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). Le Groupe d'experts note que le nombre d'États Membres qui n'ont pas établi de rapport sur la résolution 2397 (2017) (127) demeure important[184, 185].

164. Par ailleurs, le taux de réponse globale parmi les États Membres, les entités et les individus aux demandes d'information du Groupe d'experts sur ses enquêtes demeure faible : le Groupe d'experts fait observer que les États Membres, les entités et les personnes doivent respecter les résolutions pertinentes du Conseil de sécurité et coopérer pleinement avec ses demandes de renseignement.

VIII. Recommandations

165. Une liste récapitulative des recommandations figure à l'annexe 83.

[184] Pour des statistiques sur les rapports nationaux d'application, voir : www.un.org/securitycouncil/sanctions/1718/implementation-reports.

[185] Voir également www.smallarmssurvey.org/resource/value-reporting-national-reporting-practices-under-un-sanctions-regime-north-korea.

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Annex 1: Kim Jong Un's inspection of "*tactical nuclear weapons*" (excerpt from DPRK media report) and Member State assessments

1) Photo from DPRK media

Source: Rodong Sinmun, 28 March 2023.

2) Assessments by Member States on “tactical nuclear weapons” (excerpts)

[Member State 1]

On 28 March 2023, North Korea state media showed leader Kim Jong Un inspecting ten purported “tactical” nuclear devices alongside ballistic and cruise missile systems. Also shown were diagrams of warheads integrated with a range of delivery systems including an unmanned underwater vehicle. The nuclear devices being inspected appeared physically smaller than previous purported nuclear devices featured in North Korean media.

In recent years, North Korea has signalled a focus on developing so-called “tactical” nuclear weapons which are almost certainly intended for use on the peninsula and likely have a lower yield warhead than warheads for longer range systems.

It is highly likely that nuclear weapon design personnel would prefer to see a full-scale test to validate the new design. However, despite the reactivation of the test site last year North Korea has not resumed nuclear testing.

Source: Member State.

[Member State 2]

[MS2] government assumes that the "Hwasan-31" is likely to be a tactical nuclear weapon when considering only its appearance, such as size and shape. However, the DPRK has yet to disclose the device's internal detonator and technical specifications, so assessing whether the device matches the physical characteristics typically associated with tactical nuclear weapons is difficult. In this vein, whether the device possesses a range of explosive yields depending on its technical use is also difficult to evaluate.

Meanwhile, considering that "Hwasan-31" is possibly disclosed for deception purposes, the [MS2] government assessed that further analysis is required.

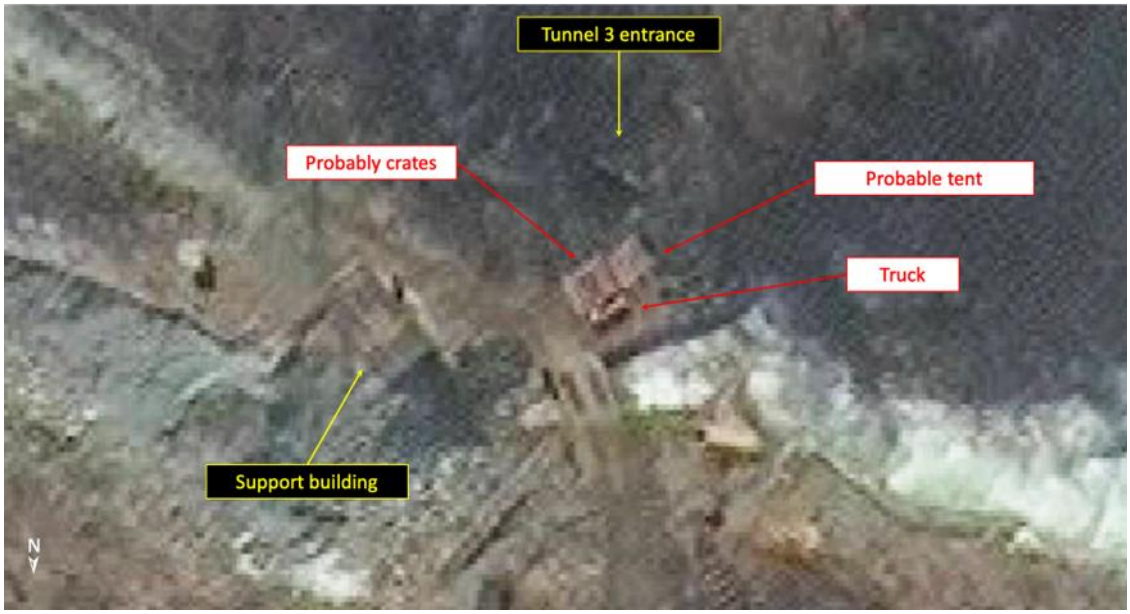
Source: Member State.

Annex 2: Activities at Punggye-ri nuclear test site (41° 16′ 41″ N 129° 05′ 15″ E)

*In the annexes of the nuclear section, annotations in red boxes are recent observations, while those with yellow characters in black boxes are previous observations.

Source: Planet Labs Inc., 4 May 2023.

1) Activities near Tunnel 3 (41° 16′ 35″ N 129° 05′ 17″ E)



Source: Maxar Technologies, 7 March 2023.

Source: Maxar Technologies, 13 March 2023, 25 June 2023.

2) Activities near Tunnel 4 (41° 16′ 46″ N 129° 05′ 08″ E)

Source: Planet Labs Inc., 22 April 2023, Maxar Technologies, 7 May 2023.

Source: Maxar Technologies, 25 June 2023.

3) Activities at Administrative area (41° 16′ 41″ N 129° 05′ 15″ E)

Source: Maxar Technologies, 8 February 2023.

Annex 3: Activities at LWR (39° 47′ 45″ N 125° 45′ 18″ E)

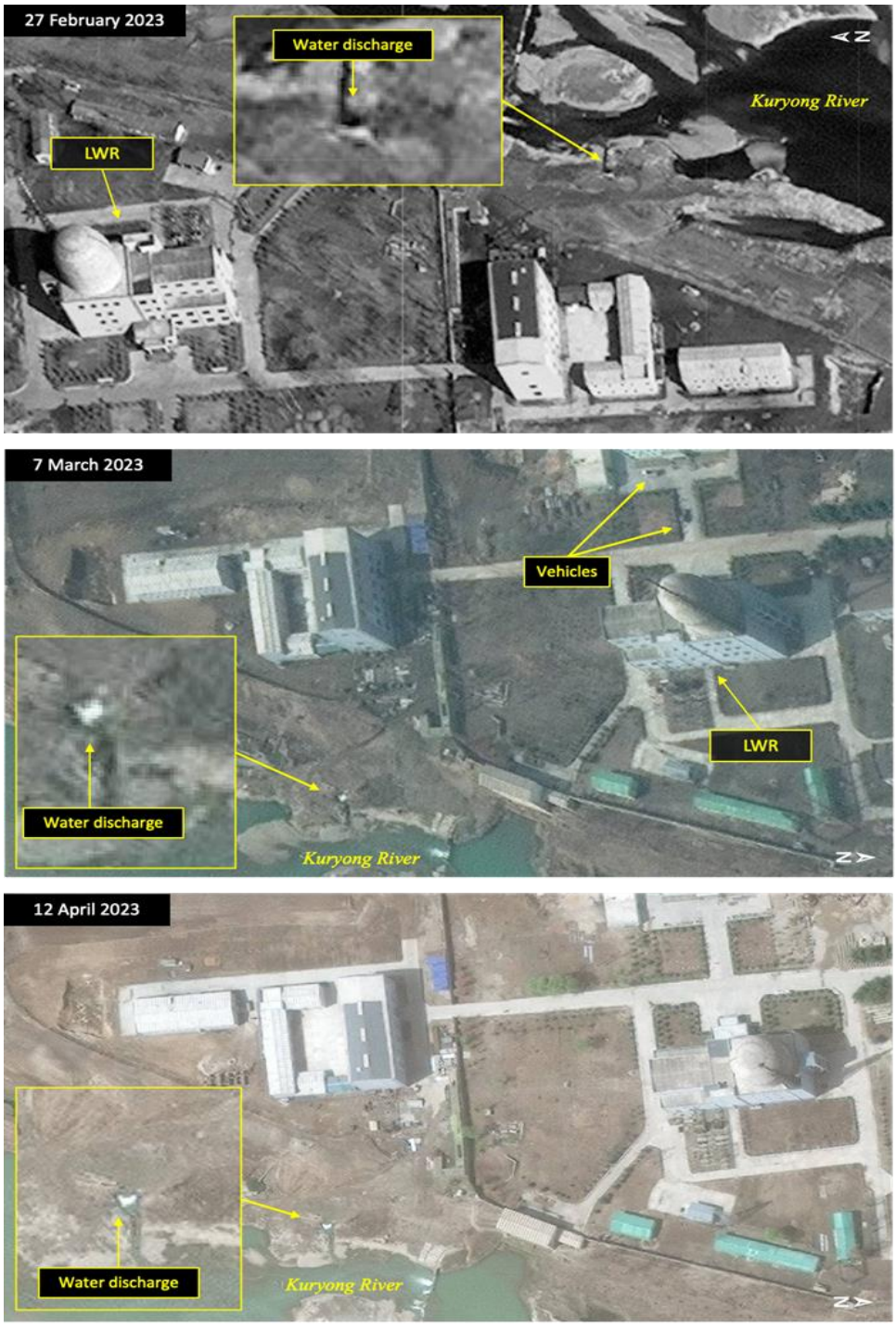
Source: Maxar Technologies, 7 April 2023.

1) Construction of support buildings (39° 47′ 46″ N 125° 45′ 14″ E)

Source: Maxar Technologies, 4 March 2023, 1April 2023.

Source: Planet Labs Inc., 25 February 2018, Maxar Technologies, 18 June 2023.

2) Possible testing of cooling water system (39° 47′ 39″ N 125° 45′ 21″ E)



Source: Maxar Technologies, 27 February, 7 March, 12 April 2023.

Annex 4: Activities at 5MW(e) reactor (39° 47′ 51″ N 125° 45′ 20″ E)

Source: Maxar Technologies, 7 April 2023, 12 April 2023.

Source: Planet Labs Inc., 1 July 2023.

Annex 5: Radiochemical Laboratory (39° 46′ 50″ N 125° 45′ 08″ E)

Source: Planet Labs Inc., 4 May 2023.

1) Suspected nuclear waste storage site (Old Waste Site) (39° 47′ 16″ N 125° 45′ 23″ E)

- A think tank reported new excavation activity was observed in March 2023. An outside expert consulted by the Panel explained that there had been some smaller excavation activities at this site even before 2023. The Panel's satellite imagery analysis corroborated these observations.
- According to the International Atomic Energy Agency (IAEA), this facility was not declared by the DPRK in its initial report submitted to the Agency in May 1992 along with another suspected nuclear waste storage site (aka: Building 500).[186] Despite repeated requests by the Agency for additional access to the facility, DPRK continued to refuse. This site was covered with soil before IAEA's visit in 1992.[187]

Source: Maxar Technologies, 4 May 2023

[186] See https://www-pub.iaea.org/mtcd/publications/pdf/pub1032_web.pdf.
[187] See The Institute for Science and International Security, *Solving the North Korean Nuclear Puzzle*.

2) Activities near spent fuel receipt building (39° 46′ 49″ N 125° 45′ 07″ E)

- The below images captured between late-February to mid-April 2023 showed the pile of unidentified material in front of spent fuel receipt building and vehicular activities at motor pool area.

Source: Planet Labs Inc., 26 February 2023, Maxar Technologies, 21 March 2023.

Source: Maxar Technologies, 7 April 2023, 19 April 2023.

- The below image captures on 1 July 2023 showed vehicular activities in front of spent fuel receipt building in addition to motor pool area.

Source: Planet Labs Inc., 1 July 2023.

Annex 6: Activities at the Yongbyon Nuclear Fuel Rod Fabrication Plant (39°46′15″N 125°44′57″E)

Source: Maxar Technologies, 7 April 2023.

1) New construction activities at southern area (39° 46′ 04″ N 125° 45′ 01″ E)

Source: Planet Labs Inc., 26 February 2023, Maxar Technologies, 4 March 2023.

Source: Planet Labs Inc., 4 May 2023, 1 July 2023.

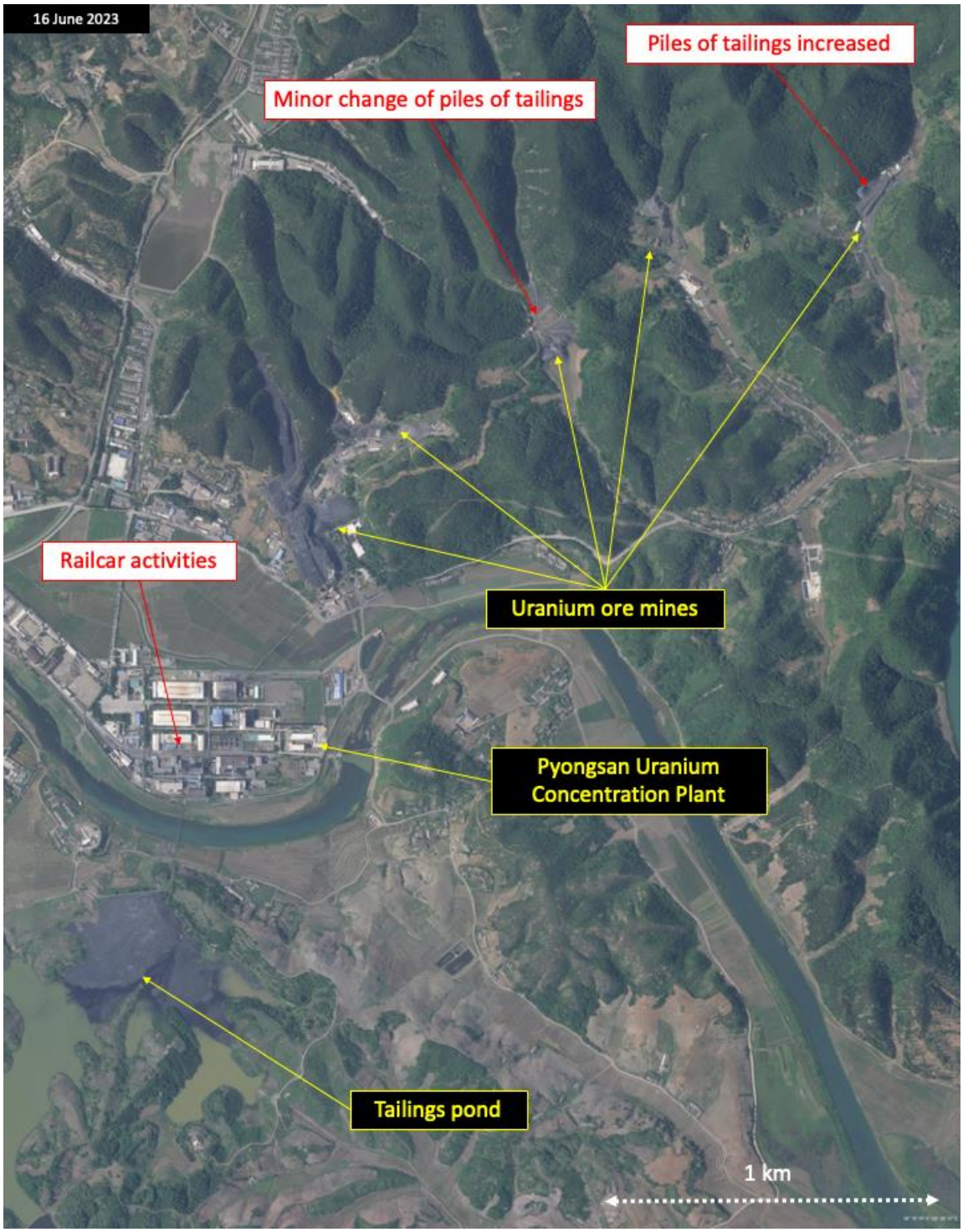
2) Activities at UO2 production process building (39° 46′ 11″ N 125° 44′ 55″ E)

- The Panel did not observe smoke from the UO2 production process building, otherwise regularly observed by the Panel. A lack of smoke indicates that the conversion process from yellowcake to UO2 is not underway.
- In addition, a think tank reported the removal of drums and canisters from the building since March 2023 suggesting that renovations are taking place.[188] The Panel has also seen probable drums/canisters scattered around the building (see below). According to an outside expert, these signs appear to show that the building may be subject to renovation.

Source: Maxar Technologies, 4 June 2023.

[188] See https://www.38north.org/2023/04/yongbyon-nuclear-scientific-research-center-expansion-work-continues/.

Annex 7: 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., 16 June 2023.

1) Expansion of the piles of tailings at the mines (38° 19′ 57″ N 126° 27′ 20″ E, 38° 19′ 42″ N 126° 26′ 40″ E)

Source: Planet Labs Inc., 23 February 2023, 16 June 2023.

Source: Maxar Technologies, 19 February 2023, 18 March 2023.

2) Railcar activities at Pyongsan Uranium Concentration Plant (38° 19′ 02″ N 126° 25′ 55″ E)

Source: Planet Labs Inc., 8 February 2023, 5 March 2023, 16 June 2023.

Annex 8: Activities at Kangson (38° 57′ 26″ N 125° 36′ 43″ E)

The Panel continues to monitor activities in the vicinity of Kangson, an alleged clandestine uranium enrichment facility.[189] Constant activity of several types of trucks has been observed adjacent to the main building.

Source: Maxar Technologies, 21 March 2023, 3 April. 2023, 5 June 2023, 16 June 2023.

[189] S/2023/171, para. 14 and annex 9

Annex 9: Activities at Yongdoktong (40°01′51″N 125°18′28″E)

The Yongdoktong area is believed to be involved in DPRK's nuclear weaponisation programme, including as a nuclear weapons storage facility.[190] The Panel observed continuous vehicular activities around the buildings adjacent to the entrance and the presence of personnel near one of the possible explosive storage sites.

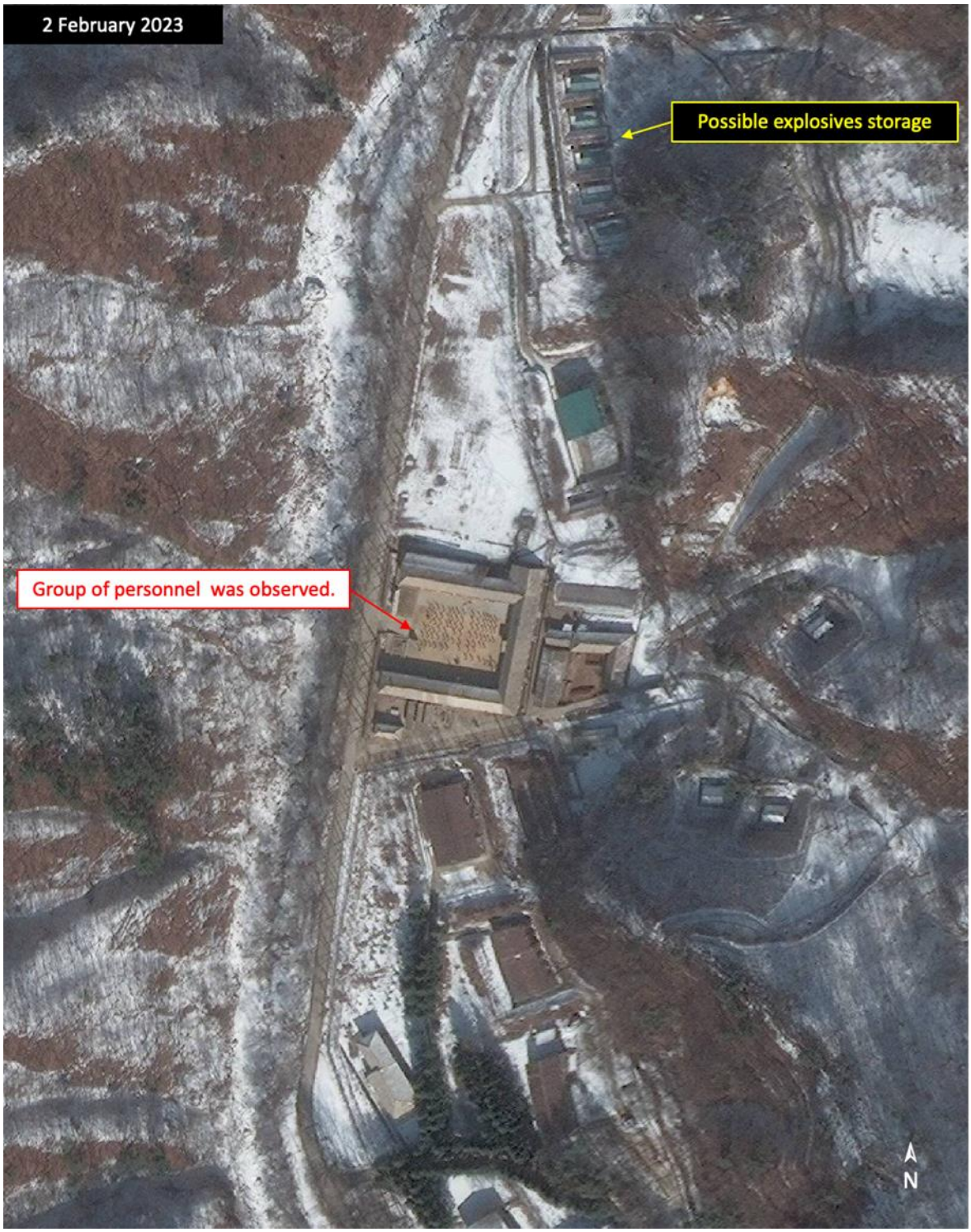
Source: Planet Labs Inc., 8 May 2023.

[190] S/2023/171, para. 15 and annex 10

1) Activities near the entrances of the tunnels (40° 01′ 51″ N 125° 18′ 28″ E)

Source: Maxar Technologies, 2 February 2023, 1 April 2023.

2) Presence of personnel (40° 02′ 24″ N 125° 18′ 22″ E)



Source: Maxar Technologies, 2 February 2023.

Annex 10: Ballistic missiles launches by the DPRK from 1 January to 28 July 2023

Official DPRK statements are in *italics*.

Mentions of liquid (LP) or solid propellant (SP) engines.[191]

Tests in the year	*Date and time (local)*	*Reported type*	*Number of missiles*	*Reported launch location and trajectory*	*Reported distance travelled (km)*	*Reported apogee (km)*	*Remarks*	*DPRK reports*
1. **SP** (reported in S/2023/171)	**1 Jan.** 02:50	**SRBM KN-25** *Super large rocket System (600mm)*	**1**	From Pyongyang Yongsang area toward east.	350	100		*At dawn of January 1, 2023, fired one shell towards the East…with a delivered super-large multiple rocket launcher…* (KCNA DPRK Today, 2 Jan. 2023) *30 were recently deployed* (KCNA, 2 Jan. 2023)
2. **LP**	**18 Feb.** 17:22 or 17:21	**ICBM Hwasong-15** 9-axle wheeled TEL	**1**	From Sunan international airport toward east. Landed within Japan's EEZ at 18:27 about 200 kilometers west of Oshima Island in Hokkaido.	900	5 700	Depending on the weight of the warhead, the range may exceed 14 000 km (Japan).	*An ICBM launching drill was conducted on the afternoon of February 18. The Missile General Bureau guided the drill … using ICBM Hwasongpho-15 … missile traveled up to a maximum altitude of 5 768.5 km and flew 989 km for 4 015 seconds before accurately hitting the pre-set area in open waters* (KCNA, 19 February 2023)
3. **SP**	**20 Feb.** 07:00 or 06:59	**SRBM KN-25**	**2**	From Sukchon, South Phyongan Province toward east. Landed in the sea at 07:20.	390 to 400 and 350	100 and 50		*… multiple launch rocket firepower sub-units … set virtual targets 395 km and 337 km away … and fired two shells of 600 mm multiple rocket launchers… It is a tactical nuclear attack means boasting of the great might powerful enough to assign only one multiple rocket launcher with four shells so as to destroy an enemy operational airfield* (KCNA, 20 February 2023)

[191] A solid-propellant delivery system can be maintained in a ready-to-fire condition, i.e., as a whole with the solid-propellant motor and the pyrotechnics. A liquid-propellant missile is preferably fueled shortly before a potential launch, to avoid corrosion of the tank. This hazardous process can take around 45 minutes. In addition, the fuel and oxidizer must be stored separately in monitored tanks and facilities, further constraining the mobility of the missile. These constraints amount to added vulnerability in comparison to solid propellant missiles.

4. **SP**	**9 Mar.** 18:20	**Undetermined SRBM** 4-canister launch system on a 3-axle TEL	**6**	From Lake Taesong (38°54'27.19"N125°26' 24.94"E) toward west. Hit targets off the coast northwest of Nampo.	110		6 missiles launched simultaneously. Kim Jung Un attended. Appearance similar to that of a KN-23 missile	*The Hwasong artillery unit…fired a powerful volley under the simulated conditions of the major elements of the enemy operation airport… [Kim Jung Un] stressed that the fire assault sub-units should be strictly prepared …by steadily intensifying … drills* (KCNA, 10 March 2023)
5. **SP**	**14 Mar.** 07:41 and 07:51	**SRBM KN-23** *Ground-to-ground tactical ballistic missiles* 4-axle TEL	**2**	From southwest Jangyon area in the South Hwanghae Province (38°16'31.27"N 125° 4'16.60"E) toward the sea.	620		First observation of a BM launch from Jangyon area.	*The missiles fired in an area around Jangyon County of South Hwanghae Province precisely hit the targeted Phi Islet off Pangjin-dong, Chongam District, Chongjin City of North Hamgyong Province 611.4 km away The 11th striking company … launched two ground-to-ground tactical ballistic missiles by the medium range system* (Voice of Korea, 15 March 2023)
6. **LP**	**16 Mar.** 07:10 or 07:09	**ICBM Hwasong-17** ㅈ 09151779 11-axle TEL 321 (same number as on 18 Nov. 2022)	**1**	From Sunan international airport (launch pad 39°14'37.14"N 125°40'37.26"E) following a lofted trajectory toward east. Landed in the sea at 08:19 about 200 kilometers west of Hokkaido Island.	1 000	6 000	Japan MoD assesses the Hwasong-17 can fly a distance of up to 15 000 km. Kim Jon Un attended.	*On March 16, an intercontinental ballistic missile "Hwaseongpo-17" type firing drill was conducted… …exercise was conducted with the aim of confirming the maneuverability and reliability of the DPRK's nuclear war deterrent…launched from the Pyongyang International Airport ascended to a maximum altitude of 6,045km and flew a distance of 1,000.2km for 4,151s before landing in the target waters off the high seas in the East* (Rodong Sinmun, 17 March 2023)
7. **SP**	**19 Mar.** 11:05	**SRBM KN-23** *Ballistic missile tipped with a mock nuclear warhead* From a silo (or possible semi-buried silo)	**1**	From Tongchang-ri toward the east.	800	50	Flight time of 15 min and a possibly irregular trajectory. Oblique flames shown on KCTV could be due to the lateral evacuation of combustion gases out of a silo. A silo would have been	*Kim Jong Un… guided the combined tactical drill for nuclear counterattack …The missile was tipped with a test warhead simulating a nuclear warhead… The tactical ballistic missile launched in Cholsan County … accurately exploded at 800 meters*

							dug in the area between February and March 2023 (annex 22). Kim Jon Un attended.	*above the target waters set in its 800 km strike range, thus proving … the reliability of the operation of nuclear explosion control devices and detonators.* (Rodong Sinmun, 20 March 2023)
8. **SP**	**27 Mar.** 07:47 and 08:00 or 07:57	**SRBM KN-23**	**2**	From Junghwa area in North Hwanghae Province toward the north-east. Debris landed at 07:54 (BM 1) and 08:05 (BM 2).	370 or 350 and 350	50	Flight time of 7 min and a possibly irregular trajectory.	*… demonstration firing with a nuclear air explosion striking mode by two ground-to-ground tactical ballistic missiles … The tactical ballistic missiles were loaded with warheads for trial simulating nuclear warheads.* (KCNA, 28 Mar. 2023)
9. **SP**	**13 Apr.** 07:22 or 07:23	**ICBM Hwasong-18** *A new-type ICBM, Hwasongpho-18* 9-axle wheeled TEL	**1**	From a launch pad (39° 6'40.84"N 125°59'52.89"E) next to an official mansion, 20 km north-east of Pyongyang, toward the east at a high angle. Landed in the sea.	1 000	Appx. 5000 (ROK media)	First SP ballistic missile with probable intercontinental range tested by the DPRK. Three-stage missile. The first-stage engine could be the same as the one tested on a horizontal test bench on 15 Dec. 2022. The TEL shown is identical to the five paraded on 8 Feb 2023. Construction in March, including at the nearby mansion from 13 to 16 March, suggested preparation for the launch. (NKNews and a Member State). Kim Jung Un attended.	*The aim of the test-fire was to confirm the performance of the high-thrust solid-fuel engines for multi-stage missiles and the reliability of the stage-jettisoning technology and various functional control systems …* *the test fire was conducted in the way of applying the standard trajectory flying mode to its first stage and the vertical mode to the second and third stages,* *… the development of the new-type ICBM Hwasongpho-18 will extensively reform the strategic deterrence components of the DPRK* (Rodong Sinmun, April 2023)
10. **SP**	**15 Jun.** between 19:25 and 19:37	**Probable SRBM KN-23**	**2**	From the Sunan Area. Landed in the Japanese EEZ 250 km west of Ishikawa Prefecture.	780 (ROK) 850/900 (Japan)	50	Flight time of 7 min and a possibly irregular trajectory. 900 km would be a long range for a KN-23.	No explicit admission.

11. SP	**12 Jul.** 10:00	**ICBM Hwasong-18**	**1**	From a launch pad (39° 6'40.84"N 125°59'52.89"E) next to an official mansion, 20 km north-east of Pyongyang, toward the east. Landed in the sea.	1 000	Over 6 000	Flight time of 74 min. Calculations show the range of the Hwasong-18 might exceed 15 000 km (Japanese deputy permanent representative Mitsuko Shino, at the 9376th UNSC session of 13 July 2023). Kim Jung-Un attended.	*Our test fire of a new type of ICBM…. Hwasongpho-18…did not pose any risk to surrounding countries. [We hold] the right …to self-defence… to safeguard the security of our State… Military provocations of the United States are growing as never before.* (DPRK permanent representative Kim Song at the 9376th UNSC session). *The test-fire was aimed at re-confirming the technical creditability and operational reliability of the new-type ICBM … The missile traveled up to a maximum altitude of 6 648.4 km and flew a distance of 1 001.2 km for 4 491s before accurately landing* (KCNA, July 13 2023, and videos on KCTV).
12. SP	**19 Jul.** between 03:29 and 03:46	Probable **SRBM KN-23**	**2**	From the vicinity of the west coast (possibly the Sunan area) toward the east, landing in the sea.	Around 550 (ROK) and 600 (Japan)	50	A possibly irregular trajectory.	
13. SP	**24 Jul.** between 23:54 and 00:00	Undetermined SRBM possibly KN-25 missiles given the trajectories reported by Member States	**2**	Both missiles landed in the sea on the eastern side of the Korean Peninsula	Around 400 (ROK) 350 and 400 (Japan)	100		

Source: Member States (MSs) and the Panel.

Annex 11: Assessments of the significance of the launch of a solid-propellant Hwasong-18 ICBM

Hwasong 18 launch on 13 April 2023: cold-launch sequence whereby the missile is expelled by an independent gas generator

Source: KCTV (14 April 2023), analysis by a Member State and the Panel.

Member State 1 (unofficial translation)

On 14 April 2023, Pyongyang claimed this launch [of a Hwasong-18] by means of an official statement. The missile fired was a solid-propellant ICBM named 'Hwasungpho-18'. It will occupy a central role in DPRK's arsenal in the future. This test was conducted by the Missile General Bureau under the supervision of Kim Jung Un. The goal was to check solid-propulsion, stage separation and systems controls. The DPRK authorities did not communicate about the missile's performance but claimed total success and stated their concern for the safety of neighboring countries, citing the areas where the stages landed. The statement highlighted that these missiles will be deployed in strategic forces units to contribute to their missions both to deter and to strike back.

Analysis of satellite imagery shows the location of the launch to be the garden of a villa 20 km north-east of Pyongyang. Important construction work had been conducted there before the launch. The first modification in the layout of the grounds (initially agricultural land) happened between April 2022 and February 2023. Major landscaping was then conducted from 1 to 31 March 2023. During this period, one witnessed important earth-levelling work leading to the creation of landscaped gardens comprising artificial ponds, enclosed by earth banks. Additional groundwork took place at the launch site itself, possibly to reinforce it in order to increase its stability.

Preliminary analysis of the pictures released by the DPRK show a solid-propellant three-stage intercontinental missile, based on the fact that it was transported in a launch tube and given the typical plume of smoke stemming from first-stage ejection gases. […]

In those pictures, it appears the first stage might be guided by a flexible-bearing nozzle when Pukkusong-1 and 2 missiles were steered by exhaust gas stream deflectors. Also, the video released by the DPRK shows the Hwasong-18 launch system […] a 'cold-launch system'. It seems the same launch sequence as the Pukkusong-2 took place, on a smaller scale.

This is the first known launch of this missile and the first of a solid-propulsion north-Korean ICBM.

From the pictures released by the DPRK, it appears that the TEL used on 13 April is identical to the five shown during the military parade on 8 February 2023.

DPRK's assertions about the "standard" trajectory of the first stage and the vertical ones of the second and third stages, and the partial detections by Korean and Japanese authorities, lead to the conclusion that the overall trajectory was meant to ensure the landing of the stages in the sea.

The magnitude of the developments at the launch site before 13 April as well as dissimulation in the pictures released by the DPRK, are noticeable. They aren't abnormal given the launching requirements for a missile of this caliber. The mobility of a Transporter Erector Launcher (TEL) allows for firing a missile from different areas with little forward preparation. However, this type of missile [the Hwasong-18] can only be used from areas prepared well in advance, at least in order to accommodate for trucks this size and weight. Launching the missile outside of the well-known production and preparation sites showcases one advantage solid-propellant missiles have over a liquid-fueled Hwasong-17: Hwasong-17 missiles have always been fired from concrete-covered surfaces right next to Sunan airport facilities dedicated to the filling of liquid propellant. […]

It is a major development, showing clear progress by Pyongyang in mastering solid propulsion. This event was to be expected and had been anticipated to the very least since the publication of the five-year plan in January 2021. It reflects efforts over a decade.

The transition to solid propulsion was one of the logical long-term goals of Pyongyang, apparent right from the very first signs of the development of mobile platforms for ballistic missiles. For reasons pertaining to the hazardousness of liquid fuels, the duration of the preparation steps and their lack of discreteness, especially when filling the fuel, a solid-fueled missile offers many operational advantages. More so if it is deployed from a mobile platform. […]. Even though these developments took longer than those relating to liquid-fuel propulsion, which yield intercontinental ranges since 2017,[192] *they showed marked progress during this period, on a parallel development track of ICBM propulsion.*

The developments of the Pukkuksong-1 and-2 missiles was the first tangible evidence of progress by the DPRK in the field of solid propulsion, adjusted for long ranges. As of 2016, through in-flight and ground testing, Pyongyang demonstrated gradual expertise in engines close to 1.5 meters diameters. It reached an important threshold […]. On 15 April 2017, Pyongyang signaled again its interest for solid-propulsion ICBMs by showcasing in a military parade two types of TELs (never tested or seen again) very similar to the type of TELs used for solid-propulsion ICBMs. The following development of short-range missiles fitted with solid propulsion allowed the DPRK authorities to gain expertise in relevant technologies and industrial processes.

The Pukkusong-3, -4, and -5 emblemized during that time the DPRK's constant efforts to develop solid propulsion designed for longer ranges. Eventually, in his speech in January 2021, Kim Jung Un laid out five-year goals, outlining those pertaining to land-based and sea-based solid-propulsion ICBMs. The most recent indication of activity for that programme had been the testing of a solid-propulsion engine with a large diameter, on the ground, on 15 December 2022 in Sohae. We couldn't establish if that test was for one of the stages of the Hwasong-18. However, it most probably helped confirm the use of technology associated with this missile.

This launch of a Hwasong-18 […] brings the DPRK closer to owning ballistic missiles which would allow for intercontinental launches on short notice, along with high operational readiness. Reaching that objective […] will heighten the threat posed by the north-Korean ballistic arsenal. This launch alone does not remove prior doubt about the country's intercontinental missiles, especially regarding the survivability of its re-entry vehicles when entering the atmosphere, never proven, and serial production.

The DPRK stated that the Hwasong-18 will take a major place in the country's arsenal. At this stage however, more developments and testing aiming at improving its performances should be expected. Choices made regarding the payload remain unknown.

[192] The DPRK's acquisition of soviet-design RD-250 liquid-fuel propulsion system, enabling it to speed up the development of ICBMs notably the Hwasong-14 and 15, both shown and tested in 2017.

Member State 2 (assessment of the latest ICBM tests overall)

[...] latest ICBM, the Hwasong-18 flight tested in April this year, is a three-stage solid propellant system. […]

North Korea's deterrence perceptions changed; it no longer believes that a 'basic' ICBM capability is enough to guarantee its security. This was evident by the 2021 Party Congress, with Kim Jung Un outlining an ambitious series of development programmes and emphasizing the need to keep pace with modern technology. As a result, since 2021, the pace of testing has significantly increased.

Missile testing since the beginning of 2023 has continued this trend, with North Korea focusing on the survivability of its systems and its ability to counter missile defence; it has tested multiple systems, from a variety of launch platforms. It has aimed to demonstrate both a 'tactical' capability designed to deter on the Peninsula, as well as an ICBM capability to hold US mainland at risk. Its 13 April test of a solid-fuel ICBM, which Kim had previously described as one of the Party's top five priorities, demonstrated a further milestone in its development aspirations. As well as testing for development purposes, North Korea is also attempting to operationalize its capability, incorporating missile launches into military training exercises. However, while recent North Korean activity reflects ongoing improvements in its capability, it is also deliberate messaging, based on its perceived need to deter.

To have a credible deterrent, North Korea needs potential opponents to believe that not only does it have a capability, but also it has the training and willingness to use it; much of its recent activity has been intended to bolster this narrative. As a result, over the last twelve months, it has publicized nuclear training exercises, as well as its nuclear doctrine.

Annex 12: DPRK media reporting of the Hwasong-18 launch on 13 April 2023[193]

Respected Comrade Kim Jong Un Guides First Test-Fire of New-Type ICBM Hwasongpho-18 on Spot Pyongyang, April 14 (KCNA) - *The DPRK's nuclear war deterrent for self-defence is rapidly developing at increasing speed in keeping with the immutable strategic line and policy of the Workers' Party of Korea and the government of the DPRK to ceaselessly develop the might of the strategic force of the DPRK to turn it into an entity of super power and absolute strength, a powerful force capable of preventing the nuclear holocaust and deterring all sorts of possible dangerous enemy invasions, and a treasured sword for defending justice and peace.*

On April 13, 2023, a powerful entity symbolic of the ceaseless development of the strategic force of the DPRK notified the world of its emergence. A new-type ICBM, Hwasongpho-18, which will fulfill its mission of an important war deterrent as the future core pivotal means of the strategic force of the DPRK, was test-fired. Kim Jong Un, general secretary of the Workers' Party of Korea and president of the State Affairs of the Democratic People's Republic of Korea, guided the first test-fire of the new-type ICBM on the spot. The aim of the test-fire was to confirm the performance of the high-thrust solid-fuel engines for multi-stage missiles and the reliability of the stage-jettisoning technology and various functional control systems and to estimate the military feasibility of the new strategic weapon system.

In consideration of the security of the neighboring countries and the safety of the multi-stage-separation of the missile during its flight in the territorial air, the test fire was conducted in the way of applying the standard trajectory flying mode to its first stage and the vertical mode to the second and third stages, and of confirming the technological features of all the components of the weapon system by restricting the maximum speed of the missile through delayed stage separation and motor reactivation. Kim Jong Un learned about the new weapon system on the spot while watching the pre-launch operation.

The launching site, which was to witness once again an important event of great significance in the history of the development of the strategic force of the DPRK under the direct guidance of Kim Jong Un, was seething with the burning will of all the defence scientists and workers in the field of munitions industry to inform the whole world of the emergence of another powerful nuclear attack means of the DPRK and demonstrate the reliable nuclear war deterrence of the state.

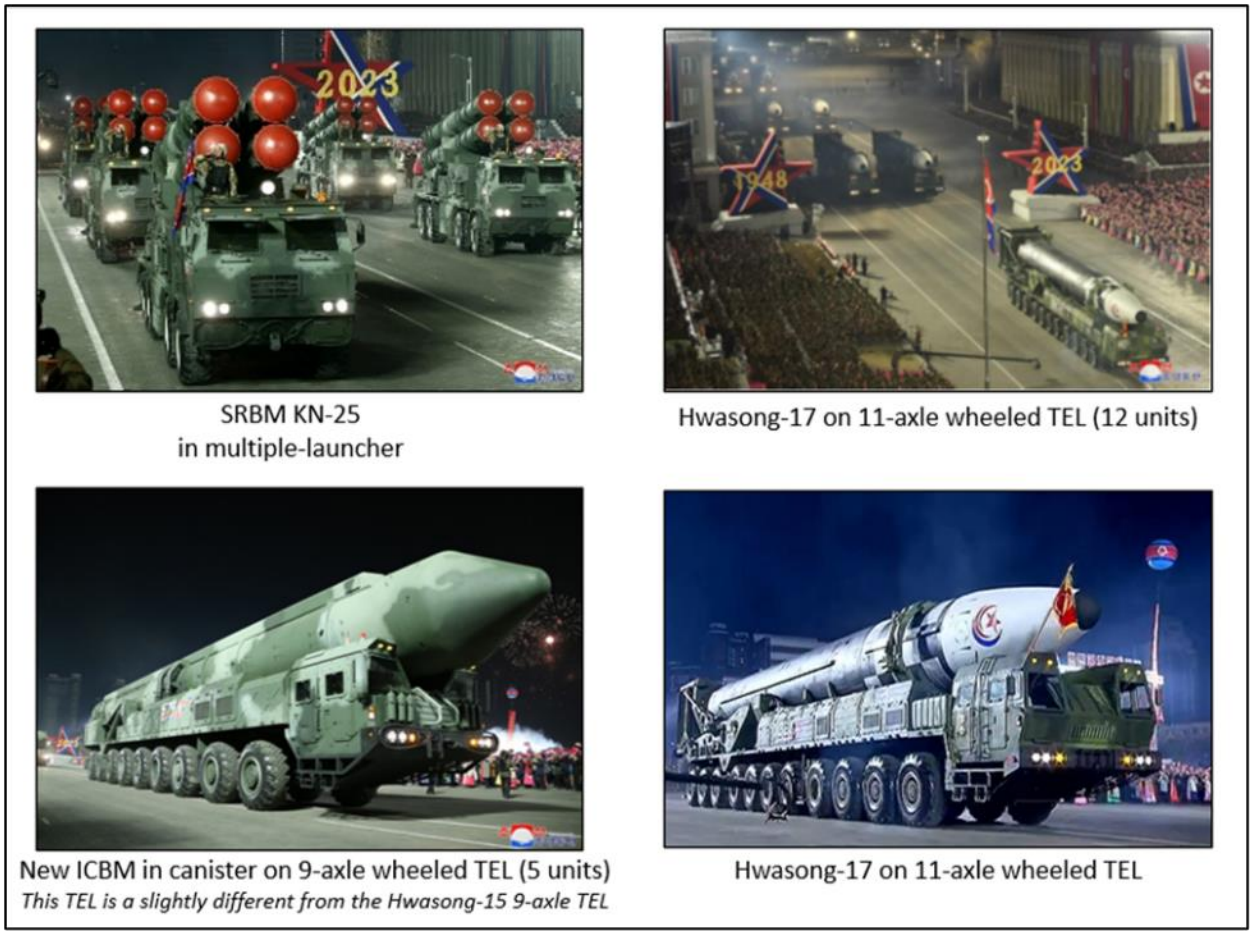
Ready for test-fire! When Kim Jong Un approved the test-fire of the new-type strategic weapon, General Jang Chang Ha ordered the second red flag company under the General Missile Bureau to launch the missile. The moment, a great entity fully representing the irresistible might of the DPRK began to soar into the sky with fierce flames at its tail, making a thunderous roar. The test-fire had no adverse effect on the security of the neighboring countries. Its first stage safely landed in the waters 10 km off the Hodo Peninsula in Kumya County, South Hamgyong Province and the second stage in the waters 335 km east of Orang County, North Hamgyong Province. The test-fire confirmed that all the parameters of the new strategic weapon system fully met the requirements of the design in terms of accuracy, providing guarantee and creditability that the new-type ICBM would serve as a powerful strategic attack means of greater military efficiency.

[193] See https://kcnawatch.org/newstream/1681657470-258944918/another-mighty-entity-showing-continuous-development-of-strategic-force-unveiled-in-dprk/.
https://kcnawatch.org/kctv-archive/64395c9bbc9b7/.

The Hwasongpho-18 weapon system, to be equipped with and operated by the strategic force of the DPRK under the long-term plan for building the state nuclear force, will perform its important mission and duty as the most powerful, pivotal and principal means in defending the DPRK, deterring aggression and defending the security of the state. Kim Jong Un expressed great satisfaction at the eye-opening successes while guiding the test-fire. He was pleased with the fact that the DPRK has clearly proved once again the tremendous potentiality and reality of its defence technology further developing as the days go by and powerfully demonstrated its unshakable determination and practical ability to attain the goal for bolstering up the armed forces. He noted that it is the consistent stand of the Workers' Party of Korea and the DPRK government to steadily and rapidly accelerate the development of more developed and advanced powerful weapon system to cope with the ever-worsening security environment of the Korean peninsula and long-term military threats. He mentioned with pride the significance of the test-fire, saying that the development of the new-type ICBM Hwasongpho-18 will extensively reform the strategic deterrence components of the DPRK, radically promote the effectiveness of its nuclear counterattack posture and bring about a change in the practicality of its offensive military strategy. Noting that it is an absolute mission and duty to be fulfilled by the DPRK's defence scientists to uphold the WPK and the DPRK government's policy of countering the enemy's nukes and policy of frontal confrontation in kind with practical successes in the development of self-defence capabilities, he set forth the important strategic tasks for further accelerating the bolstering of the nuclear strategic force of the DPRK. He affirmed that the WPK and the DPRK government would make the enemy, who are imperiling the environment on the Korean peninsula and harassing the Korean people's peaceful life and struggle for socialist construction with their inveterate policy of aggression and threatening military moves, experience a clearer security crisis, and constantly strike extreme uneasiness and horror into them by taking fatal and offensive counter-actions until they abandon their senseless thinking and reckless acts, thus making them feel regret and despair for their wrong choice by surely exposing them to an irresistible threat.

The successful test of the new strategic weapon system serves as an occasion for proving that the nuclear strategic force and the missile scientists and technicians of the DPRK directly responsible for its development always thoroughly and perfectly implement the strategic intention of the WPK, getting fully prepared to carry out their important mission at any time.

Annex 13: Military parade in Pyongyang on 8 February 2023



Source: KCNA, KCTV, annotations by the Panel.

Source: KCNA, KCTV, annotations by a Member State.

Assessment

- Five TELs carrying KN-25 SRBMs shown
- Five TELs carrying KN-23 SRBMs shown
- "*Tactical nuclear weapons*", according to the KCTV commentator, on trucks
- Five TELs carrying modernized cruise-missiles shown
- 11 or 12 Hwasong-17 ICBMs shown, on 11-axle wheeled TELs
- Five new presumably solid-propellant ICBMs shown,[194] in canisters, on 9-axle wheeled WS-51200 TELs
- Altogether a record number of 17 heavy-duty TELs displayed

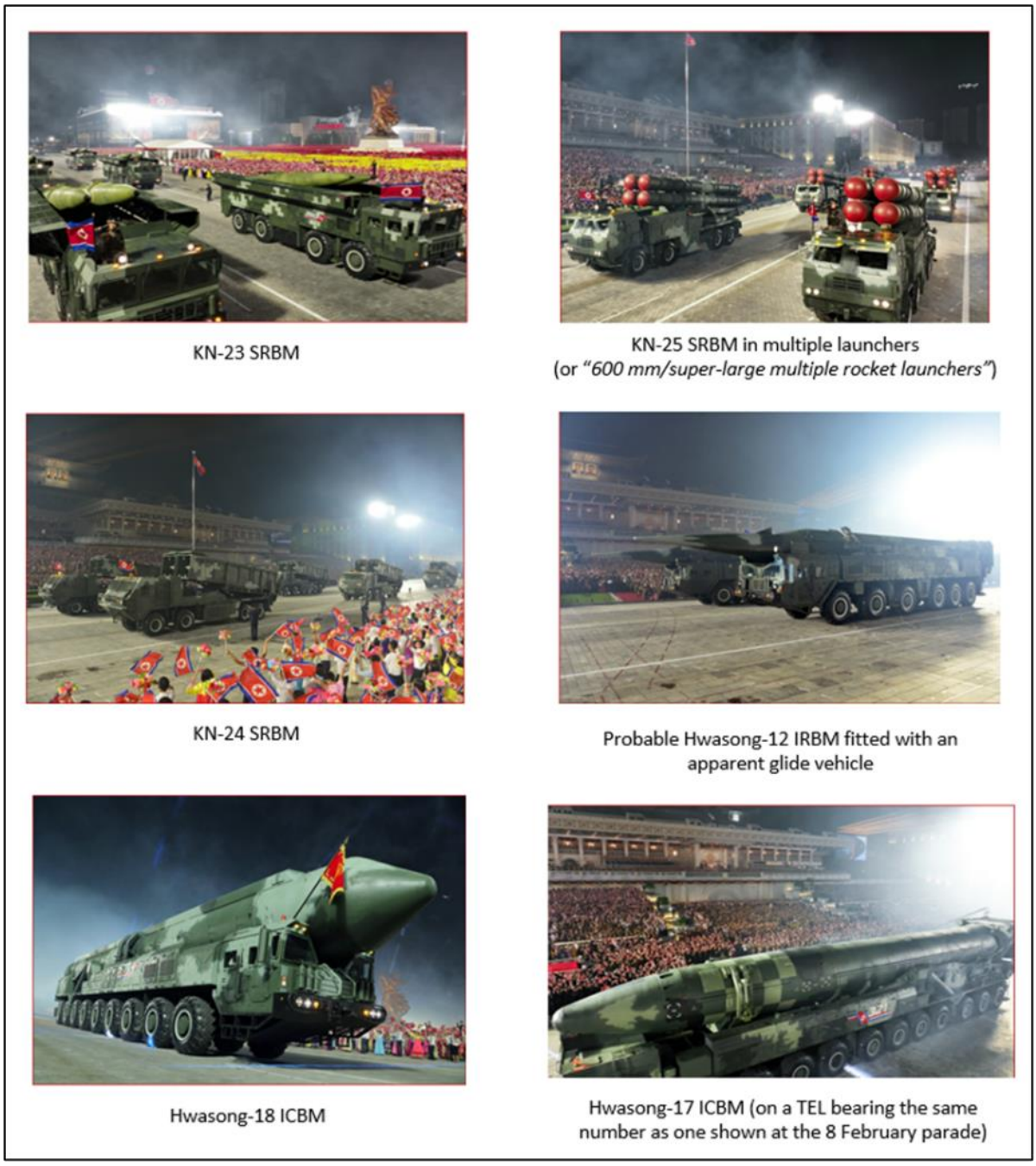
Source: Member States (MSs), the Panel.

[194] Described as a "Hwasong-class" missile on KCTV. The presentation was suggestive of solid-propellant missiles, based on the length of the missile and its canister and taking into consideration the DPRK's avowed ambition to develop such missiles. Canisters are more typical of solid-propellant missiles, helping control the environment (including temperature) and the pyrotechnics of the missile, already loaded with its propellant.

Annex 14: Images from the military parade in Pyongyang in celebration of the 70th anniversary of the end of the Korean War (or "*Great Fatherland Liberation War*" for the DPRK).

27 July 2023

The following images were characterized by the DPRK media as a display of "tactical and long-range cruise missile units". The Panel will analyse further information about this parade.



Source: Rodong Sinmun, annotations by the Panel.

Display of similar weapon systems at the "Weaponry Exhibition-2023" in Pyongyang
26 July 2023

Source: KCTV, Rodong Sinmun, annotations by the Panel.

Annex 15: Possible solid-propellant engine test at Magun-Po (39°48′06″N 127°33′39″E) on 29-30 January 2023

According to Member State information, an engine test occurred at the Magun-Po stand before 2 February 2023. An outside expert consulted by the Panel concurs,[195] placing the test date as 29 or 30 January 2023.

Panel satellite imagery analysis tends to corroborate those observations.

Source: Planet Labs Inc., annotated by the Panel.

[195] See Twitter/Dave Shmerler/30 January 2023.

Annex 16: KCNA reporting of Kim Jong Un's January 2021 speech at 8th Party Congress (excerpt related to military objectives)

Excerpts relating to ballistic missiles:[196]

…for possessing the completely new nuclear capabilities aimed at attaining the goal of modernization of the nuclear force…

…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

…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…

…was accomplished four years after the line of simultaneously promoting economic construction and nuclear build up was set forth and one year after the Seventh Congress of the Party…

…to develop a global strike rocket with more powerful warheads and an improved warhead control system…

… new cutting-edge weapon systems were developed in the sector of national defence science …

…developed the super-large MLRS, …

… develop ultra-modern tactical nuclear weapons including new-type tactical rockets and intermediate-range cruise missiles …

… achieved such successes as developing world-class anti-air rocket complex, …

… 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 …

… in the modernization of medium-sized submarine was set correctly …

… that the design of new nuclear-powered submarine was researched …

… means of reconnaissance and detection and military reconnaissance satellite were completed,

[196] See https://kcnawatch.org/newstream/1610502377-14004652/great-programme-for-struggle-leading-korean-style-socialist-construction-to-fresh-victory/?t=1665001072714 .

Annex 17: Statements by IMO and ICAO on the unannounced launches of ballistic missiles by the DPRK

International Maritime Organization (IMO)

By means of a resolution[197] adopted on 31 May, the IMO called upon the DPRK to cease unlawful and unannounced ballistic missile launches across international shipping lanes, denouncing these as a serious threat to the safety of international navigation. The IMO urged compliance with due regulations, including giving prior notice ahead of any missile tests.

International Civil Aviation Organization (ICAO)

During its Council's 229th session on 22 June, the ICAO condemned the recent unannounced missile launches by the DPRK noting that they "pose a serious risk to international civil aviation", and "*a complete disregard of the relevant United Nations Security Council Resolutions.*" The ICAO recalled its Assembly Resolution A41-3 (of October 2022) which urgently called upon the DPRK to comply with its international civil aviation obligations under the Chicago Convention. [198]

[197] See Maritime Safety Committee resolution on "Strengthening measures for ensuring the safety of international shipping": https://www.imo.org/en/MediaCentre/MeetingSummaries/Pages/MSC-107th-session.aspx.
[198] See https://www.icao.int/Newsroom/Pages/ICAO-Council-States-condemn-DPRK-missile-launches.aspx.

Annex 18: Report on 6th enlarged plenary meeting of 8th WPK Central Committee of 1 January 2023

Excerpts relating to the BM programme[199] (see S/2023/171 for the full text):

... the official legalization of the DPRK's policy on its nuclear force at the most appropriate and crucial time ...

... however, if it fails to deter, it will carry out the second mission, which will not be for defense

... a task was raised to develop another ICBM system whose main mission is quick nuclear counterstrike.

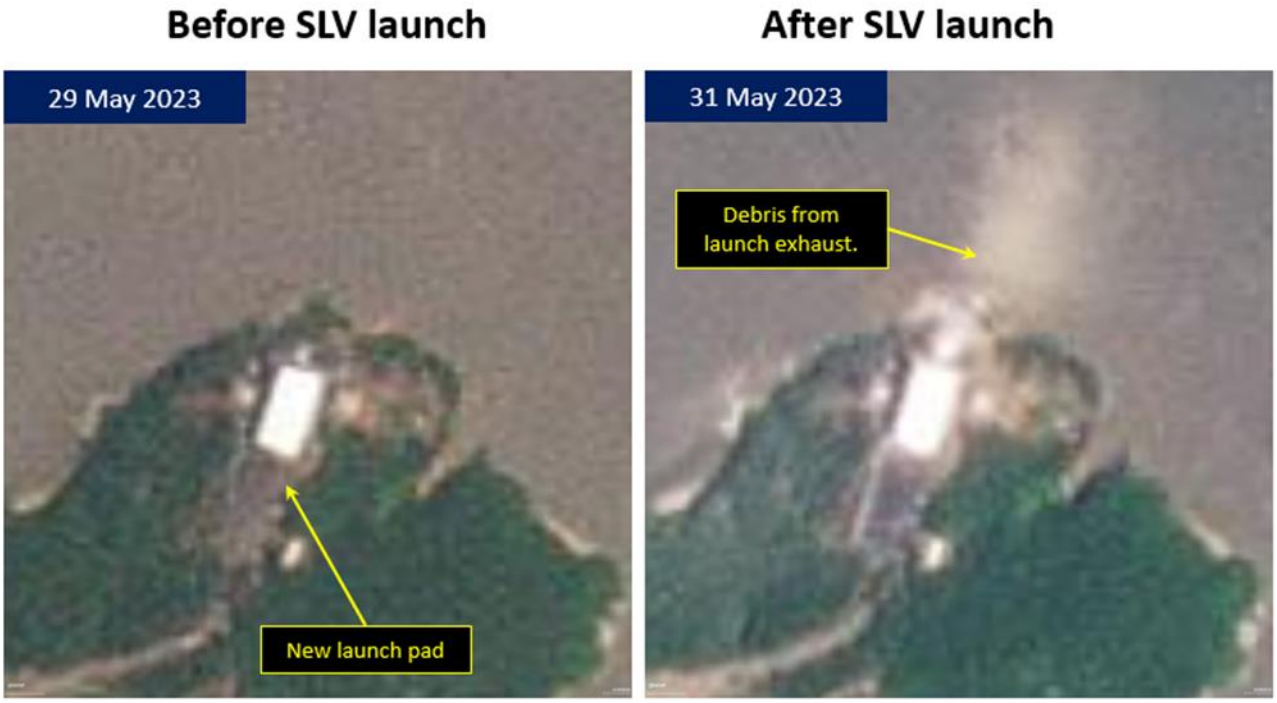
... it highlights the importance and necessity of a mass-producing of tactical nuclear weapons and calls for an exponential increase of the country's nuclear arsenal, the report said, clarifying the epochal strategy of the development of nuclear force and national defence for 2023 with this as a main orientation.

...the National Aerospace Development Administration will launch the first military satellite of the DPRK at the earliest date possible by pushing ahead with the full preparation for a reconnaissance satellite and its vehicle in progress at the final stage, the report pointed out ...

[199] See https://kcnawatch.org/newstream/1672543894-200963704/report-on-6th-enlarged-plenary-meeting-of-8th-wpk-central-committee /.

Annex 19: Development of a new satellite launch pad in the Sohae area

Source: Planet Labs Inc., annotated by the Panel.



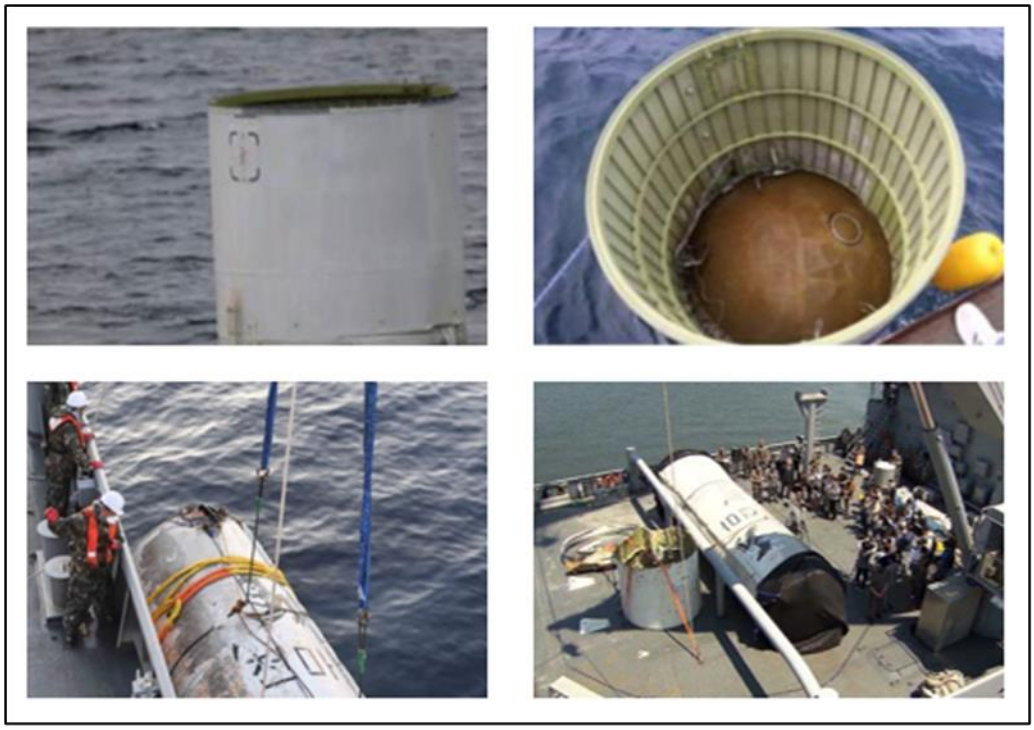
Source: Planet Labs Inc., annotated by the Panel.

Annex 20: KCNA reporting on the Chollima-1 SLV launch of 31 May 2023[200]

Pyongyang, May 31 (KCNA) - The Korean Central News Agency (KCNA) made public the following report on Wednesday as regards an accident occurred during the launch of military reconnaissance satellite: The National Aerospace Development Administration (NADA) of the DPRK launched a military reconnaissance satellite, "Malligyong-1", mounted on a new-type carrier rocket, "Chollima-1", at the Sohae Satellite Launching Ground in Cholsan County of North Phyongan Province at 6:27 on May 31, Juche 112 (2023), as scheduled. The carrier rocket "Chollima-1" fell to the West Sea of Korea after losing thrust due to the abnormal starting of the second-stage engine after the separation of the first stage during the normal flight. The NADA spokesperson attributed the failure to the low reliability and stability of the new-type engine system applied to carrier rocket "Chollima-1" and the unstable character of the fuel used, saying that scientists, technicians and experts concerned start discovering concrete causes. The NADA said that it would thoroughly investigate the serious defects revealed in the satellite launch, take urgent scientific and technological measures to overcome them and conduct the second launch as soon as possible through various part tests.

[200] See https://kcnawatch.org/newstream/1685600207-36284567/kcna-report/ .

Annex 21: Salvaging of sections of the Chollima-1 Space Launch Vehicle and of the Malligyong-1 satellite by the ROK Navy



Source: ROK Joint Chiefs of Staff (JCS), 31 May 2023, 5 July 2023.

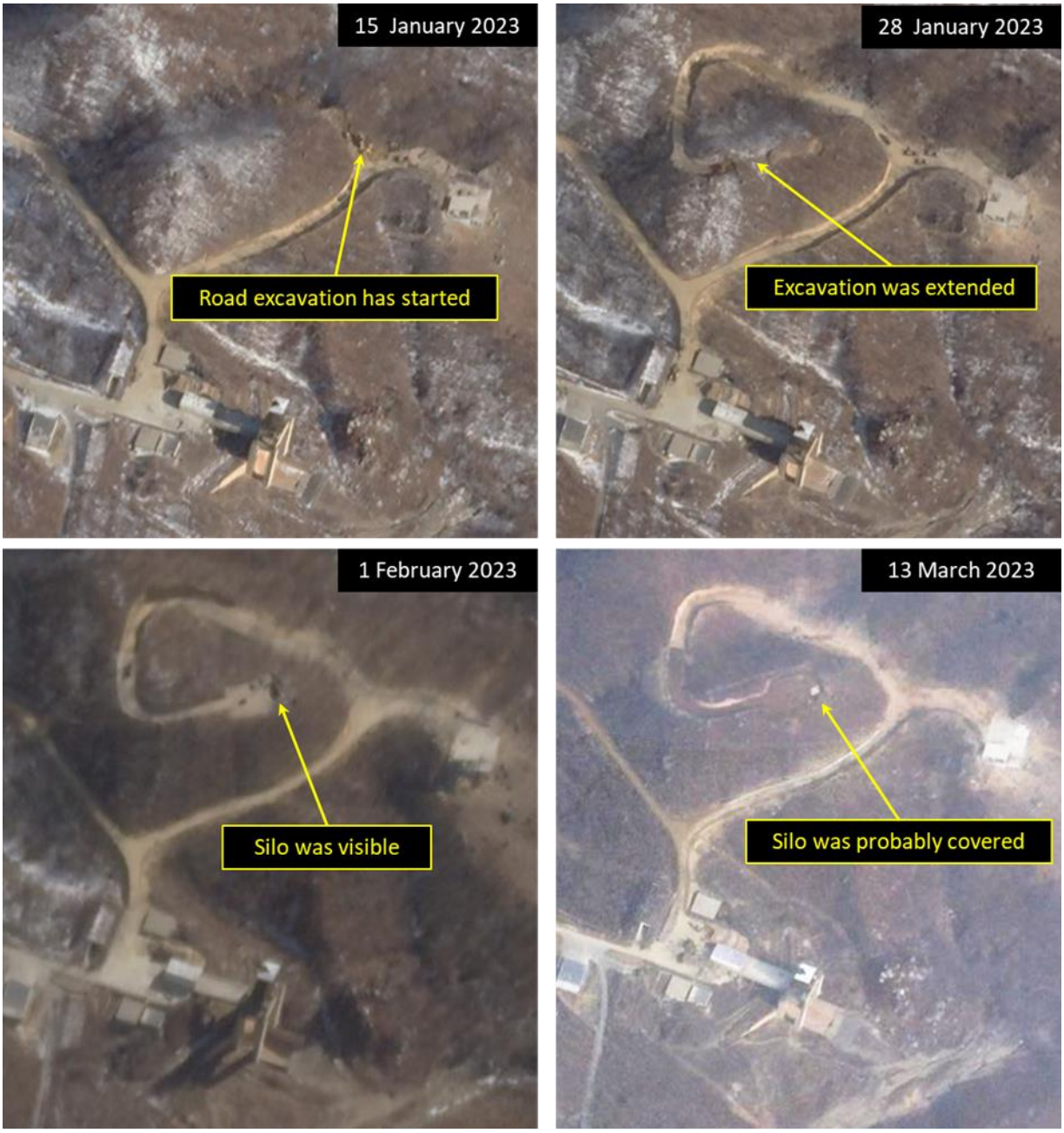
Statement by the ROK Joint Chiefs of Staff on 31 May 2023: "*We are providing you with a photo of an object presumed to be part of the North's claimed space launch vehicle. Our military has identified and is currently picking up an object presumed to be part of the North's claimed space launch vehicle at approximately 200 kilometers west of the waters near Eochong Island.*"

Statement by the ROK Joint Chiefs of Staff on 5 July 2023*:* "*The ROK has concluded the search and recovery operation for DPRK space launch debris and other remnants, which began on 31 May and ended on 5 July. Despite challenging operational conditions, the ROK military successfully recovered numerous debris, demonstrating excellent operational capabilities. Through the search and rescue operation, key components of the DPRK space launch vehicle and satellite were recovered and thoroughly analyzed by ROK and US experts, concluding that they have no military use as a reconnaissance satellite.*"

Translation by the Panel.

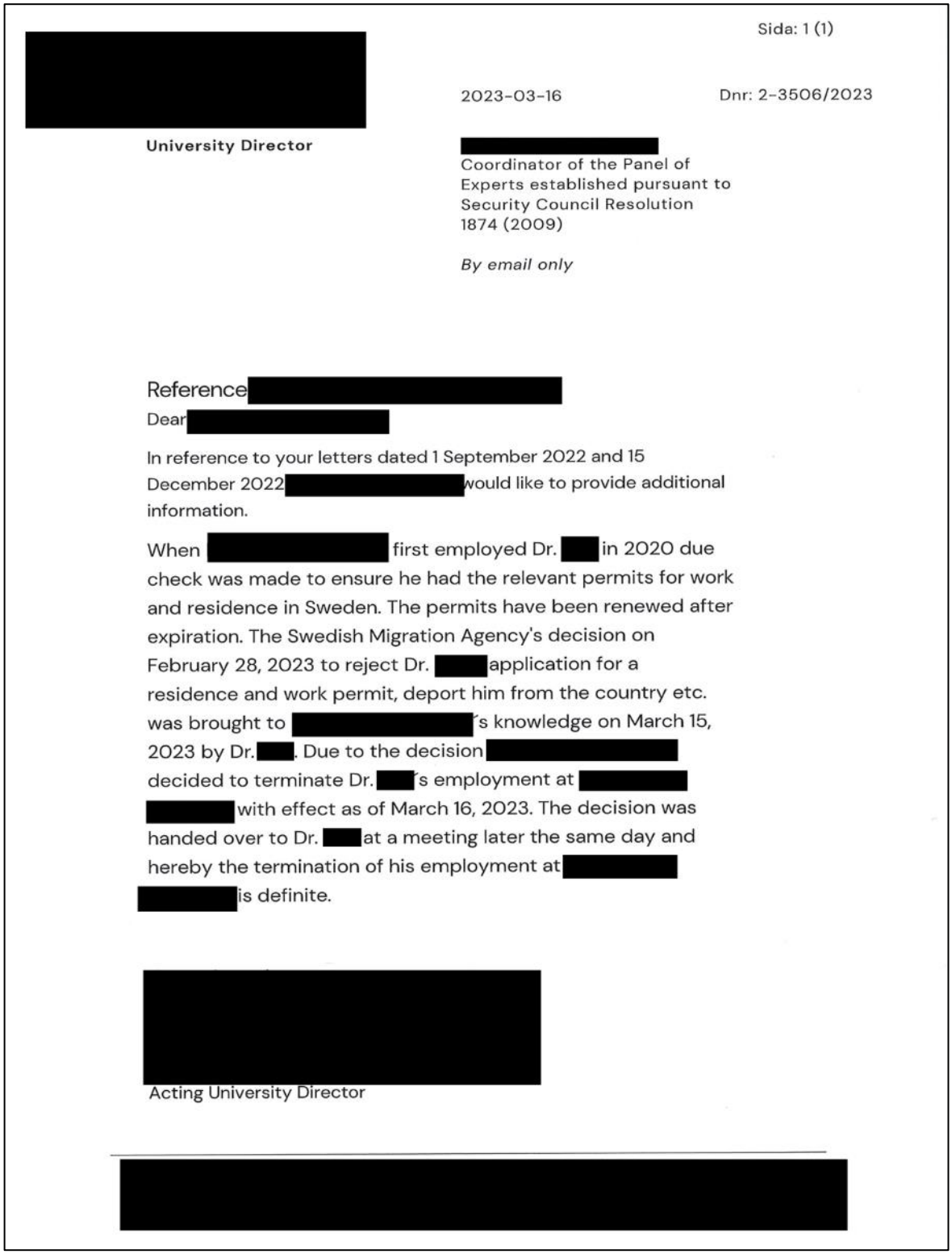
Annex 22: Construction of a silo used for the KN-23 launch on 19 March 2023

Source: Maxar Technologies, 7 February 2023, annotated by the Panel.



Source: Planet Labs Inc., 15 January 2023, 28 January 2023, 1 February 2023, 13 March 2023, annotated by the Panel.

Annex 23: Reply from a research institute in Sweden



[redacted]

University Director

Sida: 1 (1)

2023-03-16

Dnr: 2-3506/2023

[redacted]
Coordinator of the Panel of
Experts established pursuant to
Security Council Resolution
1874 (2009)

By email only

Reference [redacted]

Dear [redacted]

In reference to your letters dated 1 September 2022 and 15 December 2022 [redacted] would like to provide additional information.

When [redacted] first employed Dr. [redacted] in 2020 due check was made to ensure he had the relevant permits for work and residence in Sweden. The permits have been renewed after expiration. The Swedish Migration Agency's decision on February 28, 2023 to reject Dr. [redacted] application for a residence and work permit, deport him from the country etc. was brought to [redacted]'s knowledge on March 15, 2023 by Dr. [redacted]. Due to the decision [redacted] decided to terminate Dr. [redacted]'s employment at [redacted] with effect as of March 16, 2023. The decision was handed over to Dr. [redacted] at a meeting later the same day and hereby the termination of his employment at [redacted] is definite.

[redacted]
Acting University Director

[redacted]

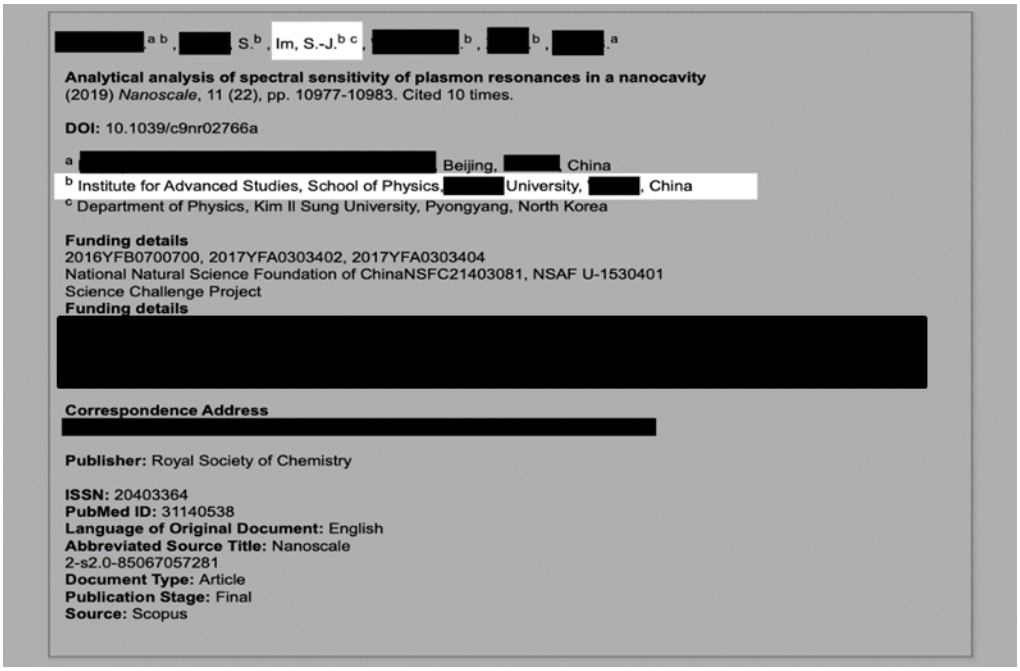
Source: A Swedish research institute.

Annex 24: Co-authorship of Dr. Im Song-jin, Kim Il Sung University, with scholars from Chinese research institutes

1) List of co-authored publications of Dr. Im Song-jin

No	Title and we reference	Journal or source of information	Authors
1	Interactions between Plasmonic Nanoantennas and Vortex Beams	*Nano Letters* 2022, 22, 12, 5015−5021 5 June 2022 https://pubs.acs.org/doi/pdf/10.1021/acs.nanolett.2c01926	[redacted] Song-Jin Im [redacted] Chol-Song Ri, Kum-Song Ho Ji-Song Pae [redacted]
2	Analytical analysis of spectral sensitivity of plasmon resonances in a nanocavity	***Nanoscale*** 2019,11, 10977-10983 06 May 2019 https://pubs.rsc.org/en/content/articlelanding/2019/NR/C9NR02766A	[redacted] Song-Jin Im [redacted]

2) Bibliographic information about Dr. Im's affiliation with Chinese university



[redacted] [a b], [redacted] S. [b], Im, S.-J. [b c], [redacted] [b], [redacted] [b], [redacted] [a]

Analytical analysis of spectral sensitivity of plasmon resonances in a nanocavity
(2019) *Nanoscale*, 11 (22), pp. 10977-10983. Cited 10 times.

DOI: 10.1039/c9nr02766a

[a] [redacted], Beijing, [redacted], China
[b] Institute for Advanced Studies, School of Physics, [redacted] University, [redacted], China
[c] Department of Physics, Kim Il Sung University, Pyongyang, North Korea

Funding details
2016YFB0700700, 2017YFA0303402, 2017YFA0303404
National Natural Science Foundation of ChinaNSFC21403081, NSAF U-1530401
Science Challenge Project
Funding details
[redacted]

Correspondence Address
[redacted]

Publisher: Royal Society of Chemistry

ISSN: 20403364
PubMed ID: 31140538
Language of Original Document: English
Abbreviated Source Title: Nanoscale
2-s2.0-85067057281
Document Type: Article
Publication Stage: Final
Source: Scopus

Source: Scopus

Annex 25: Letter from the Permanent Mission of China and China's Reply

中华人民共和国常驻联合国代表团

PERMANENT MISSION OF THE PEOPLE'S REPUBLIC OF CHINA TO THE UNITED NATIONS

New York, 5 July 2023

Respected Acting Coordinator and experts,

I am writing in response to your previous letters regarding the requests to investigate alleged violations of Security Council Resolutions on the DPRK.

China has been fully and strictly implementing the Resolutions and consistently and constructively supporting the work of the Panel. In this regard, relevant Chinese authorities have conducted thorough investigations on the issues raised by the Panel, and the details of the investigations are enclosed herewith. These investigations are by no means easy to conduct, and a lot of efforts have been made to verify the information provided by the Panel. China hopes these feedback could be reflected in the Panel's midterm report in a faithful and comprehensive manner.

I would also like to take this opportunity to emphasize that China has made great efforts in implementing the Resolutions on the DPRK and sustained great losses. I count on the Panel to base

Panel of Experts
Established pursuant to resolution 1874
New York

Address:350 East 35th Street, New York, NY10016 Tel: (212)655-6100 Web: www.china-un.org

its work on facts and request the Panel to carry out its assessments and analysis in line with its mandate as specified in the related Resolutions, and refrain from including unverified information in its report.

I look forward to continuing working with you to contribute to the implementation of the Security Council Resolutions and the political solution to the Peninsula issue.

Warm regards,

Zhang Jun
Ambassador Extraordinary and Plenipotentiary
Permanent Representative
of the People's Republic of China to the United Nations

China's feedback to the 1874 Panel of Experts

1. Intangible Technology Transfers

China has been consistently and strictly implementing the provisions of the Security Council Resolutions on the DPRK regarding scientific and technological cooperation as well as academic communication. Necessary measures have been taken to prevent sensitive materials from being collected by the DPRK.

As verified by the related Chinese authorities, the German media reports are grossly inaccurate. First, the two papers mentioned by the media reports are based on normal cooperation of fundamental scientific studies, which has no dual use nature and has nothing to do with nuclear proliferation. Second, the involvement of Im Song-Jin in the two papers was limited to communication on theoretical issues, Chinese scholars did not provide any data to Im. Chinese scholars listed Im as an author just out of respect. This communication does not constitute scientific and technological exchanges or cooperation, and therefore is not a violation of the related provisions of the Resolutions. Third, Im visited the relevant University for only a short period of time from July to September 2015, with all expenses related to this visit paid by Im himself. The University did not provide any financial support or remuneration to him. Im did not return to the University after the end of his visit in September in 2015, nor did he have any status with this University. For Im's visit to this University occurred before the adoption of the Resolution 2321 in 2016, which restricts scientific and technological exchanges and cooperation with the DPRK,therefore his visit does not violate the Resolution.

The German media reports are clearly inconsistent with the facts,and the relevant Chinese research institutes, universities and individuals are not in violation of the Security Council Resolutions, China requests the Panel not to include this case into its report. We trust the Panel to base its work on facts rather than on media reports.

2. Illegal cyber financial activities

China conducted serious and thorough investigations on the information provided by the Panel, and did not find any illegal cyber financial activities by the relevant individuals within Chinese border. China consistently and strictly combats illegal cyber financial activities by Chinese laws and regulations in an equal manner no matter if related personnel violate the Security Council Resolutions or not. Besides, the cyber activities mentioned by the Panel do not fall into the scope prohibited by the Resolutions. China requests the Panel to conduct its work according to its mandate, and do not include unrelated content into its report.

3. Alleged sale of DPRK seafood by Chinese company

Chinese authorities have located the seafood stand in Yanji West Market mentioned by the Panel. This stand has been using the banner of "North Korea Seafood Wholesale" for several years as a means to attract customers. It was found that the seafood sold at the stand were actually imported from Russia through legal channels, not illegally obtained from the DPRK. Chinese authorities have ordered the stand operate the business according to law and remove the banner. Obviously, there is no violation of Security Council Resolutions in this case and it should not be included in the Panel's report.

4. Alleged export of coal by DPRK ships

After thorough investigation by relevant Chinese authorities, the information of the ships mentioned by the Panel are provided as follows:

HUNG BONG 3 declared one entry into Lianyungang Port from Nampo Port in January this year empty loaded. And the ship left Lianyungang Port empty loaded.

TAE Dong 1 declared two entries into Dalian Port from Nampo Port in January and March this year empty loaded. And the ship left Dalian Port loaded with grain and other grocery.

PU SONG declared one entry into Dalian Port from Nampo Port in January this year loaded with containers, and left the port loaded with goods for daily necessities. In June this year, this ship declared one entry into Dalian Port from Nampo Port empty loaded and left loaded with goods for daily necessities.

No records of port entry and exit or customs declarations of TO MYONG, MIYANG 5, RYONG RIM were found in the Chinese port logs.

China attaches great importance to illegal maritime activities related to the DPRK, and cracks down on ship-to-ship smuggling activities according to Chinese laws and regulations. The above-mentioned ships were loaded with goods for daily necessities, not Security Council embargoed items. The Panel should execute its duties cautiously and responsibly, carefully screening the information it acquired, and should not include unverified information in its report.

5. Alleged illegal export by Chinese ships to the DPRK

After thorough investigation by relevant Chinese authorities, the information of the ships mentioned by the Panel are provided as follows:

BAO YING HAI 18, XIN YANG HONG, QIMING 168, and FU LONG 98 were de-registered between late 2022 and early 2023, and these ships were not re-registered ever since. Chinese government does not have information on their exact whereabouts.

Records of port entry and exit of XIN HANG SHUN and LONG XIN 12 were not found and Chinese government does not have detailed information about these ships.

6. Alleged possession of Chinese ships by the DPRK

After thorough investigation by relevant Chinese authorities, the information of the ships mentioned by the Panel are provided as follows:

SHUNCHAO 9, HUI YI, HONG JIE 1, RUN HONG 58, XIN HONG XIANG 77, WEN TONG FA ZHAN, and XIANGHUI 10 were de-registered on May of 2022, January of 2023, August of 2022, November of 2021, October of 2022, February of 2023, November of 2018 respectively. These ships were not re-registered ever since. ZHI KUN 6 and HUA JIN SHENG 8 are still registered as Chinese ships. HONG TAI 215 have not applied for nationality registration.

Judging from the investigations conducted by Chinese authorities, the information received by the Panel are inaccurate. This is not the first time such thing happens and China has previously raised concerns over this issue. China requests the Panel to conduct necessary screening of the information it receives,and avoid including information that are inconsistent with facts in its report, so as to maintain the objectivity of the report.

7. Request for seizure of DPRK ship

China attaches great importance to illegal maritime activities related to the DPRK, and cracks down on ship-to-ship smuggling activities according to Chinese laws and regulations. Relevant Chinese authorities are still conducting investigations on the case and preliminary findings show that NEW KONK, UNICA, DIAMOND 8/NAM DAE BONG, and SHUNDLLI have no records of port entry and exit in China since 2020. The information provided by the Panel are not verified and should not be included in its report.

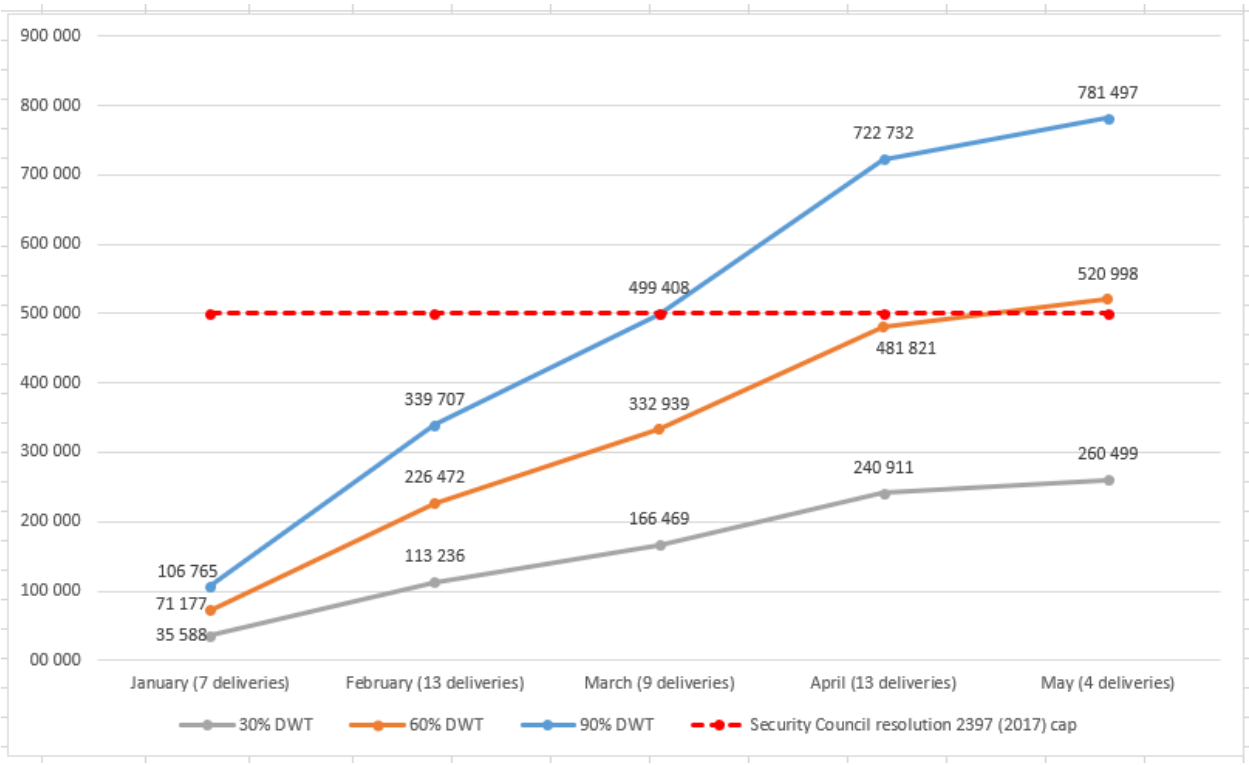
Annex 26: DPRK-flagged tankers observed delivering refined petroleum products at Nampo and other oil facilities, 1 January-1 May 2023

A Member State estimates that as much as 781,497 barrels of refined petroleum products may have been delivered to Nampo and other DPRK ports by 1 May, based on a maximum cargo capacity of 90 percent of each delivery vessel's deadweight tonnage. In reaching this conclusion the Member State used a methodology widely-accepted by industry. The Member State's calculations presume the carriage of "*refined petroleum*" to include diesel and/or fuel oil as both these products are widely recognized to be within the category "*refined petroleum*". The Member State uses a conversion rate of 7.5 barrels per metric ton, the average conversion rate of gasoline, kerosene, gas oil/diesel and residual fuel oil.

Based on a maximum cargo capacity of 90 percent of each vessel's deadweight tonnage, the Member States estimates that the cap would have been breached in mid-March (figure 26); assuming a 60% maximum cargo capacity the cap would have been breached end-April-beginning May; at 30% capacity[201] the cap would not have been breached during this reporting period.

[201] A Member State has reported to the Committee however that "*[i]t is highly unlikely that DPRK tankers … would arrive in DPRK ports with less than one third of their cargo capacities filled. The expenditure of resources and fuel [in so doing]… would not be justified …*".

Figure 26: Estimates arising from observed deliveries of refined oil products to Nampo, Hungnam, Chongjin and Songnim, 1 January – 1 May 2023 (barrels). The intersection of the horizontal line, at 500,000 barrels, and the three trend lines, indicate approximately when the oil cap would have breached in this period, assuming a total cargo carried of 90%, 60% and 30% of total DWT of vessels involved in deliveries.



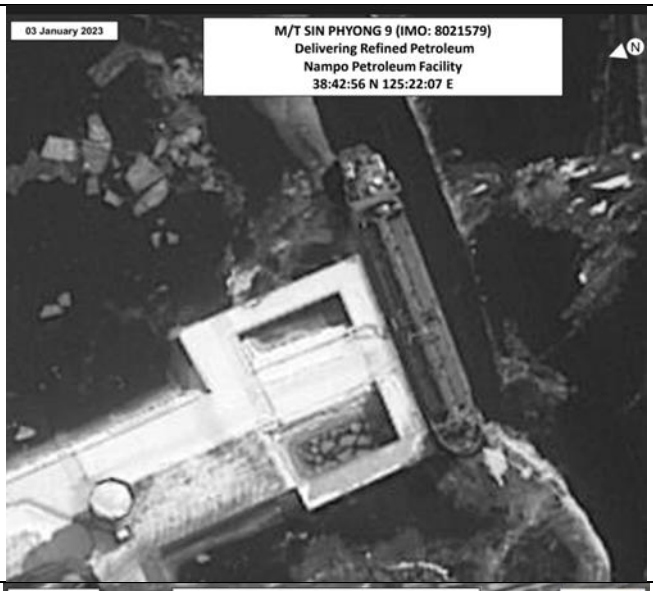
Source: Member State, the Panel

Abbreviation: DWT: Deadweight Tonnage

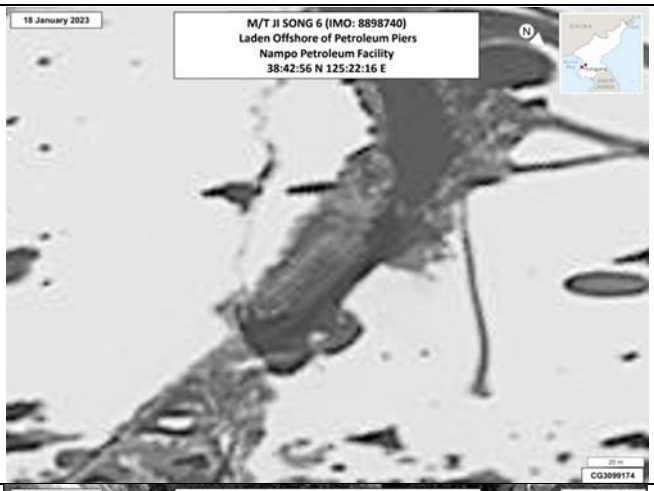
The Member State's imagery (see below) indicates that 39 of the 46 deliveries went to Nampo and the remainder as follows:

DPRK Port	Nampo	Chongjin	Hungnam	Songnim
Number	39 deli	3 deliv	2 deliv	2 deliv

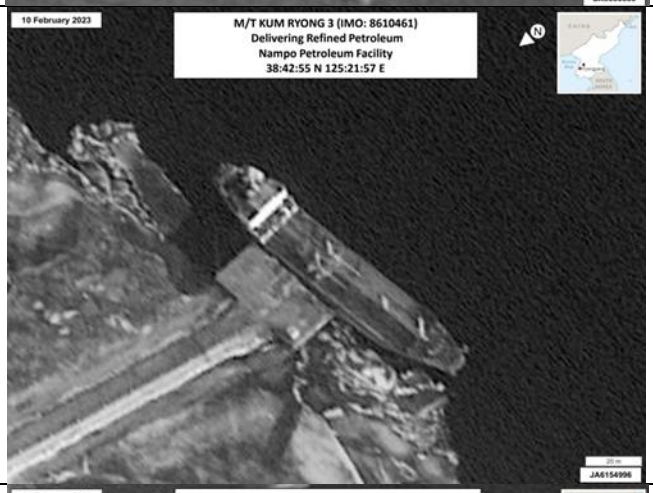
of delivery (1 Jan – 1 May 2023)	vehicles	eries (one each by SINPHYONG 5, SINPHYONG 9, SINPHYONG 14)	eries (both by SINPHYONG 14)	eries (both by KUMUNSAN)

3 January **SIN PHYONG 9** **(IMO 8916293)** DWT 1150MT Cargo capacity (90% DWT) of refined petroleum: 7763 barrels.		
8 January **PO CHON** **(IMO 8848276)** DWT 3538MT Cargo capacity (90% DWT) of refined petroleum: 23880 barrels.		
18 January **KUM UN SAN** **(IMO: 8720436)** DWT 2070MT Cargo capacity (90% DWT) of refined petroleum: 13973 barrels.		

18 January **SIN PHYONG 5** **(IMO 8865121)** DWT 3295MT Cargo capacity (90% DWT) of refined petroleum: 22245 barrels.		
19 January **SIN PHYONG 14** **(IMO: 8021579)** DWT 949MT Cargo capacity (90% DWT) of refined petroleum: 6406 barrels.		
25 January **CHON MA SAN** **(IMO 8660313)** DWT 3566MT Cargo capacity (90% DWT) of refined petroleum: 24068 barrels.		

18 January **JI SONG 6** **(IMO 8898740)** DWT 1250MT Cargo capacity (90% DWT) of refined petroleum: 8438 barrels.	
2 February **PAEK YANG SAN 1** **(IMO 9129653)** DWT 4989MT Cargo capacity (90% DWT) of refined petroleum: 33676 barrels.	
5 February **SAM JONG 2** **(IMO 7408873)** DWT 2507MT Cargo capacity (90% DWT) of refined petroleum: 16922 barrels.	

5 February **YU JONG 2** **(IMO 8604917)** DWT 1206MT Cargo capacity (90% DWT) of refined petroleum: 8138 barrels.		
8 February **SIN PHYONG 2** **(IMO 8817007)** DWT 2106MT Cargo capacity (90% DWT) of refined petroleum: 14213 barrels.		
8 February **SIN PHYONG 14** **(IMO 8021579)** DWT 949MT Cargo capacity (90% DWT) of refined petroleum: 6406 barrels.		

14 February **SIN PHYONG 14** **(IMO 8021579)** DWT 949MT Cargo capacity (90% DWT) of refined petroleum: 6406 barrels.		
10 February **KUM RYONG 3** **(IMO 8610461)** DWT 1988MT Cargo capacity (90% DWT) of refined petroleum: 13487 barrels.		
14 February **KUM JIN GANG 2** **(IMO 8708684)** DWT 1988MT Cargo capacity (90% DWT) of refined petroleum: 13419 barrels.		

14 February **CHANG HAE 1** **(IMO 8791667)** DWT 4983MT Cargo capacity (90% DWT) of refined petroleum: 33635 barrels.			
16 February **CHIL BO SAN** **(IMO 8711021)** DWT 1999MT Cargo capacity (90% DWT) of refined petroleum: 13493 barrels.			
19 February **RYE SONG GANG 1** **(IMO 7389704)** DWT 3003MT Cargo capacity (90% DWT) of refined petroleum: 20270 barrels.			

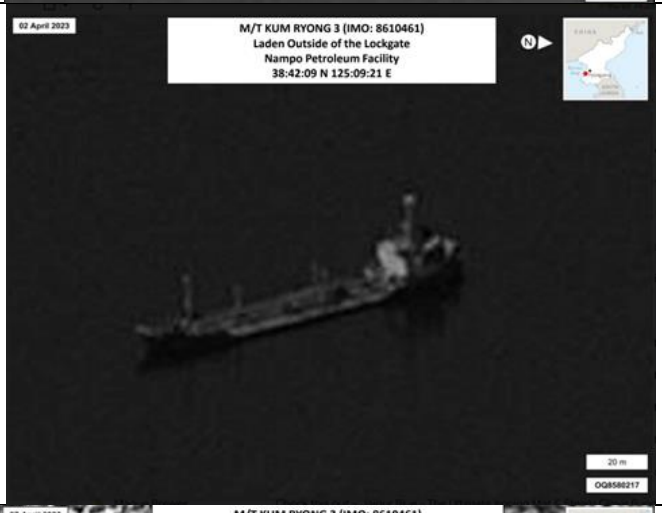
21 February PAEK MA (IMO 9066978) DWT 2250MT Cargo capacity (90% DWT) of refined petroleum: 15188 barrels.			
23 February SIN PHYONG 9 (IMO 8916293) DWT 1150MT Cargo capacity (90% DWT) of refined petroleum: 7763 barrels.			
26 February WOL BONG SAN (IMO 7636638) DWT 4296MT Cargo capacity (90% DWT) of refined petroleum: 28988 barrels.			

4 March **SIN PHYONG 5** **(IMO 8865121)** DWT 3295MT Cargo capacity (90% DWT) of refined petroleum: 22245 barrels.			
15 March **SIN PHYONG 5** **(IMO 8865121)** DWT 3295MT Cargo capacity (90% DWT) of refined petroleum: 22245 barrels.			
13 March **SIN PHYONG 14** **(IMO 8021579)** DWT 949MT Cargo capacity (90% DWT) of refined petroleum: 6406 barrels.			

19 March **YUN HONG 8** **(IMO None)** DWT 2900MT Cargo capacity (90% DWT) of refined petroleum: 19575 barrels.		
19 March **AN SAN 1** **(IMO 7303803)** DWT 3003MT Cargo capacity (90% DWT) of refined petroleum: 20273 barrels		
19 March **SIN PHYONG 2** **(IMO 8817007)** DWT 2106MT Cargo capacity (90% DWT) of refined petroleum: 14213 barrels.		

26 March **KUM RYONG 3** **(IMO 8610461)** DWT 1998MT Cargo capacity (90% DWT) of refined petroleum: 13487 barrels.		
29 March **KUM RYONG 3** **(IMO 8610461)** DWT 1998MT Cargo capacity (90% DWT) of refined petroleum: 13487 barrels.		
29 March **SAM JONG 2** **(IMO 7408873)** DWT 2507MT Cargo capacity (90% DWT) of refined petroleum: 16922 barrels.		

30 March **NAM DAE BONG** **(IMO 9132612)** DWT 9273MT Cargo capacity (90% DWT) of refined petroleum: 62593 barrels.		
30 March **KUM UN SAN** **(IMO 8720436)** DWT 2070MT Cargo capacity (90% DWT) of refined petroleum: 13973 barrels.		
2 April **SIN PHYONG 9** **(IMO 8916293)** DWT 1150MT Cargo capacity (90% DWT) of refined petroleum: 7763 barrels.		

2 April **YU JONG 2** **(IMO 8604917)** DWT 1206MT Cargo capacity (90% DWT) of refined petroleum: 8138 barrels.			
2 April **KUM RYONG 3** **(IMO 8610461)** DWT 1998MT Cargo capacity (90% DWT) of refined petroleum: 13487 barrels.			
7 April **KUM RYONG 3** **(IMO 8610461)** DWT 1998MT Cargo capacity (90% DWT) of refined petroleum: 13487 barrels.			

7 April **CHIL BO SAN** **(IMO 8711021)** DWT 1999MT Cargo capacity (90% DWT) of refined petroleum: 13493 barrels.		
9 April **CHIL BO SAN** **(IMO 8711021)** DWT 1999MT Cargo capacity (90% DWT) of refined petroleum: 13493 barrels.		
7 April **CHANG HAE 2** **(IMO 8691702)** DWT 3398MT Cargo capacity (90% DWT) of refined petroleum: 22935 barrels.		

11 April **SIN PHYONG 5** **(IMO 8865121)** DWT 3295MT Cargo capacity (90% DWT) of refined petroleum: 22245 barrels.			
16 April **CHON MA SAN** **(IMO 8660313)** DWT 3566MT Cargo capacity (90% DWT) of refined petroleum: 24068 barrels.			
18 April **SAM JONG 1** **(IMO 8405311)** DWT 1665MT Cargo capacity (90% DWT) of refined petroleum: 11239 barrels.			

19 April **UN HUNG** **(IMO 9045962)** DWT 3685MT Cargo capacity (90% DWT) of refined petroleum: 24874 barrels.			
24 April **UN HUNG** **(IMO 9045962)** DWT 3685MT Cargo capacity (90% DWT) of refined petroleum: 24874 barrels.			
20 April **SIN PHYONG 2** **(IMO 8817007)** DWT 2106MT Cargo capacity (90% DWT) of refined petroleum: 14213 barrels.			

20 April **CHANG HAE 1 (IMO 8791667) (nka KUM JIN GANG 3)** DWT 4983MT Cargo capacity (90% DWT) of refined petroleum: 33635 barrels.			
21 April **KUM UN SAN (IMO 8720436)** DWT 2070MT Cargo capacity (90% DWT) of refined petroleum: 13973 barrels.			
24 April **KWANG CHON (IMO 8605026)** DWT 1966MT Cargo capacity (90% DWT) of refined petroleum: 13271 barrels.			

26 April **KWANG CHON** **(IMO 8605026)** DWT 1966MT Cargo capacity (90% DWT) of refined petroleum: 13271 barrels.			
27 April **KUM JIN GANG 2** **(IMO 8708684)** DWT 1988MT Cargo capacity (90% DWT) of refined petroleum: 13419 barrels.			
1 May **KUM JIN GANG 2** **(IMO 8708684)** DWT 1988MT Cargo capacity (90% DWT) of refined petroleum: 13419 barrels.			

27 April **JI SONG 6** **(IMO 8898740)** DWT 1250MT Cargo capacity (90% DWT) of refined petroleum: 8438 barrels.		
1 May **JI SONG 6** **(IMO 8898740)** DWT 1250MT Cargo capacity (90% DWT) of refined petroleum: 8438 barrels.		
27 April **CHANG HAE 2** **(IMO 8691702)** **(nka YU SON)** DWT 3398MT Cargo capacity (90% DWT) of refined petroleum: 22937 barrels.		

1 May **CHANG HAE 2** **(IMO 8691702)** **(nka YU SON)** DWT 3398MT Cargo capacity (90% DWT) of refined petroleum: 22937 barrels.			
27 April **KUM UN SAN** **(IMO 8720436)** DWT 2070MT Cargo capacity (90% DWT) of refined petroleum: 13973 barrels.			
1 May **KUM UN SANM** **(IMO 8720436)** DWT 2070MT Cargo capacity (90% DWT) of refined petroleum: 13973 barrels.			

Source: Satellite imagery - Member State; ship information – Member State, IMO records, and the Panel.

Annex 27: Data provided by a Member State regarding breaches of the cap on refined petroleum products delivered to the DPRK

Annex 26 records that a Member State estimates that the cap on refined petroleum products delivered to the DPRK in 2023 has been breached. Data provided by another Member State support this assessment: This Member State estimates that approximately 80,000 tons of refined petroleum was illicitly imported by DPRK in the first quarter of 2023.

The Member State has provided additional data reflecting an equivalent breach in 2022, also by the end of the first quarter.

Data provided by the Member State, in tons

Smuggled refined petroleum imported through ship-to-ship transfers			
Amount of refined petroleum illicitly imported in the first quarter	2021	2022	2023
	None	Approx. 70,000 tons	Approx. 80,000 tons

Member State data converted to barrels by the Panel, using the Committee's conversion rate of 7.98 barrels per ton

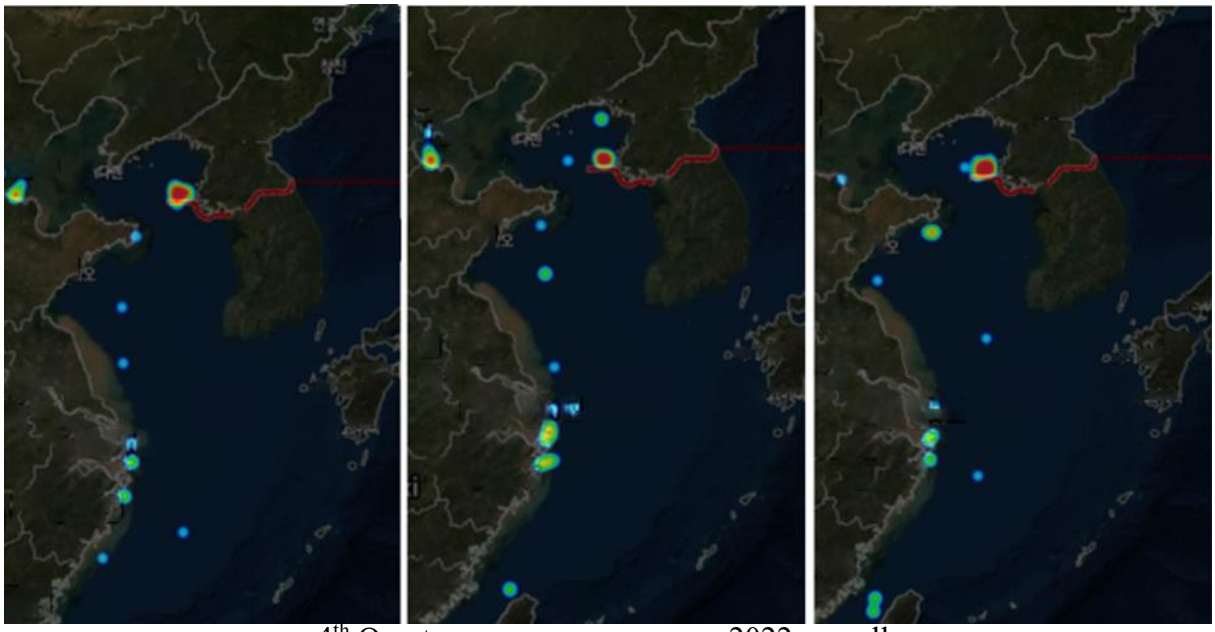
Smuggled refined petroleum imported through ship-to-ship transfers			
Amount of refined petroleum illicitly imported in the first quarter	2021	2022	2023
	None	Approx. 558,600 barrels	Approx. 638,400 barrels

Annex 28: DPRK's illicit maritime activities in 2022

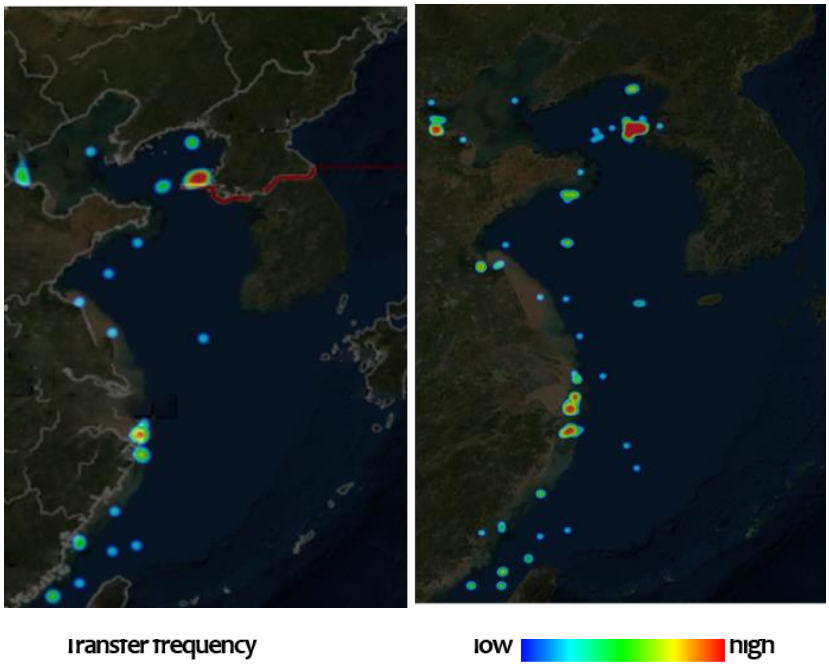
The DPRK's illicit sea trade took place over a larger number of locations than before.

Year 2022

1st Quarter | 2nd Quarter | 3rd Quarter



4th Quarter | 2022 overall



Source: Member State

Annex 29: Ship-to-ship activity at Sokdo-ri Island, DPRK

In 2023, the Panel observed activity around Sokdo-ri Island, near the DPRK's West Sea Barrage. This is the area where a floating crane, JIANG SHEN FU 6988, involved in ship-to-ship activity between DPRK vessels and former foreign-flagged vessels acquired by the DPRK, was located on 6 September 2022.[202] JIANG SHEN FU operated within DPRK's territorial waters between Nampo lockgate and Ch'o-do Island. The Panel recalls its earlier assessment[203] of contributing factors that have expanded the DPRK's use of territorial waters in conducting at-sea transfers, including the need to avoid monitoring vessels and the inability of many of its cargo vessels to enter foreign ports to offload banned commodities.

The following is a sample of satellite images of vessels taking part in what appear to be ship-to-ship transfers.

June 2023

[202] S/2023/171, para. 89 and annex 40
[203] S/2022/668, paras. 35-36.

May 2023

25 May 2023
38.67780, 125.01732
석도리
planet.

25 May 2023
38.67780, 125.01732
석도리
planet.

January 2023

Source: Planet Labs, annotated by the Panel

Annex 30: Geo-Spoofing as a new evasion technique for DPRK-related sanctions evasion, 2023

In April 2023, the Panel monitored two vessels on a maritime a.i. analytics platform sailing in an unusual pattern. AIS analysis revealed their voyages were consistent with Global Navigation Satellite Systems (GNSS) manipulation, a machine-generated geo-spoofing, while the vessel was in fact traveling at the same speed and heading, but in a straight line. The two vessels in question were transmitting as:

- F.LONLINE, a known false identity for the former direct delivery vessel (FDDV) NEW KONK,
- LITON, a known false identity for the FDDV UNICA.

Figure 30-1: NEW KONK as F.LONLINE at Sansha Bay, 1-3 April 2023

On 1 April 2023, NEW KONK transmitting as F.LONLINE was anchored at Sansha Bay, China. Satellite Imagery by Planet Labs confirmed the vessel's presence in the same location a day later. According to the vessel's AIS transmission, NEW KONK / F.LONLINE departed its anchoring point on 3 April 2023 at 12:38 UTC.

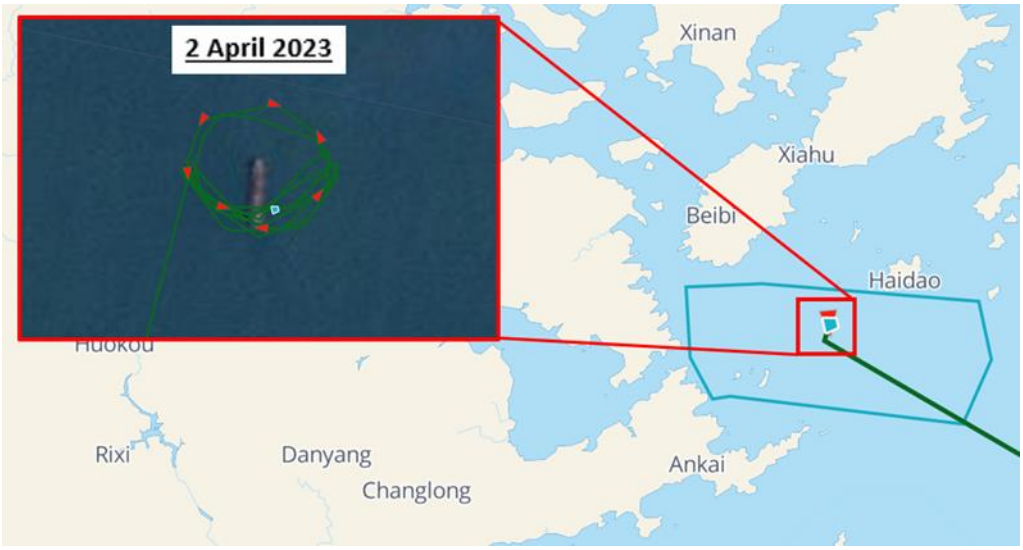


Figure 30-2: NEW KONK / F.LONLINE begins geo-spoofing, 3 April

The vessel next transmitted an AIS signal at 13:21 UTC, at an apparent location approximately 28 nautical miles from where it last transmitted. This location would have required it to travel at the impossible average speed of about 20 nautical miles per hour. This GNSS manipulation lasted until 16 May 2023, making NEW KONK/F.LONLINE's AIS tracks during this period false.

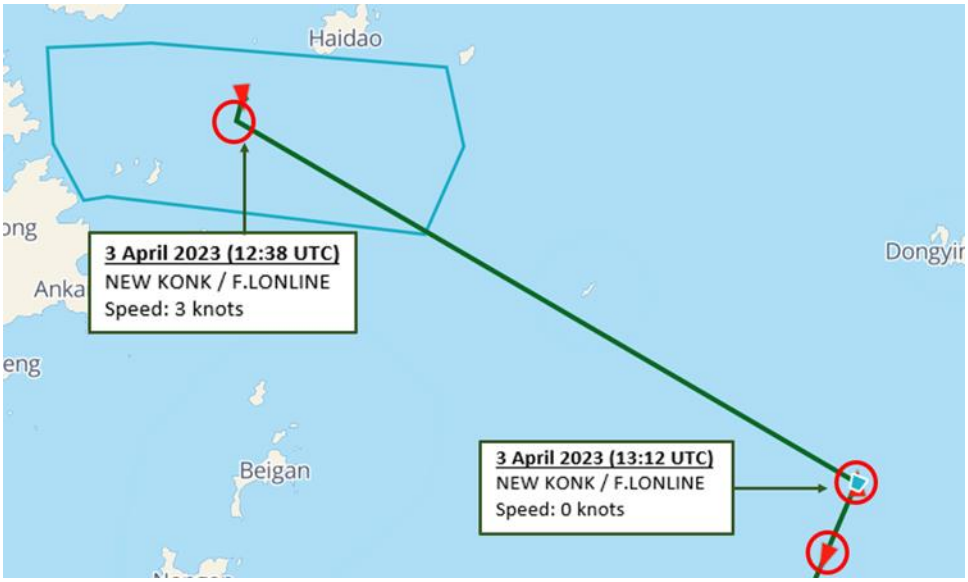


Figure 30-3: NEW KONK / F.LONLINE remaining at Sansha Bay, 8-9 April

Medium resolution satellite imagery on Planet Labs showed that a vessel of similar length as NEW KONK remained at Sansha Bay after NEW KONK's GNSS manipulation began.

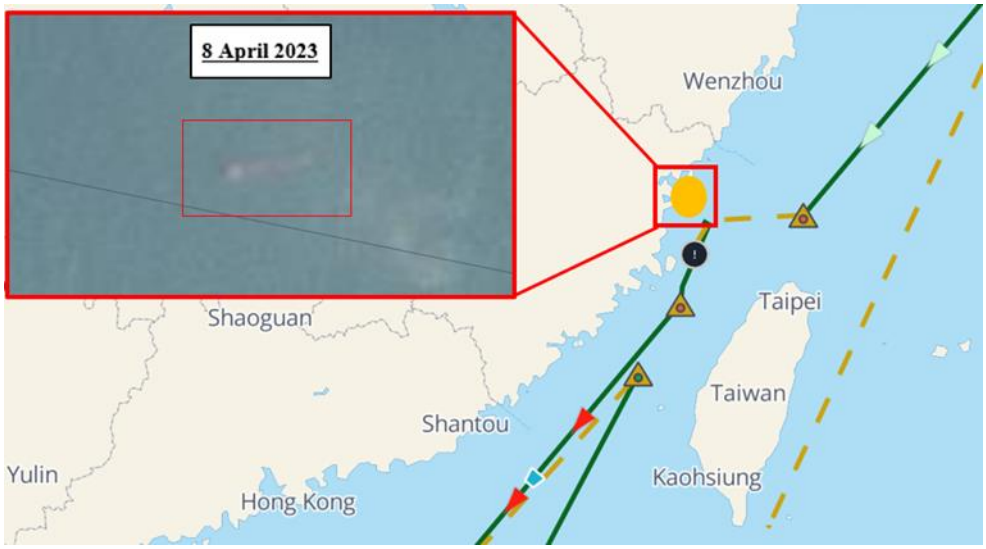


Figure 30-4: NEW KONK imaged at Sansha Bay, 9 April 2023

High resolution satellite imagery provided by a Member State confirmed NEW KONK's location on 9 April 2023.

Figure 30-5: NEW KONK / F.LONLINE transmitting as LIFAN, East China Sea, 15-16 April 2023

Satellite imagery show that by 16 April the vessel was no longer in Sansha Bay. Instead, AIS transmission showed a vessel transmitting as LIFAN, a known falsified identity of NEW KONK, sailing up through the East China Sea.

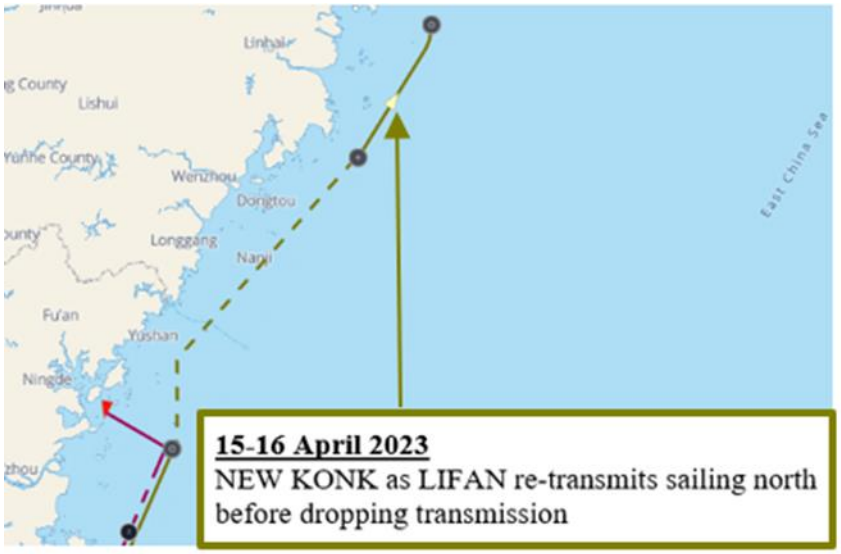
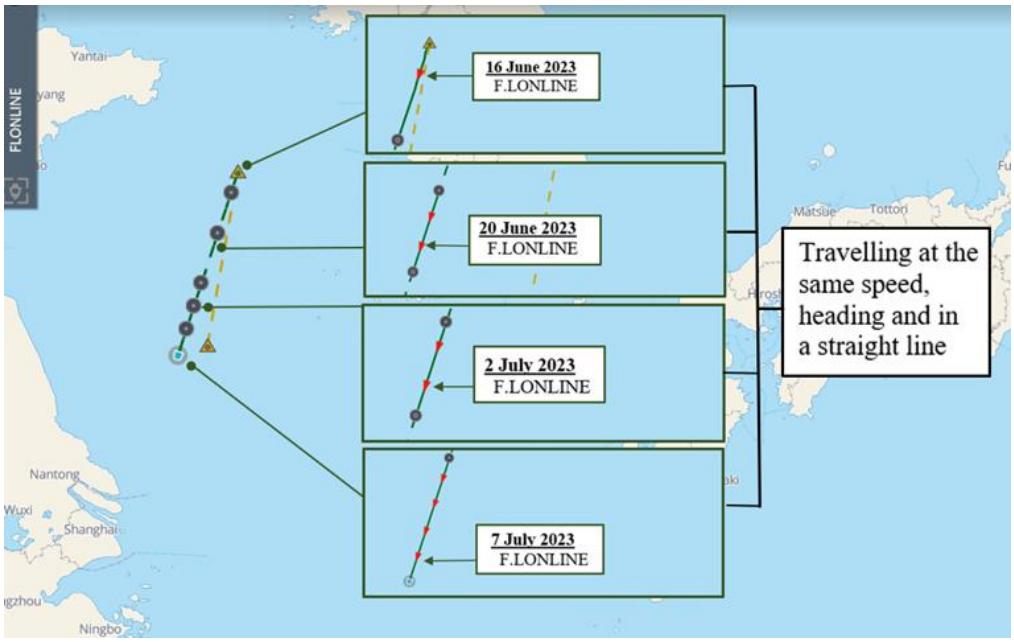


Figure 30-6: NEW KONK / F.LONLINE, Yellow Sea, 16 June to 8 July[204] 2023

NEW KONK repeated its GNSS manipulation again from 16 June 2023: The same geo-spoofing signatures suggesting travel in a straight line, at the same speed and heading, in a southerly direction through the Yellow Sea. This may indicate obfuscation of its actual location at the time to conduct further illicit activities.



Source: Windward; Satellite Imagery, Planet Labs; annotated by the Panel

[204] At date of writing.

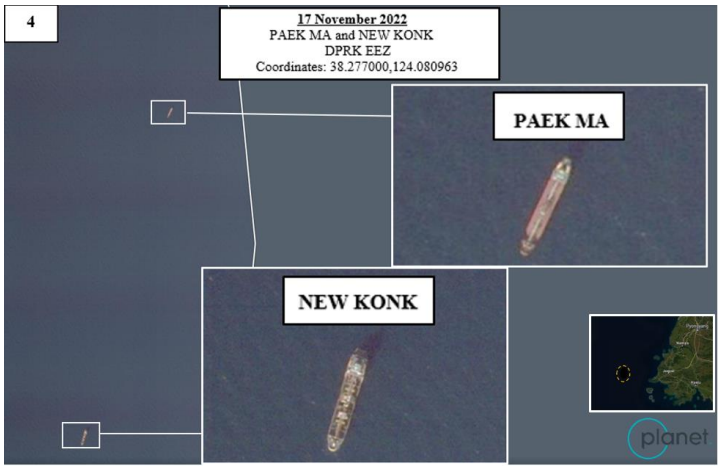
Annex 31: Suspect vessels in DPRK Exclusive Economic Zone (EEZ)

The following are examples over the last two years of FDDVs and suspect vessels located in the same area of the DPRK EEZ, conducting or waiting to conduct ship-to-ship transfers with DPRK tankers in the vicinity. Typically, the suspect vessels and DPRK tankers did not transmit AIS signals, conducting their illicit transfers in an effort to evade sanctions.

2022

Figure 31-1:

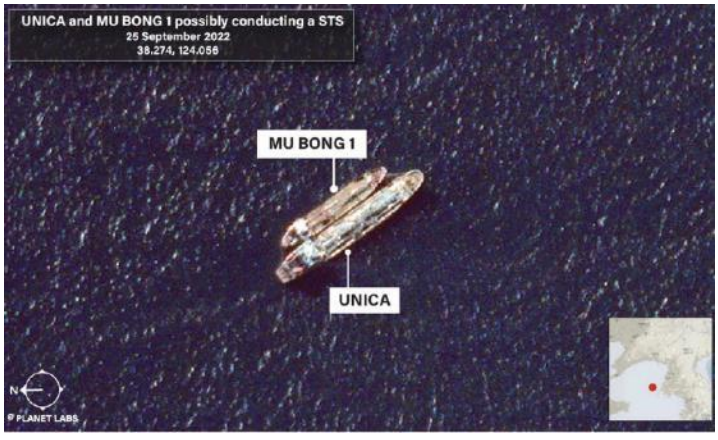
NEW KONK in the same area of the DPRK EEZ in November 2022



Source: Planet Labs, annotated by the Panel

Figure 31-2:

UNICA berthed alongside DPRK-flagged MU BONG 1 in the same area of the DPRK EEZ in September 2022



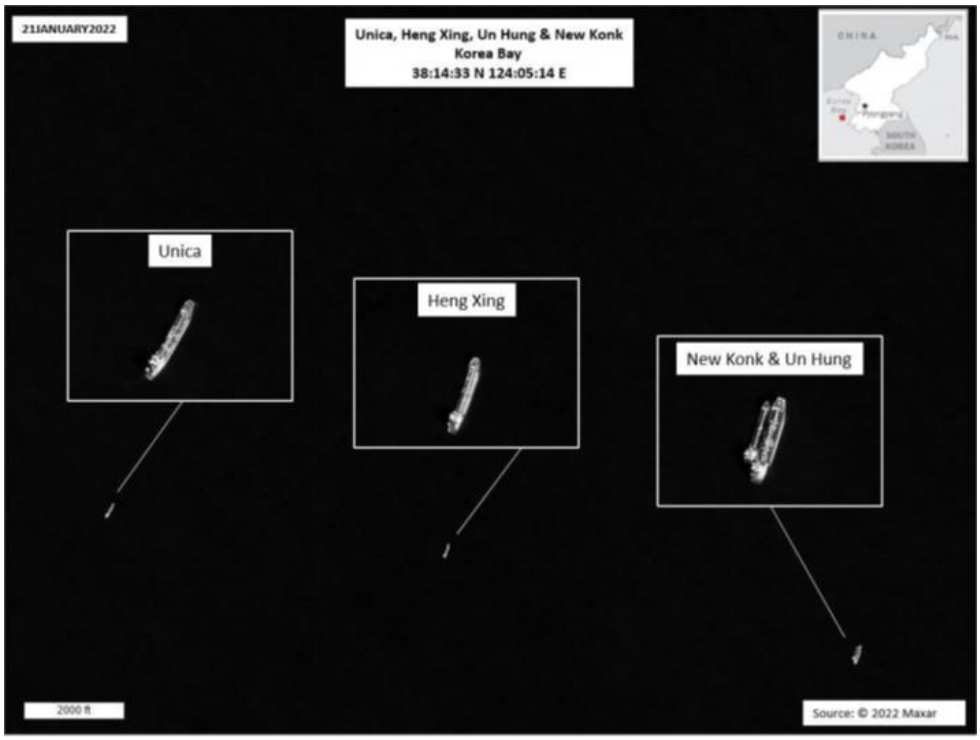
Source: Member State

Figure 31-3 shows the former intermediary vessel HENG XING (IMO: 8669589; currently the DPRK-flagged A BONG 1), UNICA (IMO: 8514306) and VIFINE (currently sailing as the DPRK-flagged UN HUNG), on 21 January 2022 in the DPRK EEZ.

The DPRK-flagged tanker UN HUNG (IMO: 9045962) previously sailed as the FDDV VIFINE. NEW KONK, then acting in the capacity of an intermediary vessel, conducted a ship-to-ship transfer with VIFINE on 19 June 2019, before itself subsequently becoming an FDDV.[205] The Panel's investigations showed the entities behind the two vessels had common connections of ownership and management history. UN HUNG conducted ship-to-ship transfers with NEW KONK on at least one another occasion in January 2022, in the same DPRK EEZ location (figure 31-4).

Figure 31-3:

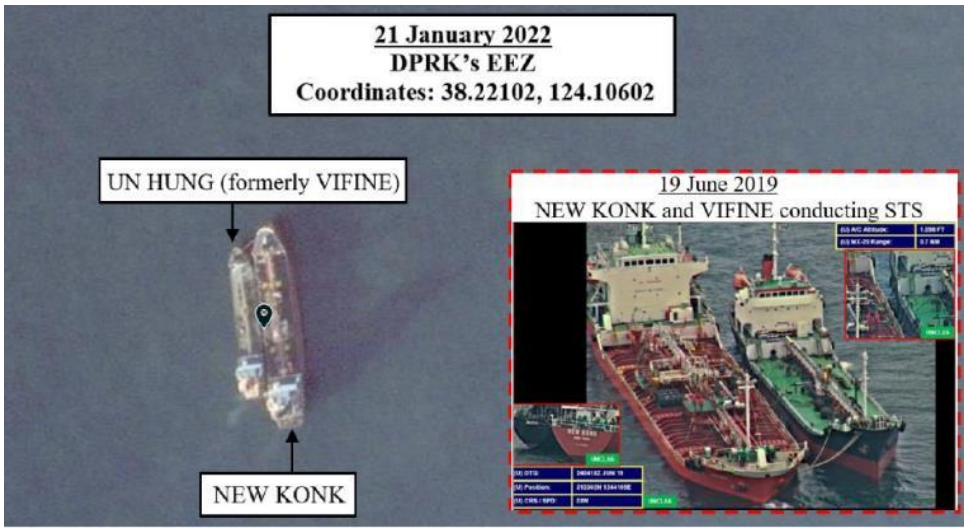
UNICA, HENG XING (nka A BONG 1) and NEW KONK 1 in the DPRK EEZ in January 2022



Source: Member State

[205] S/2022/151, para. 32, figure VI.

Figure 31-4:

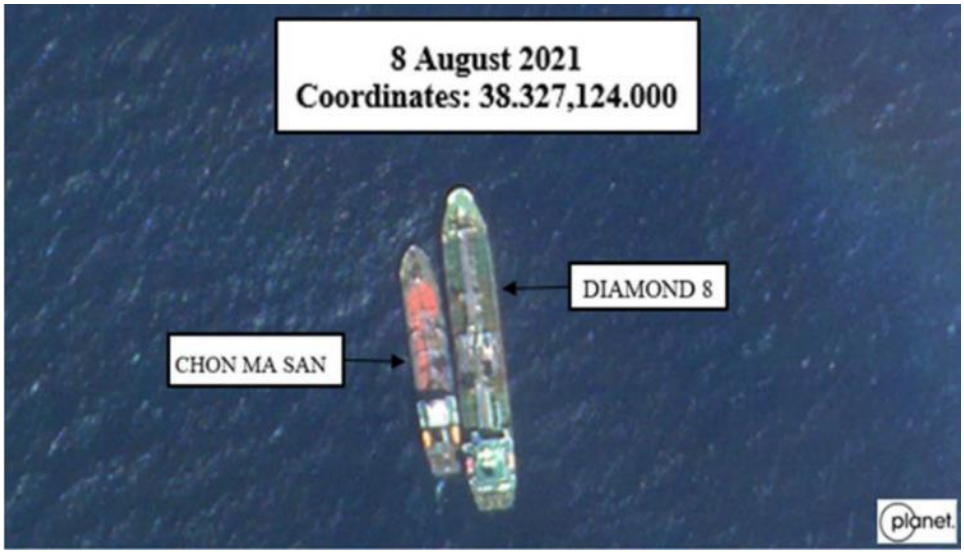


Source: Satellite imagery: Planet Labs, annotated by the Panel; inset photograph, Member State

2021

Figure 31-5:

The DPRK-flagged NAM DAE BONG, then sailing as DIAMOND 8, with the DPRK-flagged CHON MA SAN (IMO: 8660313) in the same area of the DPRK EEZ, 8 August 2021[206]



Source: Planet Labs, annotated by the Panel

[206] S/2022/132, para. 40.

Figure 31-6:

FDDV NEW KONK and DPRK-flagged KUM JIN GANG in the DPRK EEZ, 23 September 2021

Source: Member State

Figure 31-7:

FDDVs in the DPRK EEZ, 14 April 2021[207]

Source: Maxar Technologies, annotated by the Panel

[207] S/2022/132, para. 41 and annex 34.

Annex 32: Table of fraudulent identifiers transmitted, January to May 2023

Table 32: Table of fraudulent identifiers transmitted, January to May 2023[208]

Ship name	Fraudulent identifier
NEW KONK (IMO: 9036387)	F.LONLINE MMSI: 312162000 LIFAN MMSI: 312165230 MMSI: 312165923 LIAN MMSI: 667001395
UNICA (IMO: 8514306)	LITON MMSI: 457106000
DIAMOND 8 nka NAM DAE BONG (IMO: 9132612)	SHUNLI MMSI: 457111000

Source: The Panel

[208] While these FDDVs continue to transmit known fraudulent names, some of their MMSIs have been manipulated.

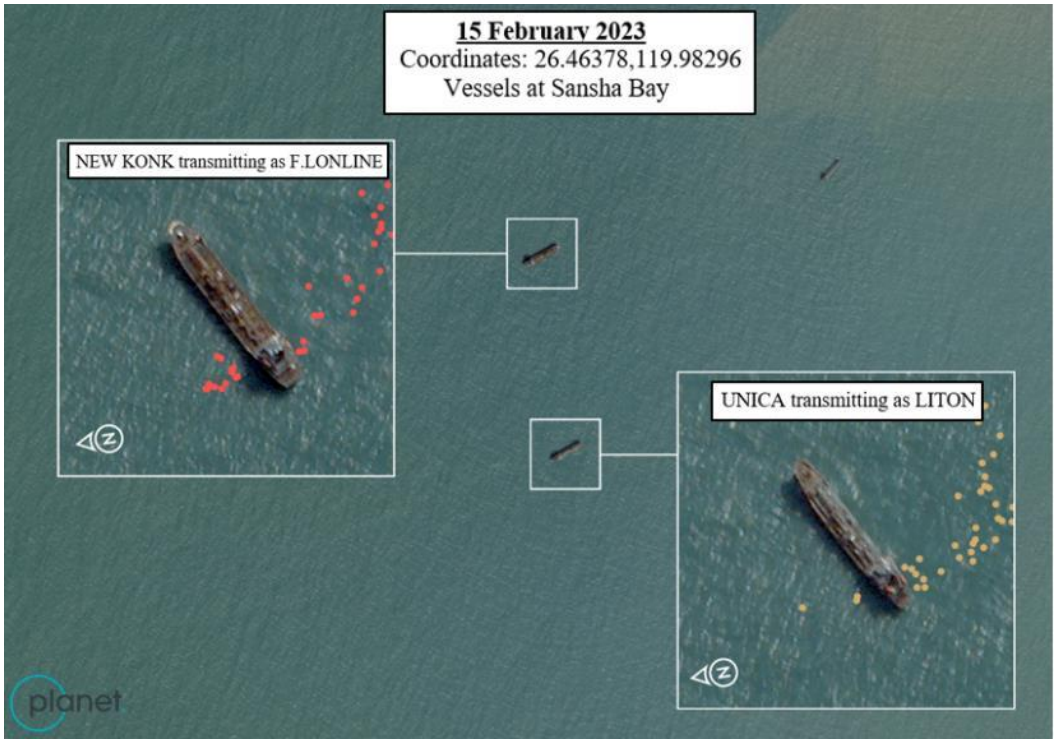
Annex 33: Former Direct Delivery Vessels (FDDVs) in the Sansha Bay area, China

The following are examples of FDDVs and suspect vessels co-located in Sansha Bay between 2020 and 2023. In many of these instances investigated by the Panel, the following pattern of activity was observed: departure from Sansha Bay; ship-to-ship transfer conducted in the Taiwan Strait; ship-to-ship transfer with DPRK tankers in the DPRK EEZ.

The Panel sought Chinese authorities' assistance to obtain information from these FDDVs on the individuals facilitating the illicit oil transfers. This would enable disruption of future oil procurements conducted by these vessels. China replied: "*China attaches great importance to illegal maritime activities related to the DPRK, and cracks down on ship-to-ship smuggling activities according to Chinese laws and regulations. Relevant Chinese authorities are still conducting investigations on the case and preliminary findings show that NEW KONK, UNICA, DIAMOND 8/NAM DAE BONG, and SHUNDLLI have no records of port entry and exit in China since 2020. The information provided by the Panel are not verified and should not be included in its report*".

2023

FDDVs NEW KONK / F.LONLINE and UNICA / LITON in Sansha Bay, 15 February 2023



Source: Planet Labs; AIS overlay, Windward; annotated by the Panel

2022

FDDVs NEW KONK / F.LONLINE, UNICA / HAI SHUN 2 and HAI JUN (IMO: 9054896; currently the DPRK-flagged A SA BONG), Sansha Bay, 17-26 May 2022[209]

Source: Windward; annotated by the Panel

FDDVs UNICA, DIAMOND 8 and NEW KONK in Sansha Bay, 30 June 2022[210]

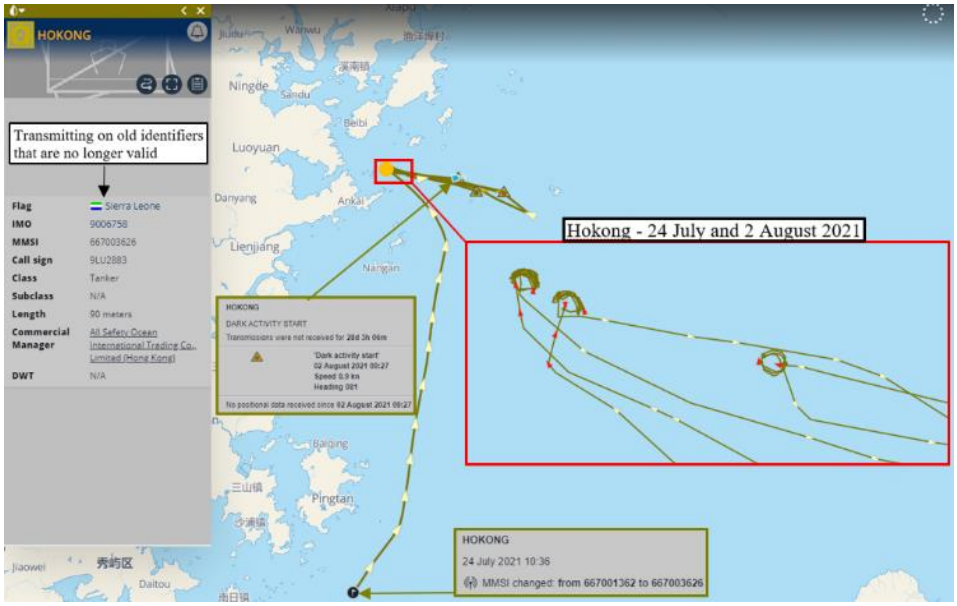
Source: Member State

[209] S/2022/668, paras. 39-42.
[210] Ibid.

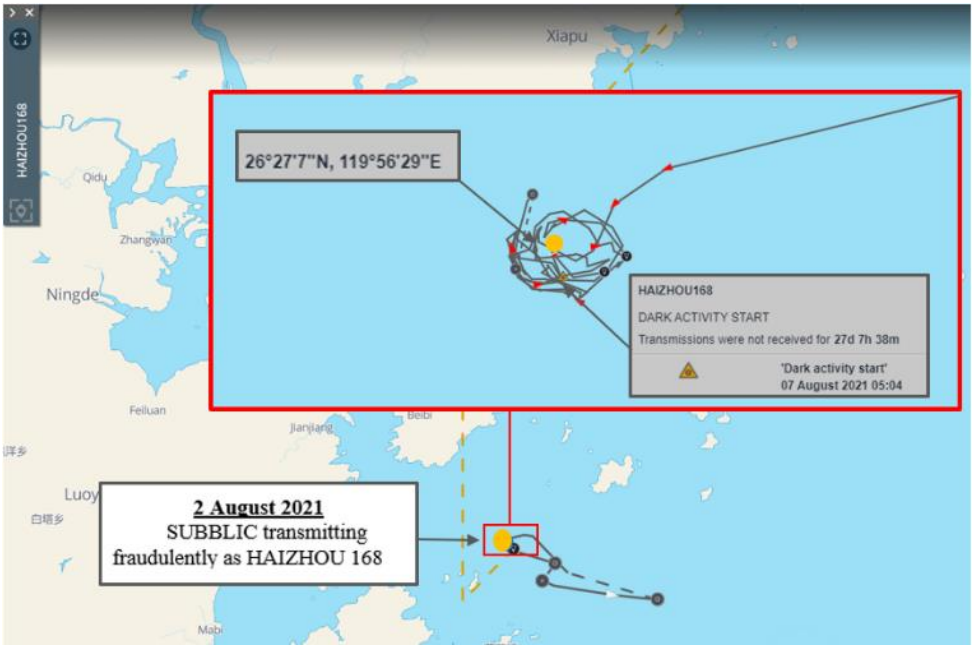
2021

FDDVs SUBBLIC and HOKONG in Sansha Bay, 2 August 2021

HOKONG[211]



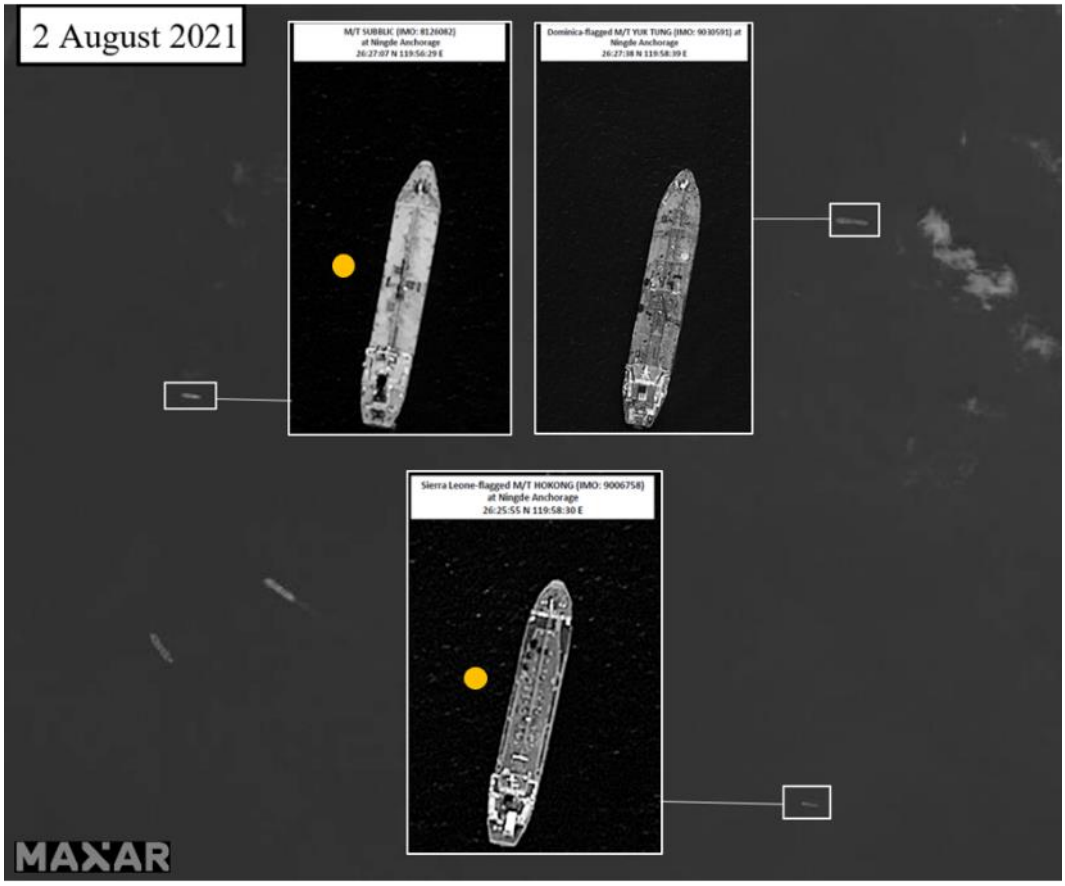
SUBBLIC, sailing *as HAI ZHOU 168*[212]



Source: Windward, annotated by the Panel

[211] This FDDV is registered as being broken up in November 2021. S/2022/132, annex 43.
[212] S/2022/132.

2 August 2021[213]



Source: Maxar Technologies and Member State

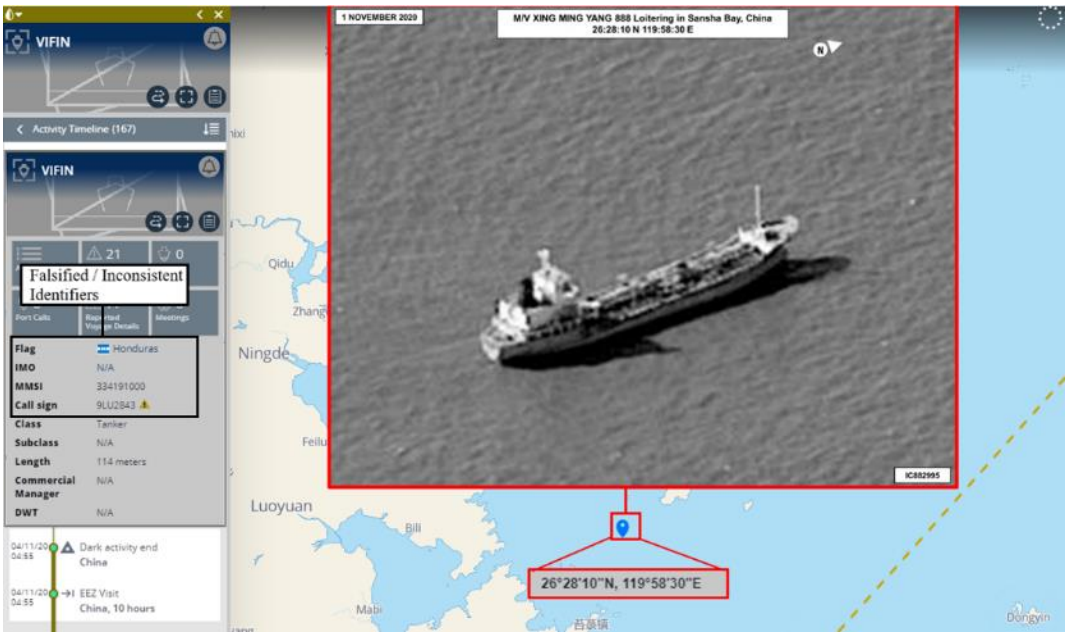
[213] S/2022/132, annex 41.

2020

FDDV NEW KONK in Sansha Bay, 20 August 2020[214]

Source: Member State

FDDV XING MING YANG 888 in Sansha Bay, 1 November 2020[215]



Source: Windward, annotated by the Panel; inset imagery, Member State

[214] S/2022/132, annex 39a.
[215] S/2022/132, annex 34.

FDDV SUBBLIC transmitting as HAI ZHOU 168 in Sansha Bay, 26 November 2020[216]

Source: Windward

Source: The Panel

[216] Ibid.

Annex 34: Associated entities and individuals

The Panel recalls previous investigations have shown that facilitators capitalize on the maritime industry's complex ownership and operator arrangements to prevent easy linkage identification between them. To do so, different paper companies are often set up with different nominee directors, and company ownership and / or management characterized by only indirect linkages.

EVER GLORY's registered owner is Kindom Honor Co., Ltd (hereafter "Kindom Honor") with an operating presence in Kaohsiung.[217] The ship's operator and technical manager is LW Maritime Service Co., Ltd (hereafter "LW Maritime"), another Kaohsiung-based company.[218] Both entities were incorporated in the Marshall Islands until their status was annulled in April 2023.

Kindom Honor

- Kindom Honor lists an address in the care of the Kaohsiung-based Green Ship Management Ltd[219] (hereafter "Green Ship") (see para. 55 of the Main Text (Case 2)).
- Green Ship shares the same contact details and address with three other companies: Navigator Ship Management Ltd (hereafter "Navigator Ship"), Marine Safety Consultants Ltd (hereafter "Marine Safety") and Fu Feng Marine Services Co Ltd (hereafter, "Fu Feng Marine") (富豐海事服務有限公司)
- Fu Feng Marine[220] was founded by two individuals, one of which ("Individual A") the Panel had previously corresponded with. Marine Safety's email is used by both Individual A as well an associate of Individual A. This associate in turn has been listed on several shipping documents the Panel has in possession, including the Kaohsiung-based Gold Advance Corp, associated with AN PING (IMO: 7903366), another FDDV.[221]

LW Maritime

- LW Maritime was also listed as the ship manager of HENG XING (IMO: 8669589), another vessel investigated by the Panel,[222] before the tanker's transfer to the DPRK fleet in January 2022.
- Mr Wu GJ of LW Maritime, has been publicly recorded[223] as associated with the Kaohsiung-based Vanguard Shipping Safety Management Consultants Co Ltd, a company associated with entities linked to vessels previously investigated by the Panel.[224]

[217] IMO records.
[218] Ibid.
[219] With a Fuxing 2nd Road, Lingya District, Kaohsiung address.
[220] With a Zhongshan 2nd Road, Lingya District, Kaohsiung address.
[221] S/2021/211, para. 46 and annex 25.
[222] S/2023/171, table 34 and para. 99, S/2022/668, paras. 74-75 and annex 36 and S/2019/171, annex 6.
[223] See https://web.archive.org/web/20181207111011/http://vanguard1.webnode.cz
[224] S/2019/171, para. 9 and annex 6, and S/2018/171, paras. 68-69.

Individual A was also listed as having previously managed PU ZHOU when the vessel was still foreign-flagged and prior to its transfer to the DPRK.

The Panel wrote to Individual A concerning queries, inter alia, on his associations with the various entities; the entities' linkages viz one another, and to EVER GLORY and MIDAS. The Panel received a response from Individual A in late July 2023, to which it is still assessing the information provided.

In the meantime, the Panel highlights the following:

Individual A replied that he / his companies provide *"…ship safety consultant in complying relevant regulations …*" and served as *"…DOC company …dealing with ship safety audit, class survey assistance, external inspection for example PSC inspection*".

With regards the associated companies identified by the Panel at figure XVIII of the Main Text, Individual A did not deny their linkages to him/his associate, but replied that "This is impossible to hide anything from owners from the fact this system established for, DOC company contact and email will lead to us", indicated that the various companies identified by the Panel could be easily traced to him. The Panel maintains a different view. Identification to Individual A would not have been possible without access to various jurisdictional ownership information, restricted ship registration records, specialized subscription databases and the Panel's own investigations.

Green Ship

Individual A also claimed that Green Ship served as EVER GLORY's DOC holder rather than LW Maritime, and that Kindom Honor had no relationship with the other companies investigated by the Panel. IMO records list LW Maritime as EVER GLORY's DOC holder and that Kindom Honor was in the care of Green Ship.

Elsewhere, in a separate response to the Panel, Kindom Honor, which is the registered owner of EVER GLORY, stated that Individual A was "*…a consultant in the affair of vessel DOC management on EVER GLORY commissioned by Kindom Honor.*"

Navigator Ship

IMO records indicate Navigator Ship served as MIDAS' ship manager, operator and technical manager, in addition to being the DOC Holder at the time of the MIDAS' ship-to-ship transfer with SHUNDLLI.

Individual A further stated that in addition to simply providing DOC services, Navigator Ship provided no other commercial services nor had relationships with other companies investigated by the Panel. The Panel again notes IMO records indicate Navigator Ship shares a phone and fax number with Green Ship, Marine Safety, and Fu Feng Marine.

Individual A claimed Navigator Ship and Marine Safety had no relationships with the other companies investigated by the Panel. Yet, in his response Individual A acknowledged that the same associate of Individual A served as director of both Green Ship and Navigator ship. Elsewhere, Individual A claimed that MIDAS was supposed to have been transferred to Green Ship's management, but the transfer was not completed due to cost.

The Panel notes that while Individual A claimed to have provided only DOC services to vessels of interests to the Panel and had no knowledge of or role in the vessels' cargo or operations, the details in his response to the Panel's enquiries suggests much deeper knowledge, including that of Navigator Ship's internal communications.

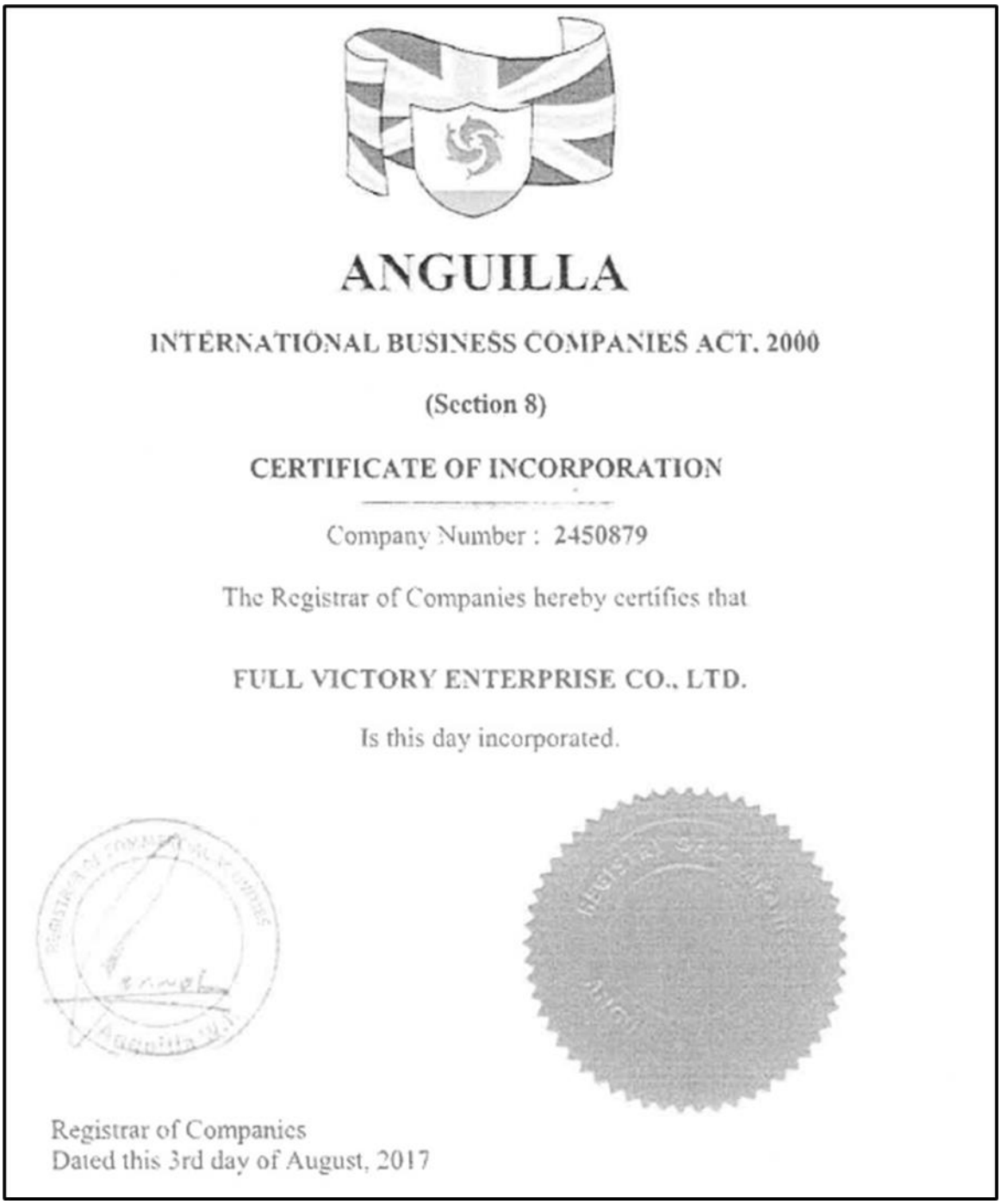
Elsewhere, in a separate response to the Panel, Laurel International, which is the registered owner of MIDAS, replied that Individual A was "… *under the commission by Laurel International …". established Navigator ship as MIDAS' Document of Compliance (DOC) holder. Where "Individual A was engaged by Laurel International to do the job of DOC management and counseling of the vessel MIDAS* ..." Ms. [X], through Individual A's introduction, served as "*nominal person*" responsible for Navigator Ship, and that "*she was charged with keeping contact with [Individual A] … Neither... took part in the shipping management of MIDAS*".

Investigations continue.

Source: The Panel

Annex 35: Full Victory Enterprise Co., Ltd

Full Victory's Certificate of Incorporation



ANGUILLA

INTERNATIONAL BUSINESS COMPANIES ACT, 2000

(Section 8)

CERTIFICATE OF INCORPORATION

Company Number : 2450879

The Registrar of Companies hereby certifies that

FULL VICTORY ENTERPRISE CO., LTD.

Is this day incorporated.

Registrar of Companies
Dated this 3rd day of August, 2017

Source: The Panel

Invoice of oil transfer from supplier ship to Full Victory for EVER GLORY, 3 March 2023

SUCCESS REGENT DEVELOPMENT LIMITED

[redacted]

COMMERCIAL INVOICE

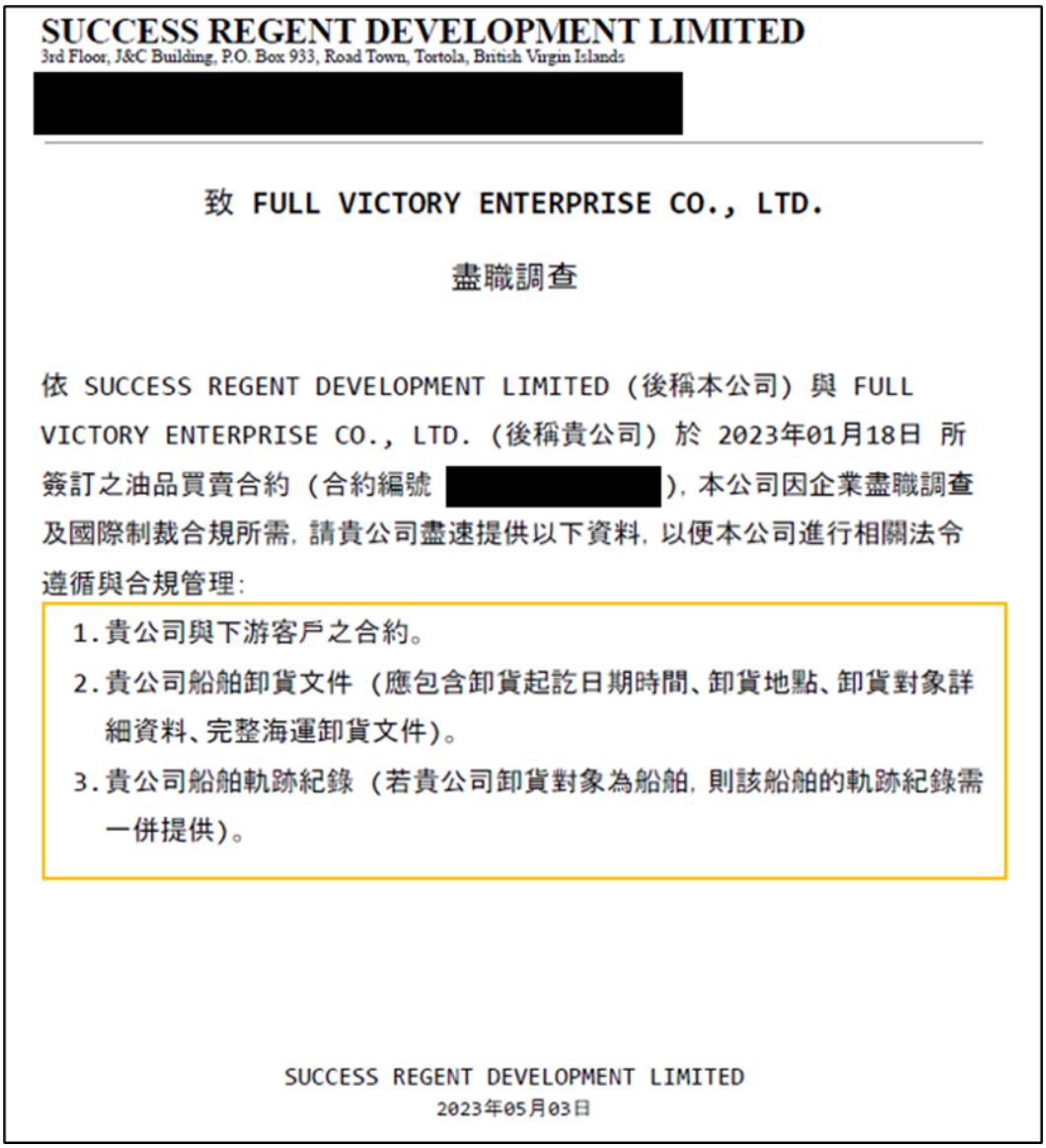
DATE: Feb. 01, 2023
INV. NO: [redacted]
CONTRACT NO. [redacted]

MESSERS: FULL VICTORY ENTERPRISE CO.,LTD
SUPPLY TANKER [redacted]

DATE	VESSEL NAME	DESCRIPTION OF GOODS	QUANTITY (BBL)	UNIT PRICE (USD)	AMOUNT (USD)
2023/1/21	Ever Glory	Gasoil 10ppm	30,744.83	126.905	US$3,901,672.65
			TOTAL AMOUNT		US$3,901,672.65

Source: The Panel

Success Regent's request to Full Victory on customer and shipping information for the 18 January 2023 oil cargo transfer to EVER GLORY, 3 May 2023



SUCCESS REGENT DEVELOPMENT LIMITED
3rd Floor, J&C Building, P.O. Box 933, Road Town, Tortola, British Virgin Islands
[redacted]

致 FULL VICTORY ENTERPRISE CO., LTD.

盡職調查

依 SUCCESS REGENT DEVELOPMENT LIMITED (後稱本公司) 與 FULL VICTORY ENTERPRISE CO., LTD. (後稱貴公司) 於 2023年01月18日 所簽訂之油品買賣合約 (合約編號 [redacted]), 本公司因企業盡職調查及國際制裁合規所需, 請貴公司盡速提供以下資料, 以便本公司進行相關法令遵循與合規管理:

1. 貴公司與下游客戶之合約。
2. 貴公司船舶卸貨文件 (應包含卸貨起訖日期時間、卸貨地點、卸貨對象詳細資料、完整海運卸貨文件)。
3. 貴公司船舶軌跡紀錄 (若貴公司卸貨對象為船舶, 則該船舶的軌跡紀錄需一併提供)。

SUCCESS REGENT DEVELOPMENT LIMITED
2023年05月03日

Unofficial Translation

1. Contracts between your company and downstream customers.

2. Your company's ship unloading documents (should include the date and time of unloading, unloading location, detailed information on unloading objects, and complete sea unloading documents).

3. Your company's ship track record (if your company's unloading object is a ship, the ship's track record must be provided together).

Source: The Panel

Oil cargo receipt confirming date of transfer of supplier ship to EVER GLORY, 21 January 2023

TO : MASTER OF VESSEL / BARGE

M / T : EVER GLORY (1729)

IMO: 9102813

DATE : 21-Jan-2023

(" CARGO RECEIPT")

1. THE UNDERSIGNED, HEREBY CERTIFY THAT UNDER MENTIONED SHIP/BARGE HAVE PHYSICALLY RECEIVED THE FOLLOWING MENTIONED BUNKER IN GOOD ORDER AND CONDITION AT THE MENTIONED PORT / POSITION IN ACCORDANCE WITH THE TERMS, CONDITION AND EXCEPTION OF THE RELATIVE SALE CONTRACT .

NAME OF RECEIVING VESSEL / BARGE : EVER GLORY (1729)

DESCRIPTION OF BUNKER : GAS OIL 10 PPM SULPHUR

QUANTITY OF BUNKER : 4100 MT METRIC TONS

FLOW-METER READING .

BEFORE : NO .1		M³	AFTER : NO.1		M³
BEFORE : NO .2	824765.3	M³	AFTER : NO.2	827035.3	M³
BEFORE : NO .3	620721.0	M³	AFTER : NO.3	623371.0	M³

F.W FLOW-METER

BEFORE : M³ AFTER : M³ TOTAL. : 0 M³

STATEMENT OF FACTS

	TIME	DATE			
ALONGSIDE :	17:30 LT	21.01.2023	GROSS LITRES	4920.000	M³
HOSE CONNECTED :	17:40 LT	21.01.2023	NET LITRES	4885.560	M³
COMMENCED SUPPLY :	17:50 LT	21.01.2023	US BBLS	30744.83	Bbls
COMPLETED SUPPLY :	23:30 LT	21.01.2023	TEMPERATURE	23.3	°C
HOSE DISCONNECTED :	23:40 LT	21.01.2023	DENSITY @ 15°C	0.8407	
VSL CAST OFF :	23:50 LT	21.01.2023	VCF	0.9930	

REMARKS : For and on behalf of FULL VICTORY ENTERPRISE CO., LTD.

Authorized Signature(s)

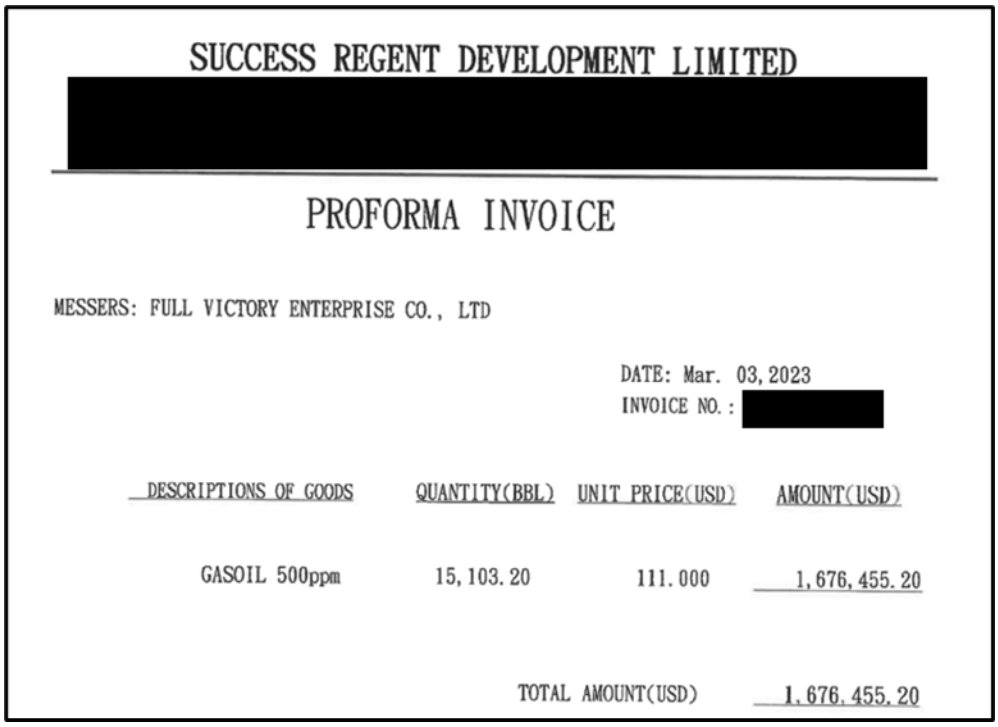
KINDOM HONOR CO., LTD. IMO#9102813 EVER GLORY

ACKNOWLEDGED RECEIPT BY : MASTER OF M/T

COUNTER - SIGN BY : MASTER OF [redacted]

Source: The Panel

Invoice of oil transfer from supplier ship to Full Victory for MIDAS, 3 March 2023



SUCCESS REGENT DEVELOPMENT LIMITED

[redacted]

PROFORMA INVOICE

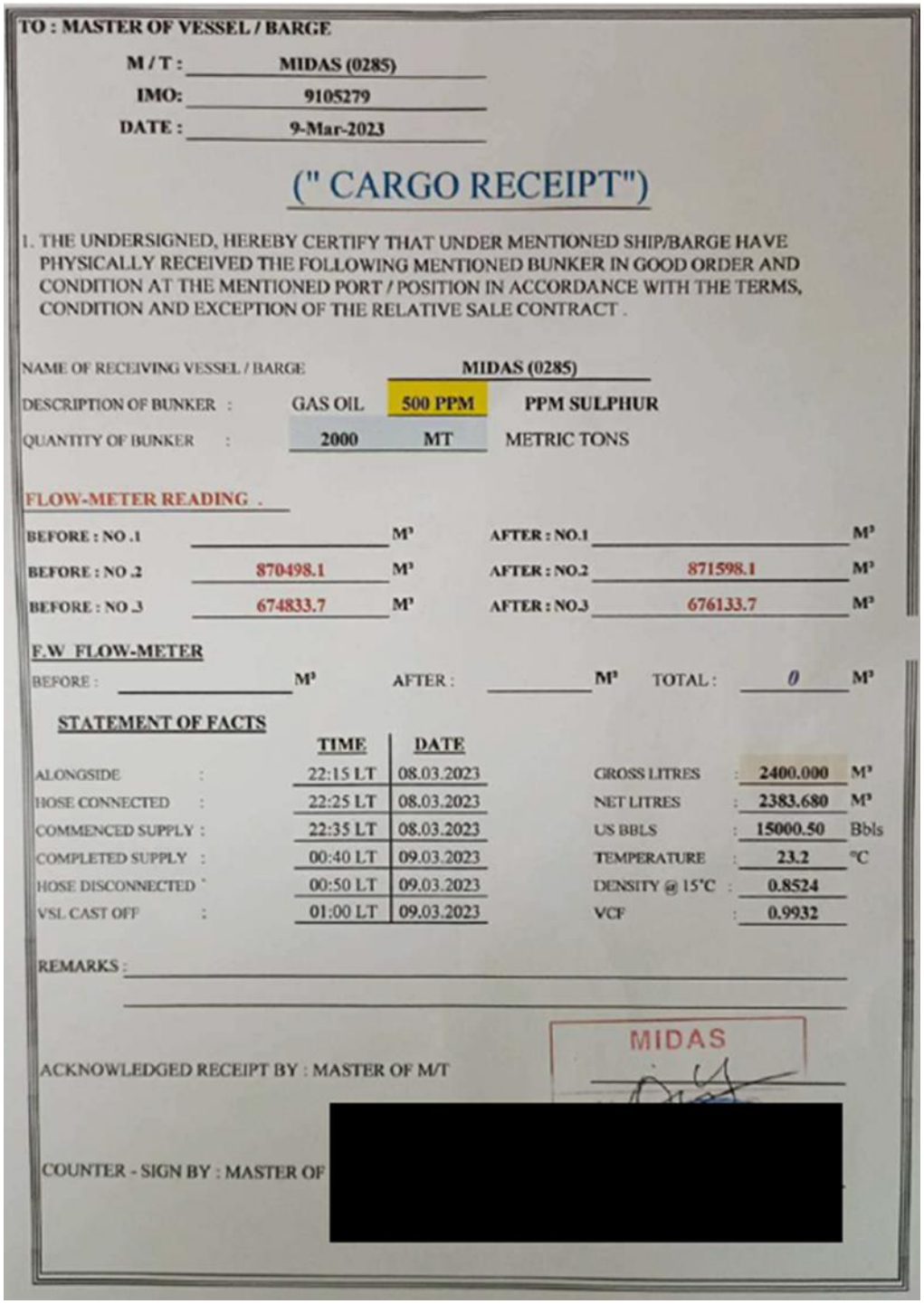
MESSERS: FULL VICTORY ENTERPRISE CO., LTD

DATE: Mar. 03, 2023
INVOICE NO.: [redacted]

DESCRIPTIONS OF GOODS	QUANTITY(BBL)	UNIT PRICE(USD)	AMOUNT(USD)
GASOIL 500ppm	15,103.20	111.000	1,676,455.20
		TOTAL AMOUNT(USD)	1,676,455.20

Source: The Panel

Cargo receipt confirming date of transfer of supplier ship to MIDAS, 9 March 2023



TO : MASTER OF VESSEL / BARGE

M / T : MIDAS (0285)

IMO: 9105279

DATE : 9-Mar-2023

(" CARGO RECEIPT")

1. THE UNDERSIGNED, HEREBY CERTIFY THAT UNDER MENTIONED SHIP/BARGE HAVE PHYSICALLY RECEIVED THE FOLLOWING MENTIONED BUNKER IN GOOD ORDER AND CONDITION AT THE MENTIONED PORT / POSITION IN ACCORDANCE WITH THE TERMS, CONDITION AND EXCEPTION OF THE RELATIVE SALE CONTRACT .

NAME OF RECEIVING VESSEL / BARGE : MIDAS (0285)

DESCRIPTION OF BUNKER : GAS OIL 500 PPM PPM SULPHUR

QUANTITY OF BUNKER : 2000 MT METRIC TONS

FLOW-METER READING .

BEFORE : NO .1		M³	AFTER : NO.1		M³
BEFORE : NO .2	870498.1	M³	AFTER : NO.2	871598.1	M³
BEFORE : NO .3	674833.7	M³	AFTER : NO.3	676133.7	M³

F.W FLOW-METER

BEFORE : M³ AFTER : M³ TOTAL : 0 M³

STATEMENT OF FACTS

	TIME	DATE			
ALONGSIDE :	22:15 LT	08.03.2023	GROSS LITRES :	2400.000	M³
HOSE CONNECTED :	22:25 LT	08.03.2023	NET LITRES :	2383.680	M³
COMMENCED SUPPLY :	22:35 LT	08.03.2023	US BBLS :	15000.50	Bbls
COMPLETED SUPPLY :	00:40 LT	09.03.2023	TEMPERATURE :	23.2	°C
HOSE DISCONNECTED :	00:50 LT	09.03.2023	DENSITY @ 15°C :	0.8524	
VSL CAST OFF :	01:00 LT	09.03.2023	VCF :	0.9932	

REMARKS :

MIDAS

ACKNOWLEDGED RECEIPT BY : MASTER OF M/T

COUNTER - SIGN BY : MASTER OF [redacted]

Source: The Panel

Success Regent's request to Full Victory on customer and shipping information, including for the 3 March 2023 oil cargo transfer to MIDAS, 23 March 2023

SUCCESS REGENT DEVELOPMENT LIMITED
3rd Floor, J&C Building, P.O. Box 933, Road Town, Tortola, British Virgin Islands
[redacted]

致 FULL VICTORY ENTERPRISE CO., LTD.

盡職調查

依 SUCCESS REGENT DEVELOPMENT LIMITED (後稱本公司) 與 FULL VICTORY ENTERPRISE CO., LTD. (後稱貴公司) 於 2023年03月03日 及 2023年03月09日 所簽訂之油品買賣合約 (合約編號 [redacted] 及 [redacted])，本公司因企業盡職調查及國際制裁合規所需，請貴公司盡速提供以下資料，以便本公司進行相關法令遵循與合規管理：

1. 貴公司與下游客戶之合約。
2. 貴公司船舶卸貨文件 (應包含卸貨起訖日期時間、卸貨地點、卸貨對象詳細資料、完整海運卸貨文件)。
3. 貴公司船舶軌跡紀錄 (若貴公司卸貨對象為船舶，則該船舶的軌跡紀錄需一併提供)。

SUCCESS REGENT DEVELOPMENT LIMITED
2023年03月23日

Based on documentation provided by Success Regent, the company, on 30 March 2023, sent a letter to Navigator Ship, MIDAS' technical manager, rejecting further commercial activities with the vessel. The Panel has sought clarification with Success Regent on which basis it made this determination.

SUCCESS REGENT DEVELOPMENT LIMITED
3rd Floor, J&C Building, P.O. Box 933, Road Town, Tortola, British Virgin Islands

[redacted]

致 FULL VICTORY ENTERPRISE CO., LTD.

本公司已收到貴司所提供的卸貨文件，但本公司對於該文件尚有疑義，在尚未釐清之前，本公司特以此信函通知貴司：

1. 本公司即刻起拒絕任何與 MIDAS 有關的一切商業行為；
2. 本公司即刻起拒絕與 MIDAS 的 Commercial Operator (NAVIGATOR SHIP MANAGEMENT LTD) 有關的一切商業行為；
3. 本公司亦將貴司本次制裁合規及盡職調查的表現，列為後續是否繼續進行商業合作的評估要點。

若貴司違反雙方所簽訂之油品買賣合約中的條款，貴司必須承擔全部法律責任，以及對本公司的全部損害負賠償責任。

SUCCESS REGENT DEVELOPMENT LIMITED
2023年03月30日

Unofficial translation

Our company has received the unloading document provided by your company, but our company still has doubts about the document. Before it is clarified, our company hereby informs your company with this letter:

1. The company immediately rejects all commercial activities related to MIDAS;

2. The company immediately refuses all commercial activities related to the Commercial Operator (NAVIGATOR SHIP MANAGEMENT LTD) of MIDAS;

3. The company will also list your company's performance in this sanction compliance and due diligence investigation as the key points for evaluating whether to continue business cooperation in the future.

If your company violates the terms of the oil product sales contract signed by both parties, your company must bear all legal responsibilities and be liable for all damages to the company.

Source: The Panel

Annex 36: Aspects of Sales Contract of Oil Cargo

The Panel notes that in cases of oil cargo contracts, particularly when first supplier vessels are involved, the seller of the oil cargo can either transact as 'Free Alongside Ship' (FAS) or 'Free on Board' (FOB).[225] FAS and FOB essentially defines the point at which risk and responsibility for the cargos is passed on to the buyer. Under a FAS contract, risk and responsibility for the cargos is passed on to the buyer when the seller's ship arrives alongside the buyer's ship or destination port, and the goods are considered as delivered. Meanwhile, under an FOB contract, the seller ensures that goods are loaded on board the ship from port. The risk and responsibility for the cargo passes on to the buyer once the goods are loaded on board the buyer's ship.

The Panel recalls[226] its recommendation that Member States and relevant international organizations ensure that commodity trading companies and the tanker fleets operating under their jurisdictions, including in at-risk segments of the FOB market and/or engaging in ship-to-ship transfers in relevant international waters, adopt contractual language that includes an effective end-user delivery verification mechanism.

Excerpts from the Contract between Supplier Ship X and EVER GLORY

1. 油品名稱：GASOIL 10PPM

2. 油品數量：4,100 MT+/-5%

3. 油品交易條件及價格：賣方可選擇交易條件為船邊「FAS」公海；或「FOB」臺灣任何一個港口。

4. 提貨日期：
(1)買方應於其船隻預定加油前 3~7 天，給予賣方裝貨通知，內應載明船舶名稱及船舶聯絡方式及數量。
(2)「FOB」：船舶進港口裝貨，裝貨數量的確認由買賣雙方同意並具有公信力的國際公證公司對貨品數量進行測量來做為提單的數量。
(3)「FAS」：公海內以船對船方式交貨，最終的交貨數量由買賣雙方船長簽名的正本或副本的交貨單據將作為完成本次交貨的證明。

[225] See INCOTERMS definitions of FAS and FOB at https://iccwbo.org/business-solutions/incoterms-rules/incoterms-2020/
[226] S/2019/171, annex 89 para.22.

9.禁止條款：
禁止買方，將與我司所購買的油品販賣到受國際制裁的國家（如北韓地區等），如有涉及違法情事相關法律責任全由買方自負，若經查獲買方從事非法交易之確切證據，本公司將依合約立即中止交易並斷絕往來。

Unofficial translation of boxed text

“3. Oil product transaction terms and prices: the seller can choose the transaction terms as "FAS" on the high seas by the ship; or "FOB" …

4. Delivery date:

(2) "FOB": The ship enters the port for loading, and the confirmation of the quantity of the cargo shall be carried out by a credible international notarization company agreed by the buyer and the seller to measure the quantity of the goods as the quantity of the bill of lading.

(3) "FAS": Ship-to-ship delivery on the high seas, the final delivery quantity signed by the masters of the buyer and seller, the original or duplicate delivery documents will be used as proof of completion of the delivery…

9. Prohibited terms:

The buyer is prohibited from selling the oil products purchased by our company to countries subject to international sanctions (such as North Korea, etc.). If there is any violation of the law, the buyer shall bear all the legal responsibilities. If the buyer is found to have definite evidence of illegal transactions, the company will immediately suspend the transaction and cut off contact according to the contract.”

Source: The Panel

Annex 37: Correspondence with Kindom Honor (EVER GLORY) and Laurel International (MIDAS)[227]

(A) Correspondence with Kindom Honor

The Panel communicated with Kindom Honor Co., Ltd (hereafter "Kindom Honor"), the registered owner of EVER GLORY (IMO: 9102813) on 10 April 2023. Following a response from Kindom Honor via a legal firm on 21 April, the Panel wrote again to Kindom Honor on 26 June, seeking clarification and additional information.

The Panel is highlighting the following key information relevant to its investigations provided by Kindom Honor, followed by the Panel's comments:

EVER GLORY

Ship-to-ship transfers

Kindom Honor stated that it "… has never directed EVER GLORY to meet or conduct ship-to-ship transfer of refined petroleum with the DPRK-flagged NAM DAE BONG (IMO: 9132612), formerly known as DIAMOND 8, nor has EVER GLORY ever berthed alongside a vessel named SHUNLI (MMSI: 457111000)."

Comment: The Panel notes this stands contrary to video evidence taken onboard EVER GLORY by its crew, recording EVER GLORY's meeting with SHUNLI.

Kindom Honor stated during the months of January and February 2023, EVER GLORY "… loaded diesel cargo in the northern waters of the Philippines during the days of January 4 through January 8, 2023, delivered diesel cargo in the quantity of about 4,000 tons to the customer from Fujian … Mr Qui Guo Rong, in the sea area off Taichung Port … from February 17 to February 18, 2023 …" "EVER GLORY only sold diesel to Mr Qui … from China on February 18, with a quantity of 4,000 tons."

Comment: The Panel notes that no documentary proof was provided to back this assertion and it is contrary to information provided by the supplier vessel confirming that it provided EVER GLORY 4,100 tons of oil cargo on 21 January. This information corresponds with the Panel's maritime AIS tracking as well as documentation provided by the supplier ship.

[227] The Panel previously investigated another case of trans-shipped oil in multiple stages involving Cheng Chiun Shipping Agency Co. Ltd. The modus operandi showed some similarities. See S/2022/132, paras. 64-73 and annex 48; and S/2022/668, paras. 52-61 and annex 33.1. and 33.2.

Kindom Honor stated “EVER GLORY delivered diesel to Mr. Qiu[228] Guo Rong in China just for his supply to the fishery boat users …”

<u>Comment</u>: The Panel notes Kindom Honor did not provide documentary proof to back this assertion.

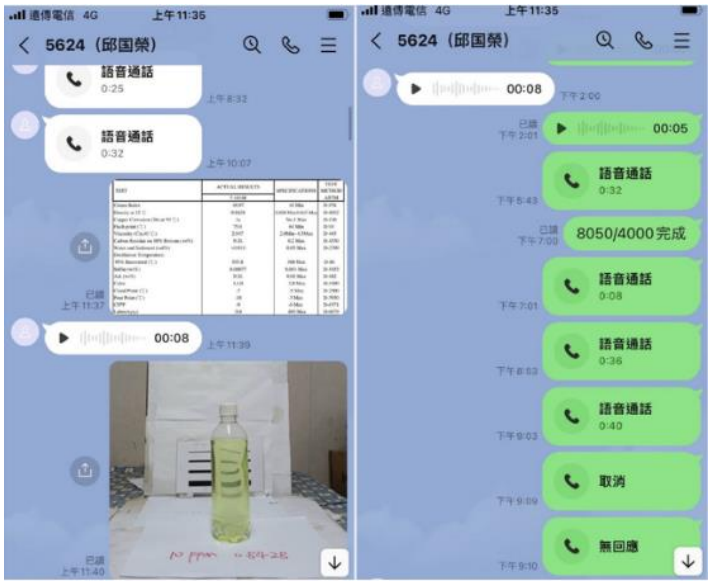
Due diligence

Kindom Honor stated “As for the receiving vessel assigned by Mr. Qui Guo-Rong on February 18, according to the captain of EVER GLORY, because the two vessels berthed alongside at night and the line of sight was not good, the captain of EVER GLORY did not follow the operation standards of Kindom Honor to record vessel identification information …” and “Kindom Honor has never used EVER GLORY to engage in any illicit maritime activity.”

Elsewhere, Kindom Honor wrote “There is no Korean-speaking person on board the two sides … neither the captain nor the purser of suspected that the cargo receiving vessel assigned by Mr Qui … had any connection with the DPRK.”

Communication records

In response to communication records and documentation regarding the sale of the oil cargo, Kindom Honor provided the following “communication records between Kindom Honor and Mr Qiu[229] Guo Rong dated February 18, 2023 with regard to the sale of the 4000 tons diesel” (see figure below)



[228] ‘Qiu’ is the spelling as provided in the legal firm’s letter in this instance.
[229] ‘Qiu’ is the spelling as provided in the legal firm’s letter in this instance.

Payments

Kindom Honor was unable to produce original proof of payment "effected by Mr Qiu[230] GR [sic]" given the difficulties to effect payment via USD remittance. Payment was instead transacted in local currencies using a Chinese underground banking service provider.

Comment: The Panel notes that the letter spelled the name of the "operator of offshore gas stations" both as Mr Qui and as Mr Qiu.

(B) The Panel's correspondence with Laurel International

The Panel communicated with Laurel International Co Ltd (hereafter "Laurel International"), the registered owner of MIDAS (IMO: 9105279), on 20 April 2023. Following a response from Laurel International received via the same legal firm as that of Kindom Honor on 4 May, the Panel wrote again to the company on 26 June, seeking clarification and additional information.

The Panel is highlighting the following key information relevant to its investigations, provided by Laurel International:

MIDAS

Ship-to-ship transfers

Laurel International stated that "The diesel cargos purchased by Laurel International from Success Regent in March 2023 … were fully sold to Chinese fishing vessels and offshore work ships through Mr. QIU GUO SHU (broker) who is an oil merchant from Fujian Province, China."

Later in the same paragraph, the company stated that "Normally MIDAS delivered the diesel cargo by filling the diesel into the oil tanks of the customers' ships. It was an exceptional delivery when Qiu Guo Shu asked for transhipment of 1000 tons of diesel to oil tanker "Shundlli"."

Comment: The Panel notes that no documentary proof was provided to back this assertion, beyond providing an explanation that the cargo of 1,000 tons of diesel oil was an 'exceptional delivery' of transhipment insofar as the company was unable to determine the onward sale beyond SHUNDLLI. Further, the Panel's vessel tracking data indicated that following the ship-to-ship transfer with MIDAS, SHUNDLLI proceeded to sail north to the Korea Bay. No further ship-to-ship transfers were logged.

[230] 'Qiu' is the spelling as provided in the legal firm's letter in this instance.

Due diligence

Concerning its due diligence conducted, Laurel International stated that it entrusted the job to its Document of Compliance Holder, Navigator Ship, and "*... was satisfied with the report demonstrating that Shundlli's registered owner was a Hong Kong company and that the information from Qiu ... was fully consistent."*

Comment: The Panel notes that there already existed negative reporting on SHUNDLLI in international media.[231] As of mid-December 2022 SHUNDLLI was alleged to have illicitly delivered refined petroleum to the DPRK after loading oil cargo from MERCURY (IMO: 9262170).

NOTE: The Panel is also investigating SHUNDLLI's owner, HongKong Great Star Development Ltd, in relation to its vessel sale of YUKO MARU 8 and SEA STAR 5 to the DPRK.

Communication records

In response to the Panel's requests for all communication and payment information, Laurel International claimed to be unable to furnish documentation, explaining that Mr. Qiu Guo Shu had "…no idea how to use a smartphone … Communication was done via telephone with no text records".

Payments

Laurel International stated that for the voyages of ship-to-ship transfers undertaken by MIDAS in March 2023, the diesel cargos procured by Laurel International were "*... purchased from and supplied by Success Regent Development Limited (sic) ...*".

Comment: The Panel notes that while Laurel International claims to have purchased the oil cargos directly from the British Virgin Islands-based Success Regent Development Limited, financial information provided indicated that the Anguilla-registered company Full Victory Enterprise Co., Ltd remitted payment to Success Regent for oil cargo transferred from the supplier ship to MIDAS prior to the MIDAS's ship-to-ship transfer with SHUNDLLI.

[231] See https://www.ft.com/content/41e47ba2-3e3b-414b-905b-df4336f22bed

According to Laurel International, given the difficulties faced for Mr. Qiu to effect payment via USD remittance, transaction in local currencies was conducted using a Chinese underground banking service provider that arranged cash payments to Laurel International "personally". Laurel International provided further details of how such transactions in trade typically operated and was unable to provide documentary information of such "nonbank currency exchange providers" given its own acknowledgment of the unlawful nature of such underground banking activity.

Comparison of responses between Kindom Honor and Laurel International

The Panel notes several similarities between the responses from Laurel International (owner of the MIDAS) and Kindom Honor (owner of the EVER GLORY).

(i) Both companies, responding via the same law firm to the Panel, claimed that the oil transfers to the NAM DAE BONG and SHUNDLLI were brokered by individuals from Fujian Province with similar names. Laurel International claimed that a "Qiu Guo Shu" brokered the MIDAS's oil cargo transfer to SHUNDLLI while Kindom Honor claimed that a "Qiu Guo Rong" brokered the EVER GLORY's oil cargo transfer to SHUNLI.

(ii) Green Ship Management was copied in all responses provided by the legal office on behalf of their client, Laurel International, which owns MIDAS. Yet, Laurel International stated they had no knowledge nor have done any business with Green Ship, the document of compliance holder of EVER GLORY.

(iii) Both responses claimed that the end buyers were Chinese fishing vessels but provided no documentation as evidence.

(iv) The same buyer entity (Full Victory) paid for the oil cargos loaded onboard EVER GLORY and MIDAS.

(v) Both companies were unable to furnish payment details given the transactions made in cash and through an underground service provider.

(vi) Both employed the same offshore company in registering their companies. Primary source information showed the company in Samoa that Laurel International (MIDAS) was registered under is the same company, through its Seychelles office,[232] that also registered Sino Chance Enterprise Inc. Sino Chance manages (ISM) another vessel belonging to Kindom Honor, the registered owner of EVER GLORY.

Source: The Panel

[232] See https://www.goldinglobal.com/goldinglobal/default.aspx?lan=zh-TW

Annex 38: Follow-up correspondence with Kindom Honor (EVER GLORY) and Laurel International (MIDAS), July 2023

The following is a summation of the relevant responses from follow-up queries posed by the Panel to Kindom Honor and to Laurel International.

Kindom Honor

Oil cargo transfers

Kindom Honor, through its lawyers, confirmed it purchased the diesel fuel from [Success Regent] for the 18 February oil transfer to EVER GLORY "*through the connection of the owner of Full Victory ...*" Kindom Honor explained it did not purchase diesel fuel from the Philippines' dealer given "*poor fuel quality*".

In that regard, Kindom Honor admitted it "*...did pull alongside with [Supplier Ship X] on 22 – 23 January 2023...*", and "*That quantity of diesel fuel was purchased by Full Victory ... under the request from ... Manager of Kindom Honor, because the owner of Full Victory ... had very good relationship with Mr ... [Success Regent]*", and that "*... the connection to Full Victory ... entitled to a lower price at which the fuel was purchased ...*"

Receiver ship of oil cargo from EVER GLORY

Kindom Honor said it "*... engages in the fueling station on the sea for vessels and refills power fuel for fishing vessels and working vessels ...*". In some cases where it bunkered with its customers' ships, the ships "*...would conceal the vessel name when sailing out to sea ...", alluding to the smuggled nature of the refined petroleum transferred. In this regard, "Hence the vessel master of EVER GLORY was unable to recognize the name of the transfer vessel*".

EVER GLORY and MIDAS

In response to an enquiry on a meeting between EVER GLORY and MIDAS on 4 January 2023, identified by the Panel on maritime database platforms, Kindom Honor replied that "*... the shipping agency said that one of its customer's vessels, the tanker MIDAS had defective pumps that needed replacement and requested EVER GLORY to assist by carrying two pumps to MIDAS (IMO: 9105279) for repairing*". No petroleum was transferred. The Panel notes it had previously assessed common associations via companies and individuals between EVER GLORY and MIDAS.

DOC holder for EVER GLORY

Kindom Honor stated that Mr Wu (Panel's comment: of LW Maritime and Vanguard Shipping) was "*… the person responsible for Vanguard Shipping Safety management company for EVER GLORY*", and that Vanguard Shipping "*…ceased to commit the affair of DOC management on EVER GLORY … several years ago*".

With regards Individual A, Kindom Honor replied that the said individual was "*…a consultant in the affair of vessel DOC management on EVER GLORY commissioned by Kindom Honor.*"

The Panel notes that this information was not updated on maritime databases. The Panel further notes past cases that it had investigated where different registered owner and management companies often changed hands, making the connection chain difficult to establish.

Kindom Honor maintained "*… we had no business whatsoever with any North Korean individual or company.*"

Investigations continue.

Laurel International

DOC holder for MIDAS

Laurel International, through its lawyers, replied that MIDAS' technical manager, Navigator Ship, was set up by Individual A. This individual, "*… under the commission by Laurel International …*". established Navigator ship as MIDAS' Document of Compliance (DOC) holder and was not involved in the operation management of the ship. Instead, the shipping business of MIDAS was "*… managed directly by Laurel International under the supervision of its parent company Full Victory Enterprise*".

Where "*Individual A was engaged by Laurel International to do the job of DOC management and counseling of the vessel MIDAS …*" the company explained that Ms. [X], through Individual A's introduction, served as "*nominal person*" responsible for Navigator Ship, and that "*she was charged with keeping contact with [Individual A] … Neither … took part in the shipping management of MIDAS*". The Panel notes from its previous correspondence with Individual A that Ms. [X] is his colleague in one of his companies.

Laurel International and Full Victory

"*Laurel International … operates fuel station on the sea for vessels, where buying and selling of diesel fuel is all done in high sea. Because fuel transaction done in high sea requires no entry to any specific port … to complete the customs clearance, that eliminates the necessity of preparing customs clearance and shipping documents including declaration of import/export*".

"*Laurel International is the owner of MIDAS and the real controller of MIDAS as well*". "*Full Victory Enterprise is a primary capital contributor to Laurel International. The latter has been supervised by the former in terms of operational earnings*".

Elsewhere, the Panel notes that Success Regent had indicated it sent a letter to Navigator Ship (DOC holder of MIDAS), on 30 March 2023, rejecting rejected further commercial activities with the vessel (see annex 35 above on Full Victory Enterprise).

Laurel International maintained "*… MIDAS knew no North Korean customers, nor did it sell any fuel to any North Korean company or individual …*". The Panel notes that Panel reports have shown DPRK entities and individuals work through third party individuals and facilitators, and mask their identity (ship, company and persons).

Investigations continue.

Source: The Panel

Annex 39: Vessels that have been sold to or acquired by the DPRK*

See also Table 2 in the Main text.

The table below lists the acquired vessels (1 January to 1 May 2023) and an updated list of previously unrecorded acquired vessels (2021-2022), supplementing the Panel's S/2023/171 list of ships sailing under the DPRK's flag:[233]

Year 2023					
	IMO number	Ship name	Type	DWT	Previously referenced in Panel reports
1	8660 09	SINPHY	Cargo	28451	-

[233] In addition to the 2023 new additions, this table updates the ships added in 2022 not listed in table 3/annex 33 of S/2023/171.

	09	ONG10exWALES			
2	1015167	TAEDONGMUN1exSHOUXIANG8	Cargo	8667	-
3	1017787	MORANBONG7exHUAX	Cargo/Container	5115	-

		IANG669			
4	1018614	UNHASUexWENTONG7	Cargo	3282	-
5	8592774	HWAPHYONGexHAISHUNFENG6	Cargo/Container	5529	-
6	859844	THAEJ	Cargo	5114	Detai

	31	ABONGexXIANGHUI10			ledincurrentreport
7	8662933	HWANGRYONGSANexHUAJINSHENG8	Cargo	3278	Detailedincurrentreport
8	83602	SONGNI	Cargo	64311	Detail

	48	M9exBAOYINGHAI18			edincurrentreport
9	8360406	TOKSONGexHONGTAI215	Cargo	14,116	Detailedincurrentreport
10	8358697	KUMGANG1exH	Cargo	6310	Detailedinc

		UIYI			urrentreport
11	8360250	HYANGSANexWENTONGFAZHAN	Cargo	5007	Detailedincurrentreport
12	9054896	ASABONGexHAIJUN	Tanker	4785	Yes(S/2022/668,S

					/2022/132, and current report)
13	8358192	NAMPHO5 exXINYANGHONG	Cargo	4831	Detailed in current report

14	1016355	SONGNIM 5 exWANGHAO 1	Cargo	5263	-

The 2022 and 2021 lists of acquired ships should be read in conjunction with the Panel's list contained in S/2023/171, which does not include the following ships that have since been backdated as flagged under the DPRK. Consequently, the total number of acquired ships flagged by the DPRK in 2022 and in 2021 is now higher.

Year 2022					
	IMO number	**Ship name**	**Type**	**DWT**	**Previously referenced in Panel reports**
15	8669589	A BONG 1 / KUM YA GANG 1 ex HENG XING	Tanker	3221	Yes (S/2023/171, S2022/667, S/2019/171 and current report)
16	8891297	PU YANG 2 ex SF BLOOM	Cargo / Container	3539	Yes (S/2023/171, listed as suspected acquired by DPRK)
17	8356584	KYONG SONG 3 ex ANNI	Cargo / Container	5226	Yes (S/2023/171, listed as suspected acquired by DPRK)
18	9142409	CHON HA 2 ex SHUN CHAO 9	Cargo / Container	4860	Current report
19	8864464	PUK CHON 2 ex SEA STAR 5	Cargo	4835	Detailed in current report
20	8358324	MO RAN BONG 5 ex HONG JIE 1	Cargo / Container	5515	Detailed in current report
21	8596122	UN SUN ex HUA YUAN DA 9	Cargo	5150	-
22	1015533	TAE RYONG 3 ex XING HONG XIANG 77	Cargo	5116	Detailed in current report
23	9536272	PU YANG 6 ex SEA GLORY	Cargo / Container	4802	-
24	9088031	HWANG GUM PHYONG 3 ex YUKO MARU 8	Cargo	4635	Detailed in current report
25	8597827	PHO HANG 1 ex AN YUAN 1	Cargo / Container	3637	-
26	8718639	JANG SU ex WEN XIANG	Cargo	3457	Detailed in current report
27	8660909	SAE GIL ex ZHI KUN 6	Cargo	4730	Detailed in current report
28	9154189	RYON PHUNG ex SIN PHYONG 11 / ex CONTREL	Tanker	3159	Yes (S/2023/171, and current report)
29	8597944	HONG DAE 2 ex HUA YU 108	Cargo	4519	-

Year 2021					
	IMO number	**Ship name**	**Type**	**DWT**	**Previously referenced in Panel reports**
30	8312497	SONG WON 2 ex NEW REGENT	Tanker	5167	Yes (S/2021/211, S/2020/840, S/2020/151, S/2019/171)
31	9132612	NAM DAE BONG ex DIAMOND 8	Tanker	9273	Yes (S/2022/668, S/2022/132, S/2021/777, S/2021/211, S2020/840, S/2020/151, and current report)
32	8593209	MO RAN BONG 1 ex RUN HONG 58	Cargo	2162	Detailed in current report

Source: The Panel. Ship information obtained from S&P Global and IMO records.

Annex 40: Chinese vessels acquired by the DPRK in 2023

The enclosed table is a non-exhaustive list of 10 cargo ships that were previously China-flagged ships or were last owned by Chinese entities before coming under the DPRK flag. The information is based on the Panel's AIS tracking on commercial maritime databases, IMO records, and results of the Panel's investigations.[234]

The Panel notes that the date of the ship's flagging under the DPRK's fleet may be submitted to the IMO at a later date. The table contains key details to assist the relevant Chinese authorities in their investigations, along with queries that supplement additional requested information.

The Panel separately continues to monitor other Chinese-flagged or Chinese-owned vessels of interest with similar characteristics. These vessels are presently of an unknown status and may possibly have been acquired by the DPRK.

The Panel sought information from China, including their ship registration, beneficial owners, customs information, ship purchase and sale prior to their departure from Chinese waters. Given that lack of available information on the owners and managers, the Panel also sought Chinese authorities' assistance to convey questions to the ship owners, including, *inter alia,* that would explain the presence of the ship in DPRK waters or verifiable evidence that show otherwise, as well as purchase and sale information where the vessel was sold on.

China replied: "*After thorough investigation by relevant Chinese authorities, the information of the ships mentioned by the Panel are provided as follows: SHUNCHAO 9, HUI YI, HONG JIE 1, RUN HONG 58, XIN HONG XIANG 77, WEN TONG FA ZHAN, and XIANGHUI 10 were de-registered on May of 2022, January of 2023, August of 2022, November of 2021, October of 2022, February of 2023, November of 2018 respectively. These ships were not re-registered ever since. ZHI KUN 6 and HUA JIN SHENG 8 are still registered as Chinese ships. HONG TAI 215 have not applied for nationality registration. Judging from the investigations conducted by Chinese authorities, the information received by the Panel are inaccurate. This is not the first time such thing happens and China has previously raised concerns over this issue. China requests the Panel to conduct necessary screening of the information it receives, and avoid including information that are inconsistent with facts in its report, so as to maintain the objectivity of the report*".

Source: The Panel

[234] Information valid as in May 2023.

#	SHIP *	Current Name*	Ownership and Management	Information
1	**formerly SHUNCHAO 9** Last known as China-flagged and under Chinese ownership prior to flagging under the DPRK fleet	**CHON HA 2** **IMO: 9142409** Flagged under the DPRK in May 2023	Hongkong Sun Rising Shipmanagement Co Ltd was the last registered owner prior to the ship sailing under the DPRK flag *-Query: Confirmation of the above or latest information available on the ship owner and manager (company and natural person)* *-Query: Information and details on brokers; ship purchase and sale; and financial transaction* <u>Period of interest:</u> Since June 2022 *-Query: Information on ship's presence along Baima River; any ship repair or modification conducted;* *-Query: port clearance of last Chinese port of call; reported crew list; destination; customs and cargo documentation prior to it coming under the DPRK flag.*	SHUNCHAO 9 first featured as a vessel of interest for the Panel when it bunkered with another vessel of interest, 19 WINNER (IMO: 8613190) along Baima River in August 2022. 19 WINNER had also conducted bunker with other vessels of interest that were then flagged under the DPRK. The ship was last registered under the Chinese flag before it came under DPRK flag. *-Query: Confirmation of dates when the ship was flagged under China and reasons for de-registration, where applicable.*

#	SHIP*	Current Name*	Ownership and Management	Information
2	**formerly** **ZHI KUN 6** MMSI: 413332690 Last known as under Chinese ownership prior to flagging under the DPRK fleet	**SAE GIL** **IMO: 8660909** Flagged under the DPRK in November 2022	<u>Period of interest:</u> January to February 2022 -*Query: Information on vessel AIS and ports of departure* <u>Period of interest:</u> Since September 2016 when the vessel was sold from its former Hong Kong owner Hung Tai International Ocean Freight (HK) Ltd -*Query: Confirmation of the above or latest information available on the ship owner and manager (company and natural person)* -*Query: Information and details on brokers; ship purchase and sale; and financial transaction* -*Query: Information on ship's presence along Baima River; any ship repair or modification conducted; port clearance of last Chinese port of call; reported crew list; destination; customs and cargo documentation prior to it coming under the DPRK flag.*	ZHI KUN 6 was recorded moored outside Shidao between end January and 5 February 2022. The ship last transmitted AIS as it departed Shidao and sailed in the direction of the DPRK. -*Query: Information on the presence of the ship and of its activity (e.g. cargo load/offload; bunker; crew change etc.)* ZHI KUN 6 was prior at Rongcheng Yuantong shipyard in January 2022. This shipyard was featured in the Panel's last report S/2023/171. -Query: *Information on ownership of shipyard*

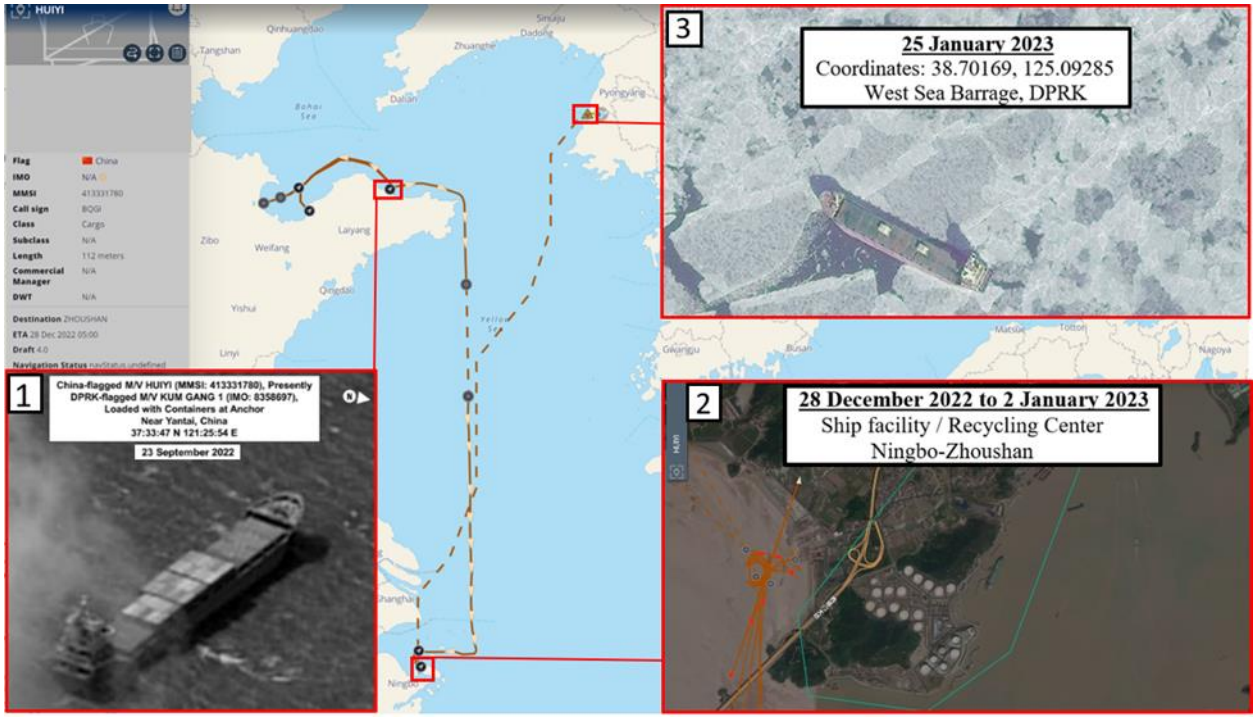
#	SHIP*	Current Name*	Ownership and Management	Information
3	**formerly HUI YI** MMSI: 413331780 Last known as China-flagged and under Chinese ownership prior to flagging under the DPRK fleet	**KUM GANG 1 IMO: 8358697** Flagged under the DPRK in February 2023	<u>Period of interest:</u> November 2022 to January 2023 Registered Owner – Shandong Port Shipping Group; Manager Weihai Hairun Shipping Co Ltd *-Query: Confirmation of the above or latest information available on the ship owner and manager (company and natural person)* *-Query: Information and details on brokers; ship purchase and sale; and financial transaction* <u>Period of interest:</u> January 2023 *-Query: Information on ship's presence at a Zhoushan Zhejiang Fushen Ship facility by January 2023; any ship repair or modification conducted* *-Query: port clearance of last Chinese port of call; reported crew list; destination; customs and cargo documentation prior to it coming under the DPRK flag.*	The ship transmitted on multiple occasions in DPRK waters, entering Nampo lock-gate by 6 February 2022. NOTE: Dandong Jincheng Trade Co Ltd was listed as KUM GANG 1's registered owner, with a listed "care of address" belonging to the DPRK ship manager, as Taedongmun Shipping Co in the DPRK, according to submitted maritime information to the IMO. *-Query: Information and corporate registration information of any similarly named company(s) in China particularly where the company's line of business includes shipping-related trade, if so.* The ship was last registered under the Chinese flag before it came under DPRK flag. *-Query: Confirmation of dates when the ship was flagged under China and reasons for de-registration, where applicable.*

Formerly China-flagged HUI YI (MMSI: 413331780), currently DPRK-flagged KUM GANG 1 (IMO: 8358697)

The Panel tracked HUI YI's historical voyages after it began transmitting from DPRK waters in January 2023. HUI YI was located at Laizhou Bay in early December and was berthed at Yantai port by 24 December 2022. HUI YI then sailed south, arriving at the Ningbo-Zhoushan area by late December 2022. It moored at a ship recycling facility there before ceasing AIS transmissions after 2 January 2023. HUI YI next transmitted in DPRK territorial waters. See figure 40-1.

A Member State subsequently provided high resolution satellite imagery of HUI YI at Nampo port in February 2023 offloading cargo and dry docked at Nampo the following month. See figure 40-2.

Figure 40-1: HUI YI's voyage from September 2022 to January 2023



Source: AIS tracks: Windward; inset imagery: (top right) Maxar Technologies; (bottom right) Planet Labs; (left), Member State; annotated by the Panel

Figure 40-2a: HUI YI unloading cargo at Nampo, 8 February 2023

Figure 40-2b: HUI YI dry docked at Nampo, 5 March 2023

Source: Member State

#	SHIP*	Current Name*	Ownership and Management	Information
4	**formerly HONG JIE 1** Last known as China-flagged prior to flagging under the DPRK fleet	**MO RAN BONG 5** **IMO: 8358324** Flagged under the DPRK in October 2022	<u>Period of interest:</u> Prior to vessel transfer to the DPRK. There is no listed records of the owner and manager of the ship. There is no transmission of the vessel operating in Chinese waters prior to 19 December 2022 when the vessel was at Dalian port waiting area, based on Panel maritime tracking.	The vessel recorded a flag and name change to MO RAN BONG 5 in October 2022, based on IMO records. The Panel's commercial maritime tracking data showed the vessel transmitting in DPRK waters in February 2023. The vessel was recorded moored outside Dalian port area between 24 December 2022 and 8 January 2023 before sailing towards the DPRK.

			- Query: Information on the Chinese ship owner(s) and manager(s) (company and natural person) *-Query: Information and details on brokers; ship purchase and sale; and financial transaction* *-Query: Accounting of the ship's presence at Dalian area in December 2022 along with all ship and customs documentation* *-Query: port clearance of last Chinese port of call; reported crew list; destination; customs and cargo documentation prior to it coming under the DPRK flag.*	The ship was last registered under the Chinese flag before it came under DPRK flag. *-Query: Confirmation of dates when the ship was flagged under China and reasons for de-registration, where applicable.*

#	SHIP*	Current Name*	Ownership and Management	Information
5	**formerly RUN HONG 58** Last known as China-flagged and under Chinese ownership prior to flagging under the DPRK fleet	**MO RAN BONG 1** **IMO: 8593209** Flagged under the DPRK in October 2021	<u>Period of interest:</u> Prior to vessel transfer to the DPRK. Registered Owner and ship manager – Zhoushan Runhong Shipping Co Ltd with a Zhejiang address. *-Query: Confirmation of the above or latest information available on the ship owner and manager (company and natural person)* *-Query*: *Information and details on brokers; ship purchase and sale; and financial transaction* *-Query: port clearance of last Chinese port of call; reported crew list; destination; customs and cargo documentation prior to it coming under the DPRK flag* *-Query: Any common or related association of ownership, ship management and / or broker information between RUN HONG 58 and HONG JIE 1.*	There were no recorded prior vessel tracks of RUN HONG 58. The vessel was registered built in August 2002 at Yueqing Huanghuagang Shipyard The ship was last registered under the Chinese flag before it came under DPRK flag. *-Query: Confirmation of dates when the ship was flagged under China and reasons for de-registration, where applicable.* The vessel sailing under the DPRK flag as MO RAN BONG 1 called at Chinese ports. including Dalian and Longkou ports. from the last quarter of 2022 through 2023, namely at container and grain terminals, indicating possible transportation of grain and other cargo. *-Query: Any information to be obtained relating to the vessel's purchase should MO RAN BONG 1 next make a Chinese port area call.*

#	SHIP*	Current Name*	Ownership and Management	Information
6	**formerly XIN HONG XIANG 77** MMSI: 413501410 Last known as China-flagged and under Chinese ownership prior to flagging under the DPRK fleet	**TAE RYONG 3** **IMO: 1015533** Flagged under the DPRK in April 2023	<u>Period of interest:</u> Prior to vessel transfer to the DPRK. Registered owner and ship manager – Guangxi Hongxiang Shipping Co Ltd. *- Query: Information on the Chinese ship owner(s) and manager(s) (company and natural person)* *-Query: Information and details on brokers; ship purchase and sale; and financial transaction* *-Query: port clearance of last Chinese port of call; reported crew list; destination; customs and cargo documentation prior to it coming under the DPRK flag.* <u>Period of interest:</u> October 2022 to January 2023, when the vessel was in Lianyungang port area *-Query: Accounting of the ship's presence in Lianyungang area in December 2022, along with all ship and customs / cargo documentation.*	The ship was last registered under the Chinese flag before it came under DPRK flag. *-Query: Confirmation of dates when the ship was flagged under China and reasons for de-registration, where applicable.* The vessel sailing under the DPRK flag as TAE RYONG 3 was at Yancheng anchorage area between 20 and 30 April 2023. It was prior in Lianyungang port area on 16 April 2023. *-Query: Any information to be obtained relating to the vessel's purchase should TAE RYONG 3 next make a Chinese port area call.*

Formerly China-flagged XIN HONG XIANG 77 (MMSI: 413501410), currently DPRK-flagged TAE RYONG 3 (IMO: 1015533)

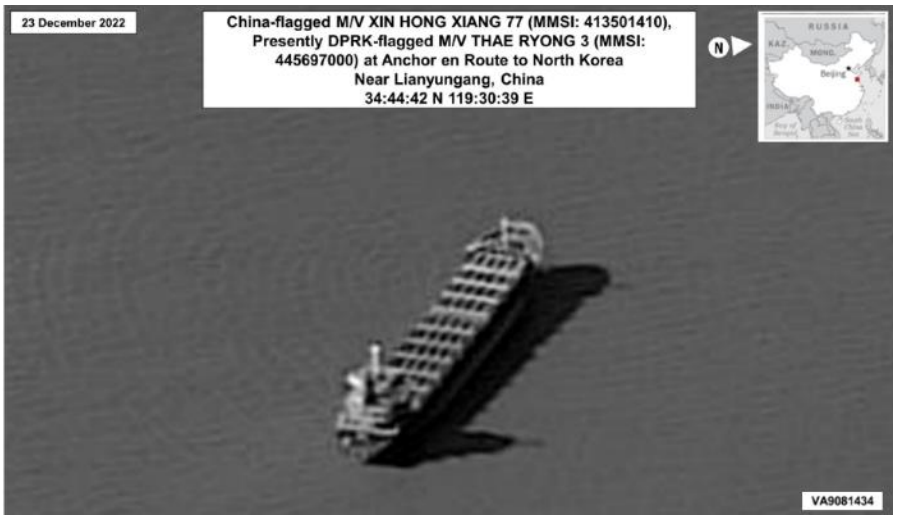
XIN HONG XIANG 77 was a Chinese domestic vessel before it was acquired by the DPRK. According to a Member State, after departing Lianyungang waters, the cargo ship was enroute to the DPRK by December 2022, indicating it may have been purchased by the DPRK around that time. See figures 40-3a and 3b.

Following its flagging by the DPRK in April 2023, the vessel returned to Chinese waters, sailing as TAE RYONG 3, and by mid-April was imaged laden and at anchor near Lianyungang. TAE RYONG 3 was at the Wenzhou anchorage area four days later. See figures 40-4a and 4b.

Figure 40-3a: Ship photograph of XIN HONG XIANG 77 in August 2022

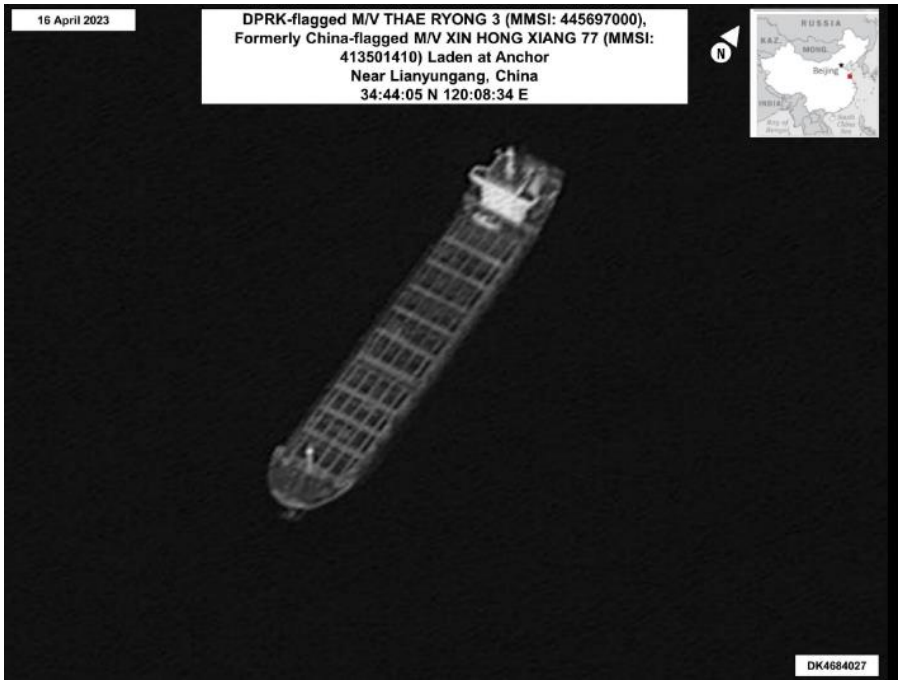
Source: Member State

Figure 40-3b: XIN HONG XIANG 77 at Lianyungang, China, 23 December 2022



Source: Member State

Figure 40-4a: TAE RYONG 3, formerly XIN HONG XIANG 77, returning to Lianyungang waters, 16 April 2023



Source: Member State

Figure 40-4b: TAE RYONG 3 proceeding to other Chinese port areas, April – May 2023

Source: S&P Global's SeaWeb

#	SHIP*	Current Name*	Ownership and Management	Information
7	**formerly WEN TONG FA ZHAN (aka FENG XIN DA 1)** MMSI: 413693560 Last known as China-flagged prior to flagging under the DPRK fleet	**HYANG SAN** **IMO: 8360250** Flagged under the DPRK in January 2023	<u>Period of interest:</u> Prior to vessel transfer to the DPRK. There are no listed records of the owner and manager of the ship. *-Query: Information on the Chinese ship owner(s) and manager(s) (company and natural person)* *-Query: Information and details on brokers; ship purchase and sale; and financial transaction.* <u>Period of interest</u>: August to November 2022 *-Query: Accounting of the ship's presence at Xiamen port area and at Tangshan port area along with all ship and customs documentation* *-Query: port clearance of last Chinese port of call; reported crew list; destination; customs and cargo documentation prior to it coming under the DPRK flag.*	The Panel's AIS tracking of the vessel showed it was in the Xiamen port area between August and November 2022. The vessel was last at Tangshan port around 20-22 November 2022. This was the last port of call prior to the vessel dropping AIS signal on 30 November as it sailed out of port, crossing the Bohai sea in the direction of Nampo port. The ship was last registered under the Chinese flag before it came under DPRK flag. *-Query: Confirmation of dates when the ship was flagged under China and reasons for de-registration, where applicable.*

#	SHIP*	Current Name*	Ownership and Management	Information
8	**formerly HONG TAI 215 (aka LI DA 8)** Last known as China-flagged prior to flagging under the DPRK fleet	**TOK SONG** **IMO: 8360406** Flagged under the DPRK in April 2023	<u>Period of interest:</u> Prior to vessel transfer to the DPRK. There are no listed records of the owner and manager of the ship. *- Query: Information on the Chinese ship owner(s) and manager(s) (company and natural person)* *-Query: Information and details on brokers; ship purchase and sale; and financial transaction.* <u>Period of interest</u>: From August 2022 *-Query: Accounting of the ship's presence at various Chinese ports along with all ship and customs documentation; an accounting of vessel identity manipulation* *-Query: port clearance of last Chinese port of call; reported crew list; destination; customs and cargo documentation prior to it coming under the DPRK flag.*	The ship was last registered under the Chinese flag before it came under DPRK flag. AIS signal indicates possible spoofing. *-Query: Confirmation of dates when the ship was flagged under China and reasons for de-registration, where applicable.* The vessel sailing under the DPRK flag as TOK SONG called in the Yantai port area between 22 and 30 April 2023. *-Query: Any information to be obtained relating to the vessel's purchase should TOK SONG next make a Chinese port area call.*

#	SHIP*	Current Name*	Ownership and Management	Information
9	**formerly XIANG HUI 10** Last known as China-flagged prior to flagging under the DPRK fleet	**THAE JA BONG IMO: 8598431** Flagged under the DPRK in February 2023	<u>Period of interest:</u> Prior to vessel transfer to the DPRK. There are no listed records of the owner and manager of the ship. *- Query: Information on the Chinese ship owner(s) and manager(s) (company and natural person)* *-Query: Information and details on brokers; ship purchase and sale; and financial transaction* *-Query: port clearance of last Chinese port of call; reported crew list; destination; customs and cargo documentation prior to it coming under the DPRK flag.*	The Panel's maritime tracking information indicated the vessel last transmitted AIS signal in mid-August 2022 in the Shanghai port area. AIS signal indicate possible spoofing. *-Query: Any information to be obtained relating to the vessel's purchase should THAE JA BONG next make a Chinese port area call.*

#	SHIP*	Current Name*	Ownership and Management	Information
10	**formerly HUA JIN SHENG 8 (aka XIANG JING 838)** Last known as China-flagged and under Chinese ownership prior to flagging under the DPRK fleet	**HWANG RYONG SAN IMO: 8662933** Flagged under the DPRK in March 2023	<u>Periods of interest:</u> Prior to vessel transfer to the DPRK And Between September and December 2021 *- Query: Information on the Chinese ship owner(s) and manager(s) (company and natural person)* *-Query: Information and details on brokers; ship purchase and sale; and financial transaction* *-Query: port clearance of last Chinese port of call; reported crew list; destination; customs and cargo documentation prior to it coming under the DPRK flag.*	The Panel's maritime tracking information indicated the vessel last transmitted AIS signal in June 2022 with inconsistent data. Limited AIS tracks. *-Query: Any information to be obtained relating to the vessel's purchase should HWANG RYONG SAN next make a Chinese port area call.*

Source: The Panel.

*denotes information from IMO records.

NOTE: All dates of vessel tracking are recorded in Eastern Standard Time. Variation of actual dates when addressing local time should be taken into account.

Source: The Panel

Annex 41: Chinese coastal vessels in DPRK waters, November 2022 to May 2023[235]

The list below of China-flagged vessels tracked by the Panel in DPRK waters is restricted to the timeframe of September through May 2023. The information is drawn from the Panel's monitoring of ships based on commercial tracking data, IMO records and the Panel's on-going investigations. The Panel continues to analyse voyages of other China-flagged vessels in DPRK waters.

To assist the relevant Chinese authorities in their investigations, the Panel has listed the Chinese ownership and management information where available, the targeted periods of interest and other relevant information. The Panel has sought China's assistance with regards to these vessels' registration status and ownership information. As many of these Chinese coastal ships did not have publicly available ownership details, the Panel requested information from Chinese authorities relating to vessel ownership, including the nature of their activity in the DPRK, cargo, relevant customs and shipping documentation, AIS data and vessel purchase and sale information where relevant.

The Panel sought information from China, including their ship registration, beneficial owners, customs information, ship purchase and sale prior to their departure from Chinese waters. The Panel also asked Chinese authorities to convey questions to the ship owners, including, *inter alia*, that would explain the presence of the ship in DPRK waters or verifiable evidence that show otherwise, as well as purchase and sale information where the vessel was sold on. China replied: "*After thorough investigation by relevant Chinese authorities, the information of the ships mentioned by the Panel are provided as follows: BAO YING HAI 18, XIN YANG HONG, QIMING 168, and FU LONG 98 were de-registered between late 2022 and early 2023, and these ships were not re-registered ever since. Chinese government does not have information on their exact whereabouts. Records of port entry and exit of XIN HANG SHUN and LONG XIN 12 were not found and Chinese government does not have detailed information about these ships*".

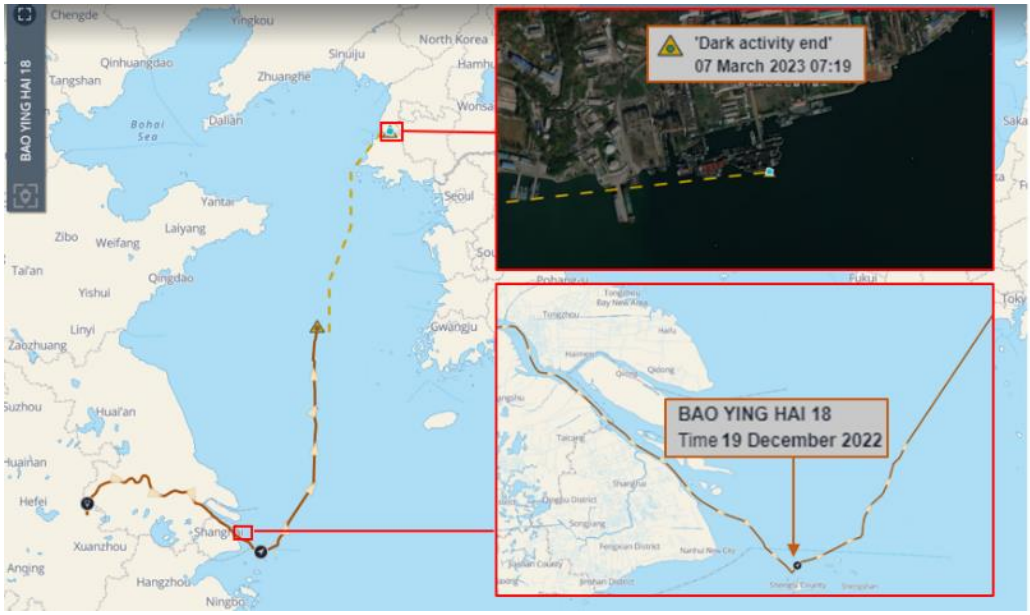
Source: The Panel

[235] All information contained in this annex is valid as of 30 June 2023.

BAO YING HAI 18 (MMSI: 412550950), currently DPRK-flagged SONG NIM 9 (IMO: 8360248)

BAO YING HAI 18 was reported transmitting as a 102m-long, China-flagged cargo ship. Panel tracking analysis showed the vessel sailed as a Chinese coastal vessel prior to its AIS transmission in DPRK waters. It has not transmitted AIS since appearing at Nampo, DPRK on 7 March 2023 (figure 41-1).

Figure 41-1: Voyage of BAO YING HAI 18 before arriving in the DPRK, December 2022 – March 2023



Source: Windward, annotated by the Panel

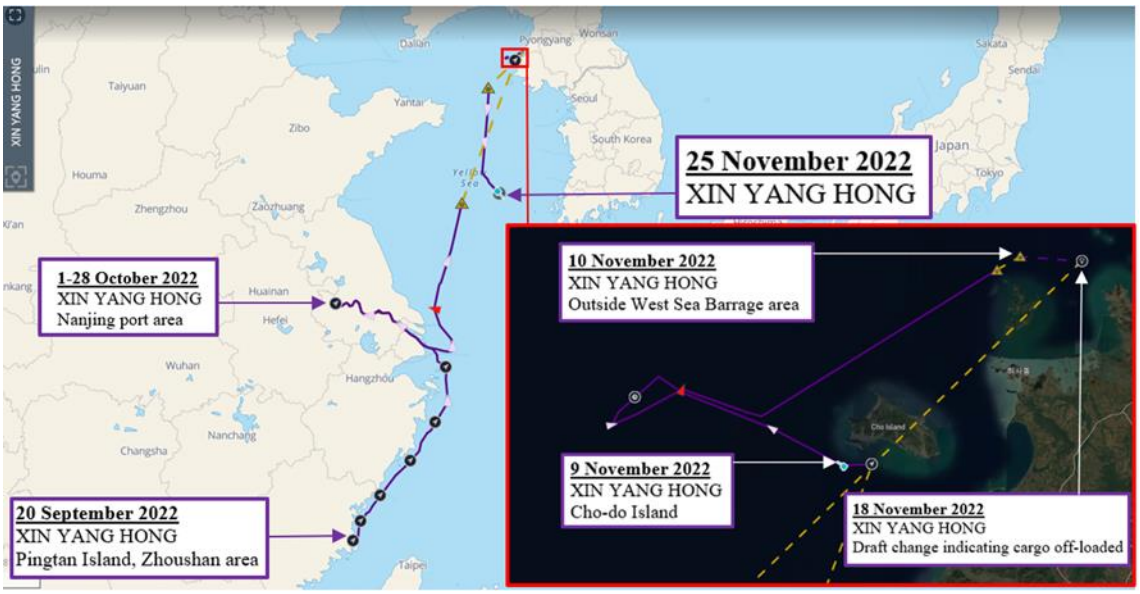
By April 2023, the vessel was flagged under the DPRK fleet, sailing as SONG NIM 9 with an assigned IMO number of 8358192. The last known owner prior to its acquisition is the China-based Fujian Wentong Shipping Co Ltd with an address in Fujian Province, according to IMO records.

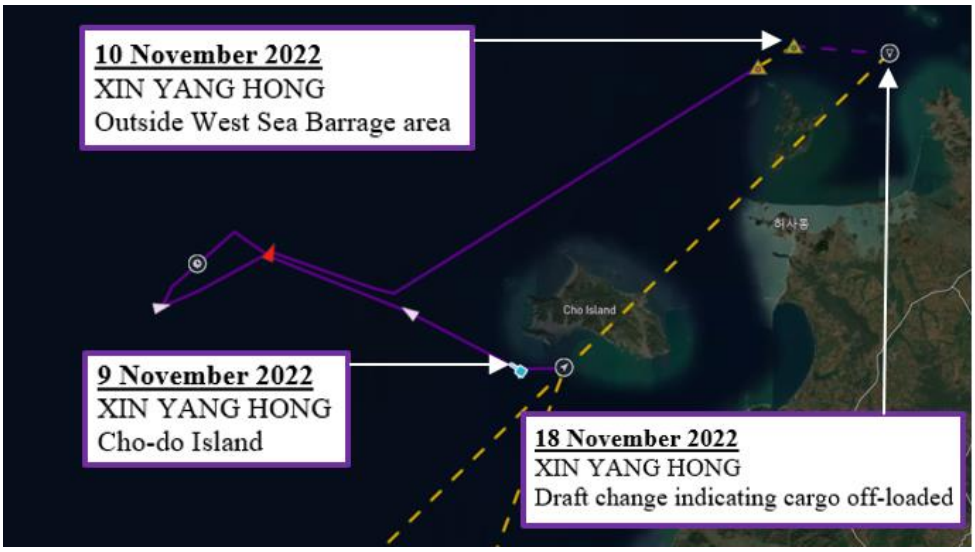
XIN YANG HONG (IMO: 8358192), currently DPRK-flagged NAM PHO 5

XIN YANG HONG sailed as a Chinese coastal vessel prior to its AIS transmission in DPRK waters. It arrived in DPRK territorial waters, south of Cho-do island, on 9 November 2022, where it subsequently registered a draft change on maritime databases, outside the West Sea Barrage area, indicating possible offload of cargo. As of April 2023, XIN YANG HONG was flagged under the DPRK, sailing as NAM PHO 5. The vessel returned to Chinese waters in 2023, including in Ningde and Luoyuan Bay waters.

XIN YANG HONG was transmitting as a 98m-long, China-flagged cargo ship. The vessel is registered as owned and managed by the same Chinese owner, Fujian Wentong Shipping Ltd, since 2005, with an address at Pingtan Xian, Fujian Province, according to IMO records. XIN YANG HONG was located at a ship facility, possibly a shipyard, on Pingtan Island in the Zhoushan area, by 20 September 2022. It then arrived at Nanjing port area, where it remained during the month of October, before departing. By 10 November, the vessel was located outside the West Sea Barrage area in the DPRK (figure 41-2). AIS data indicate the vessel was also engaged in identity manipulation, possibly sailing at some point as FU YUN HENG XIN.

Figure 41-2: Voyage of XIN YANG HONG before arriving in the DPRK, September -November 2022





Source: Windward, annotated by the Panel

QIMING 168 (MMSI: 413244350)

QIMING 168 transmitted AIS signals at Nampo on 21 April 2023. Its previous location, according to AIS transmissions, was Shanghai on 9 March 2023 (Figure 3a). While in the DPRK, the vessel docked at Ryongnam Shipyard at Nampo, where other vessels including SHUN CHANG 78 / SUN CHANG 78, now sailing as the DPRK-flagged RAK NANG 2 (IMO: 8594552), have also been located before registering under the DPRK fleet (figure 41-3b).[236]

QIMING 168 was transmitting as an 86m-long, China-flagged cargo ship. The vessel transmitted few AIS signals prior to its appearance in the DPRK. The Panel's vessel activity analysis indicated QIMING 168 had likely engaged in vessel identifier manipulation. It has not transmitted on its identifier since appearing in the DPRK.

[236] S/2023/171, paras. 70-72 and annex 41.

Figure 41-3a: Voyage of QIMING 168 before arriving at Ryongnam Shipyard, DPRK, March 2023

Source: AIS transmissions: Windward; inset, S&P Global, annotated by the Panel

Figure 41-3b: SHUN CHANG 78, dry docked at Ryongnam Shipyard, Nampo, July -August 2022

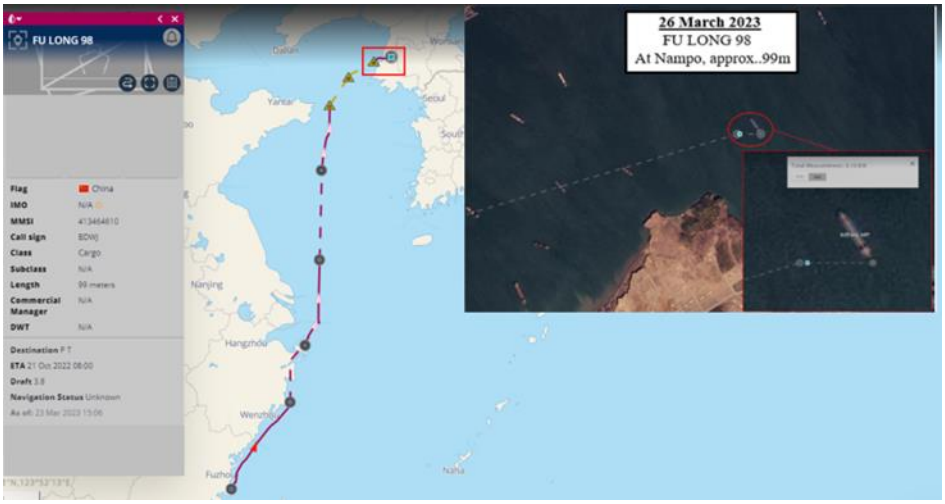
Source: AIS signal overlay, Windward; Satellite imagery, Planet Labs, annotated by the Panel

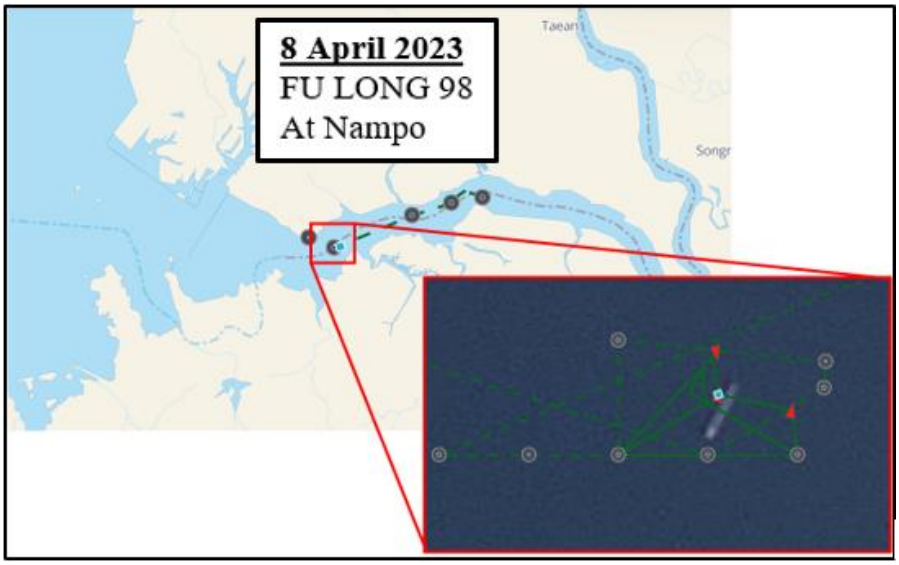
FU LONG 98 (MMSI: 413464610)

FU LONG 98 arrived in DPRK territorial waters above Cho-do by 5 March 2023, after sailing from the Yellow Sea for more than six days without transmitting AIS signals. The vessel was at the West Sea Barrage area by 12 March 2023 and located outside Nampo port by 26 March (figure 41-4).

FU LONG 98 was transmitting as a 99m-long, China-flagged cargo ship. Prior to this, the vessel sailed a domestic route and called at multiple Chinese ports. The vessel exhibited inconsistent tracks and may have been spoofing in Chinese waters. It was last recorded making a call at a ship facility at Kan'ao in Pingtan Island, Zhoushan, departing on 8 January 2023. The vessel has not transmitted on its identifier since appearing in the DPRK.

Figure 41-4: Voyage of FU LONG 98 before arriving in the DPRK, March - April 2023





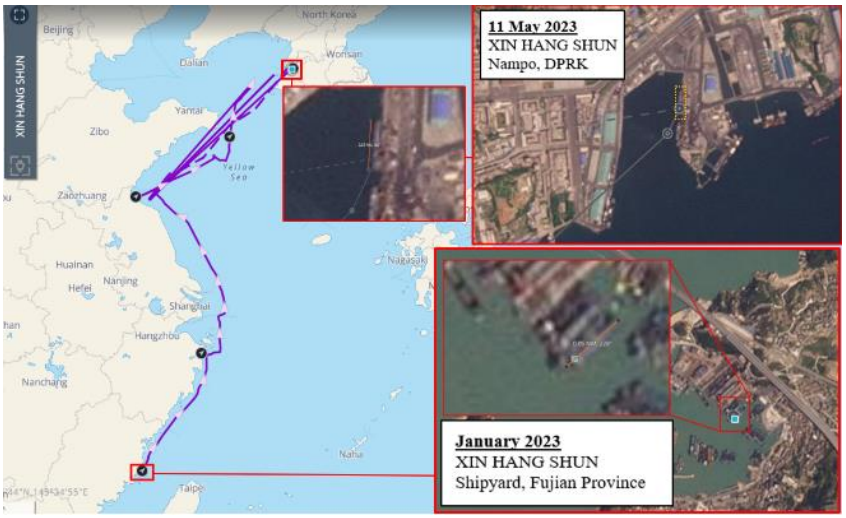
Source: Windward, annotated by the Panel

XIN HANG SHUN (MMSI: 412502330)

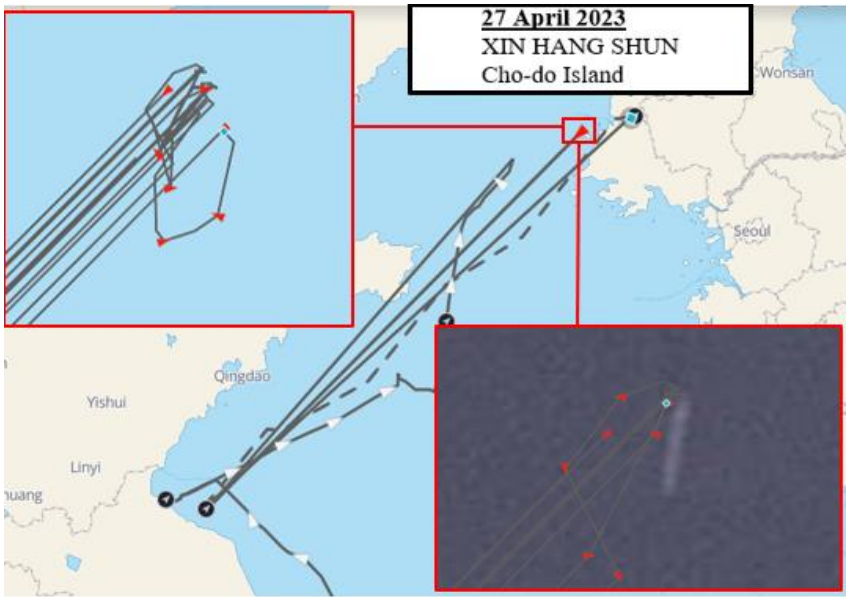
XIN HANG SHUN arrived in DPRK waters in May 2023. Prior to this, maritime database tracking showed the vessel had been at a shipyard at Pingtan in Fujian Province since 12 January 2023, departing by 8 April for Zhoushan and Lianyungang port areas. On 27 April XIN HANG SHUN was in the vicinity of Cho-do Island before appearing at Nampo port (figure 41-5).

XIN HANG SHUN was transmitting as a 97m-long, China-flagged cargo ship. The Panel's vessel activity analysis indicates it had likely engaged in AIS manipulation. The vessel has not transmitted on its identifier since 21 May 2023.

Figure 41-5: Voyage of XIN HANG SHUN before arriving in the DPRK, January - May 2023



AIS spoofing



Source: Windward, annotated by the Panel; inset satellite imagery, Planet Labs.

LONG XIN 12 (IMO: 9485318)

LONG XIN 12 last transmitted on 3 December 2022 at Zhoushan Island, China, and was located at a shipyard at Zhoushan Zhejiang, prior to appearing in DPRK waters. It last transmitted AIS signals at Zhoushan in December 2022 before appearing in DPRK waters. The vessel was located near Cho-do Island on 4 April 2023 (figure 41-6).

LONG XIN 12 was transmitting as a 94m-long, China-flagged cargo ship. Open-source maritime information indicates the vessel was sold in October / November 2019 to undisclosed buyers. It remains China-flagged, based on IMO records. The vessel exhibited limited AIS signals prior to its appearance in the DPRK and engaged in vessel identifier manipulation while in Chinese waters. The vessel's registered owner and ship manager is Qinzhou Guiqin Shipping Co Ltd, with an address at Qinzhou, Guangxi Province.

Figure 41-6: Voyage of LONG XIN 12 before arriving in the DPRK, December 2022 - April 2023

Source: Windward, annotated by the Panel; inset satellite imagery, Planet Labs.

Source: S&P Global's Seaweb

NOTE: All dates of vessel tracking are recorded in Eastern Standard Time. Variation of actual dates in local time should be taken into account.

Source: The Panel

Annex 42: Oil cargo transfers by SHUNDLLI to DPRK tankers, December 2022 to June 2023

No.	Date and Time	Location	Presumed DPRK receiving vessel	Presumed amount of refined petroleum
1	Dawn of 8 December 2022	381710N, 1240546E (104km Southwest of West Sea Dam)	CHONG RYONG SAN (no IMO number recorded)	Approx. 1,300 tons
2	Evening of 22 March to dawn of 23 March 2023	Unknown	KUM RYONG 3 (IMO: 8610461)	Approx. 1,800 tons
3	Dawn to morning of 13 April 2023	381600N, 1240400E (107km southwest of West Sea Dam)	UN HUNG (IMO: 9045962)	Approx. 2,000 tons
4	Noon of 13 May to dawn of 14 May 2023	382056N, 1240500E (102km southwest of West Sea Dam)	KUM CHIN KANG 2 (no IMO number recorded)	Approx. 2,000 tons
5	Near midnight of 8 June to dawn of 9 June 2023	381612N, 1240507E (105km southwest of West Sea Dam)	CHON MA SAN (IMO: 8660313)	Approx. 2,000 tons

Source: Member State

Annex 43: Maritime trade in banned DPRK-origin coal

The Panel continued to track DPRK vessels that have off-loaded coal cargo in contravention of the relevant resolutions:

- Paragraph 8 of Security Council resolution 2371 (2017) decides "the DPRK shall not supply, sell or transfer, directly or indirectly, from its territory or by its nationals or using its flag vessels or aircraft, coal, iron, and iron ore, and that all States shall prohibit the procurement of such material from the DPRK by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of the DPRK."

- Paragraph 11 of resolution 2375 (2017) decides "Member States shall prohibit their nationals, persons subject to their jurisdiction, entities incorporated in their territory or subject to their jurisdiction, and vessels flying their flag, from facilitating or engaging in ship-to-ship transfers to or from DPRK-flagged vessels of any goods or items that are being supplied, sold, or transferred to or from the DPRK."

- Paragraph 20 of resolution 2397 (2017) authorizes all Member States to seize and dispose of items identified in inspections, the supply, sale, transfer, or export of which is prohibited by the relevant Security Council resolutions.

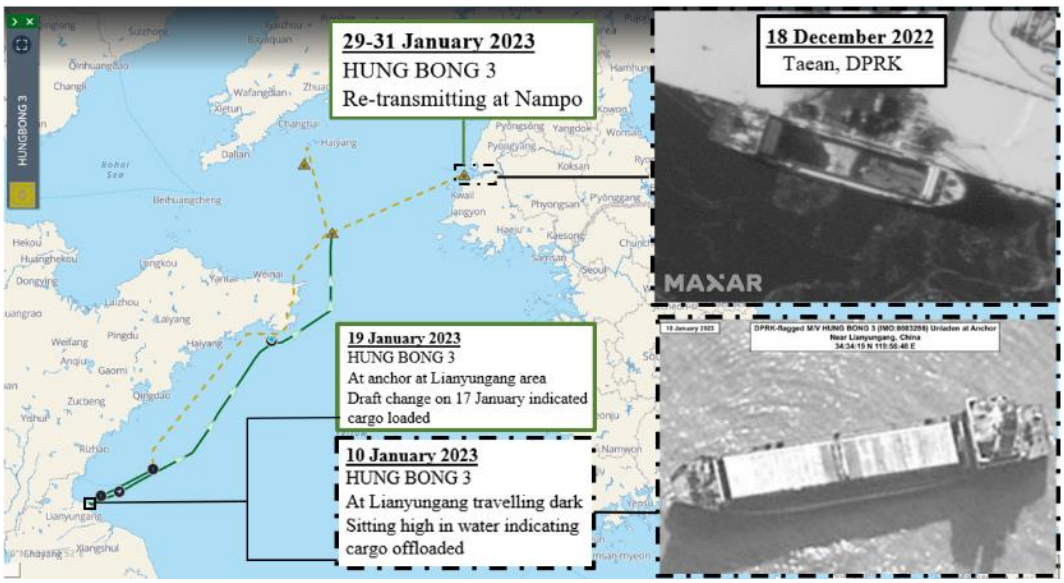
In that regard, in 2023 the Panel tracked to Lianyungang waters the below DPRK-flagged cargo ships, suspected to have transported and off-loaded their DPRK-origin coal cargo there.

HUNG BONG 3 (IMO: 8603286)

HUNG BONG 3 was observed on satellite imagery at a coal-loading area at Taean, DPRK, on 18 December 2022. It next transmitted AIS signals, after travelling dark, near Lianyungang waters around 16 January 2023. A Member State recorded satellite imagery of the vessel a week earlier sitting high on water near Lianyungang, indicating it had off-loaded its assessed coal cargo. This is consistent with the Panel's tracking of previous DPRK-origin coal cargo export whereby DPRK vessels travelled dark when involved in illicit ship-to-ship coal transfer activity. On 19 January, with its AIS kept on, HUNG BONG 3 registered a draft change, indicating it could have loaded cargo at Lianyungang. The ship was back in DPRK waters by the end of January 2023. See figure 43-1.

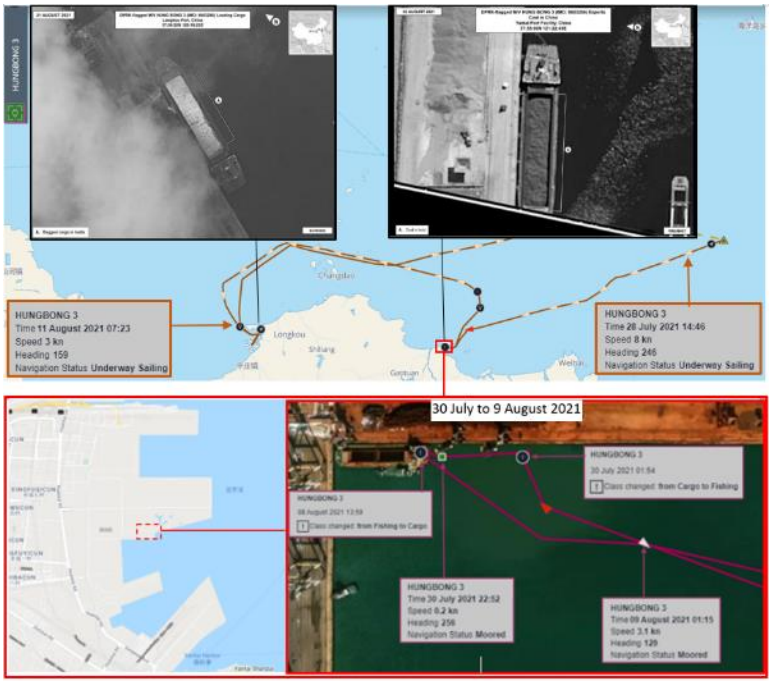
HUNG BONG 3 was previously reported by the Panel to have exported its DPRK-origin coal cargo to Yantai, another Chinese port, in August 2021 (figure 43-2).

Figure 43-1: HUNG BONG 3 travelling dark to off-load assessed DPRK-origin coal cargo at Lianyungang, January 2023



Source: Windward, annotated by the Panel; Imagery; Maxar Technologies, Member State
*Dashed lines denote no AIS transmission

Figure 43-2: HUNG BONG 3 exporting DPRK-origin coal and importing other cargo, Yantai, China, July – August 2021



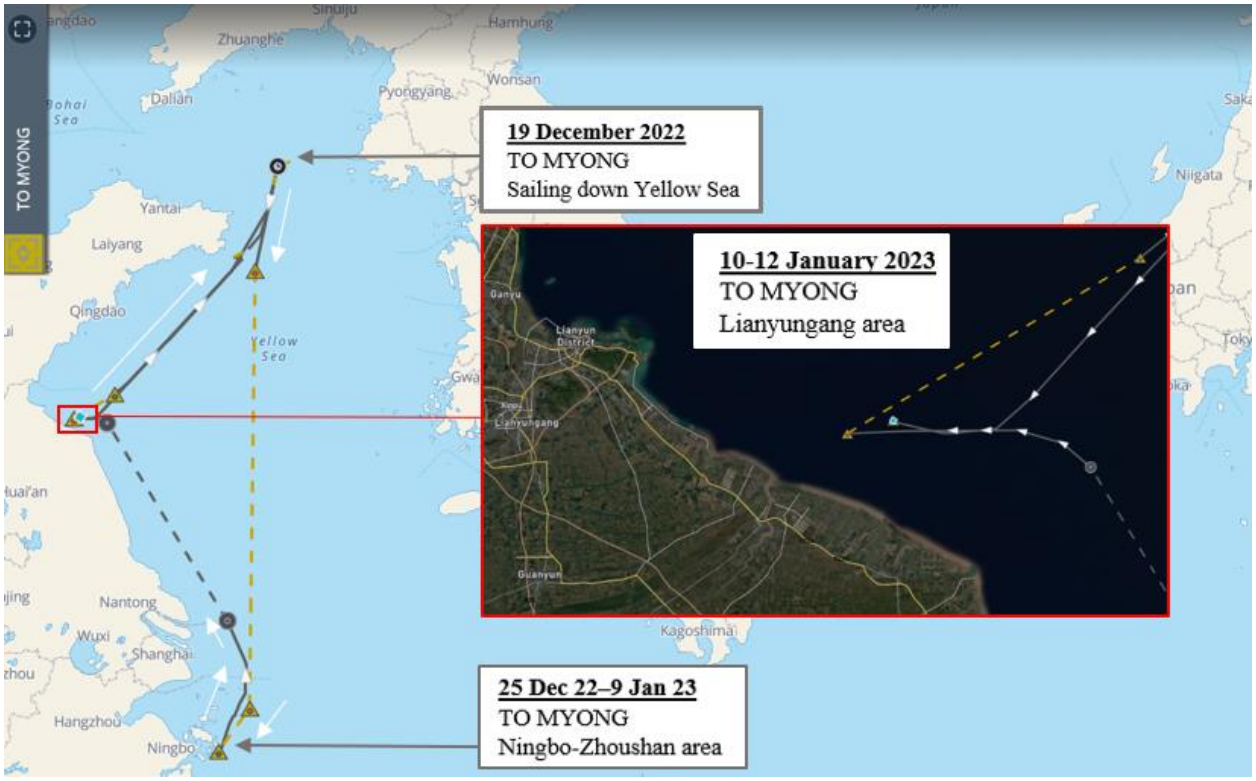
Source: Windward, S&P Global, Planet Labs, annotated by the Panel; inset panchromatic imagery (top), Member State. Bottom imagery as representative of location, not actual date of AIS signal overlay.

The Panel asked China for information, including the relevant shipping documentation, on any banned cargo offloaded and loaded either pier-side or through ship-to-ship transfers at the respective Chinese ports. China responded that the HUNG BONG 3 "entered Yantai port empty-loaded in March and July 2021, respectively, and left the port by loading fertilizer and other agricultural supplies in March and August, respectively."[237]

TO MYONG (IMO: 9162318)

TO MYONG was observed by a Member State on satellite imagery anchored at a known coal-loading area at Songnim along the Taedong River, DPRK on 11 December 2022. It arrived in Ningbo-Zhoushan waters by late December 2022, departing by 9 January 2023 to arrive in Lianyungang waters a day later, based on maritime database tracking. A Member State assessed that TO MYONG offloaded its DPRK-origin coal cargo at these two locations (see figures 43-3a~b).

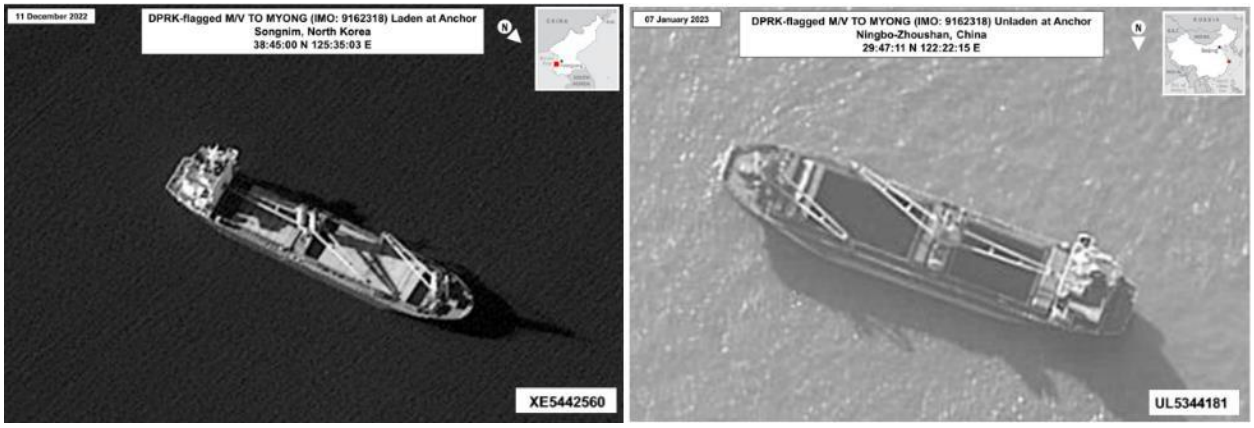
Figure 43-3a: TO MYONG's voyage route, December 2022 – January 2023



Source: Windward, annotated by the Panel

[237] S/2022/132, paras. 91-92 and annex 59.

Figure 43-3b: TO MYONG at Songnim, DPRK, and in Ningbo-Zhoushan, China, December 2022 – January 2023



Source: Member State.

The Panel had reported on TO MYONG several times, and the vessel is known to have exported DPRK-origin coal to Chinese waters on multiple occasions.[238] This is also not the first time TO MYONG was at Lianyungang. For instance, a Member State assessed TO MYONG offloaded its DPRK-origin coal cargo there in March – April 2022 (figure 43-4).

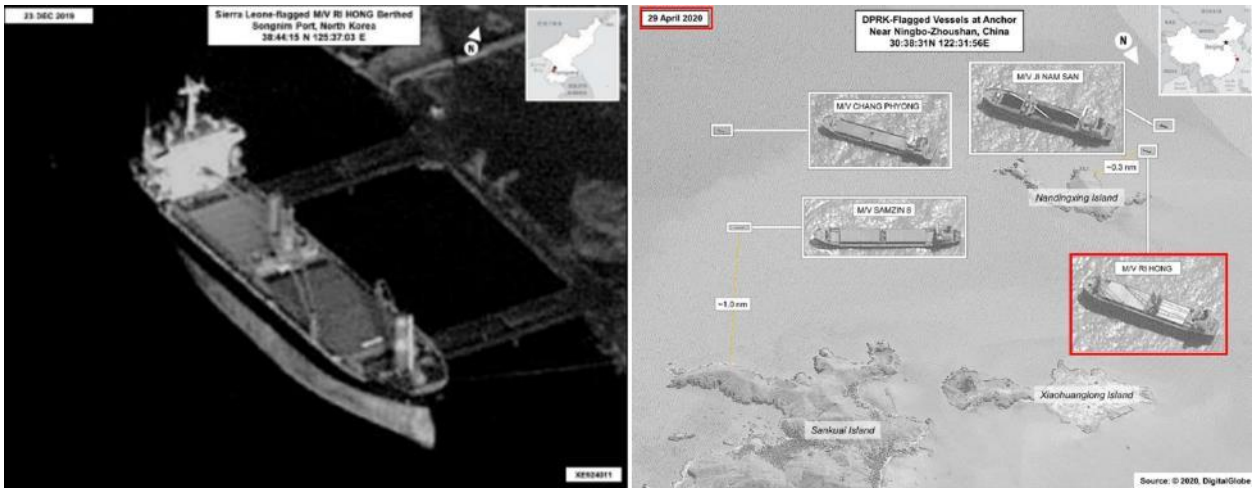
Figure 43-4: TO MYONG delivering DPRK-origin coal, Lianyungang, March – April 2022

Source: Member State.

[238] S/2023/171; S/2022/668; S/2022/132; S/2021/211; S/2020/840.

On yet another occasion, TO MYONG, then sailing as RI HONG, was also located at Songnim port in December 2019, and in Ningbo-Zhoushan waters in April 2020 (figure 43-5). The Panel has recommended that the Committee designate TO MYONG for its export of DPRK-origin coal as well as for the vessel's acquisition by the DPRK in 2020.

Figure 43-5: TO MYONG (then sailing as RI HONG) at Songnim port, DPRK, 23 December 2019, and anchored near Ningbo-Zhoushan, China, 29 April 2020



Source: Member State

According to a Member State, the following DPRK vessels were also assessed to have off-loaded DPRK-origin coal in Lianyungang waters. The Panel did not locate tracks of these vessels on the maritime databases to which it has access, indicating these vessels travelled dark or were transmitting on other identifiers.

MI YANG 5 (IMO: 8620454)

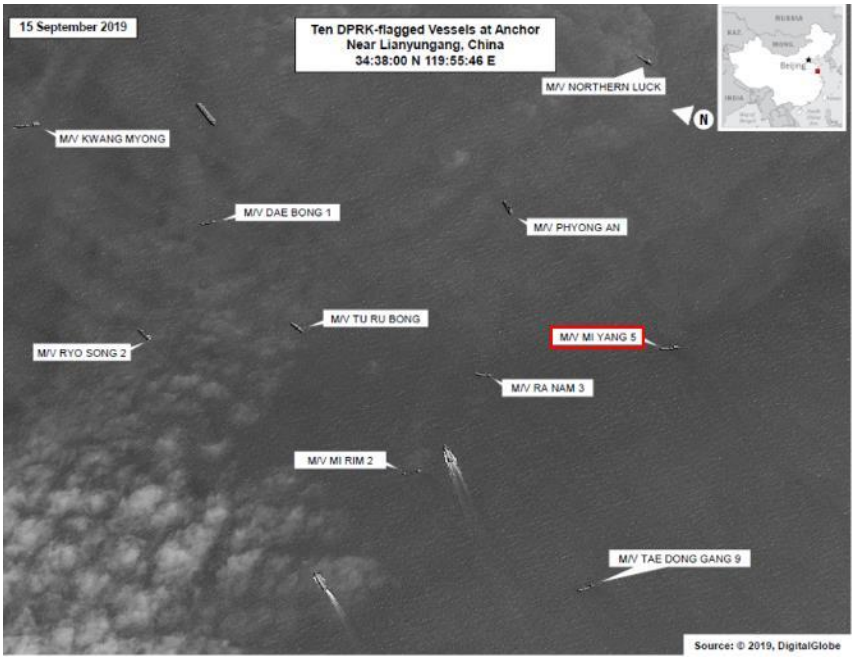
MI YANG 5 was assessed by a Member State to have exported DPRK-origin coal in the Lianyungang area in February 2023 (figure 43-6).

Figure 43-6: MI YANG 5 at Taean and at Lianyungang, February 2023

Source: Member State

The Panel previously reported on MI YANG exporting its DPRK-origin coal in Lianyungang waters in September 2019 (figure 43-7).[239]

Figure 43-7: MI YANG 5 near Lianyungang, 15 September 2019



Source: Member State

TAE DONG 1 (IMO: 8653229)

TAE DONG 1 was assessed by a Member State to have exported DPRK-origin coal in Lianyungang in March 2023 (figure 43-8).

Figure 43-8: TAE DONG 1 near Lianyungang, 13 March 2023

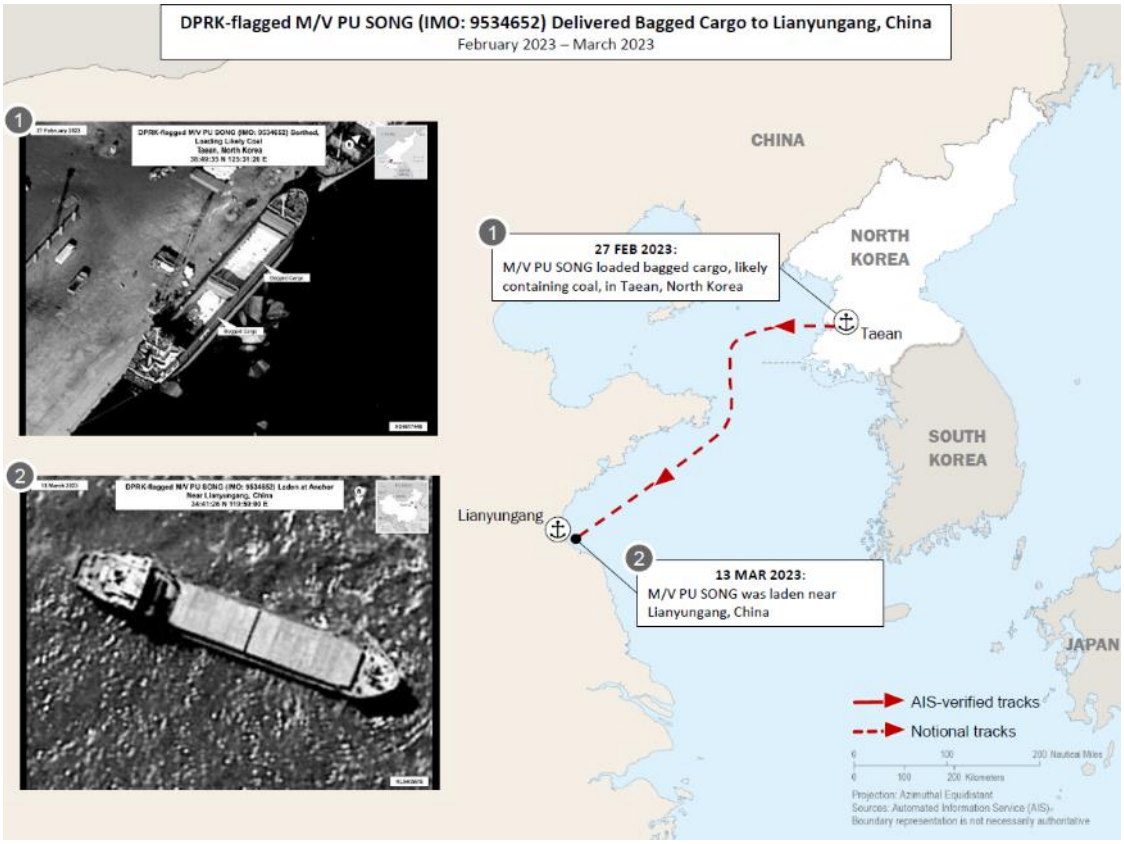
Source: Member State

[239] S/2020/151, para. 70.

PU SONG (IMO: 9534652)

PU SONG was assessed by a Member State to have exported bagged cargo containing DPRK-origin coal at Lianyungang in March 2023 (figure 43-9).

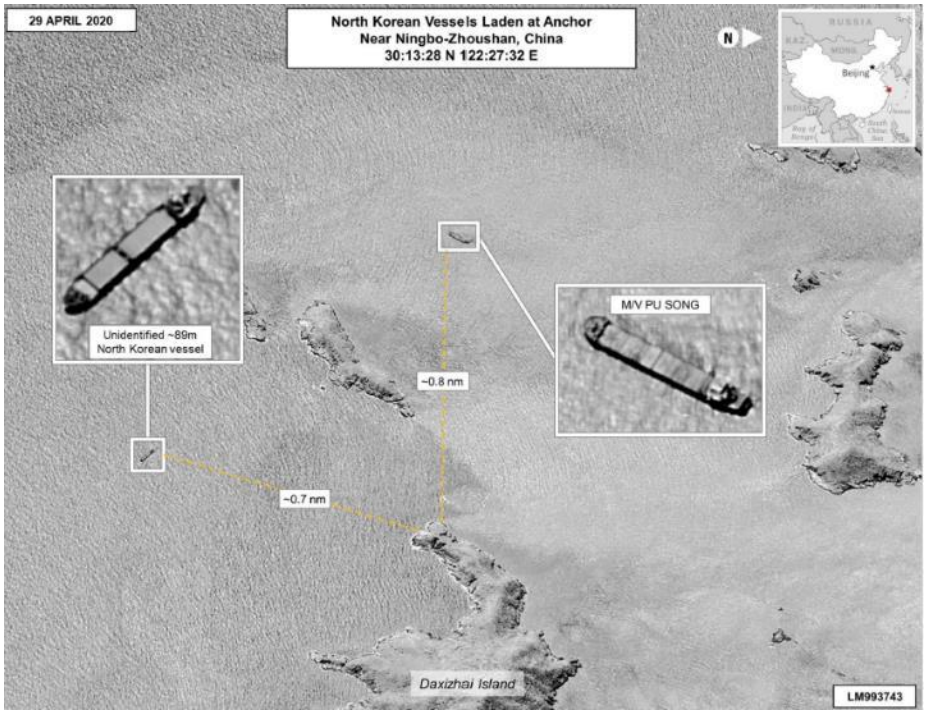
Figure 43-9: PU SONG exporting assessed bagged DPRK-origin cargo, Lianyungang, March 2023



Source: Member State

The Panel previously reported on PU SONG exporting DPRK-origin coal in Ningbo-Zhoushan waters in April 2020 (figure 43-10).[240]

Figure 43-10: PU SONG anchored near Ningbo-Zhoushan, April 2020



Source: Member State

According to the Member State, ship-to-ship transfers involving DPRK cargo ships in Ningbo-Zhoushan waters have continued, while increased deliveries to Lianyungang waters have been observed in 2023.

Also in 2023, the Member State identified a new location near "Taishan Islands," where DPRK-origin coal exports are offloaded through ship-to-ship transfer. Panel investigations in this area remain on-going.

All the above DPRK vessels have featured in previous Panel reports as having engaged in the export of DPRK-origin coal in Chinese territorial waters. The Panel sought China's assistance on the DPRK vessels' export of coal in Lianyungang and other Chinese port areas in 2023. The Panel sought information on cargo offloaded by DPRK vessels through ship-to-ship transfers in those waters; the receiving vessels' identifiers; entities and individuals that own, operate and procure any of the cargo from the DPRK vessels; and the relevant shipping documentation and financial transactions.

[240] S/2020/840, paras. 46-47 and annex 25.

China replied: "*After thorough investigation by relevant Chinese authorities, the information of the ships mentioned by the Panel are provided as follows:*

HUNG BONG 3 declared one entry into Lianyungang Port from Nampo Port in January this year empty loaded. And the ship left Lianyungang Port empty loaded.

TAE Dong 1 declared two entries into Dalian Port from Nampo Port in January and March this year empty loaded. And the ship left Dalian Port loaded with grain and other grocery.

PU SONG declared one entry into Dalian Port from Nampo Port in January this year loaded with containers, and left the port loaded with goods for daily necessities. In June this year, this ship declared one entry into Dalian Port from Nampo Port empty loaded and left loaded with goods for daily necessities.

No records of port entry and exit or customs declarations of TO MYONG, MIYANG 5, RYONG RIM were found in the Chinese port logs.

China attaches great importance to illegal maritime activities related to the DPRK, and cracks down on ship-to-ship smuggling activities according to Chinese laws and regulations. The above-mentioned ships were loaded with goods for daily necessities, not Security Council embargoed items. The Panel should execute its duties cautiously and responsibly, carefully screening the information it acquired, and should not include unverified information in its report".

Source: The Panel

Annex 44: Vessel disguise

In October 2022, a Member State photographed the sanctioned cargo ship PUK DAE BONG, with an IMO number of 9045182 painted on its hull, sailing past the coast of Kyushu, Japan. This IMO number belonged to another DPRK cargo ship, MYONG SIN. PUK DAE BONG (IMO: 9020003) had been the subject of several Panel reports for having exported banned DPRK-origin coal when it was sailing as HUA FU.

Both the PUK DAE BONG and the MYONG SIN had their AIS off over a period of time, inclusive of the dates when the PUK DAE BONG was photographed, between 26 and 28 October. Panel analysis of the AIS transmissions of both ships indicate long periods of non-AIS transmissions, overlapping AIS switch-off periods and spoofing of each other's identifiers, indicating the two ships are attempting to obfuscate vessel tracking on maritime databases.

The Panel's comparative analysis of photographs provided by the Member State against photographs obtained from open sourcing of PUK DAE BONG and MYONG SIN show these ships as having very different structures, confirming that the photographed ship was PUK DAE BONG.

PUK DAE BONG ship comparison

PUK DAE BONG sailing as HOAM,[241] undated photograph

Source: Maritime database

PUK DAE BONG, 27 October 2022

Source: Member State

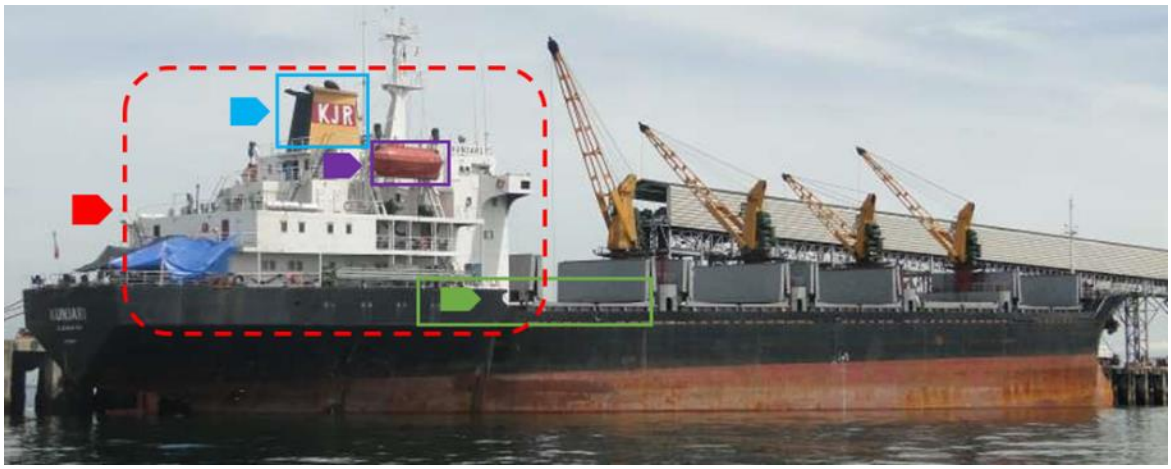
[241] According to IMO records, PUK DAE BONG was sailing as HOAM between November 2000 and December 2011.

Panel comparison of ship structure between PUK DAE BONG and MYONG SIN

PUK DAE BONG, 27 October 2022

Source: Member State

MYONG SIN sailing as KUN JA RI, undated photograph[242]



Source: Maritime database

Legend:

- Different funnel shape and placement (blue box)
- Different placement level of lifeboat (purple box)
- Different superstructure of bridge area (red box)
- Different shaped hull (green box)
- Missing derricks (orange box)

Source: The Panel

[242] MYONG SIN was named KUN JA RI between 2002 and 2015. During that period, it sailed under the DPRK flag before being flagged out to several other ship registries. It was flagged back under the DPRK in 2015.

Annex 45: Information about the sale of DPRK seafood

1) Photographs of the sale of DPRK seafood at Yanji West Market

A Member State provided the Panel with information, including photos of the sale of DPRK seafood at Yanji West Market. The name of the Chinese company that allegedly sold the seafood at the market is “North Korean Seafood Wholesale” (see **Figure F1-1**). The photographed packages of dried cod indicate in Chinese they are “Product of North Korea” (see **Figure F1-2**).

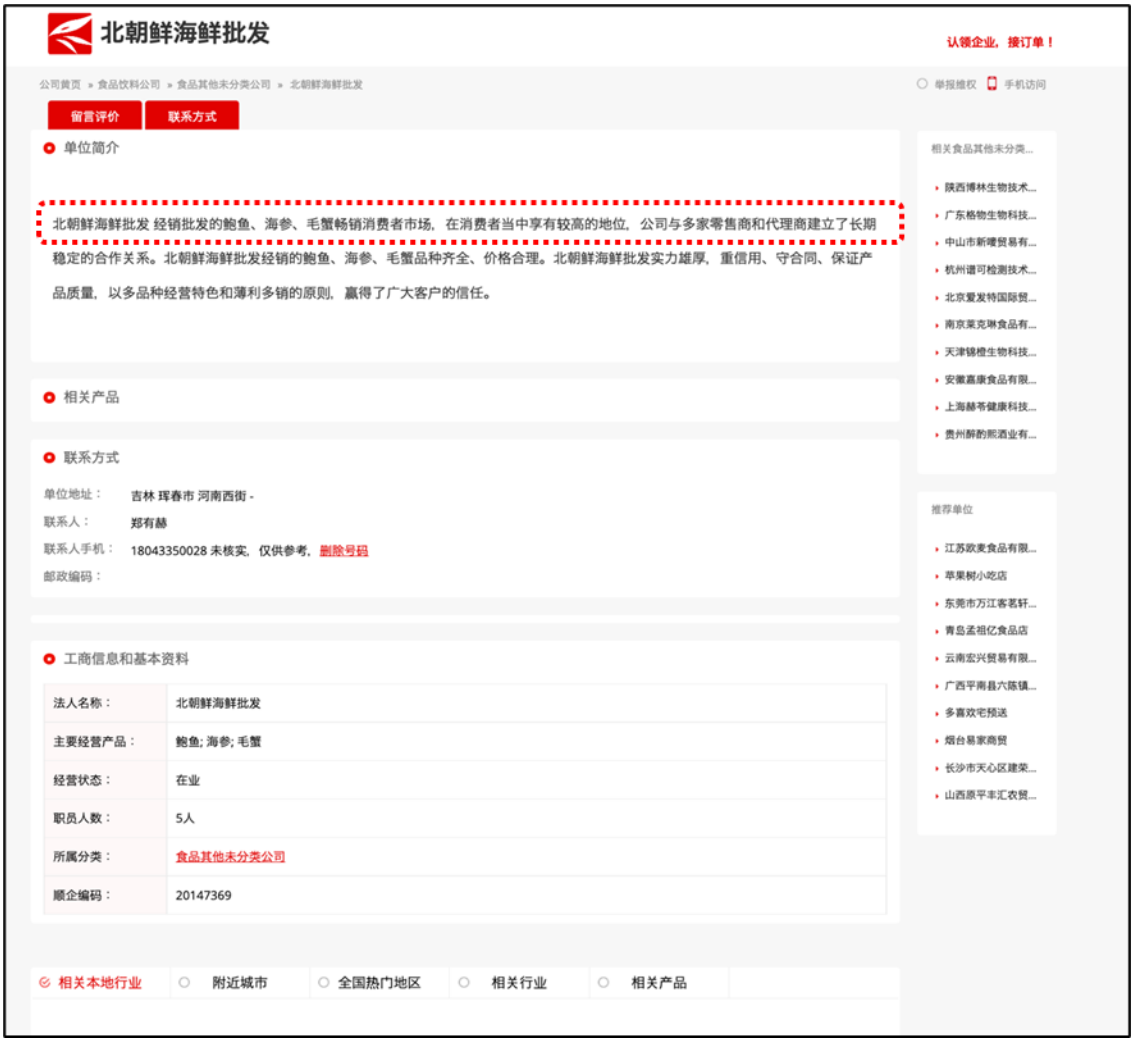
Figure 45-1

Figure 45-2

Source: Member State.

2) Information about “North Korean Seafood Wholesale”

A Chinese e-commerce website introduces North Korean Seafood Wholesale as follows: “…North Korean Seafood Wholesale specializes in the wholesale distribution of abalone, sea cucumber, and hairy crab, which are popular in the consumer market and hold a high position among consumers…”



Source: https://www.11467.com/qiye/20147369.htm.

Annex 46: ITC Trade Map Data on DPRK Trade Statistics by Commodity (HS Code) (2022)

** Note: highlighted may include restricted HS Code commodities

Source : ITC Trade Map / Unit : thousand USD

Total Exports : 263,691

HS Code	Commodity Type	Exported Value
27	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes	52,422
26	Ores, slag and ash	44,579
72	Iron and steel	38,999
39	Plastics and articles thereof	15,884
85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles	12,782
50	Silk	12,178
67	Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair	11,704
84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof	9,673
30	Pharmaceutical products	8,717
87	Vehicles other than railway or tramway rolling stock, and parts and accessories thereof	7,847
3	Fish and crustaceans, molluscs and other aquatic invertebrates	7,562

Total Imports : 902,858

HS Code	Commodity Type	Imported Value
39	Plastics and articles thereof	117,514
15	Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes	62,908
40	Rubber and articles thereof	62,479
24	Tobacco and manufactured tobacco substitutes;	52,315
30	Pharmaceutical products	44,756
29	Organic chemicals	41,829
60	Knitted or crocheted fabrics	38,437
54	Man-made filaments; strip and the like of man-made textile materials	35,576
48	Paper and paperboard; articles of paper pulp, of paper or of paperboard	34,061
10	Cereals	33,209
55	Man-made staple fibres	31,941

HS Code	Commodity Type	Exported Value
70	Glass and glassware	6,738
28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes	5,006
75	Nickel and articles thereof	4,450
99	Commodities not elsewhere specified	3,365
90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof	2,921
91	Clocks and watches and parts thereof	1,883
31	Fertilisers	1,862
29	Organic chemicals	1,837
38	Miscellaneous chemical products	1,382
79	Zinc and articles thereof	1,278
54	Man-made filaments; strip and the like of man-made textile materials	1,116

HS Code	Commodity Type	Imported Value
17	Sugars and sugar confectionery	30,492
34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepare waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, 'dental waxes' and dental preparations with a basis of plaster	25,111
11	Products of the milling industry; malt; starches; inulin; wheat gluten	19,973
67	Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair	18,314
28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes	17,445
44	Wood and articles of wood; wood charcoal	15,989
38	Miscellaneous chemical products	15,316
27	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes	14,983
63	Other made-up textile articles; sets; worn clothing and worn textile articles; rags	14,626
21	Miscellaneous edible preparations	14,125
33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations	13,828

HS Code	Commodity Type	Exported Value
73	Articles of iron or steel	1,077
88	Aircraft, spacecraft, and parts thereof	1,052
33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations	916
48	Paper and paperboard; articles of paper pulp, of paper or of paperboard	607
86	Railway or tramway locomotives, rolling stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electromechanical) traffic signalling equipment of all kinds	505
40	Rubber and articles thereof	470
92	Musical instruments; parts and accessories of such articles	423
95	Toys, games and sports requisites; parts and accessories thereof	353
12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder	274
19	Preparations of cereals, flour, starch or milk; pastrycooks' products	260

HS Code	Commodity Type	Imported Value
69	Ceramic products	12,734
94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; luminaires and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated nameplates and the like; prefabricated buildings	12,449
61	Articles of apparel and clothing accessories, knitted or crocheted	9,901
96	Miscellaneous manufactured articles	9,109
90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof	9,085
64	Footwear, gaiters and the like; parts of such articles	6,093
62	Articles of apparel and clothing accessories, not knitted or crocheted	5,863
22	Beverages, spirits and vinegar	5,768
56	Wadding, felt and nonwovens; special yarns; twine, cordage, ropes and cables and articles thereof	5,694
31	Fertilisers	5,470

HS Code	Commodity Type	Exported Value
96	Miscellaneous manufactured articles	244
61	Articles of apparel and clothing accessories, knitted or crocheted	242
56	Wadding, felt and nonwovens; special yarns; twine, cordage, ropes and cables and articles thereof	228
82	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal	223
55	Man-made staple fibres	222
20	Preparations of vegetables, fruit, nuts or other parts of plants	219
74	Copper and articles thereof	197
83	Miscellaneous articles of base metal	190
49	Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans	185
16	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates	183
22	Beverages, spirits and vinegar	170

HS Code	Commodity Type	Imported Value
32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks	5,230
70	Glass and glassware	5,092
23	Residues and waste from the food industries; prepared animal fodder	4,983
35	Albuminoidal substances; modified starches; glues; enzymes	4,710
4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included	4,536
59	Impregnated, coated, covered or laminated textile fabrics; textile articles of a kind suitable for industrial use	4,460
9	Coffee, tea, maté and spices	4,045
12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder	4,040
19	Preparations of cereals, flour, starch or milk; pastrycooks' products	3,756
52	Cotton	2,915
18	Cocoa and cocoa preparations	2,914

HS Code	Commodity Type	Exported Value
34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepare waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, 'dental waxes' and dental preparations with a basis of plaster	156
60	Knitted or crocheted fabrics	149
21	Miscellaneous edible preparations	143
65	Headgear and parts thereof	136
36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations	113
63	Other made-up textile articles; sets; worn clothing and worn textile articles; rags	78
94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated nameplates and the like; prefabricated buildings	58
89	Ships, boats and floating structures	41
44	Wood and articles of wood; wood charcoal	38
32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks	35

HS Code	Commodity Type	Imported Value
68	Articles of stone, plaster, cement, asbestos, mica or similar materials	2,635
51	Wool, fine or coarse animal hair; horsehair yarn and woven fabric	2,040
47	Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard	2,031
95	Toys, games and sports requisites; parts and accessories thereof	1,607
58	Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery	1,363
37	Photographic or cinematographic goods	1,034
3	Fish and crustaceans, molluscs and other aquatic invertebrates	909
65	Headgear and parts thereof	893
13	Lac; gums, resins and other vegetable saps and extracts	857
42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silkworm gut)	823

HS Code	Commodity Type	Exported Value
46	Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork	32
4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included	31
68	Articles of stone, plaster, cement, asbestos, mica or similar materials	21
59	Impregnated, coated, covered or laminated textile fabrics; textile articles of a kind suitable for industrial use	21
97	Works of art, collectors' pieces and antiques	20
42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silkworm gut)	17
13	Lac; gums, resins and other vegetable saps and extracts	17
76	Aluminium and articles thereof	16
14	Vegetable plaiting materials; vegetable products not elsewhere specified or included	13
15	Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes	13
58	Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery	13
24	Tobacco and manufactured tobacco substitutes;	12

HS Code	Commodity Type	Imported Value
20	Preparations of vegetables, fruit, nuts or other parts of plants	504
41	Raw hides and skins (other than furskins) and leather	438
43	Furskins and artificial fur; manufactures thereof	424
66	Umbrellas, sun umbrellas, walking sticks, seat-sticks, whips, riding-crops and parts thereof	385
57	Carpets and other textile floor coverings	365
46	Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork	362
92	Musical instruments; parts and accessories of such articles	329
91	Clocks and watches and parts thereof	317
25	Salt; sulphur; earths and stone; plastering materials, lime and cement	286
76	Aluminium and articles thereof	216
7	Edible vegetables and certain roots and tubers	164
84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof	146

HS Code	Commodity Type	Exported Value
17	Sugars and sugar confectionery	11
64	Footwear, gaiters and the like; parts of such articles	11
69	Ceramic products	10
7	Edible vegetables and certain roots and tubers	9
35	Albuminoidal substances; modified starches; glues; enzymes	7
71	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin	6
11	Products of the milling industry; malt; starches; inulin; wheat gluten	5
93	Arms and ammunition; parts and accessories thereof	5
9	Coffee, tea, maté and spices	4
62	Articles of apparel and clothing accessories, not knitted or crocheted	4

HS Code	Commodity Type	Imported Value
6	Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage	145
16	Preparations of meat, of fish, of crustaceans, molluscs or other aquatic invertebrates, or of insects	105
71	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin	96
14	Vegetable plaiting materials; vegetable products not elsewhere specified or included	81
53	Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn	60
85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles	51
74	Copper and articles thereof	45
8	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included	20
50	Silk	13
80	Tin and articles thereof	13

HS Code	Commodity Type	Exported Value
78	Lead and articles thereof	3
8	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included	1

HS Code	Commodity Type	Imported Value
49	Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans	11
99	Commodities not elsewhere specified	8
5	Products of animal origin, not elsewhere specified or included	5
87	Vehicles other than railway or tramway rolling stock, and parts and accessories thereof	3
1	Live animals	1

Source: ITC Trade Map, accessed on 9 July 2023, annotated by the Panel.

Annex 47: Recent trends of DPRK's coal exports

Maritime smuggling activities by the DRPK have expanded in 2023 for DPRK-origin coal (table 47). According to a Member State, the DPRK's activities in the East China Sea and the Taiwan Strait have increased, with the country also reportedly conducting illicit ship-to-ship transfers in waters on its East Coast, near Rajin. The Panel has separately noted increased activity of DPRK ships departing the country's eastern coast in 2022.

Table 47

Smuggled DPRK-coal exported through ship-to-ship transfers			
Amount of coal illicitly exported in the first quarter	2021	2022	2023
	Approx. 300,000 tons	Approx. 200,000 tons	Approx. 800,000 tons

Source: Member State

Annex 48: Additional replies from Member States on trade statistics in the Panel's previous report (S/2023/171, annex 57)

Canada

Permanent Mission of Canada
to the United Nations

Mission permanente du Canada
auprès de l'Organisation des Nations Unies

February 15, 2023

[redacted]
Coordinator of the Panel of Experts
established pursuant to Security Council Resolution 1874 (2009)
United Nations Headquarters, New York, NY 10017

Dear [redacted]

Thank you for your letter of December 1, 2022, reference S/AC.49/2022/PE/OC.324, with regard to ongoing efforts of the Panel of Experts established pursuant to 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 the referenced Security Council resolutions, in particular incidents of non-compliance.

The Panel has written specifically "with regard to the DPRK's trade with Canada in items that are covered by the relevant sectoral sanctions provisions in resolutions 2270 (2016), 2321 (2016), 2371 (2017), 2375 (2017) and 2397 (2017)", based on the Panel's analysis of available trade data. The Panel seeks our assistance in providing supplementary information concerning certain trade data, which you indicate is trade data reported by Canada that lists the DPRK as the partner country.

The Government of Canada has determined that the instances in which the DPRK is reported as the partner country are either confirmed errors or highly likely to be errors. The errors are most likely cases of miscoded country variables in the customs data.

Please note that we will be making changes on our end to replace miscoded references to the DPRK with the correct partner country in all of these transactions. The statistics reflecting the changes have been made public with our release on February 7, 2023. Processes in place to detect potential reporting errors have also been enhanced to reduce occurrences of trade being incorrectly attributed to the DPRK in published data going forward.

With respect to the Panel's request for information regarding any cases of rejection of customs clearance or seizure of goods involving the DPRK as a country of destination / consignment / origin / manufacture or transit, the Government of Canada affirms that there have been no import seizures of goods from the DPRK as the country of purchase / origin.
Please be assured that the Government of Canada takes our obligations as a UN Member State with the utmost seriousness. To that end, Canada continues to stand ready to support the important work of the Panel. Please do not hesitate to contact us if you require any further clarifications.

Sincerely,

[redacted]
Chargé d'Affaires a.i.
Ambassador and Deputy Permanent Representative

Canada

El Salvador

10:00 Am
17-2-2023

DIRECCIÓN GENERAL DE ADUANAS

San Salvador, 13 de febrero de 2023
MH.UM.DGA/001.002/2023
Asunto: Emitiendo Informe.

SEÑORA VICEMINISTRA:

Atentamente hago referencia a nota MRREE/DGPE/DAM/2023/0504, de fecha 10 de enero de 2023, por medio de la cual se refiere al trabajo que realiza el Panel de Expertos establecido de conformidad a la Resolución 1874 (2009), del Consejo de Seguridad de la Organización de las Naciones Unidas (CSONU), que recopila examina y analiza información relativa a la implementación de las medidas impuestas a la República Popular Democrática de Corea (RPDC).

En ese sentido, se indica que se ha recibido nota del coordinador de dicho Panel el señor [redacted] destacando que se han identificado transacciones en las que El Salvador importó de Corea del Norte, un monto de $4,000.00 en concepto de "maquinaria", por lo que solicita al Gobierno de El Salvador, explicaciones sobre esta situación, particularmente:

1) Si la información es fidedigna. Si no es fidedigna, solicita remitir digitalmente los documentos que pueda explicar lo anterior. Si los documentos para probar lo anterior no pueden ser provistos en tiempo, se solicita explicar al Panel la naturaleza de la transacción.

2) Si la carga de DPDC a El Salvador que contiene la importación, fue inspeccionada de conformidad con el párrafo 18 de la resolución 2270 (2016) y si esto es así, la razón por la cual no fue confiscada de conformidad al párrafo de la resolución 2397 (2017).

3) Otra información relevante o acciones tomadas por las autoridades de El Salvador respecto de las Importaciones de la RPDC.

En relación a lo solicitado, conforme a información recibida y registros que se tienen en los sistemas informáticos de la Dirección General de Aduanas de El Salvador, se ha constatado que la sociedad HY SEALS SISTEMAS HIDRAULICOS S.A. DE C.V., el 24 de junio de 2022, registró en la Aduana Terrestre Las Chinamas, la Declaracion Unica Centroamericana (DUCA -D), número 4-42754, determinándose que a través de la misma se importaron las mercancías que se describen a continuación:

Km. 11.5 Carretera Panamericana, San Bartolo, Ilopango, El Salvador, C.A.
Conmutador Tel.: (503) 2244-5000, Atención al Usuario Tel: (503) 2244-5182
Sitio Web: www.aduana.gob.sv; Twitter: @aduanas_SV, Facebook: Aduana El Salvador y Correo electrónico: usuario@aduana.gob.sv

AENOR GESTIÓN DE LA CALIDAD ISO 9001

CERTIFICADA BAJO LAS NORMAS ISO 9001 POR LA ASOCIACIÓN ESPAÑOLA DE NORMALIZACIÓN Y CERTIFICACIÓN

MINISTERIO DE HACIENDA DE EL SALVADOR

IQNet

No Item	Código Arancelario	Descripción	VALOR EN ADUANA	
			FOB	CIF
1	84841000 00	(9) KIT DE SELLOS, PLATO RETENEDOR	$579.53	$601.14
2	84129000 00	(25) BARRIL, SET DE PISTON, ESFERA, PLATO VALVULA	$3,531.55	$3,663.29
3	73209000 00	(4) SET DE RESORTES	$68.16	$70.70
5	40169300 00	(30) RETENEDOR PARA PRESION METRICO	$21.79	$22.60
TOTAL			$4,201.03	$4,357.73

Es pertinente indicar, que las mercancías antes relacionadas al haberse declarado como originarias de la República Popular Democrática de Corea (RPDC), fueron seleccionadas por el módulo de Gestión de Riesgo de la Dirección General de Aduanas, para ser inspeccionadas físicamente, conforme lo establece la Resolución 2270 (2016), del Consejo de Seguridad de las Naciones Unidas; determinándose en la revisión que en efecto las mercancías amparadas en los ítems 1, 2, 3 y 5 fueron declaradas por HY SEALS SISTEMAS HIDRAULICOS S.A. DE C.V., como originarias de la Republica Popular Democrática de Corea.

En ese mismo orden, este Ministerio, al amparo de los principios de Legalidad y Verdad Material, al tratarse de una importación procedente de Guatemala, solicitó a HY SEALS SISTEMAS HIDRAULICOS S.A. DE C.V., documentación de respaldo con la cual las mercancías ingresaron a Guatemala, verificándose con la información remitida que las mercancías objeto de análisis, fueron importadas originalmente en la República de Guatemala por la sociedad HY SEAL, S.A., ubicada en 31 Avenida 14-53 Zona 7, Colonia Ciudad de Plata 2 Ciudad de Guatemala, por medio de Declaracion Unica Centroamericana (DUCA-D), GTGUAEA-21-062439-0001-8, de fecha 4 de mayo de 2021 y factura JH21C03944, de fecha 3 de marzo de 2021, determinándose de la revision realizada a los referidos documentos que las mercancías son originarias de la República de Corea, con código de país KR, exportadas por [redacted] con domicilio fiscal en KYUNGMOON BLD. 1F 41 GUKHOE DAERO 54-GIL UEONGDEUNGPO-GU, KOREA.

Con la documentación antes relacionada, se determinó que se trató de un error del agente aduanero al momento de registrar la Declaracion Unica Centroamericana (DUCA -D), número 4-42754, al haber consignado las mercancías como originarias de la República Popular Democrática de Corea (KP), siendo lo correcto, originarias de la República de Corea

DIRECCIÓN GENERAL DE ADUANAS

con código de país KR, razón por la cual, las mismas no fueron objeto de incautación como lo dispone la Resolución 2397(2017).

Conforme a lo anterior, como resultado de la verificación y análisis documental de la operación aduanera relacionada, se concluye que las mercancías importadas por medio de la Declaracion Unica Centroamericana (DUCA -D), número 4-42754, del 24 de junio de 2022, a nombre de HY SEALS SISTEMAS HIDRAULICOS S.A. DE C.V., son originarias de la República de Corea, adjuntando al presente la documentación respectiva en formato digital.

DIOS UNIÓN LIBERTAD

[redacted]

Ministro de Hacienda

A LA LICENCIADA ADRIANA MIRA

VICEMINISTRA DE RELACIONES EXTERIORES

E.S.D.O.

[redacted]

Km. 11.5 Carretera Panamericana, San Bartolo, Ilopango, El Salvador, C.A.
Conmutador Tel.: (503) 2244-5000, Atención al Usuario Tel: (503) 2244-5182
Sitio Web: www.aduana.gob.sv; Twitter: @aduanas_SV, Facebook: Aduana El Salvador y Correo electrónico: usuario@aduana.gob.sv

AENOR GESTIÓN DE LA CALIDAD ISO 9001

CERTIFICADA BAJO LAS NORMAS ISO 9001 POR LA ASOCIACIÓN ESPAÑOLA DE NORMALIZACIÓN Y CERTIFICACIÓN

Translated from Spanish

Directorate General of Customs

San Salvador, 13 February 2023
MH.UM.DGA/001.002/2023
Subject: Issuing report.

Madam,

I have the honour to refer to note MRREE/DGPE/DAM/2023/0504, dated 10 January 2023, concerning the work of the Panel of Experts established pursuant to United Nations Security Council resolution 1874 (2009), which compiles, examines and analyzes information related to the implementation of the measures imposed against the Democratic People's Republic of Korea.

In this regard, a note was sent by the coordinator of the Panel, [redacted], highlighting the fact that transactions had been detected that involved imports to El Salvador from the Democratic People's Republic of Korea of "machinery" with a value of $4,000.00, in reference to which he requested an explanation from the Government of El Salvador, specifically:

> "(1) Confirmation as to whether the listed data is reliable. If it is inaccurate, please submit the digital copies of original documents that can explain the cause of inaccuracy. If you cannot supply the relevant documents in time, please offer a precise explanation of the cause of inaccuracy to the Panel.
>
> "(2) Whether the cargoes from the Democratic People's Republic of Korea to El Salvador containing the relevant items were inspected pursuant to paragraph 18 of resolution 2270 (2016), and if so, the reason why they were not seized and disposed of pursuant to paragraph 20 of resolution 2397 (2017).
>
> "(3) Any other relevant information and/or action taken by the Salvadoran authorities with respect to exports from the Democratic People's Republic of Korea to El Salvador."

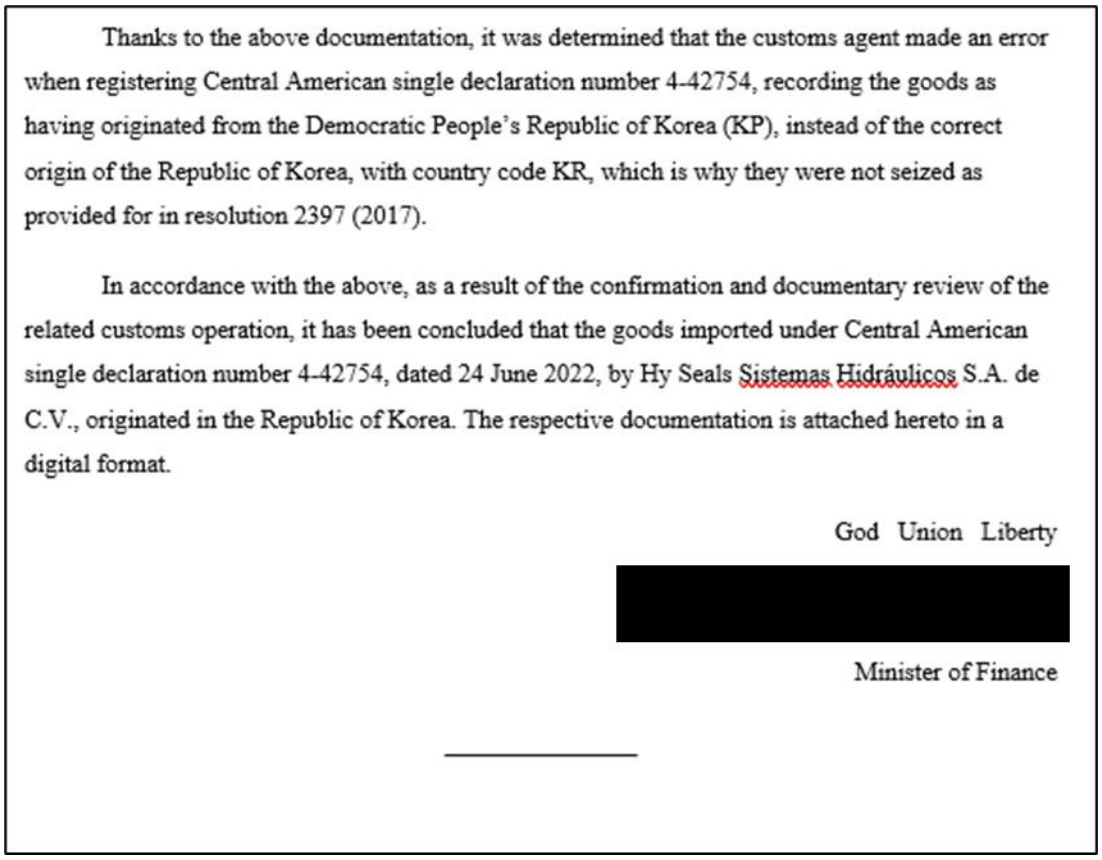
[redacted]
Deputy Minister for Foreign Affairs

In relation to the request, according to the information received and records in the computer systems of the Directorate General of Customs of El Salvador, it has been confirmed that Hy Seals Sistemas Hidráulicos S.A. de C.V. filed Central American single declaration number 4-42754 at the customs office at the Las Chinamas border post on 24 June 2022, when it imported the goods described below:

			Customs value (US dollars)	
Item No.	*Tariff code*	*Description*	*f.o.b.*	*c.i.f.*
1	84841000 00	(9) gasket kit, retainer plate	579.53	601.14
2	84129000 00	(25) barrel, piston set, ball, valve plate	3 531.55	3 663.29
3	73209000 00	(4) spring set	68.16	70.70
5	40169300 00	(30) pressure retainer, metric	21.79	22.60
Total			**4 201.03**	**4 357.73**

Note that the above-mentioned goods, because they were declared as having originated in the Democratic People's Republic of Korea, were physically inspected by the risk management module of the Directorate General of Customs, pursuant to United Nations Security Council resolution 2270 (2016). It was determined that the goods under items 1, 2, 3 and 5 had been declared by Hy Seals Sistemas Hidráulicos S.A. de C.V., as having originated in the Democratic People's Republic of Korea.

In addition the Ministry, in accordance with the principles of legality and material truth, this being a question of an import from Guatemala, asked Hy Seals Sistemas Hidráulicos S.A, de C.V. for the supporting documentation with which the goods had entered Guatemala, and confirmed with the information provided that the goods in question had been imported originally into the Republic of Guatemala by Hy Seal, S.A., located at 31 Avenida 14-53 Zona 7, Colonia Ciudad de Plata 2, Guatemala City, under Central American single declaration GTGUAEA-21-062439-0001-8, dated 4 May 2021, and invoice JH21C03944, dated March 3, 2021. A review of those documents determined that the goods originated in the Republic of Korea, with country code KR, and were exported by [redacted], with its fiscal domicile at Kyungmoon Bld. 1F 41 Gukhoe Daero 54-Gil Ueongdeungpo-Gu, Republic of Korea.



Thanks to the above documentation, it was determined that the customs agent made an error when registering Central American single declaration number 4-42754, recording the goods as having originated from the Democratic People's Republic of Korea (KP), instead of the correct origin of the Republic of Korea, with country code KR, which is why they were not seized as provided for in resolution 2397 (2017).

In accordance with the above, as a result of the confirmation and documentary review of the related customs operation, it has been concluded that the goods imported under Central American single declaration number 4-42754, dated 24 June 2022, by Hy Seals Sistemas Hidráulicos S.A. de C.V., originated in the Republic of Korea. The respective documentation is attached hereto in a digital format.

God Union Liberty

[redacted]

Minister of Finance

Source: Member States, annotated by the Panel

Annex 49: Comparison table on DPRK Trade Statistics and replies provided by Member States

** Note: DPRK Trade Statistics and Member States' replies cover the six-month period of October 2022-March 2023/ Highlighted are restricted commodities.

As of 28 July 2023
* Unit : Thousand US$

No.	Member State(MS)	Trade Volume w/ DPRK		Restricted HS Code Trade w/ DPRK		MS Reply
		Export to	Import from	Export to	Import from	
1	Austria	0	16		1 (HS Code 85)	purchased from a UK company
2	Barbados	0	458		307 (HS Code 84) 71 (HS Code 85) 33 (HS Code 61) 1 (HS Code 73)	
3	Belgium, Kingdom of	105	57			(Not Restricted)
4	Bosnia and Herzegovina	0	11			(Not Restricted)
5	Brazil, Federative Republic of	0	2			(Not Restricted)
6	Belize	0	111		1 (HS Code 84)	shipments were imported from the Republic of Korea
7	China, People's Republic of	805,820	99,751	5550 (HS Code 2710) 174 (HS Code 2712) 4244 (HS Code 2713) 73 (HS Code 84)	3221 (HS Code 50) 20689 (HS Code 72) 63 (HS Code 73)	goods are items not prohibited by the UNSC resolutions or humanitarian assistance which has exemptions from the UNSC
8	Colombia	1,590	102	1590 (HS Code 72)	4 (HS Code 84) 5 (HS Code 61)	
9	Czech Republic	0	1			(Not Restricted)
10	Denmark, Kingdom of	0	12		12 (HS Code 84)	goods originate from the Republic of Korea
11	El Salvador	0	6		6 (HS Code 54)	
12	Hungary	0	7		7 (HS Code 73)	
13	Indonesia, Republic of	0	911		385 (HS Code 60) 39 (HS Code 85) 77 (HS Code 84) 5 (HS Code 73) 2 (HS Code 08)	
14	Italy	4	2			(Not Restricted)
15	Madagascar, Republic of	0	282		34 (HS Code 84) 76 (HS Code 85)	
16	Netherlands, Kingdom of the	238	8		7 (HS Code 73)	
17	Poland, Republic of	187	0			(Not Restricted)
18	Seychelles, Republic of	0	3,444		3213 (HS Code 72) 162 (HS Code 84) 1 (HS Code 74) 2 (HS Code 73)	request extension to submit reply
19	South Africa, Republic of	2	6,923	2 (HS Code 84)	39 (HS Code 84) 6854 (HS Code 85) 3 (HS Code 73) 1 (HS Code 54)	
20	Spain, Kingdom of	217	9		1 (HS Code 1604)	
21	Thailand, Kingdom of	52	97		95 (HS Code 85) 2 (HS Code 84)	
22	Uganda, Republic of	0	39			(Not Restricted)
23	United Kingdom	28	814			(Not Restricted)

Source: ITC Trade Map, accessed on 9 July 2023, annotated by the Panel

Annex 50: List of HS codes the Panel applies to monitor the 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. This list does not include items banned by previous resolutions such as arms embargo, dual-use items and luxury goods. See https://www.un.org/securitycouncil/sanctions/1718/prohibited-items for the complete list of prohibited goods.

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 2375 (2017)
	2711	Petroleum gases and other gaseous hydrocarbons	
Industrial machinery	**84**	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof	Para. 7 of 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[243]	**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 2397 (2017)
	87	Vehicles; other than railway or tramway rolling stock, and parts and accessories thereof	
	88	Aircraft, spacecraft and parts thereof [244]	
	89	Ships, boats and floating structures	
Iron, steel and other metals	**72-83**		Para. 7 of 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	
	78	Lead and articles thereof	
	79	Zinc and articles thereof	
	80	Tin and articles thereof	
	81	Other base metals; cermets; articles thereof	
	82	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal	
	83	Miscellaneous articles of base metal	

[243] 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.

[244] 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	**72**	Iron and steel (**7201-7229**)	
Iron and Steel products	**73**	Articles of Iron and steel (**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	
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 and isotopes etc.	
Copper	**74**	Copper and articles thereof (**7401-7419**)	Para. 28 of 2321 (2016)
	2603	Copper ores and concentrates	
Zinc	**79**	Zinc and articles thereof (**7901-7907**)	
	2608	Zinc ores and concentrates	
Nickel	**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	
	7114	Articles of goldsmiths or silversmiths' wares or parts thereof, of silver, whether or not plated or clad with other precious metal	
Seafood (including fish, crustaceans, mollusks, and other aquatic invertebrates in all forms)	**3**	Fish and crustaceans, mollusks and other aquatic invertebrates (**0301-0308)**	Para. 9 of 2371 (2017)
	1603	Extracts and juices of meat, fish or crustaceans, mollusks or other aquatic invertebrates)	
	1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs	
	1605	Crustaceans, mollusks and other aquatic invertebrates, prepared or preserved	
Lead	**78**	Lead and articles thereof (**7801-7806**)	Para. 10 of 2371 (2017)
Lead ore	**2607**	Lead ores and concentrates	

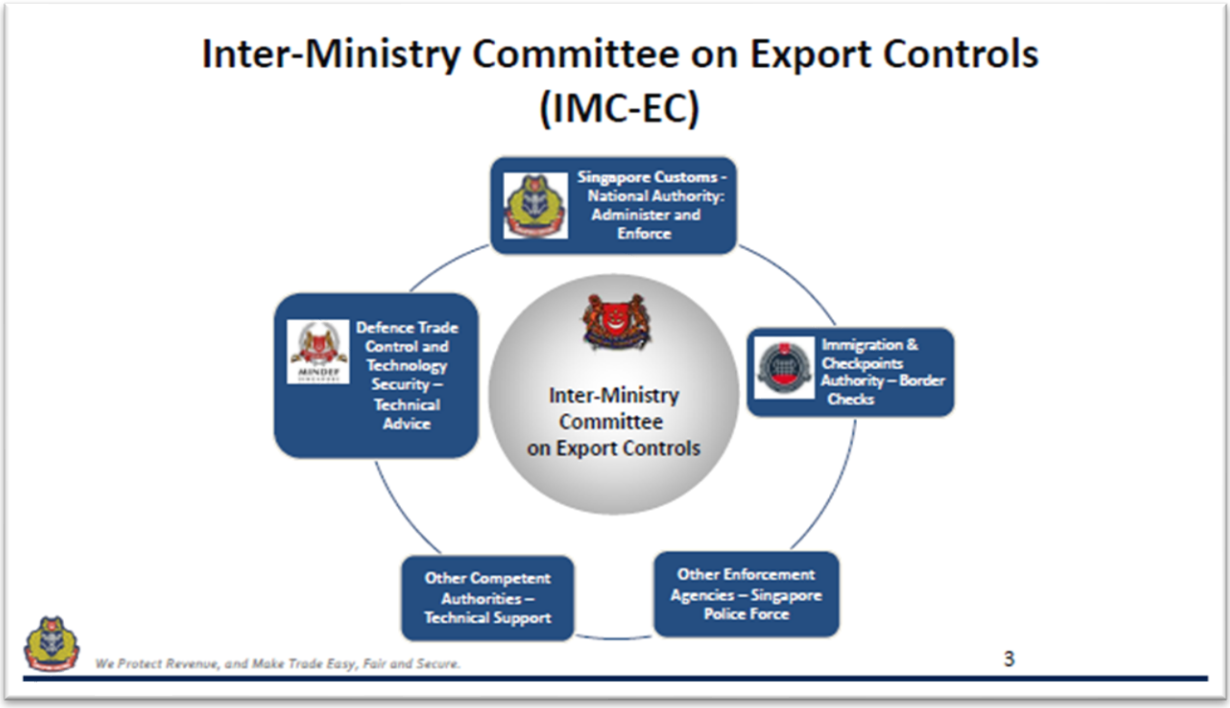
Textiles (including but not limited to fabrics and partially or fully completed apparel products)	**50-63**		Para. 16 of 2375 (2017)
	50	Silk, including yarns and woven fabrics thereof	
	51	Wool, fine or coarse animal hair, including yarns and woven fabrics thereof; horsehair yarn and woven fabric	
	52	Cotton, including yarns and woven fabrics thereof	
	53	Vegetable textile fibres nesoi; yarns and woven fabrics of vegetable textile fibres nesoi and paper	
	54	Manmade filaments, including yarns and woven fabrics thereof	
	55	Manmade staple fibres, 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; *not* 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	

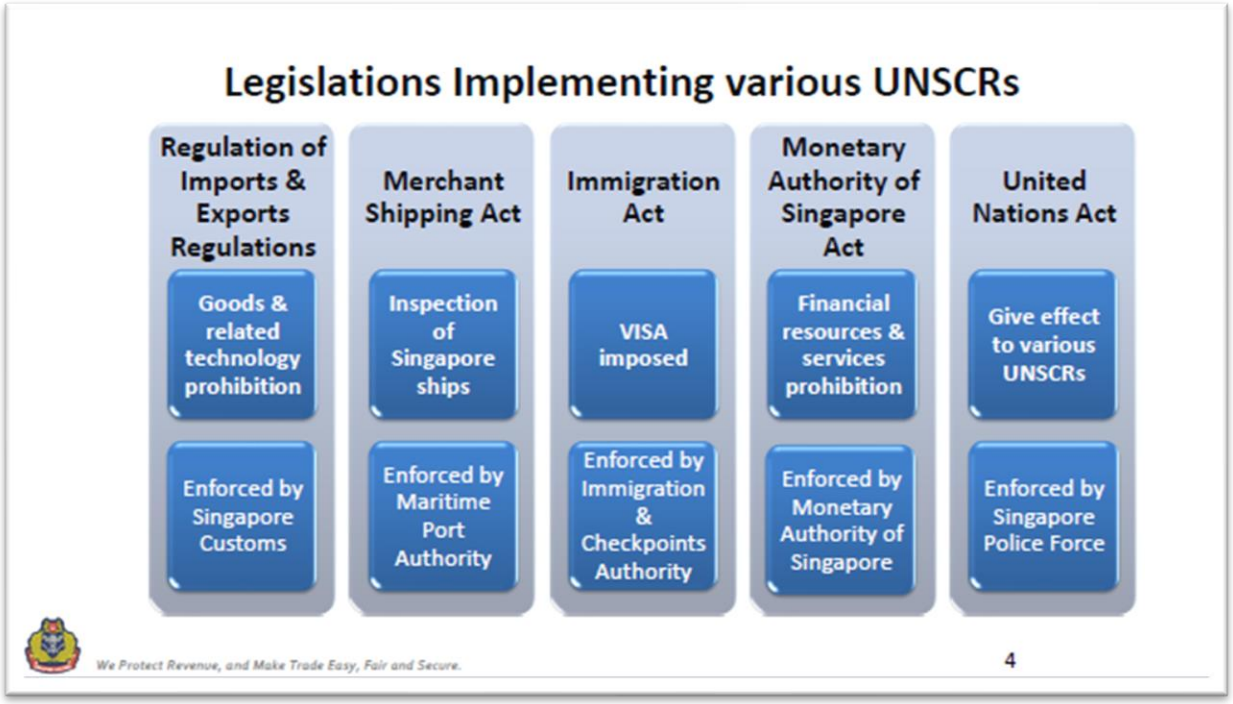
c. For paragraphs 4 and 5 of resolution 2397 (2017), the Panel uses the following HS codes. The Panel notes that annual caps are placed for the two items below.

- 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]

Source: the Panel

Annex 51: Organization of export controls pursuant to UN SC DPRK-related resolutions in Singapore





Immediate Implementation of UNSCRs

Regulation 6(1)(b) Regulation of Imports and Exports Regulations

"Notwithstanding regulation 3, there shall be no —**importation** into, **exportation** from or **transit** through Singapore of any goods which will contravene the decisions of the United Nations Security Council in resolutions made under Chapter VII of the Charter of the United Nations signed at San Francisco on 26th June 1945."

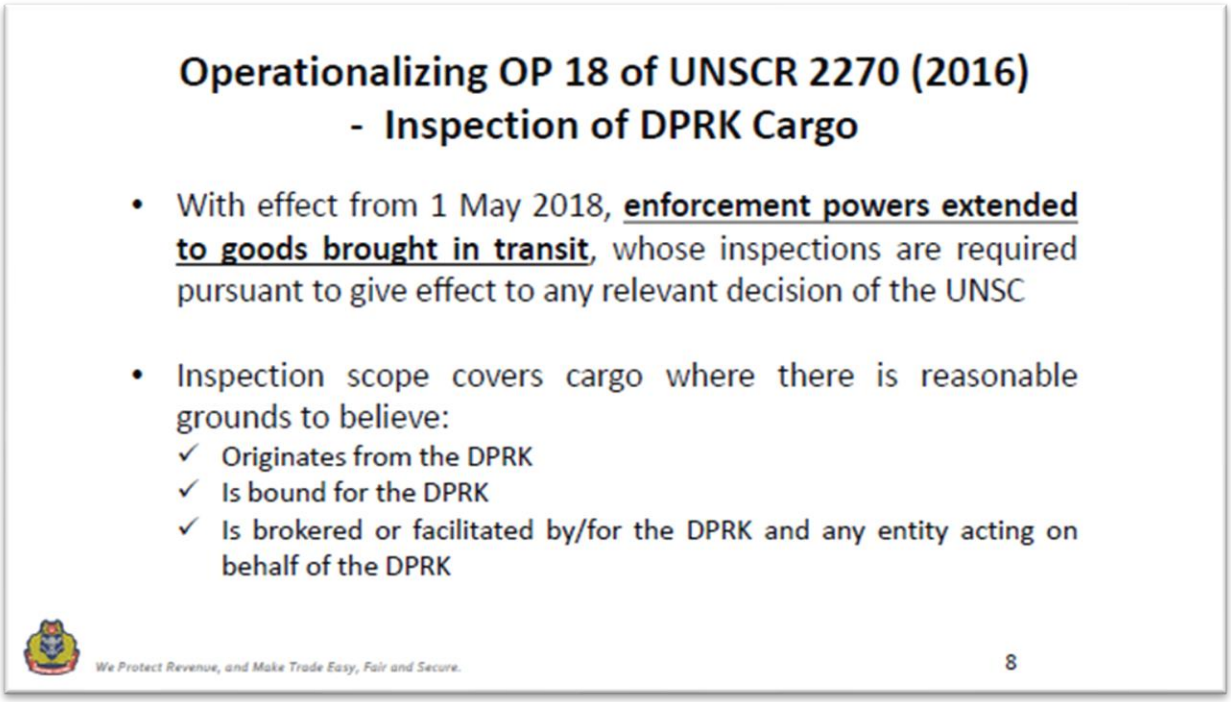
We Protect Revenue, and Make Trade Easy, Fair and Secure. 5

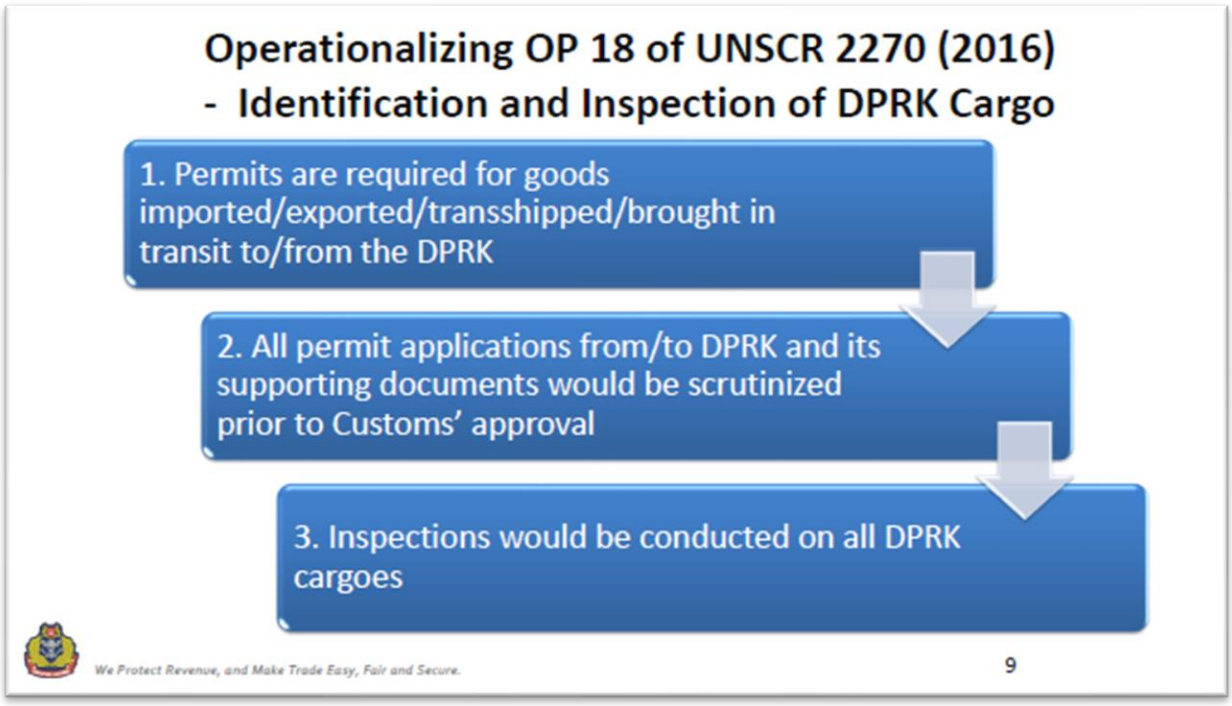
List of Items Prohibited for Import, Export, Transhipment and Transit from/to the DPRK

- List of all prohibited items listed in various UNSCRs on the DPRK updated in the Seventh Schedule of the Regulation of Imports and Export Regulations
- Last update on 17 Oct 2018 to include additional items listed under UNSCR 2397 (2017) on DPRK:
  - ✓ Food and agricultural products (under HS codes 07, 08, 12)
  - ✓ Machinery (HS code 84)
  - ✓ Electrical equipment (HS code 85)
  - ✓ Earth and stone, including magnesite and magnesia (HS code 25)
  - ✓ Wood (HS code 44)
  - ✓ Vessels (HS code 89)

We Protect Revenue, and Make Trade Easy, Fair and Secure. 6

Trade with DPRK
With effect from 8 Nov 2017, Singapore has prohibited all commercially traded goods from or to the Democratic People's Republic of Korea (DPRK), including the transhipment and transit of these goods through Singapore.
Non-commercial transactions (e.g. humanitarian donation) of goods arriving from or destined for the DPRK is allowable, and require a permit to be submitted at least 3 working days before the intended shipment date.
We Protect Revenue, and Make Trade Easy, Fair and Secure.
7


Operationalizing OP 18 of UNSCR 2270 (2016) - Inspection of DPRK Cargo
With effect from 1 May 2018, enforcement powers extended to goods brought in transit, whose inspections are required pursuant to give effect to any relevant decision of the UNSC
Inspection scope covers cargo where there is reasonable grounds to believe:
Originates from the DPRK
Is bound for the DPRK
Is brokered or facilitated by/for the DPRK and any entity acting on behalf of the DPRK
We Protect Revenue, and Make Trade Easy, Fair and Secure.
8



Source: Member State

Annex 52: Replies from Member States

Austria

Permanent
Mission
of Austria

to the United Nations
in New York

Reference No. New-York-OV/POL/0254/2023

NOTE VERBALE

The Permanent Mission of Austria to the United Nations presents its compliments to the United Nations Security Council Panel of Experts established pursuant to Resolution 1874 (2009) and with reference to Note Verbale S/AC.49/2023/PE/OC.109 dated 15 June 2023 would like to submit the following response:

The imported good referred to in your request is one satellite phone (Thuraya X5 Touch). The Austrian buyer ordered and purchased the item from company registered in the UK, from where it was shipped to Austria.

The Permanent Mission of Austria to the United Nations avails itself of this opportunity to renew to the Panel of Experts the assurances of its highest consideration.

New York, 27 Juni 2023

REPUBLIK ÖSTERREICH
STÄNDIGE VERTRETUNG BEI DEN VEREINTEN NATIONEN NEW YORK

To the
United Nations Security Council Panel of Experts established pursuant to Resolution 1874 (2009)
New York, NY 10017
dppa-poe1874@un.org

600 Third Avenue, 31st Floor, New York, N.Y. 10016
E-Mail: new-york-ov@bmeia.gv.at, Tel.: (+1) 917 542 8400

Belize

PERMANENT MISSION OF BELIZE TO THE UNITED NATIONS
675 Third Ave., Suite 1911
New York, NY 10017
Tel: (212) 986-1240
Fax: (212) 593-0932 E-mail: blzun@belizemission.com

NV No. 53

The Permanent Mission of Belize to the United Nations presents its compliments to the United Nations Security Council Panel of Experts established pursuant to resolution 1874 (2009) and has the honour to refer to the latter's correspondence referenced S/AC.49/2023/PE/OC.111 of 15 June 2023 regarding data indicating trade between the Democratic People's Republic of Korea (DPRK) and Belize of items subject to sectoral sanctions pursuant to resolution 2397 (2017).

The Permanent Mission of Belize wishes to inform that the Belize Customs and Excise Department, the competent authority, has conducted an investigation into all trade from DPRK to Belize in 2021 and 2022. Their examination of the Automated System for Customs Data (ASYCUDA) showed two records of importation of machinery of HS Chapter 84 from DPRK in 2021 and 2022. The competent authority has now clarified with the relevant customs brokers and consignees that the said shipments were actually imported from the Republic of Korea, as clearly indicated in the attachments. Consequently, post-modifications for both customs declarations, herewith attached, were executed to reflect the accurate country of origin/export as Republic of Korea.

Further, the competent authority has advised that there has not been any cases of rejection of customs clearance or seizure of goods involving DPRK.

The Permanent Mission of Belize to the United Nations avails itself of this opportunity to renew to the United Nations Security Council Panel of Experts established pursuant to resolution 1874 (2009) the assurance of its highest consideration.

New York, 5 July 2023

PERMANENT MISSION OF BELIZE TO THE UN NEW YORK, N.Y.

United Nations Security Council Panel of Experts
established pursuant to resolution 1874 (2009)
NEW YORK

China

China replied, "*According to the data from China, the goods mentioned by the Panel either are items not prohibited by the UNSC resolutions or humanitarian assistance which has exemptions from the UNSC.*"

Denmark

Skatteministeriet

July 13, 2023
J.nr. 2023 - 5805

Ministry of Taxation
Nicolai Eigtveds Gade 28
DK 1402 – København K

Tel. +45 33 92 33 92
Mail skm@skm.dk

www.skm.dk

In regard to the letter from the United Nations Security Council Panel of Experts dated 15. June 2023 concerning 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), the Ministry of Taxation is pleased to provide the following information:

Question 1

Ministry of Taxation can confirm that there has been an import of goods to Denmark as displayed in Tabel 1: Machinery (HS Code 84).

However, a subsequent examination of the import conducted by Danish Customs Agency indicates that the origin of the goods is mistakenly stated by the American consignor as originating from DPRK, although the goods originate from the Republic of Korea.

The importing company has on the request of Danish Customs Agency provided documents (including commercial invoice and product information) which specifies that the imported goods originate from the Republic of Korea.

It is the Danish Customs Agency's assessment that the documents sufficiently support that the goods in question originate from the Republic of Korea and not the Democratic People's Republic of Korea (DPRK) as stated in Table 1.

Table 1: Machinery (HS Code 84)1 DATE	REPORTING COUNTRY	PARTNER COUNTRY	HS CODE	APPROXIMATE VALUE (USD)
December 2022	Denmark	DPRK	84	12,000

Hence, the information as stated in Table 1 is de facto inaccurate.

Question 2

A review of the import in the Danish Customs Agency's systems shows that a consignment corresponding to the information in the Table 1 was inspected on 27 December 2022. The consignment contained goods of Chapter 84 consigned from the United States but with declared origin in the DPRK.

The consignment was therefore subjected to physical control on the basis of a concrete risk profile that was created to ensure effective enforcement of the ban on the importation of goods subject to sanctions.

Thus, the consignment has been inspected in accordance with paragraph 18 of Resolution 2270 (2016).

However, the cargo was after the inspection not seized and disposed of pursuant to paragraph 20 of resolution 2397 (2017).

Danish Customs Agency has been in dialog with the relevant control unit, and it has been established that the consignment was erroneously released despite the fact that the goods could potentially be prohibited from importation. Furthermore, it has been established that the instructions in the inspection description in the relevant risk profile have not been followed, and that the correct contact persons have not been involved in connection with the execution of the inspection.

Question 3

As a result of the erroneous release of the cargo, the Danish Customs Agency will emphasize to the responsible control unit that the described procedures must be followed.

Side 2 af 2

Source: Member States

Annex 53

Advanced Technology Facility (ATF) appears to be reselling Glocom Products

The Panel notes that at least two products displayed on the ATF website resemble products from Glocom's catalogue. The products are nearly identical in appearance, and share similar description and specifications, with only minor differences in wording. Despite using the brand name "EDSAT" and "ER" on ATF website, the Panel assesses that these products are originally Glocom-made products as seen in Glocom's catalogue.

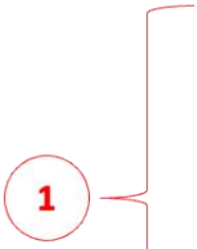
1) Comparison between “EDSAT ER-310” and “Glocom GR-310” (Upper images are from ATF website and the bottom is from Glocom’s catalogue). The contents of both ① and ② are nearly identical.

Glocom
Global Communications Co.,

GR-310 VHF/UHF Tactical SATCOM Manpack/Mobile Radio
Frequency Hopping, Digital Secure EPM
Software Defined Radio

[Key Features]
■30MHz ~ 512MHz ■Fully software defined radio, Extended use of DSP, DDS technology for maximum flexibility ■Breakthrough wide-band data performance ■Several options for channel spacing ■Cockpit control via dedicated control panel or remote control via RS-485 interface ■Preset channel operation ■AES256 or Customer oriented EPM capability by FH and digital encryption ■Built-in GPS for position reporting in situation awareness ■Wireless fill-gun (OTAR)

[Operation mode]
■Clear mode(voice, SMS) ■Secure mode(encrypted digital voice, SMS, data) ■FH mode(encrypted digital voice, SMS, data) ■SATCOM (encrypted digital voice, SMS, data)



The GR-310 is a rugged fully featured tactical Satcom radio solution delivering reliable field deployable communications with unparalleled value. ■**[Wideband frequency band operation]**-The GR-310 supports in wideband frequency band from 30MHz to 512MHz, so it is possible to use in land force, navy and air force in manpack/mobile conditions. ■**[Lightweight and Compact Design]**-Using the latest lightweight alloys the GR-310 weight 4kg(4.9kg with 11Ah/12V, Lithium Ion battery pack). Its small physical size makes it comfortable to wear and operate when deployed as a tactical manpack. Designed for the harshest field environments, the GR-310 complies with MIL-STD-810G and is fully immersible to a depth of one meter ■**[Advanced calling feature]**-The GR-310 radio supports advanced selective calling, banish calling, Automatic mode exchange, 5 digit SMS, Beacon, GPS tracking which are included as standard ■**[Remote control]**-The GR-310 radio has full operation access to the radio with remote control. ■**[Enhanced DSP noise reduction]**-MELP1000 vocoder system provides outstanding voice quality by reducing radio frequency interference (RFI), and the effects of electrical interference by enhancing audio signals to provide easier listing. The level of noise reduction can be easily selected to suit prevailing conditions. ■**[Automatic antenna tuner]**-Whips and untuned wire antennas are simply deployed using the inbuilt, fully automatic antenna tuner. For temporary fixed station and tunable tactical antennas are available. ■**[Intuitive operation]**-Glocom’s well known intuitive operator interface ensures that operating the GR-310 very simple. Principal key functions are performed using a keyboard array mounted on the front panel. The operator is guided by 128x32 LCD graphics display. The display has adjustable backlighting, allowing maintenance of night vision or high levels of luminescence in poor visibility. Network station addresses and radio numbers are stored in easily accessible address books and as little as two key strokes will initiate a call. ■**[Extended operation time]**-The low current consumption of the GR-310 radio enables it to operate for over 20 hours on one battery pack. Spare quick change battery packs are small and light-weight. The battery packs contains the charger management system and can be charged when connected to the radio or separately with charger including grid charger, solar charger. ■**[SATCOM function]**-The GR-310 supports military tactical Satcom functionality, so it makes possible to communicate in beyond horizon condition. It is possible to communicate in worldwide in anytime, anywhere. ■**[Digital Encryption and scrambling]**-The GR-310 can be fitted with a variety of scrambling and digital encryption functions for voice and data security. The GR-310 includes secure calling(an innovative narrow band voice scrambler providing secure point to point or point to multipoint communication), AES 256 bit digital encryption assuring secure voice and data operation ■**[Frequency Hopping]**-The unique, easy to use frequency hopping function requires no central synchronization station, has short entry or late entry time delay and requires no hopping handshakes. Hopping rate of 10 hops per second, using 25 digit hopping encryption key, and user selectable hopping bandwidth to suit the antenna type in use, the system provides excellent protection against Electronic Warfare (EW) attacks.

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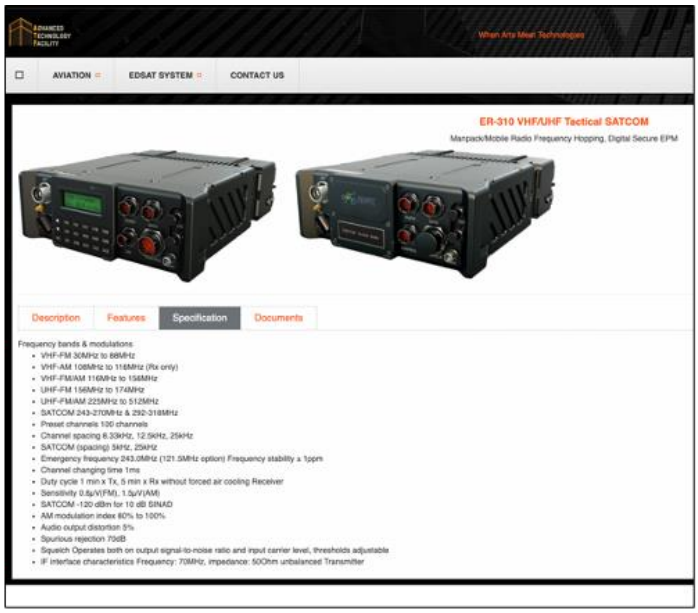
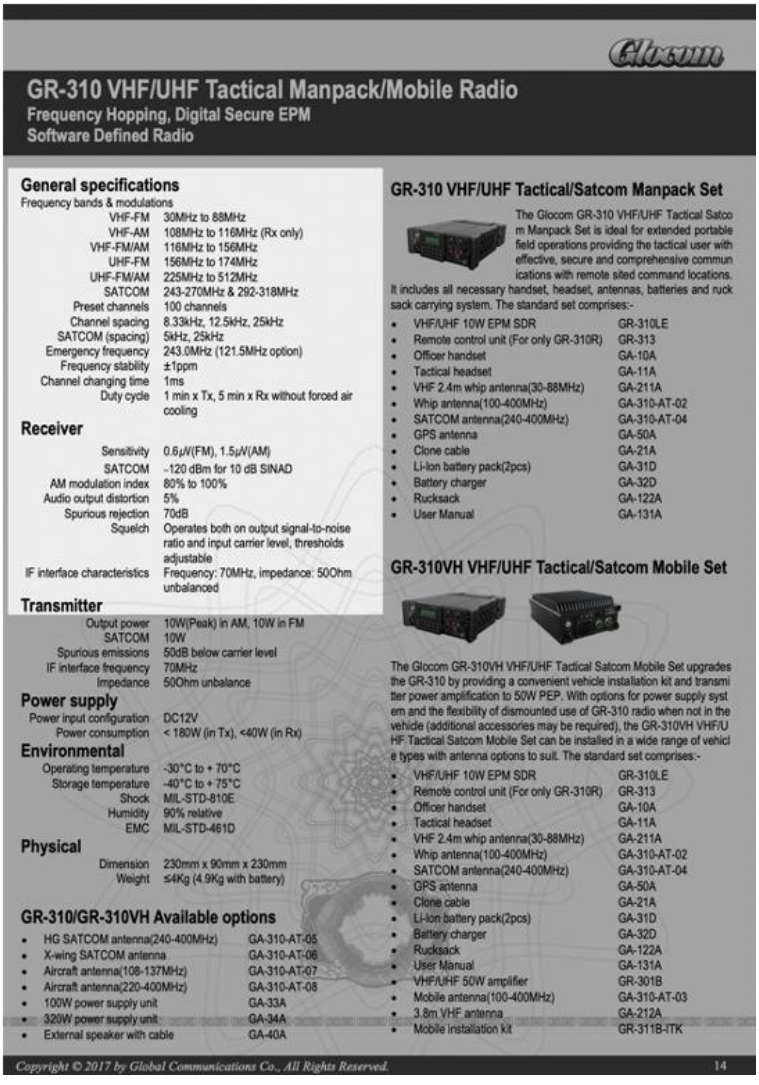

AVIATION
EDSAT SYSTEM
CONTACT US
ER-310 VHF/UHF Tactical SATCOM
Manpack/Mobile Radio Frequency Hopping, Digital Secure EPM
Description
Features
Specification
Documents
Frequency bands & modulations:
VHF-FM 30MHz to 88MHz
VHF-AM 108MHz to 116MHz (Rx only)
VHF-FM/AM 116MHz to 156MHz
UHF-FM 156MHz to 174MHz
UHF-FM/AM 225MHz to 512MHz
SATCOM 243-270MHz & 292-318MHz
Preset channels 100 channels
Channel spacing 8.33kHz, 12.5kHz, 25kHz
SATCOM (spacing) 5kHz, 25kHz
Emergency frequency 243.0MHz (121.5MHz option) Frequency stability ± 1ppm
Channel changing time 1ms
Duty cycle 1 min x Tx, 5 min x Rx without forced air cooling Receiver
Sensitivity 0.6μV(FM), 1.5μV(AM)
SATCOM -120 dBm for 10 dB SINAD
AM modulation index 80% to 100%
Audio output distortion 5%
Spurious rejection 70dB
Squelch Operates both on output signal-to-noise ratio and input carrier level, thresholds adjustable
IF interface characteristics Frequency: 70MHz, impedance: 50Ohm unbalanced Transmitter

2


Glocom
GR-310 VHF/UHF Tactical Manpack/Mobile Radio
Frequency Hopping, Digital Secure EPM
Software Defined Radio
General specifications
Frequency bands & modulations
VHF-FM 30MHz to 88MHz
VHF-AM 108MHz to 116MHz (Rx only)
VHF-FM/AM 116MHz to 156MHz
UHF-FM 156MHz to 174MHz
UHF-FM/AM 225MHz to 512MHz
SATCOM 243-270MHz & 292-318MHz
Preset channels 100 channels
Channel spacing 8.33kHz, 12.5kHz, 25kHz
SATCOM (spacing) 5kHz, 25kHz
Emergency frequency 243.0MHz (121.5MHz option)
Frequency stability ±1ppm
Channel changing time 1ms
Duty cycle 1 min x Tx, 5 min x Rx without forced air cooling
Receiver
Sensitivity 0.6μV(FM), 1.5μV(AM)
SATCOM -120 dBm for 10 dB SINAD
AM modulation index 80% to 100%
Audio output distortion 5%
Spurious rejection 70dB
Squelch Operates both on output signal-to-noise ratio and input carrier level, thresholds adjustable
IF interface characteristics Frequency: 70MHz, impedance: 50Ohm unbalanced
Transmitter
Output power 10W(Peak) in AM, 10W in FM
SATCOM 10W
Spurious emissions 50dB below carrier level
IF interface frequency 70MHz
Impedance 50Ohm unbalance
Power supply
Power input configuration DC12V
Power consumption < 180W (in Tx), <40W (in Rx)
Environmental
Operating temperature -30°C to + 70°C
Storage temperature -40°C to + 75°C
Shock MIL-STD-810E
Humidity 90% relative
EMC MIL-STD-461D
Physical
Dimension 230mm x 90mm x 230mm
Weight ≤4Kg (4.9Kg with battery)
GR-310/GR-310VH Available options
HG SATCOM antenna(240-400MHz) GA-310-AT-05
X-wing SATCOM antenna GA-310-AT-06
Aircraft antenna(108-137MHz) GA-310-AT-07
Aircraft antenna(220-400MHz) GA-310-AT-08
100W power supply unit GA-33A
320W power supply unit GA-34A
External speaker with cable GA-40A
GR-310 VHF/UHF Tactical/Satcom Manpack Set
The Glocom GR-310 VHF/UHF Tactical Satcom Manpack Set is ideal for extended portable field operations providing the tactical user with effective, secure and comprehensive communications with remote sited command locations. It includes all necessary handset, headset, antennas, batteries and ruck sack carrying system. The standard set comprises:-
VHF/UHF 10W EPM SDR GR-310LE
Remote control unit (For only GR-310R) GR-313
Officer handset GA-10A
Tactical headset GA-11A
VHF 2.4m whip antenna(30-88MHz) GA-211A
Whip antenna(100-400MHz) GA-310-AT-02
SATCOM antenna(240-400MHz) GA-310-AT-04
GPS antenna GA-50A
Clone cable GA-21A
Li-Ion battery pack(2pcs) GA-31D
Battery charger GA-32D
Rucksack GA-122A
User Manual GA-131A
GR-310VH VHF/UHF Tactical/Satcom Mobile Set
The Glocom GR-310VH VHF/UHF Tactical Satcom Mobile Set upgrades the GR-310 by providing a convenient vehicle installation kit and transmitter power amplification to 50W PEP. With options for power supply system and the flexibility of dismounted use of GR-310 radio when not in the vehicle (additional accessories may be required), the GR-310VH VHF/UHF Tactical Satcom Mobile Set can be installed in a wide range of vehicle types with antenna options to suit. The standard set comprises:-
VHF/UHF 10W EPM SDR GR-310LE
Remote control unit (For only GR-310R) GR-313
Officer handset GA-10A
Tactical headset GA-11A
VHF 2.4m whip antenna(30-88MHz) GA-211A
Whip antenna(100-400MHz) GA-310-AT-02
SATCOM antenna(240-400MHz) GA-310-AT-04
GPS antenna GA-50A
Clone cable GA-21A
Li-Ion battery pack(2pcs) GA-31D
Battery charger GA-32D
Rucksack GA-122A
User Manual GA-131A
VHF/UHF 50W amplifier GR-301B
Mobile antenna(100-400MHz) GA-310-AT-03
3.8m VHF antenna GA-212A
Mobile installation kit GR-311B-ITK
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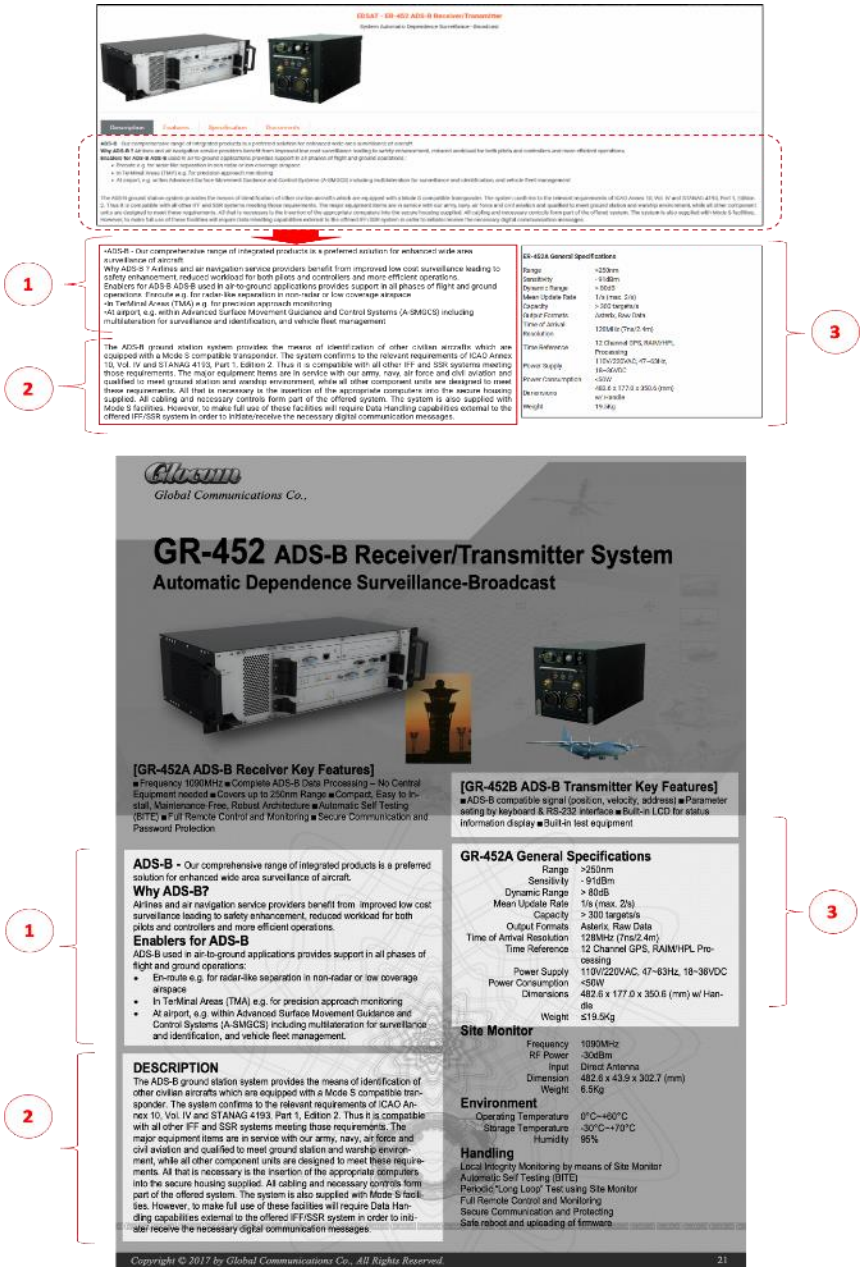
14

2

2) Comparison between “EDSAT ER-452” and “Glocom GR-452” (Upper images are from ATF website and the bottom is from Glocom’s catalogue). The contents of both ① , ②, and ③ are nearly identical



Source: ATF website and Glocom catalogues

Annex 54: Notice of the U.S. Department of the Treasury

U.S. DEPARTMENT OF THE TREASURY

Treasury Sanctions Facilitator for Attempted Arms Deals Between North Korea and Russia

March 30, 2023

WASHINGTON — Today, the Department of the Treasury's Office of Foreign Assets Control (OFAC) sanctioned one individual for attempting to facilitate arms deals between Russia and the Democratic People's Republic of Korea (DPRK). Sanctions and export controls imposed by a coalition of over 30 countries have constrained Russia's ability to replace lost military equipment and supplies with modern technology. At the same time, the United States and its partners are continuing to provide Ukraine with advanced weapons to defend itself against Russia's brutal war of choice.

"Russia has lost over 9,000 pieces of heavy military equipment since the start of the war, and thanks in part to multilateral sanctions and export controls, Putin has become increasingly desperate to replace them," said Secretary of the Treasury Janet L. Yellen. "Schemes like the arms deal pursued by this individual show that Putin is turning to suppliers of last resort like Iran and the DPRK. We remain committed to degrading Russia's military-industrial capabilities, as well as exposing and countering Russian attempts to evade sanctions and obtain military equipment from the DPRK or any other state that is prepared to support its war in Ukraine."

WEAPONS AND PROHIBITED GOODS

OFAC is designating a Slovakian national **Ashot Mkrtychev** (Mkrtychev) pursuant to Executive Order (E.O.) 13551 for having attempted to, directly or indirectly, import, export, or reexport to, into, or from the DPRK any arms or related materiel.

Between the end of 2022 and early 2023, Mkrtychev worked with DPRK officials to obtain over two dozen kinds of weapons and munitions for Russia in exchange for materials ranging from commercial aircraft, raw materials, and commodities to be sent to the DPRK. Mkrtychev's negotiations with DPRK and Russian officials detailed mutually beneficial cooperation between North Korea and Russia to include financial payments and barter arrangements. He confirmed Russia's readiness to receive military equipment from the DPRK with senior Russian officials. Mkrtychev's negotiations with those officials indicated that necessary Russian preparations for

a proposed deal were complete, and that they were ready to receive materials from and transfer materials to the DPRK. He also provided DPRK officials with information from Russian officials, likely connected to his attempts to obtain military equipment for Russia from DPRK. Lastly, Mkrtychev worked with a Russian individual to locate commercial aircraft suitable for delivery to the DPRK.

SANCTIONS IMPLICATIONS

As a result of today's action, pursuant to E.O. 13551, all property and interests in property of the person named above that are in the United States, or in the possession or control of U.S. persons, are blocked and must be reported to OFAC. In addition, any entities that are owned, directly or indirectly, 50 percent or more by one or more blocked person are also blocked.

In addition, persons that engage in certain transactions with the individual designated today may themselves be exposed to designation. Furthermore, any foreign financial institution that knowingly facilitates a significant transaction or provides significant financial services for the individual designated today could be subject to U.S. correspondent or payable-through account sanctions.

The power and integrity of OFAC sanctions derive not only from OFAC's ability to designate and add persons to the Specially Designated Nationals and Blocked Persons (SDN) List, but also from its willingness to remove persons from the SDN List consistent with the law. The ultimate goal of sanctions is not to punish, but to bring about a positive change in behavior. For information concerning the process for seeking removal from an OFAC list, including the SDN List, please refer to OFAC's Frequently Asked Question 897.

For detailed information on the process to submit a request for removal from an OFAC sanctions list, please click here.

Find identifying information on the individual sanctioned today here.

###

Source: https://home.treasury.gov/news/press-releases/jy1377?utm_campaign=Readbook&utm_medium=email&_hsmi=252489754&_hsenc=p2ANqtz-8CUtB47CLpIA1sL7zycVx7NGHKz7iHzsDx5U0uZVyH8ZCD-RntLDdWpiJi49MiIWimJLtVw8YgIR-6XpYrcFrZKkpvdw&utm_content=252489754&utm_source=hs_email

Annex 55: Russian Federation's reply

В связи с запросом группы экспертов ОС.105 сообщаем следующее.

Сведения относительно якобы проводимых гражданином Словакии А.Мкртычевым переговорах о поставках из КНДР в Россию оружия и боеприпасов в обмен на товары не подтверждаются, являясь бездоказательными инсинуациями американской стороны.

Translated from Russian

In connection with reference No. OC.105 from the Panel of Experts, we hereby report the following. The information concerning the alleged negotiations by Slovak citizen A. Mkrtychev on the supply of arms and ammunition from the Democratic People's Republic of Korea to Russia in exchange for goods, being unsubstantiated insinuations on the part of the United States of America, is unconfirmed.

Annex 56: United States' reply concerning Mkrtychev' passport information

MKRTYCHEV, Ashot (a.k.a. MKRTYCEV, Asot), Hana Melichkova Street 3448/37, Bratislava 84105, Slovakia; DOB 07 May 1966; POB Baku, Azerbaijan; citizen Slovakia; Gender Male; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; Passport BD3843329 (Slovakia) expires 08 Apr 2029; alt. Passport BD5609822 (Slovakia) expires 19 May 2024 (individual)[DPRK].

Annex 57: Russian Federation's reply

В связи с запросом группы экспертов ОС.5 сообщаем следующее.

Представленные «одним государством-членом» фотографии не являются исчерпывающими доказательствами и не свидетельствуют о нарушении введенных против Пхеньяна международных ограничительных мер.

Движение товаров в/из КНДР осуществляется с учетом требований резолюций СБ в отношении этой страны. Установленные Советом санкционные запреты и ограничения соблюдаются. Компетентные российские органы нарушений не выявили.

Translated from Russian

In connection with reference No. OC.5 from the Panel of Experts, we hereby report the following.

The photographs provided "by one Member State" are not comprehensive evidence and do not show a violation of the international restrictive measures imposed against Pyongyang.

The movement of goods to/from the Democratic People's Republic of Korea is carried out taking into account the requirements of the Security Council resolutions concerning this country. The Council's sanctions prohibitions and restrictions are being complied with. The competent Russian authorities found no violations.

Annex 58: Poland's SALW trade statistics with DPRK and its reply

Poland's Trade Statistics with the DPRK on SALW in 2022

Month	HS Code	Imported Amount in USD
January	9306	404
February		366
March		327
April	9305	18
	9306	765
May	9305	18
	9306	1163
July	9305	18
	9306	446
October	9306	935
November		201
December		831

- **HS Code 9305**: Parts and accessories off arms (military weapons, pistols, revolvers, shotguns, rifles etc.)
- **HS Code 9306**: Bombs, grenades, torpedoes, mines, missiles, cartridges and other ammunition and projectiles and parts thereof, including buckshot, shot and cartridge wads.

Source: UN Commodity Trade Statistic Database (https://comtradeplus.un.org/)

Poland's Reply

RZECZPOSPOLITA POLSKA
STAŁE PRZEDSTAWICIELSTWO PRZY
NARODACH ZJEDNOCZONYCH

REPUBLIC OF POLAND
PERMANENT MISSION
TO THE UNITED NATIONS

750 Third Avenue, NEW YORK, NY 10017
TEL.: (212) 744 2506 FAX: (212) 517 6771

SP.ONZ.NJORK.6340.212.2023

The Permanent Mission of the Republic of Poland to the United Nations in New York presents its compliments to the Acting Coordinator of the Panel of Experts established pursuant to Security Council resolution 1874 (2009) and with reference to the letter of 16 June 2023 (S/AC.49/2023/PE/OC.137) regarding "arms and related materiel" imported by Poland from the Democratic People's Republic of Korea (DPRK) in 2022 has the honor to submit herewith information on the issue at question.

The Permanent Mission of the Republic of Poland to the United Nations in New York avails itself of this opportunity to renew to the Acting Coordinator of the Panel of Experts assurances of its highest consideration.

STAŁE PRZEDSTAWICIELSTWO RP PRZY NARODACH ZJEDNOCZONYCH W NOWYM JORKU

New York, 14 July 2023

[redacted]

Acting Coordinator of the Panel of Experts
established pursuant to Security Council Resolution 1874 (2009)
United Nations
New York

Annex to the note SP.ONZ.NJORK.6340.212.2023

Information for the Panel of Experts established by United Nations Security Council resolution 1874 (2009) with regard to the import of "arms and related materiel" from the DPRK to Poland

With reference to the question of the Panel of Experts with regard to "arms and related materiel" imported by Poland from the DPRK in 2022, please find below information that you may consider relevant to the issue at question.

First and foremost we would like to reaffirm our commitment to international obligations. Sanctions regime imposed on DPRK as well as export control are addressed in the Republic of Poland in both domestic and EU-level legal framework. Measures against the DPRK imposed by the Security Council have been jointly implemented by Poland and the other Member States of the European Union within the framework of Common Foreign and Security Policy. In order to give an effect of these measures in the most comprehensive and uniform manner the European Union adopted relevant legislation such as decision and regulation issued on the basis of article 29 of the Treaty on European Union and article 215 of the Treaty on the Functioning of the European Union, respectively. It should be emphasized that these measures constitute an essential part of the European Union foreign policy tool that it uses to pursue objectives in accordance with the principles of the Common Foreign and Security Policy. It should also be noted that from legal perspective regulation has direct binding effect for all persons and entities, without requirement to be implemented into national legislation, unless it is stipulated otherwise.

The obligations stemming from resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017), 2397 (2017) have been enshrined in respective provisions of Council Decision (CFSP) 2016/848 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and Council Regulation (EC) 1509/2017 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea (OJ L 224 31.8.2017, p. 1 with further amendments).

Considering robust sanctions' measures imposed on the DPRK, bilateral economic ties between Poland and DPRK are very limited. Apart from that due to the fact that the DPRK remains on the Financial Action Task Force's list of jurisdictions that have strategic deficiencies in their anti-money-laundering and counter-terrorist financing regimes, all the DPRK-linked activities are under the highest possible scrutiny. Under statutory requirements as provided for in AML/CFT Act financial market entities are obliged to apply enhanced customer due diligence measures taking into account the risk-based approach. Moreover the comprehensive national export control regime in force is based on close interagency cooperation between export control authority and various national authorities such as inter alia National Security Agency, Ministry of Foreign Affairs and National Revenue Administration (KAS), the latter responsible for customs matters. It is therefore mandatory for competent authorities to apply enhanced scrutiny in line with detailed procedures, taking into account comprehensive import and export restrictions on the DPRK. It should also be underlined that competent authorities exercise continuous vigilance over business activities and transactions that may be directly or indirectly linked to designated entities and individuals as well as prohibited activities. Nonetheless, well-tailored customer due diligence measures applied by respective institutions, along with wide interagency cooperation ensure that relevant authorities give the highest consideration to all the DPRK-linked activities.

1

However, it should be emphasized that in this particular case national competent authorities are not in possession of any information that may confirm the transactions referred to by the Coordinator of the Panel of Experts. The analysis of the national databases on economic turnover available to National Revenue Administration does not show that in the period in question imports of goods classified under HS codes 9305 (parts and accessories of articles covered by headings 9301 to 9304) and 9306 (bombs, grenades, torpedoes, mines, projectiles and similar armaments of war and parts thereof, cartridges and other ammunition and grenades and parts thereof, including shot and ball wads) or other arms-related goods from the DPRK to Poland, took place. It should also be pointed out that the data contained in the UN Comtrade Database available on the website https://comtradeplus.un.org/, as indicated in the Coordinator's letter, does not correspond with the data reported by Poland to United Nations Register of Conventional Arms https://www.unroca.org/poland/report/2022/. Considering the above, it will be helpful to investigate the matter further if we are provided with the sources of this specific data.

In 2022, according to official data gathered by Statistics Poland (GUS) economic turnover between DPRK to Poland was at very low level, covering mainly basic goods. DPRK is ranked 198 out of the total 236 economic partners (this list also includes overseas territories and dependencies). Please find also enclosed document prepared by EU Directorate – General for Trade illustrating in details volume and value of trade in goods between the European Union and DPRK.

Taking into account the gravity of violation of international obligations by the DPRK, we would like to inform you that Poland considers cooperation with the Panel of Experts with a view to analyzing all issues related to alleged non-compliance to be of the utmost importance. We would like to assure you of our full readiness to cooperate in this matter.

2

Source: Member State

Annex 59: Singapore's export control cases of luxury goods to the DPRK

Case Study: Sanctioned goods shipped to DPRK

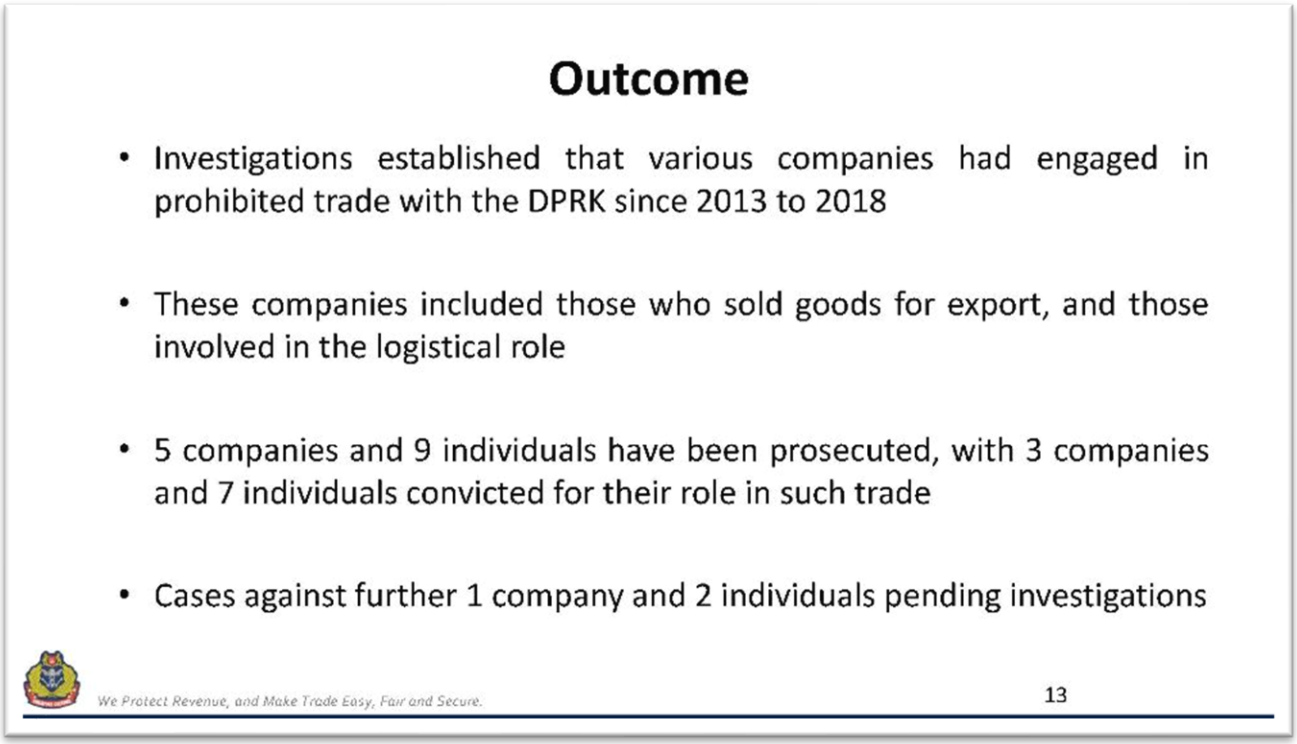
- In 2018, Singapore Customs received information alleging that Singaporean companies have engaged in trade in luxury goods which were prohibited by the United Nations Security Council ("UNSC") sanctions.
- Through investigations, different companies were established to be engaged in such trade.

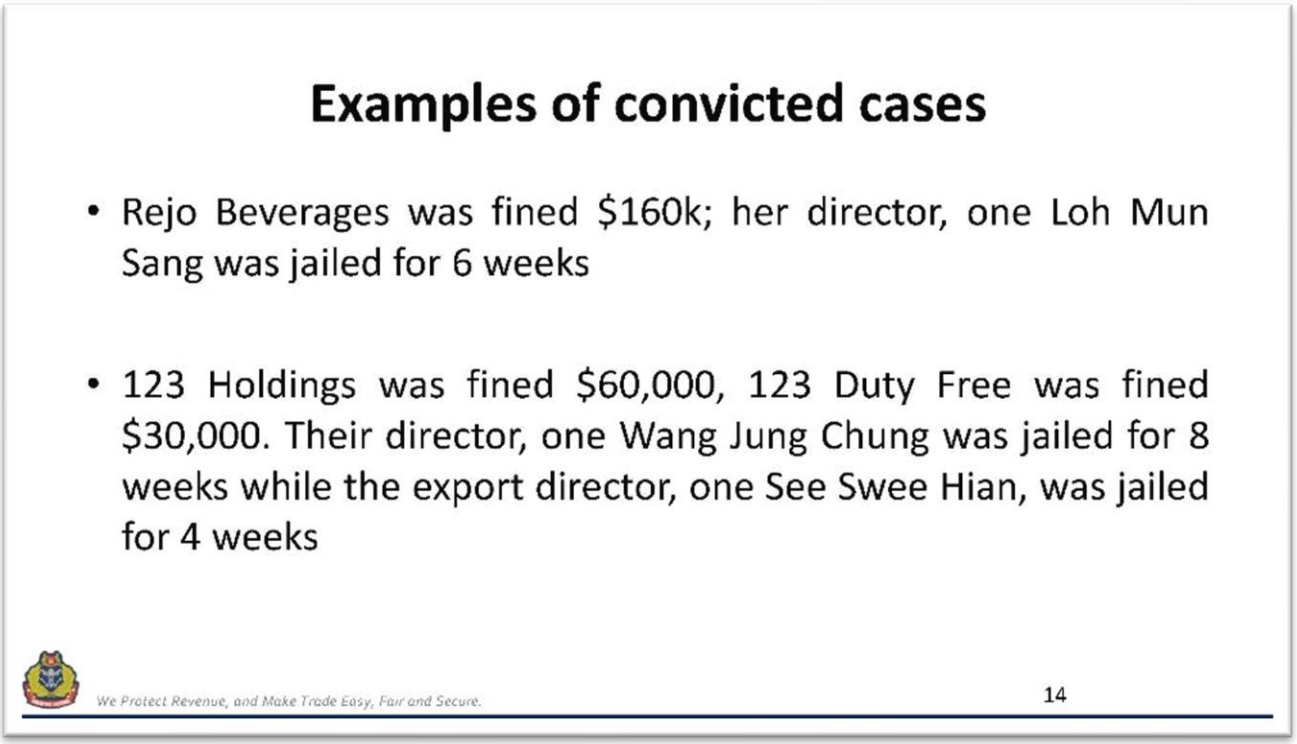
We Protect Revenue, and Make Trade Easy, Fair and Secure. 11

Key Points

- Singapore gives force to the UNSC sanctions by implementing the sanctions within domestic law
- Therefore, exporting goods which violate the sanctions constitute an offence under the United Nations (Sanctions — Democratic People's Republic Of Korea) Regulations
- Additionally, on 8 Nov 2017, Singapore prohibited all commercially traded goods from or to the DPRK, regardless of whether they are imported, exported, or transhipped or brought in transit through Singapore

We Protect Revenue, and Make Trade Easy, Fair and Secure. 12





Source: Member State.

Annex 60: Cases prosecuted by Singapore for the violation of luxury goods export to DPRK

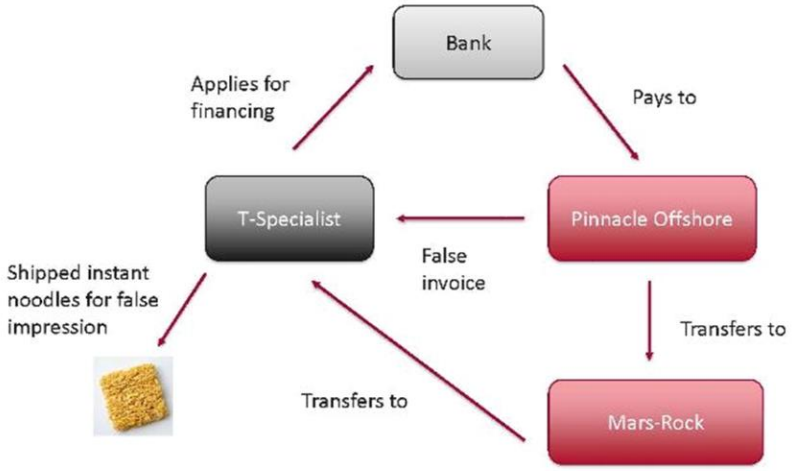
PP v Ng Kheng Wah

- T-Specialist directly supplied designated luxury items to the Korean Bugsae shop between November 2010 and January 2017, including:
  - Wines and spirits
  - Perfumes, cosmetics, musical instruments and precious jewellery
  - Watches clad with a precious metal
- Total value of designated luxury goods supplied to DPRK was in excess of SGD $6m
- T-Specialist and Ng Kheng Wah faced 80 charges under Reg 5(a) of the United Nations (Sanctions – Democratic People's Republic of Korea) Regulations ("UN-DPRK Regs").

PP v Ng Kheng Wah

- Due to the sanctions, Li Ik/Li Hyon had difficulty paying T-Specialist and owed USD 20 m by end of 2013
- Ng then committed trade financing fraud – arranged for his friend Wang to create fictitious invoices for non-existent transactions to purchase MSG and instant noodles.
- Obtained over USD 94m in trade financing from five banks, which was then round-tripped back to T-Specialist. Loans were eventually repaid.
- Ng faced 81 charges of cheating and 8 charges under the Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act ("CDSA").

PP v Ng Kheng Wah



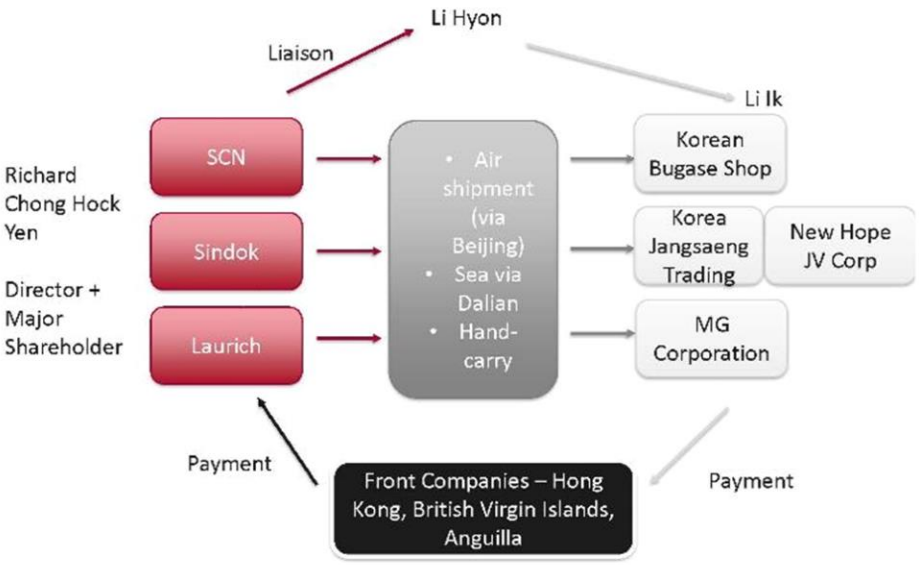
PP v Ng Kheng Wah

- Ng: 34 months' imprisonment
  - 4 months for UN DPRK-Regs charges
  - 30 months' imprisonment for cheating charges
- T-Specialist: fine of $880,000:
  - $380,000 for UN-DPRK Regs Charges
  - $500,000 for CDSA offences

THE STRAITS TIMES

Jail for company director who sold luxury goods to North Korea, cheated banks of $130m

PP v Chong Hock Yen and others

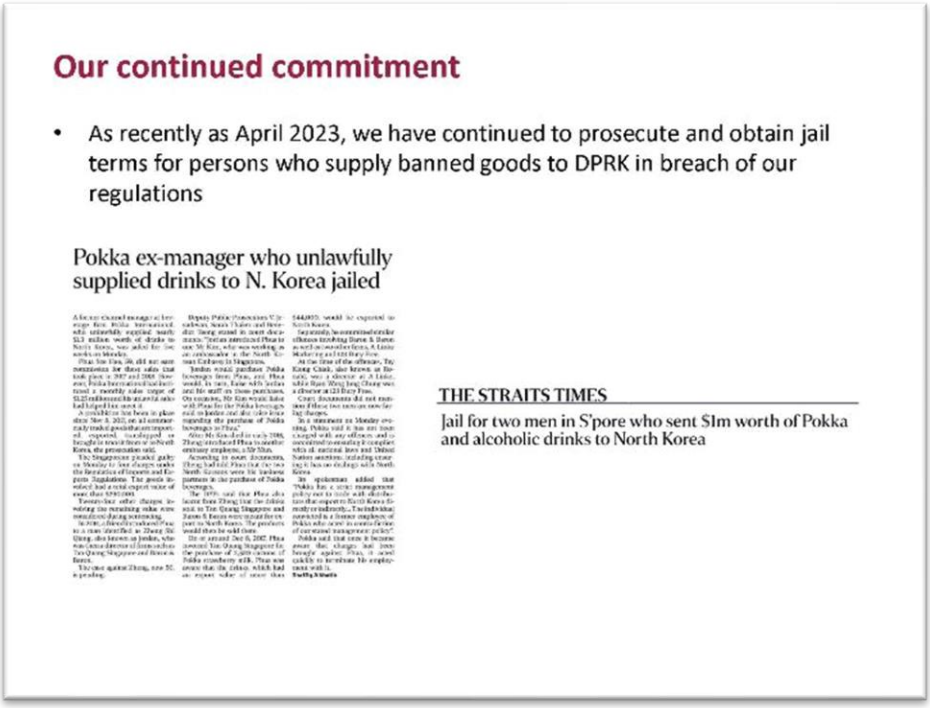


PP v Chong Hock Yen and others

- In total, 43 occasions where luxury items were supplied, with total value exceeding SGD 500k, and Richard Chong earning about $120k.
- Designated luxury goods supplied included perfumes and cosmetics, watches of metal clad with a precious metal and musical instruments.
- At first instance, District Judge imposed the following sentences:
  - Richard Chong: 3 weeks' imprisonment
  - SCN: $120,000 fine
  - Sindok: $10,000 fine
  - Laurich: $10,000 fine
- Prosecution and defence both appealed against sentences imposed.

PP v Chong Hock Yen and others – the appeal

- The violation of a UN measure enacted into domestic law would affect Singapore's international reputation, in particular, as an international trade and finance centre.
- Luxury goods do not pose a threat in itself but are prohibited, and "probably provide succour and motivation for the continued defiance or contravention of UN Sanctions by those in positions or power".
- Harm to Singapore's reputation and standing would be greater when it took place in relation during a period of heightened tension.
- Fines imposed had to take into account both punishment and disgorgement of profits.



Source: Member State.

Annex 61: Reply from Jaguar Land Rover

The United Nations Security Council Panel of Experts
The United Nations Headquarters
Siege
New York
NY 10017

4 April 2023

Your Reference: S/AC.49/2023/PE/OC.23

Dear [redacted]

I am writing in response to your letter of 15 March 2023 in relation to photographs of a Land Rover Defender in Pyongyang, Democratic People's Republic of Korea (DPRK) in January 2023.

Jaguar Land Rover takes Sanctions compliance very seriously. Our Corporate Policy on Export Controls & Sanctions Compliance prohibits all transactions in breach of sanctions and all trade with what Jaguar Land Rover term "Comprehensively Sanctioned countries", which includes DPRK. Our Policy is supported by proportionate monitoring and enforcement processes.

Jaguar Land Rover does not have any appointed Retailers or Service agents in DPRK. Vehicles are by their nature mobile and therefore we believe it likely that the vehicle photographed has been driven across the border or shipped in by a third party. The Panel notes in your letter that third party and criminal vehicle sales are difficult to follow. Jaguar Land Rover seeks to manage this diversion risk through robust contractual clauses and awareness raising with our counterparties in relation to permitted sales of our vehicles.

The table below contains our responses to the requests for information with regards to the vehicle photographed.

Information Requested	Jaguar Land Rover Response
1. The model, year of manufacture of the vehicle in the photographs, location of manufacturing facilities, and possible serial numbers	The Defender pictured has no visible registration plates and the photographs do not include the Vehicle Identification Number. We have shown the photographs to internal experts on the Defender and they believe that it is: • **Model**: Land Rover Defender 110 • **Model year**: Possibly 2020 model year (but they cannot be certain) • **Derivative**: P400 SE core specification (i.e. not X-Dynamic or X variant) • **Exterior Colour**: Santorini Black • **Interior**: Not visible • **Driver's Side**: Left-Hand Drive • **Manufacturing facility**: Jaguar Land Rover factory in Nitra, Slovakia • **Possible serial numbers**: The vehicle's serial number (Vehicle Identification Number / VIN) is usually displayed in the bottom corner of the windscreen. Are there any other photographs available with a close up of the windscreen? As can be seen from the response to question 3 below, the vehicle pictured could be any one of large number of vehicles. It may be feasible to generate list of all the VINs for Santorini Black 2020 Model Year Defender 110s and if the panel feels that this would be useful information we would endeavour to provide. However we would note that given the large number of possible vehicles, we would not be able to pinpoint the VIN for the specific vehicle.

1

Information Requested	Jaguar Land Rover Response
2. Prevailing markets for this type / model of vehicles, in particular any information on whether the vehicle was produced for a specific market	• This type of vehicle is sold into approximately 150 countries, however: ○ Given that it is a left-hand drive vehicle, it is unlikely (but not impossible) that it was originally supplied to a right-hand drive market. ○ Our internal experts note that this not a North American specification vehicle, as such vehicles have side markers in the front and rear wheel arch claddings.
3. Information concerning the supply of such models to these major markets after original manufacture, especially those in geographical proximity to DPRK [redacted]	• As noted above, we have not been able to identify which specific market this vehicle was originally supplied to and there is no way of knowing with certainty how the vehicle entered DPRK. It could have been driven over a land border or it could have been shipped in. • [redacted] Our internal experts think that is possibly a 2020 Model Year Vehicle and meaning it would likely have been manufactured and supplied to the original destination country in 2019 / 2020. • Below are the Global volumes of Defender 110s sold globally for the 20, 20.5 and 21 Model Years, including the subset of vehicles manufactured in Santorini Black [redacted]

[redacted]

Information Requested	Jaguar Land Rover Response
4. Information relating to any specific customization of the vehicle, either by your company and/or any subsequent company (such as an armouring / security company). What is the function of the equipment installed, and which companies might have performed such customization?	From what our experts can tell from the photographs, the vehicle does appear to have a number of accessories / modifications: <u>Visible Accessories</u>: • Front Protection System. • Chequer Plate Kit. • Black Gear Carrier box on the right side of the vehicle. From what we can tell from the images, this could be a genuine Land Rover accessory, but to date it has not been officially available in this colour, which suggests that it is either a counterfeit part or has been aftermarket painted (i.e. not by JLR). • Black Spare wheel cover – this was not available in a colour matching the body colour as a factory accessory until 23 Model Year. It could be a counterfeit or it is apparently quite common for genuine spare wheel covers to be aftermarket painted (i.e. not by JLR) to match the body colour of the vehicle. • Mudflaps (small). • Rear skid pan mounted bright scuff plate. <u>Unavailable from factory possible aftermarket upgrades</u>: • 5095 20" Wheels – these appear to be genuine Land Rover wheels, but they are not an official option on SE vehicle specification (which is the specification of the vehicle in the photographs), suggesting that they have been changed after the vehicle left the factory. • Brake Callipers – In the photos, they appear to be yellow, which are not a factory available option. This may mean that they are not genuine Land Rover parts or that they are genuine parts that have been painted yellow after the vehicle left the factory. • Extended Black Pack skid pans.

We hope that you will find the above responses satisfactory, but if you have any further queries or points that you would like further clarification on we would be pleased to try to help.

Yours sincerely

[redacted]

Director of Compliance, Ethics & Risk

JAGUAR LAND ROVER
ABBEY ROAD, WHITLEY, COVENTRY, CV3 4LF
T. 44 (0)2476 303 080
JAGUARLANDROVER.COM

REG. OFFICE: JAGUAR LAND ROVER LIMITED, ABBEY ROAD, WHITLEY, COVENTRY, CV3 4LF, UK. REGISTERED IN ENGLAND NO: 1672070

Annex 62: Reply from Steinway Musical Instruments, Inc.

STEINWAY MUSICAL INSTRUMENTS, INC.

SUBMITTED VIA EMAIL

March 28, 2023

Attn: [redacted]
United Nations Security Council Panel of Experts
Established Pursuant to Resolution 1874 (2009)
United Nations Headquarters
405 E 42nd Street
New York, New York (212-963-1055)

Re: S/AC.49/2021/PE/OC.251 Letter; Response of Steinway Musical Instruments, Inc.

Dear [redacted]

On behalf of Steinway Musical Instruments, Inc. ("Steinway"), I write to you in response to your letter, dated July 9, 2021 (the "Letter"), regarding the possible transfer of one of Steinway's grand pianos to the Democratic People's Republic of Korea ("DPRK").

First and foremost, we would like to thank the Panel of Experts (the "Panel") for their ongoing commitment to uphold United Nations Security Council Resolution 1874. Steinway is committed to compliance with all applicable laws, including UN sanctions obligations. Steinway has not engaged in any activities in violation of UN or other applicable sanctions against North Korea. In preparing this response, Steinway conducted a review of its records and third-party relationships under the guidance of our outside counsel at Dechert LLP with expertise in sanctions compliance matters.

As was discussed with both of you and our outside counsel, due to miscommunications by the United Nations of which the Panel is aware, we did not become aware of the Letter until recently. Upon learning about the Letter, however, Steinway and its outside counsel reached out to the Panel to promptly address the Panel's concerns.

In the Letter, the Panel asked Steinway to confirm whether the images of a certain piano in a DPRK music video (the "Piano") showed a Steinway model and, if so, details as to how the Piano got into the DPRK. As discussed with the Panel's representatives, Steinway cannot definitively determine whether the Piano is a Steinway piano without physically inspecting the Piano and reviewing its serial number (if any). However, upon review of Steinway's records and

CORPORATE FINANCE • ONE STEINWAY PLACE • LONG ISLAND CITY, NY 11105
TEL 718.721.2600 • WWW.STEINWAY.COM

given the limited information available from the video regarding the Piano, it appears that the Piano might not be an authentic Steinway.

Steinway rarely manufactures red pianos and Steinway has no record of exporting pianos to the DPRK. Given the region involved, Steinway leadership determined that if the Piano were a Steinway, it would have been manufactured through Steinway's factory in Germany. Upon review of its records, Steinway's manufacturing team determined that only seven red pianos have been manufactured from 2016 to 2020 by the Steinway factory in Germany. Steinway did not identify any exports of any red pianos (or any other pianos) to the DPRK through a review of Steinway's retail sales records, wholesale sale records, or other financial records. Steinway also did not identify any warranty registrations, which are customarily issued upon initial purchase of a Steinway piano, made in the last ten years to any customers located in DPRK.

Although Steinway is unable to confirm or deny authenticity without reviewing the Piano or serial number (if any), Steinway's manufacturing department noted multiple inconsistencies in the Piano's appearance that suggest that the Piano likely is not a Steinway. Upon visual review of the Piano, Steinway's leadership noted that the Piano shows a black interior, but Steinway's red pianos have mahogany or red interiors – not black. Moreover, Steinway incorporates its logo on the fallboards of its pianos; however, based on the limited views from the music video, the Piano brandishes no such logo. For these reasons, the likelihood that the Piano is an authentic Steinway piano is low.

As set forth above, Steinway does not think the Piano came from a Steinway manufacturing factory or belongs to the Steinway brand. Steinway is happy to discuss any further queries of the Panel in an effort to expeditiously resolve the Panel's concerns.

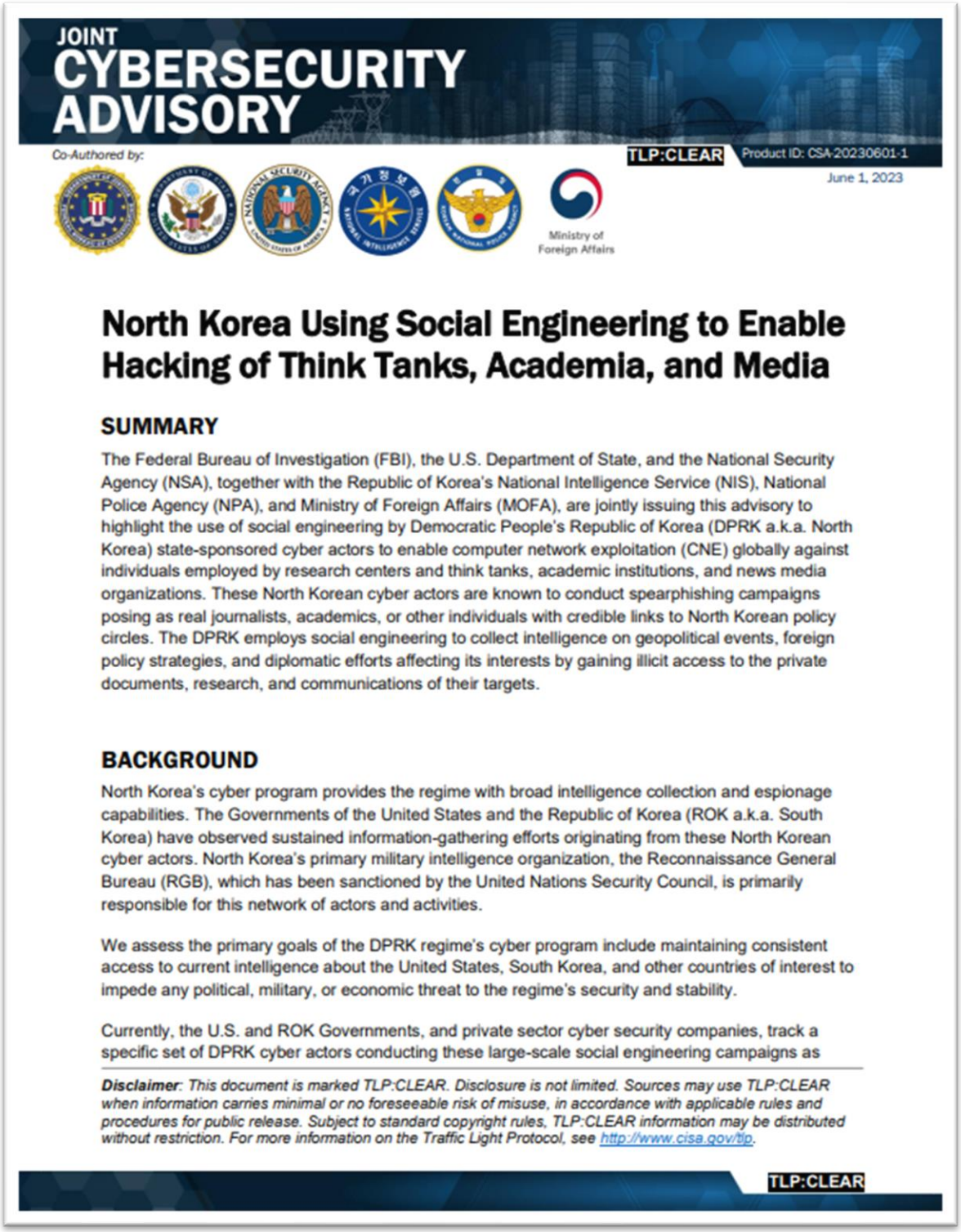
Respectfully submitted,

[redacted]

Chief Legal Officer
Steinway Musical Instruments, Inc.

cc: United States Mission to the United Nations

Annex 63: US-ROK Joint Cybersecurity Advisory on Kimsuky (1 June 2023)



JOINT
CYBERSECURITY
ADVISORY

Co-Authored by:

Ministry of Foreign Affairs

TLP:CLEAR

Product ID: CSA-20230601-1

June 1, 2023

North Korea Using Social Engineering to Enable Hacking of Think Tanks, Academia, and Media

SUMMARY

The Federal Bureau of Investigation (FBI), the U.S. Department of State, and the National Security Agency (NSA), together with the Republic of Korea's National Intelligence Service (NIS), National Police Agency (NPA), and Ministry of Foreign Affairs (MOFA), are jointly issuing this advisory to highlight the use of social engineering by Democratic People's Republic of Korea (DPRK a.k.a. North Korea) state-sponsored cyber actors to enable computer network exploitation (CNE) globally against individuals employed by research centers and think tanks, academic institutions, and news media organizations. These North Korean cyber actors are known to conduct spearphishing campaigns posing as real journalists, academics, or other individuals with credible links to North Korean policy circles. The DPRK employs social engineering to collect intelligence on geopolitical events, foreign policy strategies, and diplomatic efforts affecting its interests by gaining illicit access to the private documents, research, and communications of their targets.

BACKGROUND

North Korea's cyber program provides the regime with broad intelligence collection and espionage capabilities. The Governments of the United States and the Republic of Korea (ROK a.k.a. South Korea) have observed sustained information-gathering efforts originating from these North Korean cyber actors. North Korea's primary military intelligence organization, the Reconnaissance General Bureau (RGB), which has been sanctioned by the United Nations Security Council, is primarily responsible for this network of actors and activities.

We assess the primary goals of the DPRK regime's cyber program include maintaining consistent access to current intelligence about the United States, South Korea, and other countries of interest to impede any political, military, or economic threat to the regime's security and stability.

Currently, the U.S. and ROK Governments, and private sector cyber security companies, track a specific set of DPRK cyber actors conducting these large-scale social engineering campaigns as

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TLP:CLEAR

Kimsuky, Thallium, APT43, Velvet Chollima, and Black Banshee. Kimsuky is administratively subordinate to an element within North Korea's RGB and has conducted broad cyber campaigns in support of RGB objectives since at least 2012. Kimsuky actors' primary mission is to provide stolen data and valuable geopolitical insight to the North Korean regime.

Some targeted entities may discount the threat posed by these social engineering campaigns, either because they do not perceive their research and communications as sensitive in nature, or because they are not aware of how these efforts fuel the regime's broader cyber espionage efforts. However, as outlined in this advisory, North Korea relies heavily on intelligence gained by compromising policy analysts. Further, successful compromises enable Kimsuky actors to craft more credible and effective spearphishing emails that can be leveraged against more sensitive, higher-value targets. The authoring agencies believe that raising awareness of some of these campaigns and employing basic cyber security practices may frustrate the effectiveness of Kimsuky spearphishing operations. This advisory provides detailed information on how Kimsuky actors operate; red flags to consider as you encounter common themes and campaigns; and general mitigation measures for entities worldwide to implement to better protect against Kimsuky's CNE operations.

If you believe you have been targeted in one of these spearphishing campaigns, whether or not it resulted in a compromise (particularly if you are a member of one of the targeted sectors), please file a report with www.ic3.gov and reference #KimsukyCSA in the incident description.

Please include as much detail as you can about the incident including the sender email address and the text of the email message, specifying any links/URLs/domains. Please specify whether you responded to the email, clicked on any links, or opened any attachments. Please retain the original email and attachments in case you are contacted by an investigator for further information.

- Please visit www.ic3.gov and use **#KimsukyCSA** in your submission.
- The U.S. Government also encourages victims to report suspicious activities, including any suspected DPRK cyber activities, to local FBI field offices.
- For the ROK government, you can report suspicious activities to the National Intelligence Service (www.nis.go.kr, 111), the National Police Agency (ecrm.police.go.kr, 182), or the Korea Internet & Security Agency (boho.or.kr, 118)

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KIMSUKY OPERATIONS: SOCIAL ENGINEERING

In a cybersecurity context, social engineering is a broad term referring to the use of deception to exploit human error and manipulate a target into unwittingly exposing confidential or sensitive information for fraudulent purposes. DPRK cyber actors employ social engineering techniques to enable much of Pyongyang's malicious CNE. Among social engineering techniques, Kimsuky actors use spearphishing—or the use of fabricated emails and digital communications tailored to deceive a target—as one of their primary vectors for initiating a compromise and gaining access into a target's devices and networks. For over a decade, Kimsuky actors have continued to refine their social engineering techniques and made their spearphishing efforts increasingly difficult to discern.

A Kimsuky spearphishing campaign begins with broad research and preparation. DPRK cyber actors often use open-source information to identify potential targets of value and then tailor their online personas to appear more realistic and appealing to their victims.

Sample of a program for generating DPRK spearphishing emails.

The Kimsuky actors will create email addresses that resemble email addresses of real individuals they seek to impersonate and generate domains that host the malicious content of a spearphishing message. DPRK actors often use domains that resemble common internet services and media sites to deceive a target.

- For example, Kimsuky actors are known to impersonate well-known news outlets and journalists using a domain such as "@XYZkoreas.news" spoofing a real news station while actual emails from the news service appear as "@XYZnews.com."
- DPRK cyber actors commonly take on the identities of real people to gain trust and establish rapport in their digital communications. Kimsuky actors may have previously compromised the email accounts of the person whom they are impersonating. This allows the actors to search for targets while scanning through compromised emails, with a particular focus on work-related files and personal information pertaining to retirees, social clubs, and contact lists. They craft convincing spearphishing emails by repurposing the person's email signature, contact list, and past email exchanges. DPRK cyber actors are also known to compromise

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email accounts belonging to foreign policy experts and subsequently create a secondary email account, using the email account and identity of the expert to communicate with other significant targets.

- In other cases, a Kimsuky actor will use multiple personas to engage a target; one persona to conduct initial outreach and a second persona to follow-up on the first engagement to distract a potential victim from discerning the identity of the original persona. Another tactic is to "resend" or "forward" an email from a source trusted by a target.

- The initial phishing email occasionally contains a malicious link or document, often purporting to be a report or news article. These attached malicious documents are frequently password-protected, which helps them evade detection by antivirus software and other security measures. However, more often, the initial spearphishing email does not contain any malicious links or attachments and is instead intended to gain the trust of the victim.

- Once DPRK cyber actors establish engagement with a target, the actors attempt to compromise the account, device, or network belonging to the target by pushing malicious content in the form of a malicious macro embedded within a text document. This document is either attached directly to the email, or stored in a file hosting service, such as Google Drive or Microsoft OneDrive. These malicious macros, when enabled, quietly establish connections with Kimsuky command and control infrastructure, and result in the provision of access to the target's device.

- In some cases, Kimsuky actors have developed "spoofed" or fake but realistic versions of actual websites, portals, or mobile applications, and directed targets to input credentials and other information that are harvested by the DPRK. Compromise of a target account can lead to persistent access to a victim's communications, often through a malware used by Kimsuky actors called BabyShark. Kimsuky actors have also been known to configure a victim's email account to quietly auto-forward all emails to another actor-controlled email.

Notably, victim responses to spearphishing lures also provide Pyongyang with the added benefit of insight into foreign policy circles. This covert collection against the community of DPRK watchers is probably of high value to the Kim regime and provides another channel of information on top of what it gains through computer network operations.

Although all DPRK advanced persistent threat groups employ social engineering techniques, the campaigns and themes described in this advisory are specific to Kimsuky.

RED FLAG INDICATORS

Sector targets should be aware of the following activity that may be indications or behaviors of malicious DPRK cyber actors.

- Initial communications are often seemingly innocuous with no malicious links/attachments; follow-on communications usually contain malicious links/documents to facilitate exploitation of a computer or network.
- Email content may include real text of messages recovered from previous victim engagement with other legitimate contacts.
- Emails in English may sometimes have awkward sentence structure and/or incorrect grammar.
- Email content may contain a distinct Korean dialect exclusively used in North Korea.
- Victims/targets with both direct and indirect knowledge of policy information i.e., U.S. and ROK government employees/officials working on North Korea, Asia, China, Southeast Asia matters; U.S. and ROK government employees with high clearance levels; and members of the military, are approached with common themes and questions as referenced in this advisory.
- Email domains look like a legitimate news media site, but do not match the domain of the company's official website. The domains also may be identified as such in open-source malware repositories like Virus Total.
- Spoofed email accounts have subtle incorrect misspellings of the names and email addresses of the legitimate ones listed in a university directory or an official website.
- Malicious documents require the user to click "Enable Macros" to view the document.
- Actors are persistent if the target does not respond to the initial spearphishing email. They will likely send a follow-up email within 2-3 days of initial contact.
- Emails purporting to be from official sources but sent using unofficial email services.

CAMPAIGNS AND THEMES

Kimsuky cyber actors craft their spearphishing campaigns around themes characterizing the target, message content, and the malicious mechanism, or lure, through which a compromise is initiated. The main themes to beware of are impersonations and targeting of **journalists**, **academic scholars**, and **think tank researchers** to:

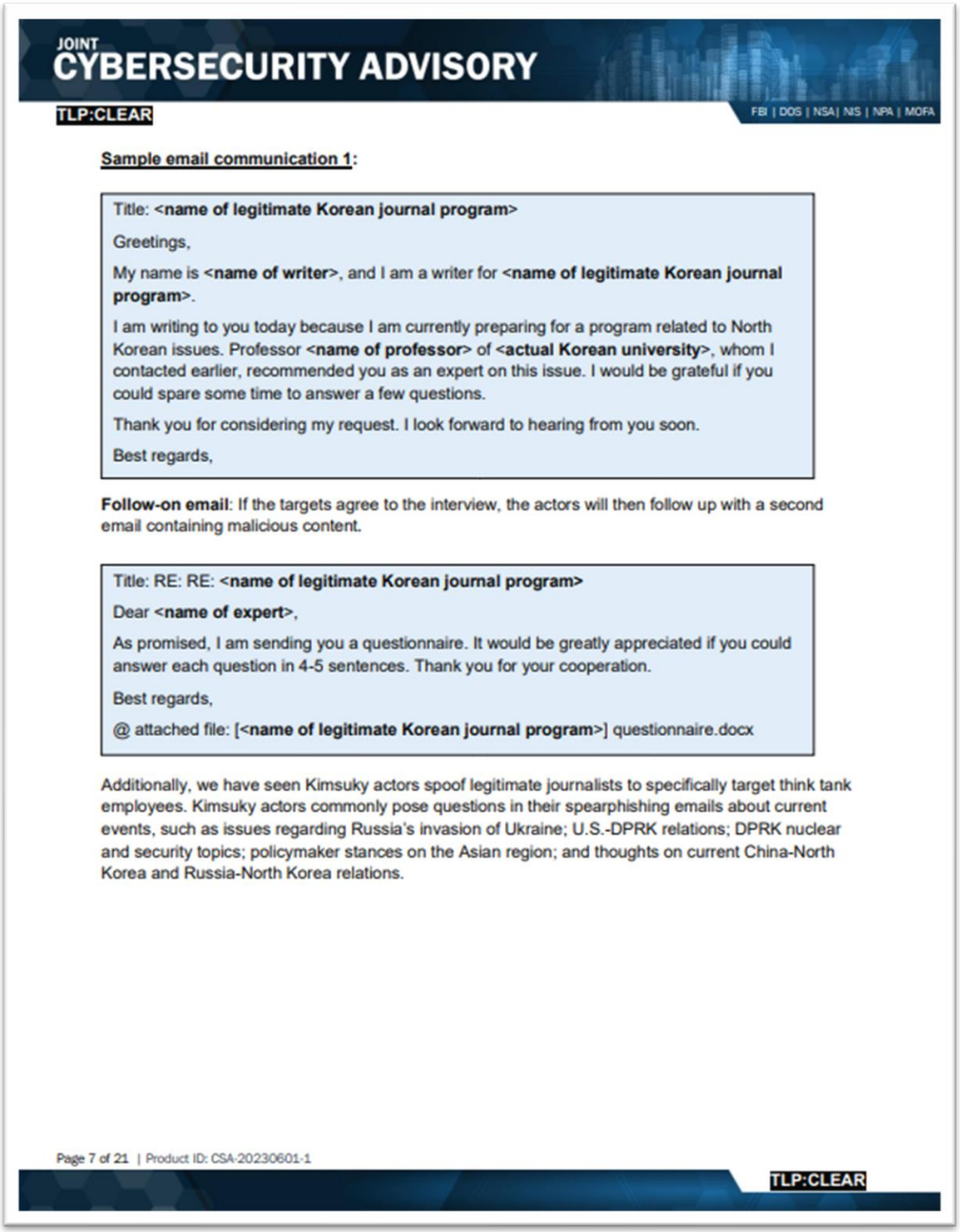
- solicit responses to foreign policy-related inquiries,
- conduct a survey,
- request an interview,
- review a document,
- request a resume, or
- offer payment for authoring a research paper.

Kimsuky actors tailor their themes to their target's interests and will update their content to reflect current events discussed among the community of North Korea watchers.

The following are examples of real Kimsuky spearphishing attempts that illustrate variations of the common themes. In some instances, the cyber actor poses as a journalist and targets a think tank researcher, while at other times, the DPRK actor may take on the persona of an academic scholar to target other scholars—virtually every combination of these themes and lures has been previously observed.

1. Impersonation of journalists

Kimsuky actors often spoof real journalists and broadcast writers to craft a credible front and make inquiries to prominent individuals working North Korea matters. Usually, the questions will revolve around current events and whether U.S. experts believe North Korea will re-join talks with the U.S., whether they believe North Korea will resume testing its missiles, and how they see China responding. In many instances, Kimsuky actors do not attach malware to their initial email. Instead, they first send an introductory email to inquire about interview opportunities.



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Sample email communication 1:

Title: **<name of legitimate Korean journal program>**

Greetings,

My name is **<name of writer>**, and I am a writer for **<name of legitimate Korean journal program>**.

I am writing to you today because I am currently preparing for a program related to North Korean issues. Professor **<name of professor>** of **<actual Korean university>**, whom I contacted earlier, recommended you as an expert on this issue. I would be grateful if you could spare some time to answer a few questions.

Thank you for considering my request. I look forward to hearing from you soon.

Best regards,

Follow-on email: If the targets agree to the interview, the actors will then follow up with a second email containing malicious content.

Title: RE: RE: **<name of legitimate Korean journal program>**

Dear **<name of expert>**,

As promised, I am sending you a questionnaire. It would be greatly appreciated if you could answer each question in 4-5 sentences. Thank you for your cooperation.

Best regards,

@ attached file: [**<name of legitimate Korean journal program>**] questionnaire.docx

Additionally, we have seen Kimsuky actors spoof legitimate journalists to specifically target think tank employees. Kimsuky actors commonly pose questions in their spearphishing emails about current events, such as issues regarding Russia's invasion of Ukraine; U.S.-DPRK relations; DPRK nuclear and security topics; policymaker stances on the Asian region; and thoughts on current China-North Korea and Russia-North Korea relations.

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Sample email communication 2:

Greetings,

I hope you've been well! This is **<name of real journalist>** with **<legitimate U.S. news organization>**.

North Korea Fires Powerful Missile on 4 Oct using Old Playbook in a New Worlds. The last time Pyongyang launched a weapon over Japan was in 2017, when Donald J. Trump was president and Kim Jong-un seemed intent on escalating conflict with Washington.

I have some questions regarding this:

1) Would Pyongyang conduct its next nuclear test soon after [redacted] in mid-October?

2) May a quieter approach to North Korean aggression be warranted?

3) Would Japan increase the defense budget and a more proactive defense policy?

I would be very grateful if you could send me your answers within 5 days.

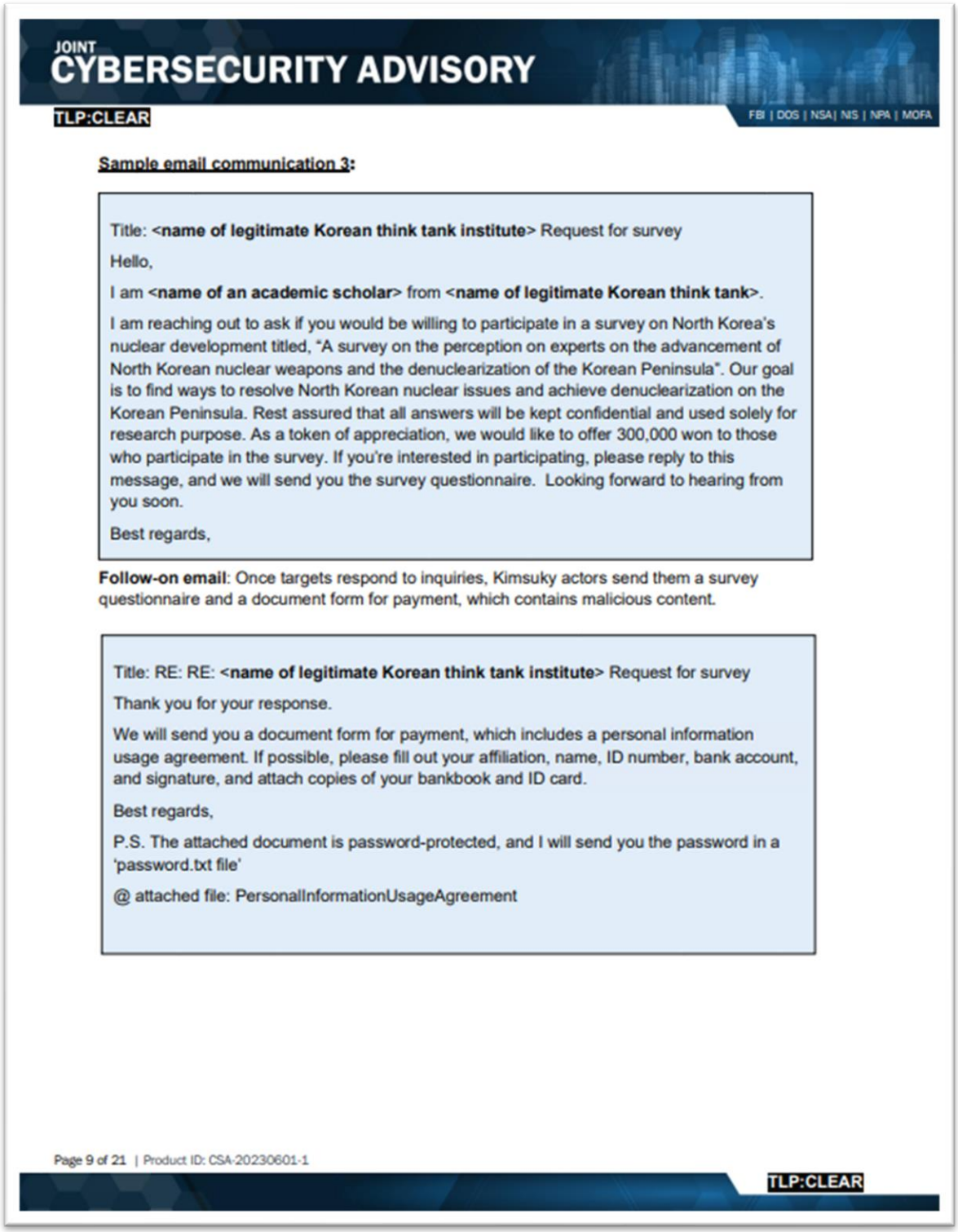
Have a good weekend.

Sincerely,

<name of legitimate journalist>

2. Impersonation of academic scholars

Kimsuky actors impersonate South Korean academic scholars to send spearphishing emails to researchers at think tanks. In these emails, the targets are asked to participate in a survey, such as on North Korean nuclear issues and denuclearization on the Korean Peninsula or requesting an email interview.



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Sample email communication 3:

Title: **<name of legitimate Korean think tank institute>** Request for survey

Hello,

I am **<name of an academic scholar>** from **<name of legitimate Korean think tank>**.

I am reaching out to ask if you would be willing to participate in a survey on North Korea's nuclear development titled, "A survey on the perception on experts on the advancement of North Korean nuclear weapons and the denuclearization of the Korean Peninsula". Our goal is to find ways to resolve North Korean nuclear issues and achieve denuclearization on the Korean Peninsula. Rest assured that all answers will be kept confidential and used solely for research purpose. As a token of appreciation, we would like to offer 300,000 won to those who participate in the survey. If you're interested in participating, please reply to this message, and we will send you the survey questionnaire. Looking forward to hearing from you soon.

Best regards,

Follow-on email: Once targets respond to inquiries, Kimsuky actors send them a survey questionnaire and a document form for payment, which contains malicious content.

Title: RE: RE: **<name of legitimate Korean think tank institute>** Request for survey

Thank you for your response.

We will send you a document form for payment, which includes a personal information usage agreement. If possible, please fill out your affiliation, name, ID number, bank account, and signature, and attach copies of your bankbook and ID card.

Best regards,

P.S. The attached document is password-protected, and I will send you the password in a 'password.txt file'

@ attached file: PersonalInformationUsageAgreement

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Sample email communication 4:

Below is an example of Kimsuky actors pursuing responses to questions on sector targets by posing as a university professor and research student. Once an initial response is received, actors will request an email interview with a list of questions and request that targets access documents via a malicious link to a cloud-hosted service.

To: **<name of foreign affairs expert>**

Subject: Re: Request for an interview

Dear **<name of foreign affairs expert>**, Sorry for my late response because of the Profs busy time and thanks so much for replying me your kind answers. I did confer with <legitimate U.S. University Professor >about it and modified a bit. Please find the link below and let me know if you have the different opinions.

https: **<malicious drive link>**

PWD: **<redacted>**

Best, **<fictitious university student>**

To: **<foreign affairs expert>**

Cc: **<scholar>**

Dear **<foreign affairs expert>**, Thanks so much for your fast feedback. I did confer with **<legitimate U.S. university professor>** again and complete it as your request. Please find the updated below. https: **<malicious drive link>**

PWD: **<redacted>**

We're planning to upload it on our website within a week after final review. Please feel free to contact with me if you have any questions.

Best, **<fictitious university student>**

3. Impersonation of think tank researchers

Kimsuky actors impersonate researchers from legitimate South Korean think tanks to send spearphishing emails to political and North Korean experts. They initiate communication by sending genuine emails to establish rapport and seek opinions on various topics, such as "North Korea's foreign policy and our response."

Sample email communication 5:

Title: [Request for opinion] I'm **<name of legitimate Korean think tank> <name of deputy director>**

Greetings,

I am **<name of legitimate Korean think tank>**, deputy director of the **<name of deputy director>**.

I am reaching out to you to discuss an article I am currently working on.

The topic, "North Korea's foreign policy and South Korea's response" is somewhat distant from my expertise, so I would greatly appreciate hearing the opinions of experts like you.

I would kindly request your comments on my writing, as I believe you are the most appropriate person to provide valuable insights on the subject. Your earlier article caught my attention, and I found myself nodding in agreement with each sentence. That is why I feel confident in asking for your opinion.

I am eagerly awaiting your reply and appreciate your willingness to assist me. Thank you for your time and consideration.

Follow-on email: After receiving replies from their targets, the Kimsuky actors exchange multiple emails, which may include attachments containing malicious links or files and instructions on how to open the attached files. Even after stealing the account information of their victims and infecting their devices with malware, they sometimes continue to send "thank you" emails to their targets.

Title: RE: RE: [Request for opinion] I'm **<name of legitimate Korean think tank> <name of deputy director> <attached large size file>**

Thank you for agreeing to provide your opinion. Please find the attached files.

We greatly appreciate your input. To ensure security in the face of increasing hacking activity, we have set a password (**<password string>**) for the attached file.

We look forward to hearing your valuable feedback.

Sample email communication 6:

Below is an example of Kimsuky actors spoofing a think tank employee and utilizing a spoofed think tank domain in order to target another think tank employee. Once the target responds with input, the Kimsuky actor sends a follow-on email with a malicious attachment.

Dear **<think tank employee>**,

Hope you are doing well. On behalf of **<another think tank>**, it is my pleasure to invite you to write a 1,200-word piece on the recent NK's provocation.

North Korea's latest missile launches, including the launch of an intermediate-range ballistic missile (IRBM) over Japan on October 4 and two short-range ballistic missiles (SRBMs) on October 6, provide a stark reminder of the numerous missile programs it is pursuing.

Subject is as follows:

1) Would Pyongyang conduct its next nuclear test soon after [redacted] in mid-October?

2) May a quieter approach to North Korean aggression be warranted?

3) Would Japan increase the defense budget and a more proactive defense policy?

You can send me this email by Oct 21. You can make your own title for your article. We can provide you with a small honorarium of around USD 480.00.

I would really appreciate it if you can contribute.

Best,

<Redacted>

Senior Fellow, **<think tank>**

Director, **<think tank>**

Follow-on email: The Kimsuky actor then sent a second communication with malicious content.

Dear **<think tank employee>**,

Sorry for my late response.

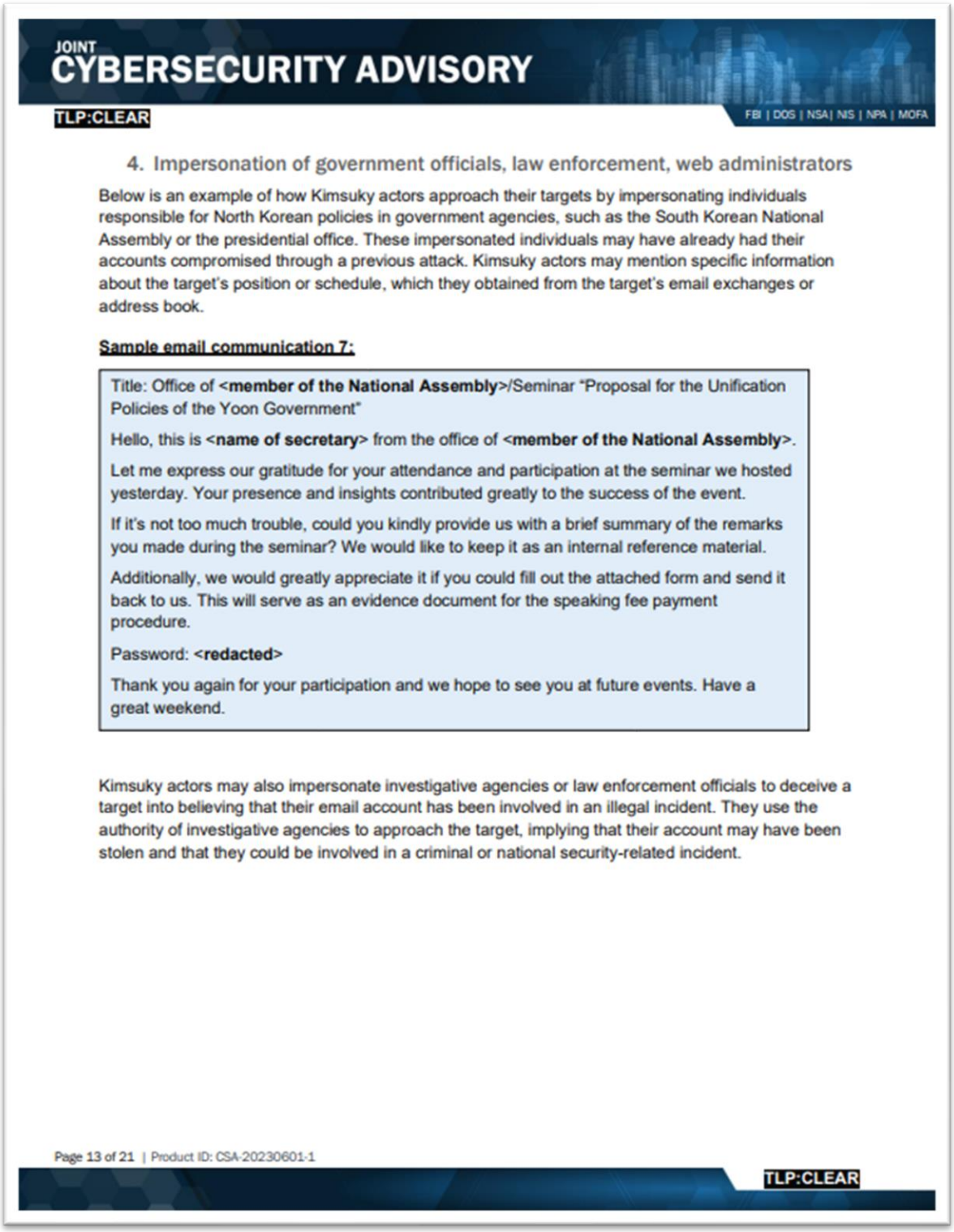
As promised, I'm writing to send our result of the review. Please find the attached and let me know if any problems.

PW: <redacted>

Best,

<Redacted>

Senior Fellow, **<think tank>**
Director, **<think tank>**



4. Impersonation of government officials, law enforcement, web administrators

Below is an example of how Kimsuky actors approach their targets by impersonating individuals responsible for North Korean policies in government agencies, such as the South Korean National Assembly or the presidential office. These impersonated individuals may have already had their accounts compromised through a previous attack. Kimsuky actors may mention specific information about the target's position or schedule, which they obtained from the target's email exchanges or address book.

Sample email communication 7:

Title: Office of **<member of the National Assembly>**/Seminar "Proposal for the Unification Policies of the Yoon Government"

Hello, this is **<name of secretary>** from the office of **<member of the National Assembly>**.

Let me express our gratitude for your attendance and participation at the seminar we hosted yesterday. Your presence and insights contributed greatly to the success of the event.

If it's not too much trouble, could you kindly provide us with a brief summary of the remarks you made during the seminar? We would like to keep it as an internal reference material.

Additionally, we would greatly appreciate it if you could fill out the attached form and send it back to us. This will serve as an evidence document for the speaking fee payment procedure.

Password: **<redacted>**

Thank you again for your participation and we hope to see you at future events. Have a great weekend.

Kimsuky actors may also impersonate investigative agencies or law enforcement officials to deceive a target into believing that their email account has been involved in an illegal incident. They use the authority of investigative agencies to approach the target, implying that their account may have been stolen and that they could be involved in a criminal or national security-related incident.

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Sample email communication 8:

Title: <**legitimate Investigator**> of <**legitimate investigation agency**>.

I am <**legitimate Investigator**> of <**legitimate investigation agency**>.

I'm writing to inform you that someone has published content on YouTube using your email account that violates the National Security Law.

Link: https:// HYPERLINK "https://%3cyoutube/"< HYPERLINK "https://%3cyoutube/"YouTube video link>. The video was posted on <**Date: 0000. 0. 00.**> by <**target**>

We also suspect that the same user has posted content that slanders North Korean defectors. We need your cooperation to identify the real publisher of these posts.

1. Provide us with your computer media access control address (MAC address) and Ethernet hardware address, as they are needed to track any illegal access to your email account.

2. If you cannot locate these addresses in your computer system, please run the program below and send us the resulting document: <check tool.zip>

3) Please respond to this email within 24 hours and delete it immediately after sending your reply.

Thanks you for your cooperation

Additionally, Kimsuky actors impersonate operators or administrators of popular web portals and claim that a victim's account has been locked following suspicious activity or fraudulent use. Victims are advised to protect their personal information and unlock their account by clicking a link attached to the email and changing their password. The link leads to a phishing site that mimics a legitimate web portal login page where victims are directed to input personal information, including their usernames and passwords, for harvesting by DPRK cyber actors.

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Sample email communication 9:

Title: Your Password for <**legitimate portal site**> Account Has Been Compromised

We regret to inform you that we have detected an attempt to log into your account (<**email address**>) from an unauthorized application. The incident occurred on <**date**> at <**time**> (Korea Standard Time), and the IP address used was <**IP address**> located in Washington, the U.S.

In order to prevent any further unauthorized access to your account, we recommend that you change your password immediately. You can do this by clicking on the following link: <**link to change password - legitimate**>

Please note that if you fail to change your password, we may have to permanently delete or close your account in accordance with our security policy.

POTENTIAL MITIGATION MEASURES

For email recipients:

- Implement basic cyber hygiene to include robust passwords, multifactor authentication, and installation of antivirus tools. See NSA's Best Practices for Securing Your Home Network or NIS's guidance for email security for more details.
- Do not enable macros on documents received via email, unless the source is verified.
- Do not open documents from cloud hosting services when shared via email, unless the source is verified.
- Closely scrutinize identities and associated social media or credentials for fraud. Be especially cautious of:
    - Official messages coming from unofficial or personal email accounts using commercial providers.
    - Domain/subdomain variations, as DPRK cyber actors have been known to register spoofed domains (e.g., johndoe@abccompany.live vs. johndoe@abccompany.com).
- If you were previously in communication with the individual, use the known legitimate contact information instead of the new, potentially malicious email or account.
- When in doubt, consult the organization's official website for correct contact information.
- If you are still not sure, verify identities via phone or video call before engaging further. DPRK cyber actors are not known to engage outside of the virtual environment and will avoid voice/video communications.

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- If you cannot verify the source of an email inquiry, consider the risks before responding.
- Consider navigating to websites using a search engine's non-sponsored results instead of clicking on URLs provided in the email(s).
- Be cautious of a request to move communications to a separate messaging platform.
- If sending documents, only send to verified email addresses.

For potential recipients' systems administrators:

- Implement a user training program and phishing exercises to raise awareness among users about the risks of visiting websites, clicking on links, and opening attachments. Reinforce the appropriate user response to phishing and spearphishing emails.
- Require phishing-resistant multi-factor authentication (MFA) for as many services as possible—particularly for webmail, virtual private networks (VPNs), accounts that access critical systems, and privileged accounts that manage backups.
- Regularly use port checking capabilities to determine if your network is being accessed remotely via desktop sharing software or a VPN or VPS, particularly if usage of remote desktop sharing software or VPN services to access accounts is not standard practice.
- If you allow the use of Remote Desktop Protocol (RDP), or other potentially risky remote services, secure and monitor them closely.
    - Limit access to resources over internal networks, especially by restricting RDP and using virtual desktop infrastructure. After assessing risks, if RDP is deemed operationally necessary, restrict the originating sources and require phishing-resistant MFA to mitigate credential theft and reuse. If RDP must be available externally, use a VPN, virtual desktop infrastructure, or other means to authenticate and secure the connection before allowing RDP to connect to internal devices. Monitor remote access/RDP logs, enforce account lockouts after a specified number of attempts to block brute force campaigns, log RDP login attempts, and disable unused remote access/RDP ports.
    - Ensure devices are properly configured and that security features are enabled. Disable ports and protocols not in use for a business purpose (e.g., RDP Transmission Control Protocol port 3389).
    - Restrict the Server Message Block (SMB) protocol within the network to only access necessary servers and remove or disable outdated versions of SMB (i.e., SMB version 1). Threat actors use SMB to propagate malware across organizations.

- Review the security posture of third-party vendors and those interconnected with your organization. Ensure all connections between third-party vendors and outside software or hardware are monitored and reviewed for suspicious activity.
- Implement application control policies that only allow systems to execute known and permitted programs.

- Open document readers in protected viewing modes to help prevent active content from running.
- Install updates for operating systems, software, and firmware as soon as they are released. Timely patching is one of the most efficient and cost-effective steps an organization can take to minimize its exposure to cybersecurity threats. Regularly check for software updates and end-of-life notifications and prioritize patching known exploited vulnerabilities. Consider leveraging a centralized patch management system to automate and expedite the process.
- Install and regularly update antivirus and antimalware software on all hosts.
- Consider requiring administrator credentials to install software.
- Add an email banner to messages coming from outside your organizations indicating that they are higher risk messages.
- Consider adding rules to block emails that match the sample emails provided in this advisory. Ensuring that you know how to scan for malicious undelivered email messages on email servers is a critical step for preparing to understand the scope of this type of targeting once malicious email identifiers are discovered.
- Enabling DMARC and DKIM on email domains generally makes certain forms of email spoofing more difficult, though it may not directly mitigate the tactics described above.

DPRK Rewards for Justice

The U.S. and ROK Governments encourage victims to report suspicious activities, including those related to suspected DPRK cyber activities, to relevant authorities. If you provide information about illicit DPRK activities in cyberspace, including past or ongoing operations, you may be eligible for a reward. If you have information about illicit DPRK activities in cyberspace, including past or ongoing operations, providing such information through the Department of State's Rewards for Justice program could make you eligible to receive an award of up to $5 million. For further details, please visit https://rewardsforjustice.net/.

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APPENDIX: ADDITIONAL SPEARPHISHING SAMPLES

Sample email communication 10:

> "This is **<name of legitimate journalist>** from **<legitimate non-U.S. news organization>**
>
> I'm writing to know your thoughts on North Korea's future direction after the Beijing Winter Olympics are over. Many believe a recent absence of North Korean provocations is due to Pyongyang's decision not to hurt Olympic vibes held in its lone major ally, but with the Games in the books, speculation is growing that North Korea is likely to pick up where it left off in January, or a series of missile tests.
>
> -Do you believe North Korea will resume testing its missile launches? If so, when is the best time for it and what kind of missiles it will opt?
>
> -China is scheduled to hold the National People's Congress, and the Chinese People's Political Consultative Conference from March 4 to 13 and do you think the schedule will further defer North Korea's possible missile testing?
>
> -North Korea has indicated that it will lift its moratorium on missile and nuclear tests, but do you think there is the possibility that Pyongyang will offer to talk with the U.S., putting the moratorium on the line? If so, what would be the U.S. response? I'd be very grateful if you could send me your answers within this week

Sample email communication 11:

> Title: Documents for the Policy Advisory Committee.
>
> Hello, **<member of the committee>**,
>
> I am **<name of government employee>** from **<government department>**.
>
> I am writing to inform you that I have attached the filed related to the recent visit of Special Representative Biegun to this email.
>
> As this email contains sensitive information, please treat it as confidential.
>
> **<file name.pdf>**

Sample email communication 12:

Dear **<university professor>**:

I hope you are safe and well.

This is **<legitimate journalist>** from **<legitimate non-U.S. news organization>**. I am sending e-mail to you because I would like to hear your opinions about how Russia's invasion of Ukraine will affect the situation surrounding North Korea. Would you like to give me your opinions about the questions below?

1) Some analysts argue that Russia's invasion of Ukraine may make North Korea much more reluctant to give up nuclear weapons, given that Ukraine has been eventually invaded by Russia after it abandoned its nuclear arsenal in exchange for security guarantees under the Budapest Memorandum. This certainly looks similar to an agreement made between Trump and Kim Jong Un in Singapore in 2018. What do you think about this kind of argument?

2) While the Biden administration is concentrated on the evolving circumstances surrounding Ukraine, possibly lowering its guard in the Asia-Pacific region, North Korea Launches New ICBM and may try to carry out nuclear tests. What do you think about North Korea's future developments?

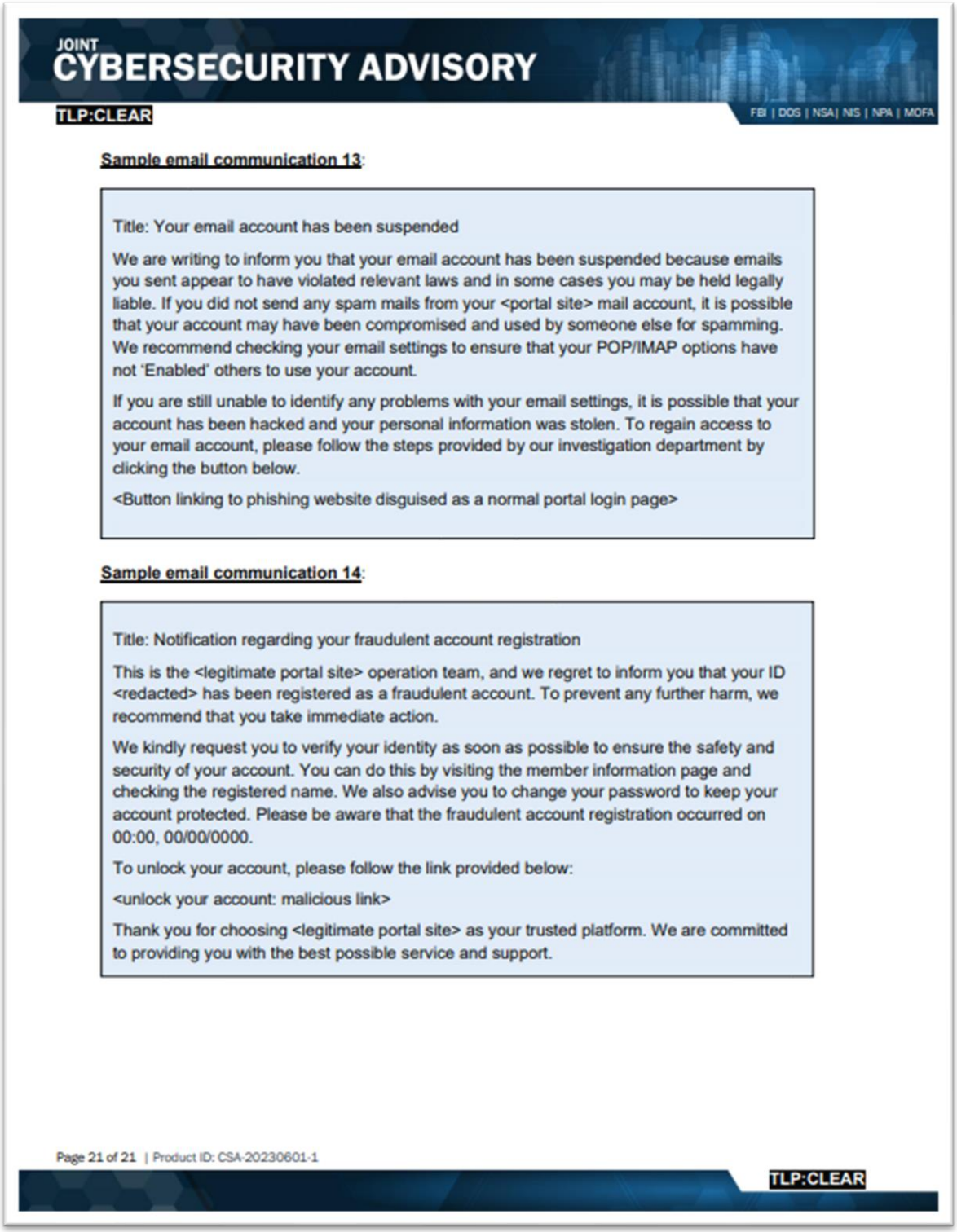
3) Do you think North Korea believes that Biden is already a "lame duck" and sees this as a good chance to concentrate on developing new weapons?

4) Do you expect China will tolerate North Korea's spate of ballistic missile launches and possible nuclear tests? Do you think North Korea can or will maintain stable and amicable relations with China? Does Russia not afford to care about North Korea?

I would be very grateful if you could send me your answers within 5 days. Thanks for your consideration and time in advance.

best regards.

<legitimate journalist>



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Sample email communication 13:

Title: Your email account has been suspended

We are writing to inform you that your email account has been suspended because emails you sent appear to have violated relevant laws and in some cases you may be held legally liable. If you did not send any spam mails from your <portal site> mail account, it is possible that your account may have been compromised and used by someone else for spamming. We recommend checking your email settings to ensure that your POP/IMAP options have not 'Enabled' others to use your account.

If you are still unable to identify any problems with your email settings, it is possible that your account has been hacked and your personal information was stolen. To regain access to your email account, please follow the steps provided by our investigation department by clicking the button below.

<Button linking to phishing website disguised as a normal portal login page>

Sample email communication 14:

Title: Notification regarding your fraudulent account registration

This is the <legitimate portal site> operation team, and we regret to inform you that your ID <redacted> has been registered as a fraudulent account. To prevent any further harm, we recommend that you take immediate action.

We kindly request you to verify your identity as soon as possible to ensure the safety and security of your account. You can do this by visiting the member information page and checking the registered name. We also advise you to change your password to keep your account protected. Please be aware that the fraudulent account registration occurred on 00:00, 00/00/0000.

To unlock your account, please follow the link provided below:

<unlock your account: malicious link>

Thank you for choosing <legitimate portal site> as your trusted platform. We are committed to providing you with the best possible service and support.

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Source: https://www.state.gov/u-s-and-rok-agencies-cybersecurity-alert-the-democratic-peoples-republic-of-korea-dprk-social-engineering-campaigns-targeting-think-tanks-academia-and-news-media/ and https://www.mofa.go.kr/www/brd/m_25605/view.do?seq=5&page=1

Annex 64: Links to Ahnlab Security Emergency Response Center (ASEC) reports in 2023 (as of July 2023)

Kimsuky Group

Kimsuky Distributing CHM Malware Under Various Subjects

(21 June 2023)

Kimsuky Group Using Meterpreter to Attack Web Servers

(22 May 2023)

Kimsuky Group's Phishing Attacks Targeting North Korea-Related Personnel

(22 May 2023)

Kimsuky Group Uses ADS to Conceal Malware

(29 March 2023)

Kimsuky Group Distributes Malware Disguised as Profile Template (GitHub)

(29 March 2023)

OneNote Malware Disguised as Compensation Form (Kimsuky)

(24 March 2023)

CHM Malware Disguised as North Korea-related Questionnaire (Kimsuky)

(13 March 2023)

Malware Disguised as Normal Documents (Kimsuky)

(15 February 2023)

Lazarus Group

Lazarus Group Targetting Windows IIS Web Servers

(23 May 2023)

Anti-Forensic Techniques Used By Lazarus Group

(23 February 2023)

Source: ASEC

Annex 65: Additional cases related to Kimsuky

Case 1

In a June 2023, a cybersecurity firm reported[245] a Kimsuky social engineering campaign, targeting experts in DPRK affairs, to steal subscription credentials from Google and NK News, a DPRK- focused news and analysis service. via fake login websites and to gather strategic intelligence. Kimsuky employed sophisticated tactics, including extensive email correspondence, and spoofed URLs and deployed 'ReconShark' in the process.

Case 2

A cybersecurity firm reported[246] in May 2023 that Kimsuky was deploying a variant of the 'RandomQuery' malware via phishing emails sent to DPRK-focused information services, human rights activists, and defector support organizations. The main purpose was to entice victims into downloading and accessing the attached CHM file. When executed, the file eventually downloaded a second-stage payload 'RandomQuery' from the Kimsuky-controlled C2 server to the victim's system. The malware not only collected system data but also installed applications, files and directories which would be used to provide Kimsuky with more information. The data were eventually exfiltrated via the C2 server.

Case 3

On 10 May 2023, the National Police Agency (NPA) of the Republic of Korea announced the results of its investigations into a breach of a network of one of the country's largest hospitals, Seoul National University Hospital, by DPRK cyberthreat actors.

The incident, which occurred between May and June 2021, resulted in data exposure for 831,000 individuals, most of whom were patients. 17,000 of the impacted people were current and former hospital employees.

The NPA conducted an analytical investigation lasting two years to identify the perpetrators.

Analysis of the breach revealed that the attack was attributed to DPRK hackers based on the following information:

- the intrusion techniques observed in the attacks,
- the IP addresses that have been independently linked to DPRK threat actors,
- the website registration details,
- the use of specific vocabulary only used in the DPRK.

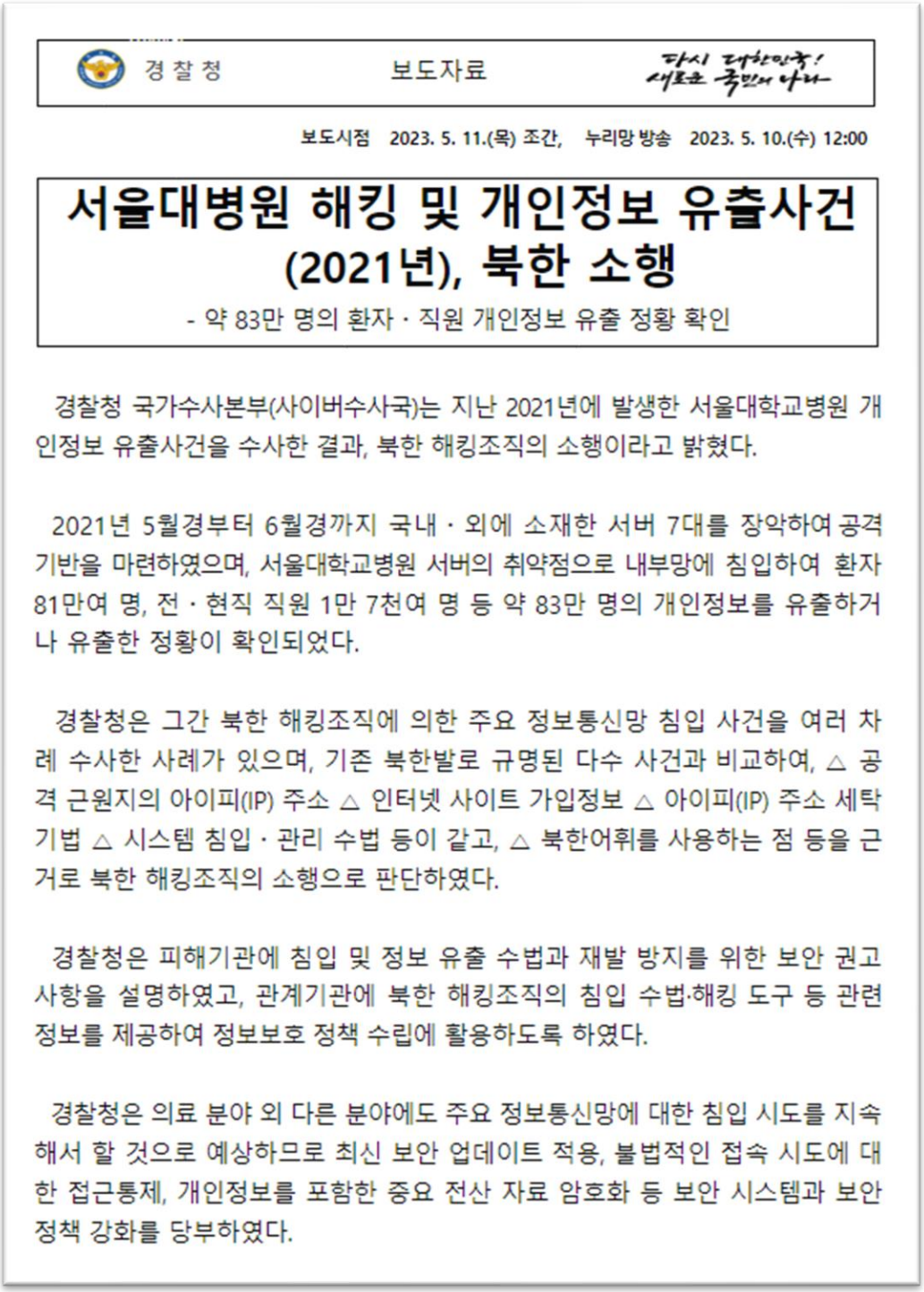
The NPA cautioned that DPRK hackers might try to infiltrate information and communication networks across various industries and emphasized the need for enhanced security measures and procedures, such as implementing security patches, managing system access, and encrypting sensitive data.

[245] See https://www.sentinelone.com/labs/kimsuky-new-social-engineering-campaign-aims-to-steal-credentials-and-gather-strategic-intelligence/

[246] See https://www.sentinelone.com/labs/kimsuky-ongoing-campaign-using-tailored-reconnaissance-toolkit/

The NPA did not mention the specific DPRK cyberthreat actor group, but ROK local media linked the attack to Kimsuky.

Below is NPA's press release of 10 May 2023.



경 찰 청　　보도자료　　다시 대한민국! 새로운 국민의 나라

보도시점 2023. 5. 11.(목) 조간, 누리망 방송 2023. 5. 10.(수) 12:00

서울대병원 해킹 및 개인정보 유출사건 (2021년), 북한 소행

- 약 83만 명의 환자 · 직원 개인정보 유출 정황 확인

경찰청 국가수사본부(사이버수사국)는 지난 2021년에 발생한 서울대학교병원 개인정보 유출사건을 수사한 결과, 북한 해킹조직의 소행이라고 밝혔다.

2021년 5월경부터 6월경까지 국내 · 외에 소재한 서버 7대를 장악하여 공격 기반을 마련하였으며, 서울대학교병원 서버의 취약점으로 내부망에 침입하여 환자 81만여 명, 전 · 현직 직원 1만 7천여 명 등 약 83만 명의 개인정보를 유출하거나 유출한 정황이 확인되었다.

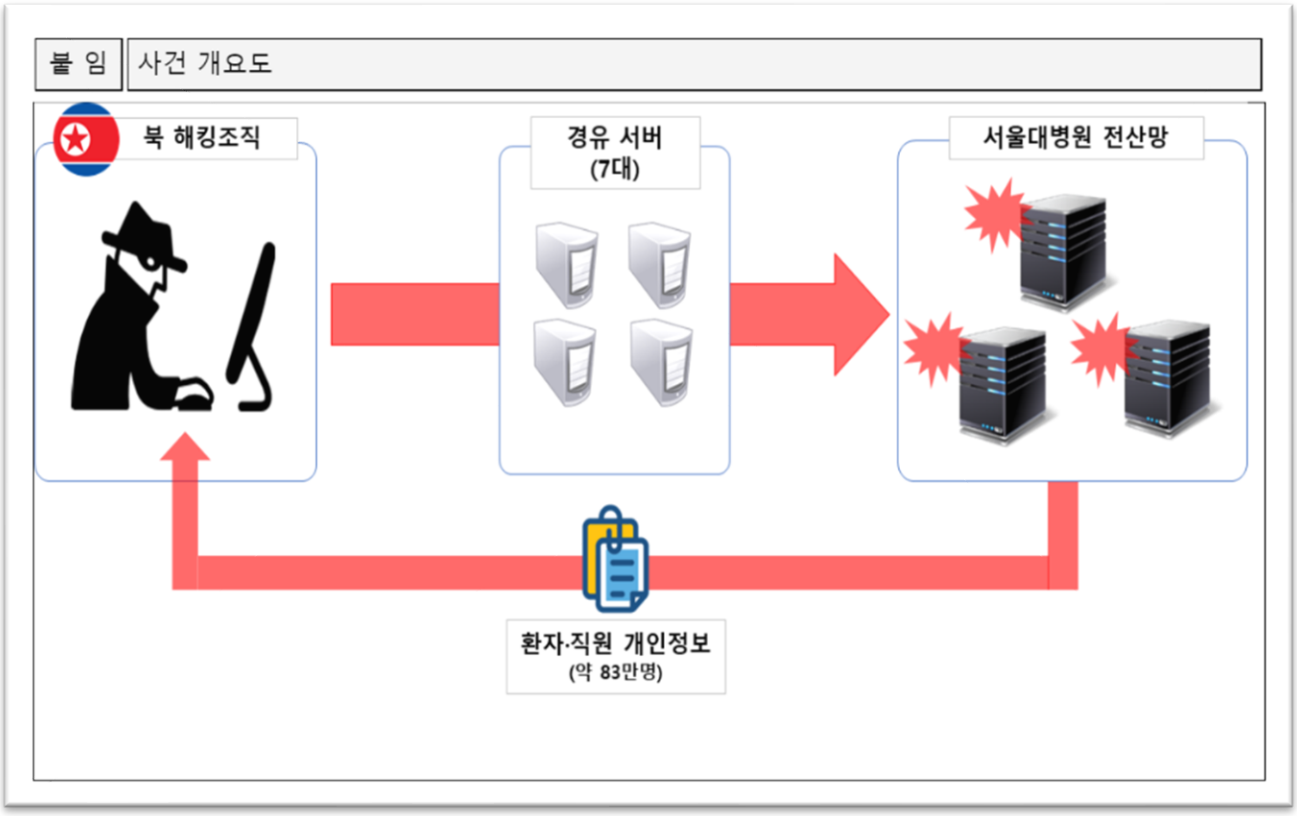
경찰청은 그간 북한 해킹조직에 의한 주요 정보통신망 침입 사건을 여러 차례 수사한 사례가 있으며, 기존 북한발로 규명된 다수 사건과 비교하여, △ 공격 근원지의 아이피(IP) 주소 △ 인터넷 사이트 가입정보 △ 아이피(IP) 주소 세탁 기법 △ 시스템 침입 · 관리 수법 등이 같고, △ 북한어휘를 사용하는 점 등을 근거로 북한 해킹조직의 소행으로 판단하였다.

경찰청은 피해기관에 침입 및 정보 유출 수법과 재발 방지를 위한 보안 권고사항을 설명하였고, 관계기관에 북한 해킹조직의 침입 수법·해킹 도구 등 관련 정보를 제공하여 정보보호 정책 수립에 활용하도록 하였다.

경찰청은 의료 분야 외 다른 분야에도 주요 정보통신망에 대한 침입 시도를 지속해서 할 것으로 예상하므로 최신 보안 업데이트 적용, 불법적인 접속 시도에 대한 접근통제, 개인정보를 포함한 중요 전산 자료 암호화 등 보안 시스템과 보안 정책 강화를 당부하였다.

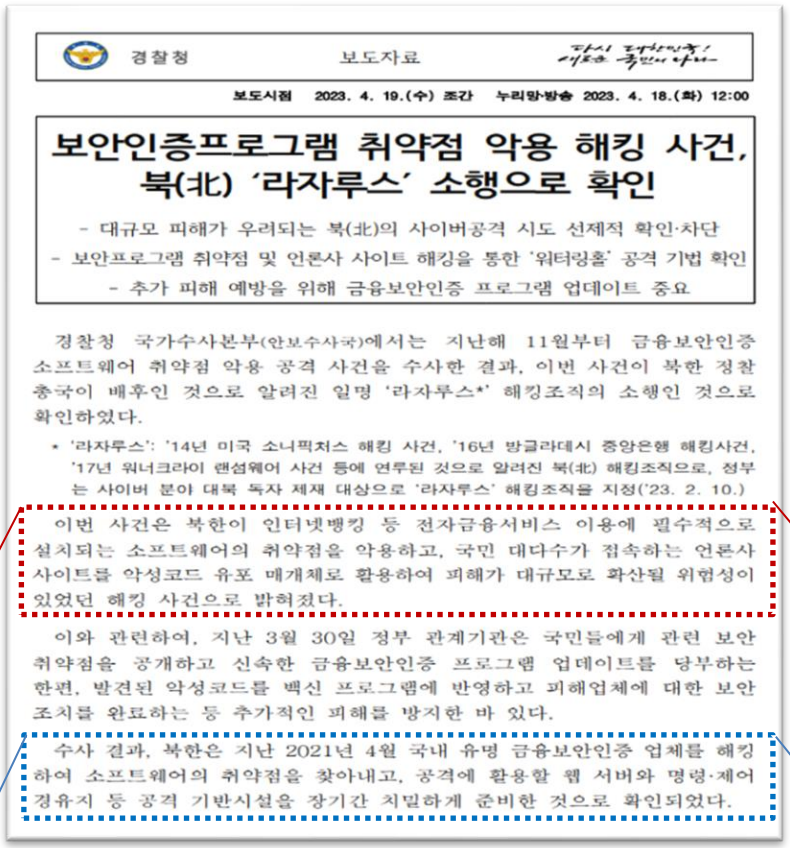
경찰청은 "국가 배후의 조직적 사이버 공격에 대해 치안 역량을 총동원하여 적극적으로 대응함과 동시에, 관계기관 정보공유 및 협업을 통해 추가적인 피해를 방지함으로써 대한민국의 사이버 안보를 굳건히 지키기 위해 노력할 계획이다."라고 밝혔다.

붙임: 사건 개요도(별도 첨부)



Source: https://www.police.go.kr/viewer/skin/doc.html?fn=d6c2795c-3930-44ab-970d-d2d7a14f9571.hwpx&rs=/viewer/202305

Annex 66: NPA Press Release on Lazarus hack exploiting finance-related software (18 April 2023)



경찰청 보도자료

보도시점 2023. 4. 19.(수) 조간 누리망·방송 2023. 4. 18.(화) 12:00

보안인증프로그램 취약점 악용 해킹 사건, 북(北) '라자루스' 소행으로 확인

- 대규모 피해가 우려되는 북(北)의 사이버공격 시도 선제적 확인·차단
- 보안프로그램 취약점 및 언론사 사이트 해킹을 통한 '워터링홀' 공격 기법 확인
- 추가 피해 예방을 위해 금융보안인증 프로그램 업데이트 중요

경찰청 국가수사본부(안보수사국)에서는 지난해 11월부터 금융보안인증 소프트웨어 취약점 악용 공격 사건을 수사한 결과, 이번 사건이 북한 정찰총국이 배후인 것으로 알려진 일명 '라자루스*' 해킹조직의 소행인 것으로 확인하였다.

* '라자루스': '14년 미국 소니픽처스 해킹 사건, '16년 방글라데시 중앙은행 해킹사건, '17년 워너크라이 랜섬웨어 사건 등에 연루된 것으로 알려진 북(北) 해킹조직으로, 정부는 사이버 분야 대북 독자 제재 대상으로 '라자루스' 해킹조직을 지정('23. 2. 10.)

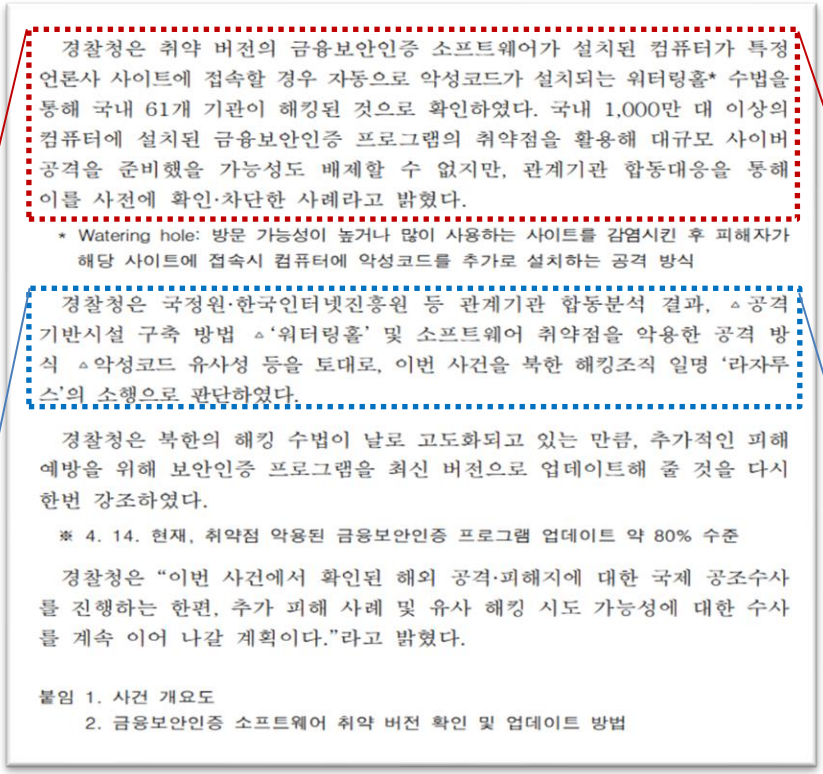
이번 사건은 북한이 인터넷뱅킹 등 전자금융서비스 이용에 필수적으로 설치되는 소프트웨어의 취약점을 악용하고, 국민 대다수가 접속하는 언론사 사이트를 악성코드 유포 매개체로 활용하여 피해가 대규모로 확산될 위험성이 있었던 해킹 사건으로 밝혀졌다.

이와 관련하여, 지난 3월 30일 정부 관계기관은 국민들에게 관련 보안 취약점을 공개하고 신속한 금융보안인증 프로그램 업데이트를 당부하는 한편, 발견된 악성코드를 백신 프로그램에 반영하고 피해업체에 대한 보안 조치를 완료하는 등 추가적인 피해를 방지한 바 있다.

수사 결과, 북한은 지난 2021년 4월 국내 유명 금융보안인증 업체를 해킹하여 소프트웨어의 취약점을 찾아내고, 공격에 활용할 웹 서버와 명령·제어 경유지 등 공격 기반시설을 장기간 치밀하게 준비한 것으로 확인되었다.

DPRK [the Lazarus Group] exploited vulnerabilities in a software essential for electronic financial services, including internet banking, utilizing a news media website widely accessed by the public as a means to distribute malicious code. This hacking incident could have led to large scale damages and losses.

Investigations revealed that the DPRK [the Lazarus Group] hacked a local financial security authentication company in April 2021 to identify the software's vulnerabilities, and for an extensive period of time meticulously prepared infrastructure, including web servers, to launch an attack.



경찰청은 취약 버전의 금융보안인증 소프트웨어가 설치된 컴퓨터가 특정 언론사 사이트에 접속할 경우 자동으로 악성코드가 설치되는 워터링홀* 수법을 통해 국내 61개 기관이 해킹된 것으로 확인하였다. 국내 1,000만 대 이상의 컴퓨터에 설치된 금융보안인증 프로그램의 취약점을 활용해 대규모 사이버 공격을 준비했을 가능성도 배제할 수 없지만, 관계기관 합동대응을 통해 이를 사전에 확인·차단한 사례라고 밝혔다.

* Watering hole: 방문 가능성이 높거나 많이 사용하는 사이트를 감염시킨 후 피해자가 해당 사이트에 접속시 컴퓨터에 악성코드를 추가로 설치하는 공격 방식

경찰청은 국정원·한국인터넷진흥원 등 관계기관 합동분석 결과, ▵공격 기반시설 구축 방법 ▵'워터링홀' 및 소프트웨어 취약점을 악용한 공격 방식 ▵악성코드 유사성 등을 토대로, 이번 사건을 북한 해킹조직 일명 '라자루스'의 소행으로 판단하였다.

경찰청은 북한의 해킹 수법이 날로 고도화되고 있는 만큼, 추가적인 피해 예방을 위해 보안인증 프로그램을 최신 버전으로 업데이트해 줄 것을 다시 한번 강조하였다.

※ 4. 14. 현재, 취약점 악용된 금융보안인증 프로그램 업데이트 약 80% 수준

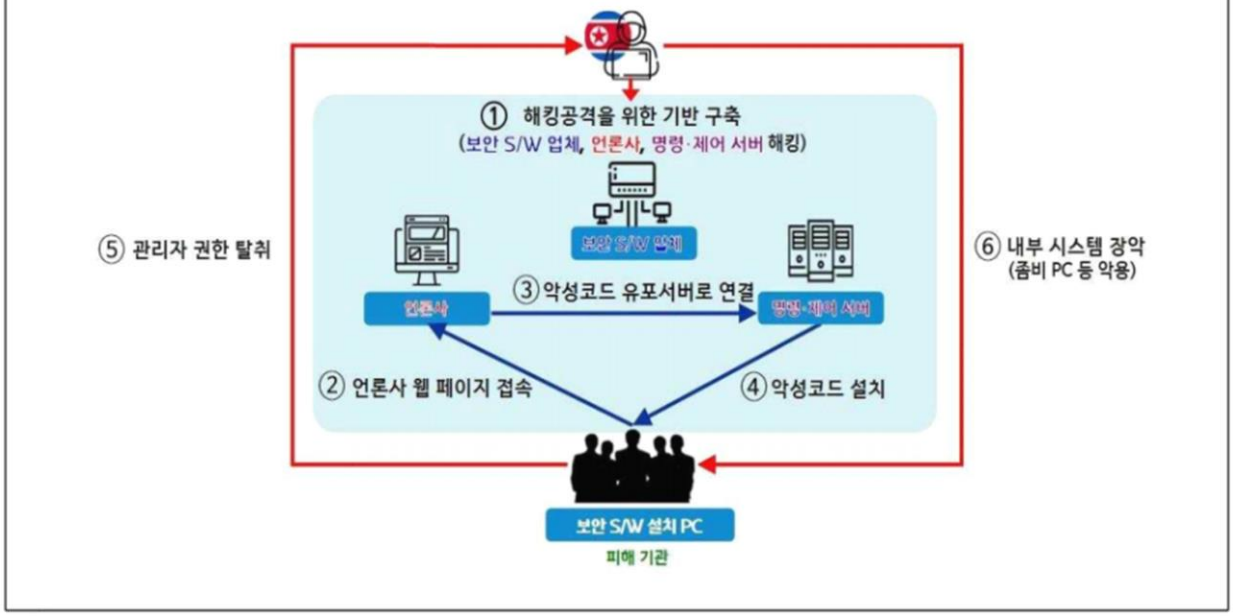
경찰청은 "이번 사건에서 확인된 해외 공격·피해지에 대한 국제 공조수사를 진행하는 한편, 추가 피해 사례 및 유사 해킹 시도 가능성에 대한 수사를 계속 이어 나갈 계획이다."라고 밝혔다.

붙임 1. 사건 개요도
2. 금융보안인증 소프트웨어 취약 버전 확인 및 업데이트 방법

The NPA confirmed a watering hole attack, which automatically installs malicious codes, was used to hack 61 domestic institutions by means of computers with vulnerable versions of financial security authentication software accessing a specific news media website. With the financial security authentication software installed on over 10 million computers nation-wide, preparations for a large scale cyberattack could not be ruled out. However, through joint interagency efforts, additional cyberattack was prevented.

With relevant agencies such as National Intelligence Service and the Korea Internet Security Agency, the NPA analysed that the Lazarus Group was behind the attack based on the methods used to establish an attack infrastructure, the tactics used during the process (watering hole attack and use of software vulnerabilities), and malicious code similarities.

붙임1 사건 개요도


① 해킹공격을 위한 기반 구축
(보안 S/W 업체, 언론사, 명령·제어 서버 해킹)
보안 S/W 업체
언론사
③ 악성코드 유포서버로 연결
명령·제어 서버
② 언론사 웹 페이지 접속
④ 악성코드 설치
⑤ 관리자 권한 탈취
⑥ 내부 시스템 장악
(좀비 PC 등 악용)
보안 S/W 설치 PC
피해 기관

붙임2 **금융보안인증 S/W 취약 버전 확인 및 업데이트 방법**

□ S/W 취약 · 해결 버전 구분

○ **(취약 버전)** 'INISAFE CrossWeb EX V3 3.3.2.40' 이하

○ **(해결 버전) 'INISAFE CrossWeb EX V3 3.3.2.41'**

□ S/W 버전 확인 및 업데이트 방법

① **(버전 확인)** 사용 중인 PC에서 검색 기능을 통해 [제어판] 검색 후 클릭 → [프로그램] → [프로그램 및 기능]을 순서대로 클릭, 'INISAFE CrossWeb EX V3' 버전 확인

② **(취약 버전 삭제)** 'INISAFE CrossWeb EX V3 3.3.2.40' 이하의 취약한 버전으로 확인될 경우 [제거] 클릭하여 삭제

③ **(해결 버전 설치)** 이용 중인 금융사이트 등에 접속하거나 개발사 홈페이지에 직접 접속하여 취약점이 해결된 버전(3.3.2.41) 재설치

※ http://demo.initech.com/initech/crosswebex_pack/3.3.2.41/INIS_EX_SHA2_3.3.2.41.exe

– 서비스 운영자의 경우, 개발사를 통해 해결 버전으로 교체

Source: https://www.police.go.kr/viewer/skin/doc.html?fn=c45a5bc8-fd59-4c27-b4d8-1ce898fb2d19.pdf&rs=/viewer/202307

Annex 67: Additional cases related to the Lazarus Group

Case 1

In April 2023, a cybersecurity company reported[247] on an October 2019 - March 2022 campaign, dubbed 'DeathNote'. The campaign is also referred to as 'Operation Dream Job'.[248]

Through this campaign, the Lazarus Group used social engineering lures mimicking cryptocurrency businesses and defense contractors to trick victims into interacting with macro-laced Word attachments and PDF files.

When the victims opened the file, the macro installed an obfuscated VBScript that extracted payloads in the form of harmful UltraVNC[249] with backdoor capabilities which evade detection and establish a connection to a separate C2 server.

Case 2

Another cybersecurity company reported in May 2023 that the Lazarus Group has been carrying out attacks against Windows IIS web servers by placing a malicious DLL (msvcr100.dll) in the folder path as a normal application through the web servers' process.

This 'DLL Side-Loading technique' hijacks targets' legitimate applications to bypass security software.[250]

In addition, the Lazarus Group has also been using anti-forensic techniques to conceal its activity, including hiding and encrypting data, file deletion and timestamp changes.[251]

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[247] See https://securelist.com/the-lazarus-group-deathnote-campaign/109490/
[248] See S/2021/211, para.126 and footnote 107.
[249] UltraVNC is a remote desktop software that allows users to remotely access and control computers over a network or the internet. It is a popular and free open-source application that provides remote access capabilities for Windows operating systems.
[250] The Panel has reported on this technique in S/2023/171, para. 116 and annex 79.
[251] See annex 64 for links to related reports.

Annex 68: The Panel's summary of interviews with relevant experts on DPRK IT workers

On several occasions over the past year, the Panel had the opportunity to interview experts on the issue of DPRK IT workers.

1) Account Creation in Freelance Platforms

In order to create an account in freelance work platforms (websites), users are required to go through an identity authentication process which is often conducted via email, text message, identification card, and/or a real-time video interview.

There are cases where IT workers pay a foreign partner to conduct the authentication process as well as ongoing account verification (such as two-factor authentication). In other cases, IT workers utilize a falsified or stolen identity to complete the authentication process. IT workers are able to collect identification documentation, including passports and drivers licenses, and replace the original photo with their own.

Such IT workers will often not pursue a developer project if the employer requires fingerprint verification, drug testing, and/or for the developer to work on-site for all or a portion of the employment. Potential employers should also consider requiring developers to share their computer screen and appear on a video call during technical interviews to confirm the integrity of their responses, to ensure the developers are not cheating by looking up answers on a separate computer or utilizing AI software. Potential employers are advised to check answers to technical interview questions or other responses obtained in the job hiring process to determine if AI software was used, such as in response to interview questions or when producing coding upon request.

2) Subcontracts with Proxy Account Holders

These IT workers are employing new methods to identify foreign individuals willing to create proxy accounts, in exchange for a percentage of the profits earned. They upload posts on different social media and networking websites such as Facebook and LinkedIn, as well as on freelance developer platforms, advertising that they are IT programme developers who would share their earnings with those who can lend them accounts and identities on freelance work platforms. These IT workers often disguise themselves as Chinese or from other Asian countries, asserting that they are able to earn much more by using foreign national accounts. Some of them use dating apps to search for foreign individuals who create can proxy account for them in exchange for money. More recently, they use websites such as 'playerup.com' to buy freelance platform accounts from foreigners.

3) Direct deals with Clients

Once a client is identified, these IT workers seek to lure the client into establishing contracts directly, without going through the freelance work platforms. In many cases, clients have to pay a commission fee to use these websites, so it is also in the interest of the clients to direct contracts with the reliable IT developers.

These IT workers often perform work at a high level of competence with comparatively low hourly rates. They are able to obtain subsequent contracts directly with the client and also successfully recommend other DPRK freelance IT workers for jobs with the client.

4) Employing Other Developers

A subset of these IT workers is increasingly employing non-DPRK developers to conduct work for U.S. and other foreign companies - including in Europe and Middle and Latin America. These hired developers are often located in South Asia, Africa, or South America. The DPRK IT workers, often purporting to represent a developer hiring company, only hire them for short periods of time, such as the length of a single project. These IT workers use U.S. or other local person information to create freelance platform and social media accounts for the hired workers, who then use the alias accounts to pose as U.S. or other local persons looking for remote jobs with U.S. or other local companies, applying for dozens of jobs daily. The developers then provide a large portion of their earnings to these IT workers. Profile information about these individuals is often falsified. The developers utilize proxy IP and VPN services to pretend to be located in the United States.

These IT workers - and the non-DPRK developers they hire - submit applications within the normal work hours of the location in which they are purporting to be citizens of. For instance, these workers apply to jobs with U.S. companies during U.S. time zones.

5) Methods to Circumvent Account Shutdown

These IT workers are aware that freelance platforms are looking for red flag activities that could result in accounts being suspended or shut down. These red flag indicators include inconsistencies in the nationality of the account and the location of an IP address, logins into one account from multiple IP addresses in a short period of time, and excessive biddings on numerous projects from one account.

To evade their accounts being flagged for these reasons, these IT workers are known to utilize a proxy account holder's computer directly via remote desktop control tools. This makes it appear they are using the IP address of the proxy account holder and are located in the proxy's country. DPRK IT workers also have a set of guidelines to evade detection. For instance, instructions are given to bid only for three projects a day using one account so that the account does not stand out for further scrutiny from the freelance platforms. Considering the high competitiveness of the software development market where only a fraction of the bids gets responses, these IT workers use multiple accounts to raise their chances of winning a bid for a project.

6) Payment

DPRK IT workers will maintain group accounts on payment platforms and at local, regional, and international banks. These accounts receive payments for multiple workers' projects. These payments are often in round-dollar amounts, and the IT workers often seek to limit the amount of money flowing through each account on a monthly or annual basis, or the number of transactions conducted, so as not to raise suspicions. Given that the accounts are utilized by multiple workers, payments may take place every several days or even multiple payments (from different sources) in one day.

These IT workers, many of whom lack reliable payment platforms or mechanisms, are increasingly request payment in cryptocurrency, which is much easier for them to receive and use - rather than payment via a bank or non-virtual asset on a payment platform, which the IT workers then need to move through multiple accounts to cash out or otherwise use.

In many instances, the funds generated by these DPRK IT workers are eventually transferred to, and aggregated within, accounts in a third country financial system. They are likely then effecting cash withdrawals of at least some of the funds in these accounts. These third country-based bank accounts and debit card accounts are likely the accounts of third country nationals acting as proxies, selling the use of their accounts and their identification information to the IT worker.

7) Estimates of Workers, Revenue Generated, and Expenses

The experts estimated that the DPRK has dispatched between 3,000 to 10,000 IT workers overseas. In addition to these overseas IT workers, the DPRK is also increasing the number of home-based IT workers. These workers are often assigned to DPRK cities near the border, for better internet connection. These workers often rely on their overseas counterparts to obtain jobs for them; the overseas IT workers interact with the client and maintain the relationship while the home-based IT workers conduct the actual work, passing it back to the overseas IT workers when finished. This method allows the DPRK to obtain substantially more revenue without deploying additional IT workers overseas.

Overseas IT workers on average work on several projects at the same time and earn around $3,000-$5,000 a month, although those who are highly skilled can make $10,000 to $20,000 a month.

These IT workers pay 5-30% of their income to their proxy account holders. American and Western European account holders are preferred and paid the most, since developers from these regions can charge higher hourly rates and are more likely to win bids. These IT workers also seek Russian and Eastern European proxy accounts. These IT workers also have to pay financial intermediaries to access digital payment services and/or to launder their earnings. Usually, approximately 20-30% of their revenue is paid to these intermediaries – or a fixed monthly rate of $600-$1000 per person. In many cases, a team of these IT workers employ a single intermediary to access digital payment and/or money laundering services.

On top of these expenses, they must also pay for their office space, equipment, and other living expenses. Supervisors and managers of a DPRK IT worker team also receive a share of their

subordinates' revenue, as does their dispatching organization in the DPRK. In most cases, DPRK IT workers handover funds to 'Pyongyang' based on their designated quota earnings requirement.

8) Additional Illicit Activities

DPRK IT workers with high coding skills have been known to take advantage of IT clients demonstrating poor security practices, by utilizing their administrator access and/or write vulnerabilities into their coding that they later exploit.

For instance, one DPRK IT worker provided IT services (including building smart contracts) to a cryptocurrency platform for several tokens. Later, the DPRK IT worker stole hundreds of thousands of U.S. dollars' worth of these tokens from the platform, enabled by vulnerabilities the IT worker wrote into the smart contracts.

In another example, a DPRK IT worker was involved with the development and deployment of various smart contracts, including for cross-chain bridges. The DPRK IT worker purported to be a citizen from the Western Hemisphere when obtaining freelance jobs with cryptocurrency platforms, possibly using his access to enable future exploitation (hacking) of the smart contracts to steal funds.

DPRK IT workers and malicious cyber actors have also worked together in limited instances to develop software programs with malicious applications - and then likely utilize the applications in efforts to spread malware and conduct additional network intrusions.

DPRK malicious cyber actors are also performing IT work, which increases the threat posted to companies by even seemingly "harmless" IT workers. These cyber actors performing IT work may be particularly likely to utilize their administrator credentials or other privileged accesses and knowledge gained through IT freelance jobs to later conduct a malicious cyber-attack on their employer – potentially including theft of IP or other data, a ransomware attack, or theft of funds.

Source: The Panel

Annex 69: Information on DPRK nationals related to Chinyong IT (subordinate to the Ministry of People's Armed Forces, (KPe.054))

Name: **Kim Sang Man** (김상만, last name : Kim)
Occupation: General Manager of Chinyong IT
Nationality: DPRK
Passport: 109420132, 827220538, 563220082
DoB: 25 April 1965

Name: **Kim Ki Hyok** (김기혁, last name : Kim)
Occupation: Representative of Chinyong IT in the Russian Federation
Nationality: DPRK
Passport: 572420019
DoB: 30 May 1980

Name: **Jon Yon Gun** (전연근, last name : Jon)
Occupation: Representative of Chinyong IT in the Lao PDR
Nationality: DPRK
Passport: 927233154
DoB: 22 April 1973

Name: **Kim Song Il** (김성일, last name : Kim)
Occupation: Representative of Chinyong IT in China
Nationality: DPRK
Passport: 836438590
DoB: 2 February 1976

Source: Member State

Annex 70: Information on eight DPRK individuals related to Oh Chung Song

Name: **Kim Il Hyok** (김일혁, last name : Kim)
Occupation: IT worker
Nationality: DPRK
Passport: 108441346
DoB: 20 September 1993

Name: **Kim Myong Chol** (김명철, last name : Kim)
Occupation: N/A
Nationality: DPRK
Passport: 108132085
DoB: 14 February 1968

Name: **Jon Yon Gun** (전연근, last name : Jon)
Occupation: Representative of Chinyong IT in the Lao PDR
Nationality: DPRK
Passport: 927233154
DoB: 22 April 1973

Name: **Ri Song Il** (리성일, last name : Ri)
Occupation: IT Worker
Nationality: DPRK
Passport: 927233194
DoB: 11 January 1997

Name: **Kim Kwang Jin** (김광진, last name : Kim)
Occupation: IT Worker
Nationality: DPRK
Passport: 109380363
DoB: 24 January 1998

Name: **Kang Tae Bok** (강대복, last name : Kang)
Occupation: IT Worker
Nationality: DPRK
Passport: 927233182
DoB: 22 February 1997

Name: **Jang Nam Il** (장남일, last name : Jang)
Occupation: IT Worker
Nationality: DPRK
Passport: 109380365
DoB: 7 October 1999

Name: **Jong Pong Ju** (정봉주, last name : Jong)
Occupation: IT Worker
Nationality: DPRK
Passport: 9272331607
DoB: 25 January 1997

Source: Member State

Annex 71: Information on other DPRK nationals earning income in the Lao PDR

Name: **Kim Hyo Dong** (김효동, last name : Kim)
Occupation: Representative of Tongmyong Technology Trade Company
Nationality: DPRK
Passport: 108130754
DoB: 28 December 1989

Name: **Yu Song Hyok** (유성혁, last name : Yu)
Occupation: Known to be operating a DPRK restaurant
Nationality: DPRK
Passport: 108130754
DoB: 1 August 1981

Name: **Yun Song Il** (윤성일, last name : Yun)
Occupation: Known to be operating a DPRK restaurant
Nationality: DPRK
Passport: 927332691
DoB: 23 September 1969

Source: Member State

Annex 72: DPRK medical team in Libya

The media reported that[252] a DPRK medical team has been working at a hospital since their arrival in Libya in early January 2023. The Facebook page of Martyr Atiya Al-Kashef Teaching Hospital – Kufra posted the below content and video footage of the DPRK medical team. Information obtained by the Panel indicated that the team was transported to Kufra by charter plane operated by a Libya-based air transport company. The Panel assessed that at least ten of the DPRK medical workers in Libya had previously worked in Senegal between 2019 and 2020. Investigations continued

1) Facebook of Martyr Atiya Al-Kashef Teaching Hospital – Kufra posted the arrival of a DPRK medical team.

"Just a little while ago, an international plane carrying the Korean medical team arrived at Kufra airport, with Mr. "Ismail Al-Eidah" on board, heading to the educational Al-Shahid Atiya Al-Kashef Hospital in Kufra. The medical team consists of 38 members, including specialists in:

- *General Surgery*
- *Anesthesia*
- *Obstetrics and Gynecology*
- *Ear, Nose, and Throat*
- *Pediatrics*
- *Cardiology*
- *Orthopedics*
- *Internal Medicine*
- *Dentistry*
- *Physical Therapy*
- *12 specialized nurses.*

Thanks to the "Subul Al-Salam" battalion, where Sheikh Abdulrahman Hashem has borne the cost of renting the international company's plane that carried the doctors to Kufra. The battalion and its commander have carried a lot of burdens throughout the past period. This is a very big step towards providing better services to the people of Kufra…"

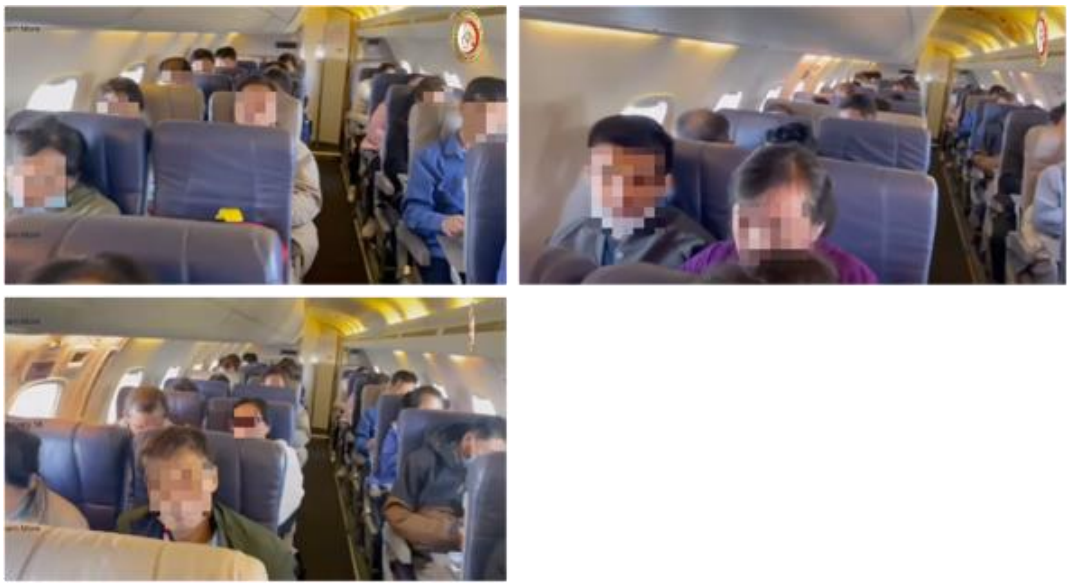
Source: Facebook, annotated by the Panel.

[252] NK News, https://www.nknews.org/2023/01/libyan-hospital-welcomes-dozens-of-north-korean-medical-workers/?t=1688232932.

2) Images of the flight transporting the DPRK medical team (excerpt)

The Panel assessed that the pictured airplane is affiliated with a Libya-based air transport company that provided a charter/private plane to the DPRK medical team.

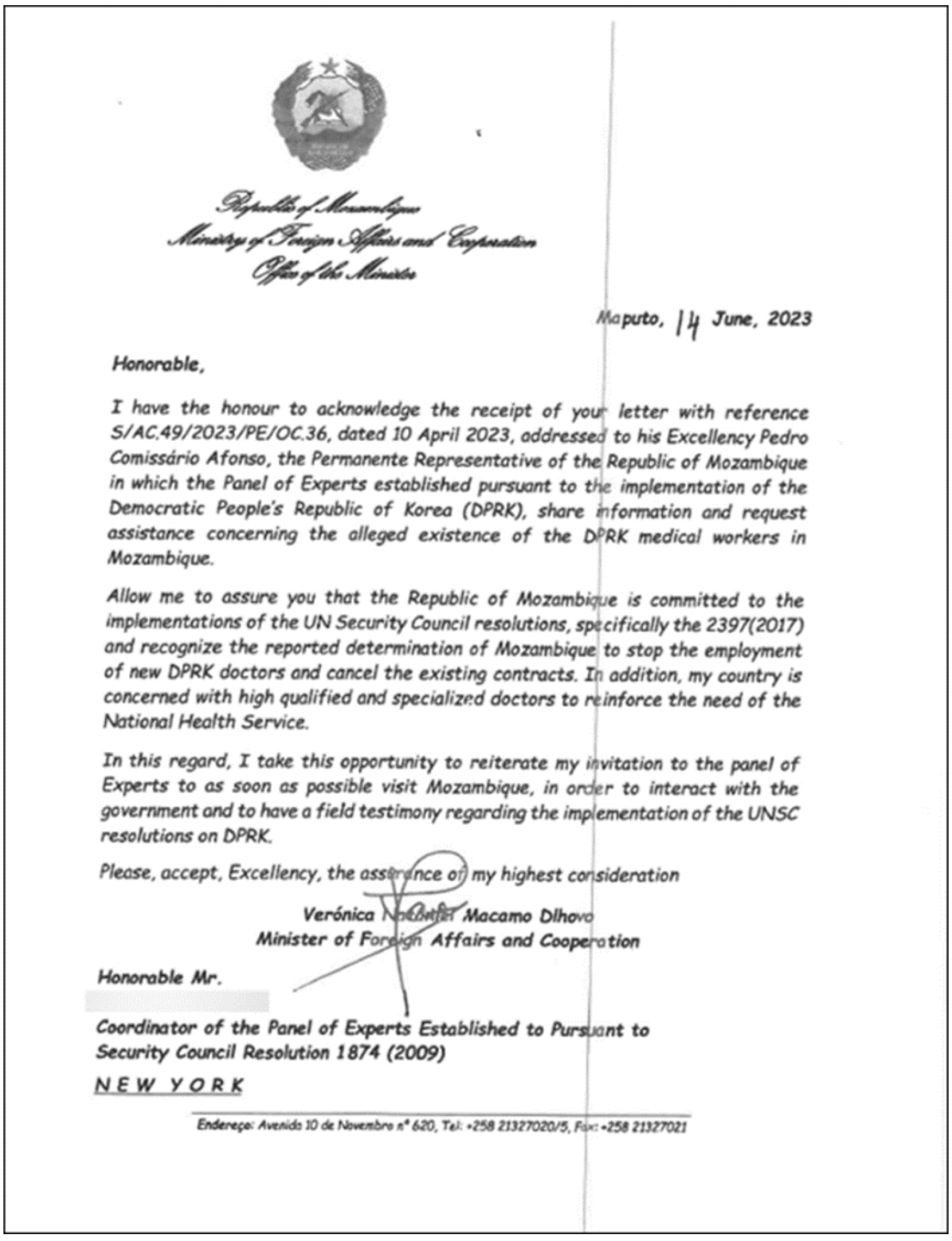
Source: Facebook, Flightradar 24, annotated by the Panel.



Source: Facebook, annotated by the Panel.

Source: Planet Labs Inc., 10 January 2023 08:06:53 UTC.

Annex 73: Reply from Mozambique



Republic of Mozambique
Ministry of Foreign Affairs and Cooperation
Office of the Minister

Maputo, 14 June, 2023

Honorable,

I have the honour to acknowledge the receipt of your letter with reference S/AC.49/2023/PE/OC.36, dated 10 April 2023, addressed to his Excellency Pedro Comissário Afonso, the Permanente Representative of the Republic of Mozambique in which the Panel of Experts established pursuant to the implementation of the Democratic People's Republic of Korea (DPRK), share information and request assistance concerning the alleged existence of the DPRK medical workers in Mozambique.

Allow me to assure you that the Republic of Mozambique is committed to the implementations of the UN Security Council resolutions, specifically the 2397(2017) and recognize the reported determination of Mozambique to stop the employment of new DPRK doctors and cancel the existing contracts. In addition, my country is concerned with high qualified and specialized doctors to reinforce the need of the National Health Service.

In this regard, I take this opportunity to reiterate my invitation to the panel of Experts to as soon as possible visit Mozambique, in order to interact with the government and to have a field testimony regarding the implementation of the UNSC resolutions on DPRK.

Please, accept, Excellency, the assurance of my highest consideration

Verónica Nataniel Macamo Dlhovo
Minister of Foreign Affairs and Cooperation

Honorable Mr.

Coordinator of the Panel of Experts Established to Pursuant to Security Council Resolution 1874 (2009)

NEW YORK

Endereço: Avenida 10 de Novembro nº 620, Tel: +258 21327020/5, Fax: +258 21327021

Source: Member State.

Annex 74: DPRK medical activities in Senegal between 2019 and 2020

According to open-source information,[253] a DPRK medical team worked at several locations in Senegal in collaboration with a non-governmental organization (NGO) between 2019 and 2020. The DPRK medical team included pediatricians, cardiologists, dentists, gynaecologists and other specialists. In a video that was posted online in 2019, the interpreter of the DPRK medical team said that she was from Mangyonbong and that the DPRK team was able to treat more than 400 people.

The NGO replied to the Panel's enquiry that a DPRK medical team composed of 30 personnel was introduced to the organization by the local DPRK Ambassador. The NGO explained that the DPRK medical team joined their events on several occasions, including religious and local events, "based on volunteering". The Panel requested Senegal provide additional information, in particular regarding any renumeration received by the DPRK medical team for their work.

On the basis of analysis of photographs of individuals in Senegal and in Libya, the Panel has concluded that some of the same DPRK medical workers arrived in Libya in early January 2023 to carry out further medical work (See annex 72).

1) DPRK medical activities at Touba in October 2019

Source: Facebook, annotated by the Panel.

[253] NK News, https://www.nknews.org/2023/01/libyan-hospital-welcomes-dozens-of-north-korean-medical-workers/?t=1688232932.

The woman in below photo reviewed two-day long medical activities by DPRK medics (posted to Facebook on 19 October 2019). The contents of her interview (in French, English translation was done by the Panel) was as follows:

"Bonjour, je m'appelle SO, je suis l'interprète de l'agence de coopération extérieure de la RPDC (nom) en partenariat avec le [redacted], présidente de l'association humanitaire « Medisol International ».
Nous sommes arrivés à Mbacké avec toute une équipe médicale, gynécologues-obstétriciens, anesthésistes, dentistes, kinésithérapeutes, chirurgiens, pédiatres, ORL. Nous avons mené des activités pendant 2 jours et nous avons pu effectuer des consultations sur plus de 400 personnes qui ont été satisfaites de nos traitements médicaux. Ce fut une très bonne expérience avec le peuple sénégalais. A cette occasion, je tiens à remercier le [redacted] et le peuple sénégalais qui ont été très chaleureux avec nous. Nous espérons que notre coopération se développera de plus en plus à l'avenir et qu'elle sera bénéfique pour tous. Je vous remercie de votre attention."

[Unofficial translation]

Hello, my name is… I am the interpreter of the DPRK's external cooperation agency Mangyonbong in partnership with [redacted], president of the humanitarian association "Medisol International". We arrived in Mbacké with a whole medical team, gynecologists-obstetricians, anesthesiologists, dentists, physiotherapists, surgeons, pediatricians, ENT specialists. We conducted activities for 2 days and we were able to carry out consultations on more than 400 people who were satisfied with our medical treatments. It was a very good experience with the Senegalese people. On this occasion, I would like to thank Dr. Rose Wardini and the Senegalese people who have been very warm to us. And we hope that our cooperation will develop more and more in the future and will be beneficial for everyone. Thank you.

Source: Facebook, image was annotated by the Panel.

2) DPRK medical activities at Tivaouane in November 2019

Local media[254] reported that the NGO Médisol International deployed a team of around thirty 'Korean'[255] doctors to Tivaouane.

Source: Facebook, annotated by the Panel.

[254] See https://senego.com/tivaouane-des-coreens-en-appui-a-la-couverture-sanitaire-du-gamou_999035.html.
[255] The Panel notes previous instances in which DPRK nationals are represented or presented as "Korean," which may be a tactic to evade detection. For instance, see S/2019/171, annexes 46-47, S/2018/171, para. 111 and 199 and annex 88.

3) DPRK medical activities at Ouakam and Dakar between February and March 2020

Source: Facebook, annotated by the Panel.

Annex 75: Russian Federation

1) Summary of the Statement of the Investigative Committee of Russia of the Sakhalin Region

The statement of the Investigative Committee of Russia of the Sakhalin Region, entitled “An investigation is being conducted in Korsakov regarding an accident involving foreign citizens”, described that on 7 April 2020, at 14:50, a report was received by the Investigative Committee that two citizens of DPRK had been taken to the intensive care unit of the State Budgetary Healthcare Institution “Komsomolskaya Central District Hospital” with severe bodily injuries. It explained that they were employed by the company Detal LLC (ООО «Детал»), which was carrying out the construction work. During the course of the work, a scaffolding collapse occurred, causing the men to fall from a height of approximately 6-7 floors to the ground, resulting in injuries.

В Корсакове по факту несчастного случая, произошедшего с иностранными гражданами проводится проверка

07 апреля 2020 года в 14 часов 50 минут в Корсаковский межрайонный следственный отдел следственного управления Следственного комитета РФ по Сахалинской области поступило сообщение о том, что в реанимационное отделение ГБУЗ «Корсаковская центральная районная больница» с тяжкими телесными повреждениями поступили два гражданина Северной Кореи.

В ходе осмотра места происшествия установлено, что пострадавшие работали на строительной площадке многоэтажного дома по улице Советской в городе Корсаков в качестве разнорабочих в ООО «Детал», которое осуществляло строительные работы. В ходе работ произошло обрушение лесов, и мужчины с высоты примерно 6-7 этажа упали на землю, в результате чего получили травмы.

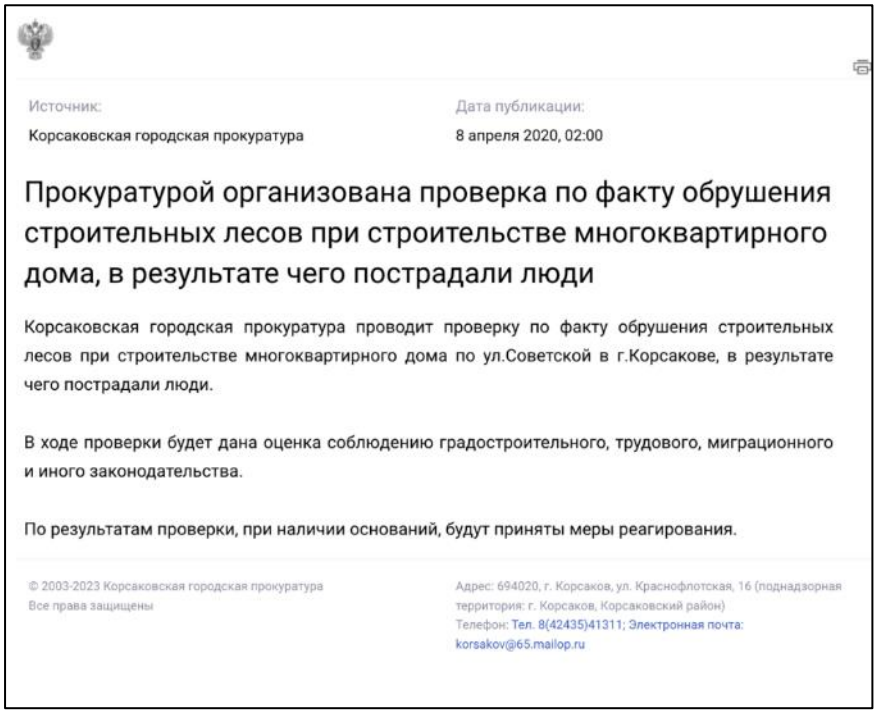
В настоящее время следственным отделом по данному факту проводятся проверочные мероприятия, направленные на установление причин произошедшего. По результатам проверки будет дана правовая оценка действиям должностных лиц указанной компании по ч. 1 ст. 143 УК РФ – нарушение правил техники безопасности.

07 Апреля 2020 16:03

Source : https ://sakh.sledcom.ru/news/item/1454029.

2) Statement of the Korsakov City Prosecutor's Office

According to a statement issued on 8 April 2020, the Prosecutor's Office of Korsakov City launched in investigations into the collapse of a scaffolding during the construction of a multi-apartment building, which resulted in injuries to individuals. The document stated that during the investigation, an assessment will be made concerning compliance with urban planning, labor, migration, and other legislation.



Источник:
Корсаковская городская прокуратура

Дата публикации:
8 апреля 2020, 02:00

Прокуратурой организована проверка по факту обрушения строительных лесов при строительстве многоквартирного дома, в результате чего пострадали люди

Корсаковская городская прокуратура проводит проверку по факту обрушения строительных лесов при строительстве многоквартирного дома по ул.Советской в г.Корсакове, в результате чего пострадали люди.

В ходе проверки будет дана оценка соблюдению градостроительного, трудового, миграционного и иного законодательства.

По результатам проверки, при наличии оснований, будут приняты меры реагирования.

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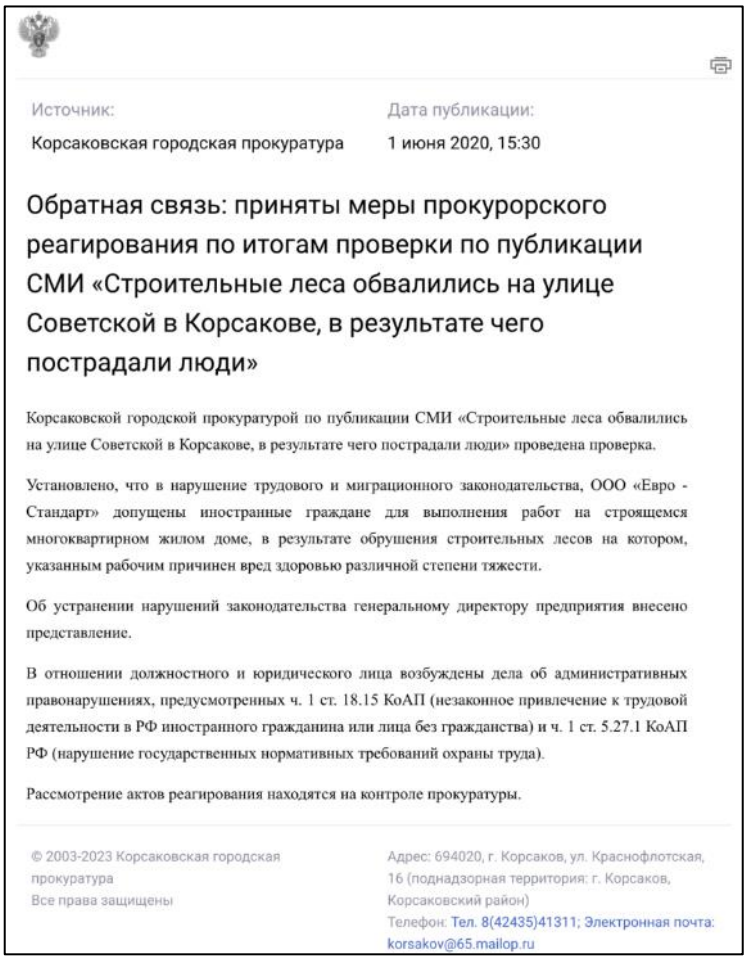
Адрес: 694020, г. Корсаков, ул. Краснофлотская, 16 (поднадзорная территория: г. Корсаков, Корсаковский район)
Телефон: Тел. 8(42435)41311; Электронная почта: korsakov@65.mailop.ru

Source : https ://epp.genproc.gov.ru/web/proc_65/search ?article=47277183.

The statement issued on 1 June 2020 explained that an investigation has been conducted by the Korsakov City Prosecutor's Office regarding the publication in the media titled "Scaffolding Collapses on Sovetskaya Street in Korsakov, Resulting in Injuries to People." The Prosecutor's Office established that in violation of labor and migration legislation, the company "Euro-Standard LLC" allowed foreign citizens to work on the construction of a multi-apartment residential building. As a result of the collapse of scaffolding on the said building, these workers suffered varying degrees of injuries…Administrative offense cases have been initiated against the responsible individuals and the legal entity under Part 1 of Article 18.15 of the Administrative Offenses Code (illegal employment of foreign citizens or stateless persons in the Russian Federation) and Part 1 of Article 5.27.1 of the Administrative Offenses Code of the Russian Federation (violation of state regulations on labor protection).



Источник:
Корсаковская городская прокуратура

Дата публикации:
1 июня 2020, 15:30

Обратная связь: приняты меры прокурорского реагирования по итогам проверки по публикации СМИ «Строительные леса обвалились на улице Советской в Корсакове, в результате чего пострадали люди»

Корсаковской городской прокуратурой по публикации СМИ «Строительные леса обвалились на улице Советской в Корсакове, в результате чего пострадали люди» проведена проверка.

Установлено, что в нарушение трудового и миграционного законодательства, ООО «Евро - Стандарт» допущены иностранные граждане для выполнения работ на строящемся многоквартирном жилом доме, в результате обрушения строительных лесов на котором, указанным рабочим причинен вред здоровью различной степени тяжести.

Об устранении нарушений законодательства генеральному директору предприятия внесено представление.

В отношении должностного и юридического лица возбуждены дела об административных правонарушениях, предусмотренных ч. 1 ст. 18.15 КоАП (незаконное привлечение к трудовой деятельности в РФ иностранного гражданина или лица без гражданства) и ч. 1 ст. 5.27.1 КоАП РФ (нарушение государственных нормативных требований охраны труда).

Рассмотрение актов реагирования находятся на контроле прокуратуры.

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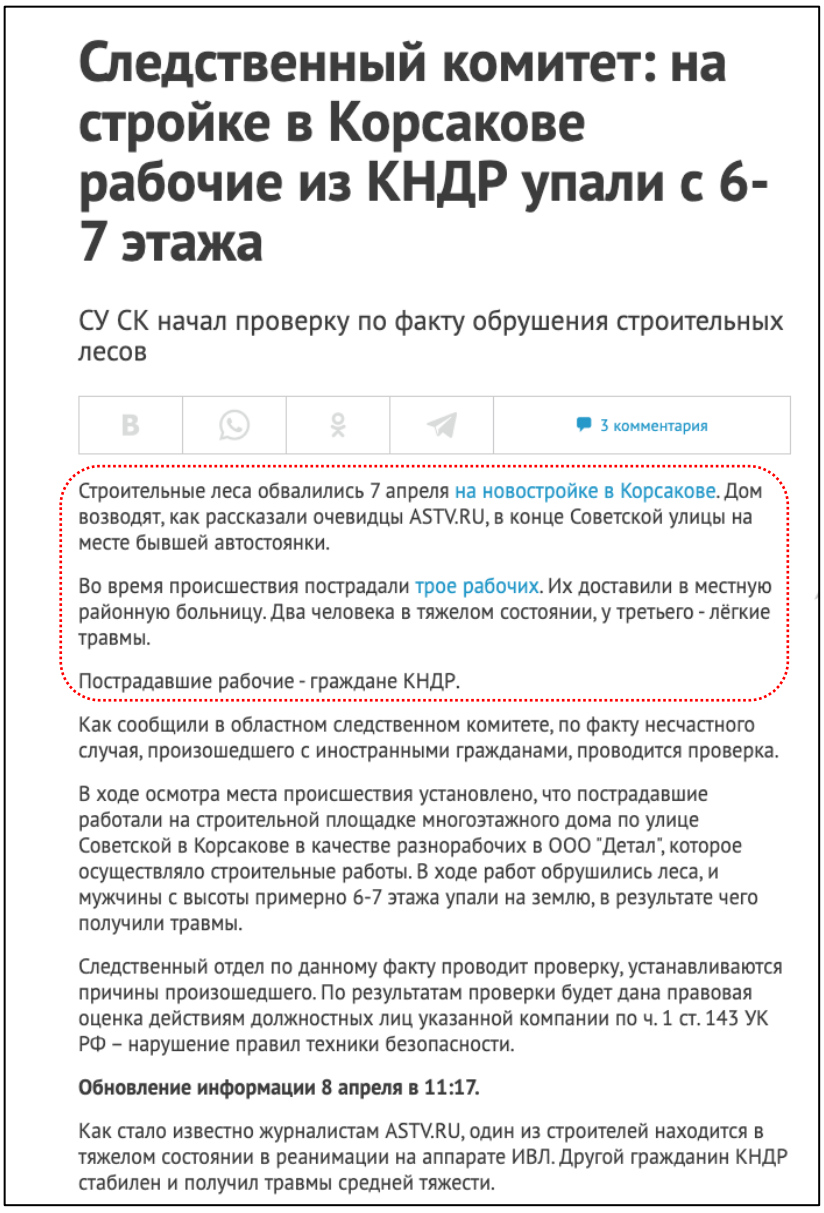
Source : https ://epp.genproc.gov.ru/web/proc_65/search ?article=36707624.

3) Russian media report (Excerpt)

According to a Russian media report titled “Investigative Committee: Workers from DPRK fell from the 6th to 7th floor at a construction site in Korsakov”, a scaffolding collapsed on April 7 at a construction site in Korsakov. According to Russian media ASTV.RU, the building is being constructed at the end of Sovetskaya Street on the site of a former parking lot.



Следственный комитет: на стройке в Корсакове рабочие из КНДР упали с 6-7 этажа

СУ СК начал проверку по факту обрушения строительных лесов

3 комментария

Строительные леса обвалились 7 апреля на новостройке в Корсакове. Дом возводят, как рассказали очевидцы ASTV.RU, в конце Советской улицы на месте бывшей автостоянки.

Во время происшествия пострадали трое рабочих. Их доставили в местную районную больницу. Два человека в тяжелом состоянии, у третьего - лёгкие травмы.

Пострадавшие рабочие - граждане КНДР.

Как сообщили в областном следственном комитете, по факту несчастного случая, произошедшего с иностранными гражданами, проводится проверка.

В ходе осмотра места происшествия установлено, что пострадавшие работали на строительной площадке многоэтажного дома по улице Советской в Корсакове в качестве разнорабочих в ООО "Детал", которое осуществляло строительные работы. В ходе работ обрушились леса, и мужчины с высоты примерно 6-7 этажа упали на землю, в результате чего получили травмы.

Следственный отдел по данному факту проводит проверку, устанавливаются причины произошедшего. По результатам проверки будет дана правовая оценка действиям должностных лиц указанной компании по ч. 1 ст. 143 УК РФ – нарушение правил техники безопасности.

Обновление информации 8 апреля в 11:17.

Как стало известно журналистам ASTV.RU, один из строителей находится в тяжелом состоянии в реанимации на аппарате ИВЛ. Другой гражданин КНДР стабилен и получил травмы средней тяжести.

Source : https ://astv.ru/news/criminal/2020-04-07-sledstvennyj-komitet-na-strojke-v-korsakove-postradali-rabochie-iz-severnoj-korei/.

4) Satellite imagery analysis

A Russian media reported (see above) that the construction site was previously used as car parking lot. The Panel's satellite imagery analysis corroborated the media's reporting and further confirmed the location as the only place where a car parking lot became the construction site of multi-storey building between 2019 and 2020. The Panel assessed that the construction of the building began between August and October 2019. This is consistent with the start of the building's construction (19 September 2019) as displayed at the construction site. Satellite imagery captured on 14 April 2020 showed the exterior of a multi-storey building, a location that match the date of the reported construction site incident of 7 April 2019.

<u>The development of the construction</u>

The poster displayed at the construction site

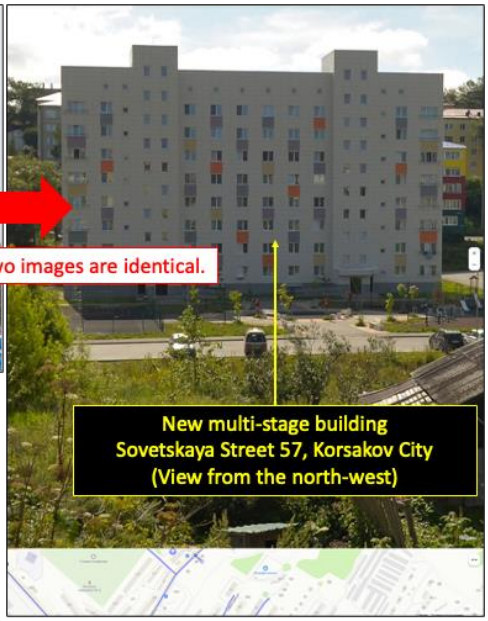
Construction starts on 19 September 2019 (19.09.2019 г.); Construction ends on 8 February 2021 (08.02.2021 г.).

5) The photos of the building

The photo of the building reported by the media after the incident (bottom left) is identical to Russian georeferenced information (top and bottom right) which shows the address: “Sovetskaya Street 57, Korsakov City”

Source: Yandex

Source: ACTB



Source: Yandex

6) Russian Federation's reply

В связи с запросом группы экспертов ОС.140 сообщаем следующее.

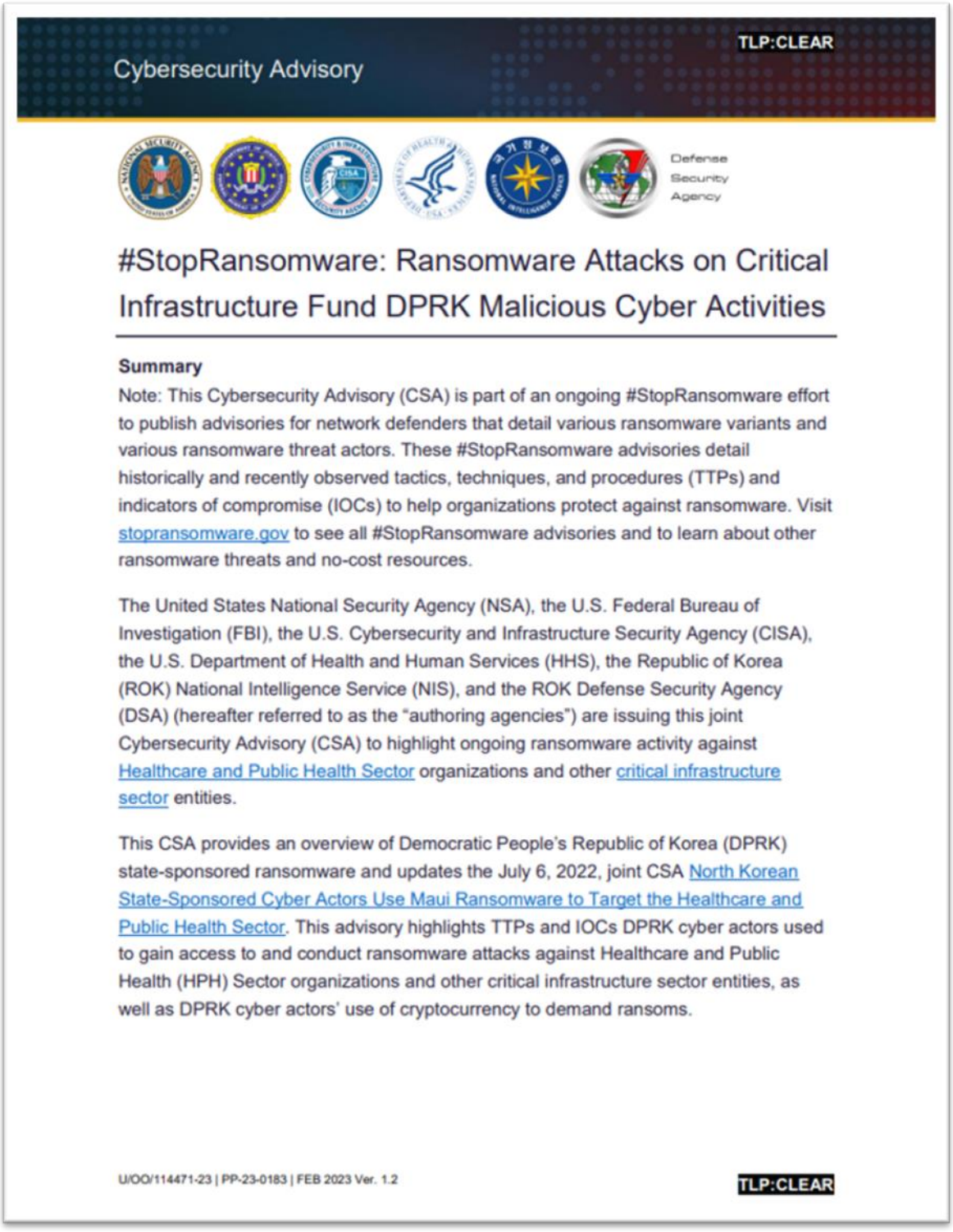
Пострадавшие при строительстве жилого дома двое граждан КНДР проходили производственную практику в рамках обучения в ФГБОУ ВО «Сахалинский государственный университет». 7 апреля 2020 г. при погрузке керамогранитных плит на строительные леса ими были превышены нормы нагрузки на 1 шаг стоек вдоль стены в 3 метра (900 кг вместо допустимых 200 кг). Это привело к обрушению лесов, в результате чего оба северокорейца упали с высоты примерно 28 метров, получив телесные повреждения различной степени тяжести. Они были госпитализированы в Корсаковскую центральную районную больницу. По результатам проведенной проверки виновные были привлечены к административной ответственности.

Translated from Russian

In connection with enquiry OC.140 from the Panel of Experts, we are providing the information below.

The two DPRK citizens injured during the construction of a residential building were on an industrial work experience course as part of their studies at the Sakhalin State University federally-funded institution of higher education. On 7 April 2020, while lifting granite-ceramic panels onto the construction scaffolding, they exceeded the permissible load of a row of supports along a three-metre wall (900kg instead of the permitted 200kg). This led to the collapse of the scaffolding, and the two North Koreans fell from a height of approximately 28 metres, receiving various degrees of injury. They were hospitalized at the Korsakov central regional hospital. Following an investigation, those responsible were brought to administrative accountability.

Annex 76: US-ROK Joint Advisory on Ransomware (9 February 2023)



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Cybersecurity Advisory

Defense Security Agency

#StopRansomware: Ransomware Attacks on Critical Infrastructure Fund DPRK Malicious Cyber Activities

Summary

Note: This Cybersecurity Advisory (CSA) is part of an ongoing #StopRansomware effort to publish advisories for network defenders that detail various ransomware variants and various ransomware threat actors. These #StopRansomware advisories detail historically and recently observed tactics, techniques, and procedures (TTPs) and indicators of compromise (IOCs) to help organizations protect against ransomware. Visit stopransomware.gov to see all #StopRansomware advisories and to learn about other ransomware threats and no-cost resources.

The United States National Security Agency (NSA), the U.S. Federal Bureau of Investigation (FBI), the U.S. Cybersecurity and Infrastructure Security Agency (CISA), the U.S. Department of Health and Human Services (HHS), the Republic of Korea (ROK) National Intelligence Service (NIS), and the ROK Defense Security Agency (DSA) (hereafter referred to as the "authoring agencies") are issuing this joint Cybersecurity Advisory (CSA) to highlight ongoing ransomware activity against Healthcare and Public Health Sector organizations and other critical infrastructure sector entities.

This CSA provides an overview of Democratic People's Republic of Korea (DPRK) state-sponsored ransomware and updates the July 6, 2022, joint CSA North Korean State-Sponsored Cyber Actors Use Maui Ransomware to Target the Healthcare and Public Health Sector. This advisory highlights TTPs and IOCs DPRK cyber actors used to gain access to and conduct ransomware attacks against Healthcare and Public Health (HPH) Sector organizations and other critical infrastructure sector entities, as well as DPRK cyber actors' use of cryptocurrency to demand ransoms.

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The authoring agencies assess that an unspecified amount of revenue from these cryptocurrency operations supports DPRK national-level priorities and objectives, including cyber operations targeting the United States and South Korea governments—specific targets include Department of Defense Information Networks and Defense Industrial Base member networks. The IOCs in this product should be useful to sectors previously targeted by DPRK cyber operations (e.g., U.S. government, Department of Defense, and Defense Industrial Base). The authoring agencies highly discourage paying ransoms as doing so does not guarantee files and records will be recovered and may pose sanctions risks.

For additional information on state-sponsored DPRK malicious cyber activity, see CISA's North Korea Cyber Threat Overview and Advisories webpage.

For a downloadable copy of IOCs, see AA23-040A.stix (STIX, 197 kb).

Technical Details

Note: This advisory uses the MITRE ATT&CK for Enterprise framework, version 12. See MITRE ATT&CK for Enterprise for all referenced tactics and techniques.

This CSA is supplementary to previous reports on malicious cyber actor activities involving DPRK ransomware campaigns—namely Maui and H0lyGh0st ransomware. The authoring agencies are issuing this advisory to highlight additional observed TTPs DPRK cyber actors are using to conduct ransomware attacks targeting South Korean and U.S. healthcare systems.

Observable TTPs

The TTPs associated with DPRK ransomware attacks include those traditionally observed in ransomware operations. Additionally, these TTPs span phases from acquiring and purchasing infrastructure to concealing DPRK affiliation:

- **Acquire Infrastructure [T1583].** DPRK actors generate domains, personas, and accounts; and identify cryptocurrency services to conduct their ransomware operations. Actors procure infrastructure, IP addresses, and domains with cryptocurrency generated through illicit cybercrime, such as ransomware and cryptocurrency theft.

- **Obfuscate Identity.** DPRK actors purposely obfuscate their involvement by operating with or under third-party foreign affiliate identities and use third-party foreign intermediaries to receive ransom payments.
- **Purchase VPNs and VPSs [T1583.003].** DPRK cyber actors will also use virtual private networks (VPNs) and virtual private servers (VPSs) or third-country IP addresses to appear to be from innocuous locations instead of from DPRK.
- **Gain Access [TA0001].** Actors use various exploits of common vulnerabilities and exposures (CVE) to gain access and escalate privileges on networks. Recently observed CVEs that actors used to gain access include remote code execution in the Apache Log4j software library (known as Log4Shell) and remote code execution in unpatched SonicWall SMA 100 appliances [T1190 and T1133]. Observed CVEs used include:
  - CVE 2021-44228
  - CVE-2021-20038
  - CVE-2022-24990

Actors also likely spread malicious code through Trojanized files for "X-Popup," an open source messenger commonly used by employees of small and medium hospitals in South Korea [T1195].

The actors spread malware by leveraging two domains: `xpopup.pe[.]kr` and `xpopup.com`. `xpopup.pe[.]kr` is registered to IP address `115.68.95[.]128` and `xpopup[.]com` is registered to IP address `119.205.197[.]111`. Related file names and hashes are listed in table 1.

Table 1: Malicious file names and hashes spread by xpopup domains

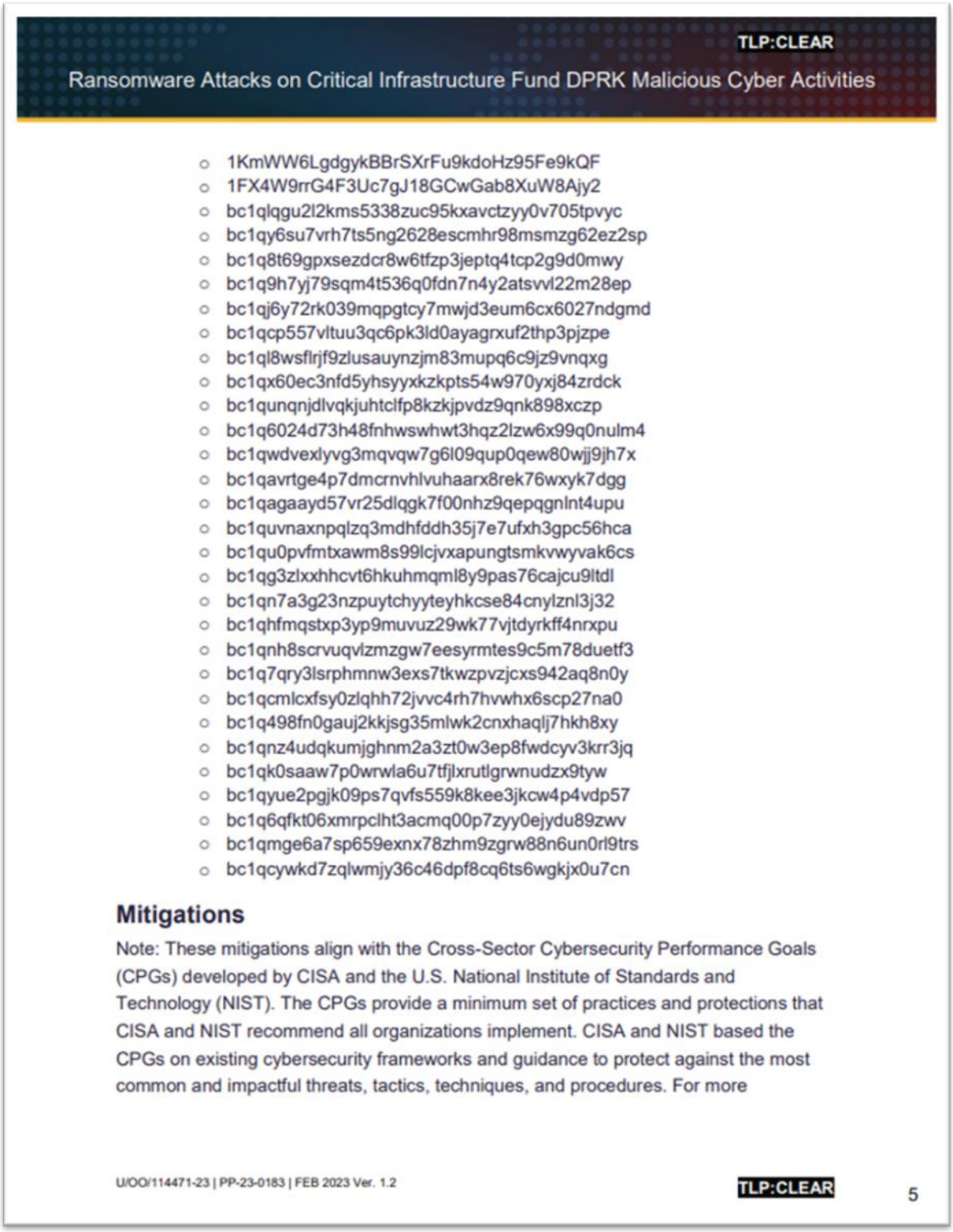
File Name	MD5 Hash
xpopup.rar	1f239db751ce9a374eb9f908c74a31c9
X-PopUp.exe	6fb13b1b4b42bac05a2ba629f04e3d03
X-PopUp.exe	cf8ba073db7f4023af2b13dd75565f3d
xpopup.exe	4e71d52fc39f89204a734b19db1330d3
x-PopUp.exe	43d4994635f72852f719abb604c4a8a1
xpopup.exe	5ae71e8440bf33b46554ce7a7f3de666

- **Move Laterally and Discovery [TA0007, TA0008].** After initial access, DPRK cyber actors use staged payloads with customized malware to perform reconnaissance activities, upload and download additional files and executables, and execute shell commands [T1083, T1021]. The staged malware is also responsible for collecting victim information and sending it to the remote host controlled by the actors [TA0010].

- **Employ Various Ransomware Tools [TA0040].** Actors have used privately developed ransomware, such as Maui and H0lyGh0st [T1486]. Actors have also been observed using or possessing publically available tools for encryption, such as BitLocker, Deadbolt, ech0raix, GonnaCry, Hidden Tear, Jigsaw, LockBit 2.0, My Little Ransomware, NxRansomware, Ryuk, and YourRansom [T1486]. In some cases, DPRK actors have portrayed themselves as other ransomware groups, such as the REvil ransomware group. For IOCs associated with Maui and H0lyGh0st ransomware usage, please see Appendix B.

- **Demand Ransom in Cryptocurrency.** DPRK cyber actors have been observed setting ransoms in bitcoin [T1486]. Actors are known to communicate with victims via Proton Mail email accounts. For private companies in the healthcare sector, actors may threaten to expose a company's proprietary data to competitors if ransoms are not paid. Bitcoin wallet addresses possibly used by DPRK cyber actors include:

    - 1MTHBCrBKYEthfa16zo9kabt4f9jMJz8Rm
    - bc1q80vc4yjgg6umedkut3e9mhehxl4q4dcjjyzh59
    - 1J8spy62o7z2AjQxoUpiCGnBh5cRWKVWJC
    - 16ENLdHbnmDcEV8iqN4vuyZHa7sSdYRh76
    - bc1q3wzxvu8yhs8h7mlkmf7277wyklkah9k4sm9anu
    - bc1q8xyt4jxhw7mgqpwd6qfdjyxgvjeuz57jxrvgk9
    - 1NqihEqYaQaWiZkPVdSMiTbt7dTy1LMxgX
    - bc1qxrpevck3pq1yzrx2pq2rkvkvy0jnm56nzjv6pw
    - 14hVKm7Ft2rxDBFTNkkRC3kGstMGp2A4hk
    - 1KCwfCUgnSy3pzNX7U1i5NwFzRtth4bRBc
    - 16sYqXancDDiijcuruZecCkdBDwDf4vSEC
    - 1N6JphHFaYmYaokS5xH31Z67bvk4ykd9CP
    - LZ1VNJfn6mWjPzkCyoBvqWaBZYXAwn135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1KmWW6LgdgykBBrSXrFu9kdoHz95Fe9kQF
1FX4W9rrG4F3Uc7gJ18GCwGab8XuW8Ajy2
bc1qlqgu2l2kms5338zuc95kxavctzyy0v705tpvyc
bc1qy6su7vrh7ts5ng2628escmhr98msmzg62ez2sp
bc1q8t69gpxsezdcr8w6tfzp3jeptq4tcp2g9d0mwy
bc1q9h7yj79sqm4t536q0fdn7n4y2atsvvl22m28ep
bc1qj6y72rk039mqpgtcy7mwjd3eum6cx6027ndgmd
bc1qcp557vltuu3qc6pk3ld0ayagrxuf2thp3pjzpe
bc1ql8wsflrjf9zlusauynzjm83mupq6c9jz9vnqxg
bc1qx60ec3nfd5yhsyyxkzkpts54w970yxj84zrdck
bc1qunqnjdlvqkjuhtclfp8kzkjpvdz9qnk898xczp
bc1q6024d73h48fnhwswhwt3hqz2lzw6x99q0nulm4
bc1qwdvexlyvg3mqvqw7g6l09qup0qew80wjj9jh7x
bc1qavrtge4p7dmcrnvhlvuhaarx8rek76wxyk7dgg
bc1qagaayd57vr25dlqgk7f00nhz9qepqgnlnt4upu
bc1quvnaxnpqlzq3mdhfddh35j7e7ufxh3gpc56hca
bc1qu0pvfmtxawm8s99lcjvxapungtsmkvwyvak6cs
bc1qg3zlxxhhcvt6hkuhmqml8y9pas76cajcu9ltdl
bc1qn7a3g23nzpuytchyyteyhkcse84cnylznl3j32
bc1qhfmqstxp3yp9muvuz29wk77vjtdyrkff4nrxpu
bc1qnh8scrvuqvlzmzgw7eesyrmtes9c5m78duetf3
bc1q7qry3lsrphmnw3exs7tkwzpvzjcxs942aq8n0y
bc1qcmlcxfsy0zlqhh72jvvc4rh7hvwhx6scp27na0
bc1q498fn0gauj2kkjsg35mlwk2cnxhaqlj7hkh8xy
bc1qnz4udqkumjghnm2a3zt0w3ep8fwdcyv3krr3jq
bc1qk0saaw7p0wrwla6u7tfjlxrutlgrwnudzx9tyw
bc1qyue2pgjk09ps7qvfs559k8kee3jkcw4p4vdp57
bc1q6qfkt06xmrpclht3acmq00p7zyy0ejydu89zwv
bc1qmge6a7sp659exnx78zhm9zgrw88n6un0rl9trs
bc1qcywkd7zqlwmjy36c46dpf8cq6ts6wgkjx0u7cn
Mitigations
Note: These mitigations align with the Cross-Sector Cybersecurity Performance Goals (CPGs) developed by CISA and the U.S. National Institute of Standards and Technology (NIST). The CPGs provide a minimum set of practices and protections that CISA and NIST recommend all organizations implement. CISA and NIST based the CPGs on existing cybersecurity frameworks and guidance to protect against the most common and impactful threats, tactics, techniques, and procedures. For more
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information on the CPGs, including additional recommended baseline protections, see cisa.gov/cpg.

The authoring agencies urge HPH organizations to:

- Limit access to data by authenticating and encrypting connections (e.g., using public key infrastructure certificates in virtual private network (VPN) and transport layer security (TLS) connections) with network services, Internet of Things (IoT) medical devices, and the electronic health record system [CPG 3.3].
- Implement the principle of least privilege by using standard user accounts on internal systems instead of administrative accounts [CPG 1.5], which grant excessive system administration privileges.
- Turn off weak or unnecessary network device management interfaces, such as Telnet, SSH, Winbox, and HTTP for wide area networks (WANs) and secure with strong passwords and encryption when enabled.
- Protect stored data by masking the permanent account number (PAN) when displayed and rendering it unreadable when stored—through cryptography, for example.
- Secure the collection, storage, and processing practices for personally identifiable information (PII)/protected health information (PHI), per regulations such as the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Implementing HIPAA security measures could prevent the introduction of malware to the system [CPG 3.4].
    - Secure PII/ PHI at collection points and encrypt the data at rest and in transit using technologies, such as TLS. Only store personal patient data on internal systems that are protected by firewalls, and ensure extensive backups are available.
    - Create and regularly review internal policies that regulate the collection, storage, access, and monitoring of PII/PHI.
- Implement and enforce multi-layer network segmentation with the most critical communications and data resting on the most secure and reliable layer [CPG 8.1].
- Use monitoring tools to observe whether IoT devices are behaving erratically due to a compromise [CPG 3.1].

In addition, the authoring agencies urge all organizations, including HPH Sector organizations, to apply the following recommendations to prepare for and mitigate ransomware incidents:

- **Maintain isolated backups of data, and regularly test backup and restoration** [CPG 7.3]. These practices safeguard an organization's continuity of operations or at least minimize potential downtime from a ransomware incident and protect against data losses.
    - Ensure all backup data is encrypted, immutable (i.e., cannot be altered or deleted), and covers the entire organization's data infrastructure.
- **Create, maintain, and exercise a basic cyber incident response plan and associated communications plan** that includes response procedures for a ransomware incident [CPG 7.1, 7.2].
    - Organizations should also ensure their incident response and communications plans include data breach incidents response and notification procedures. Ensure the notification procedures adhere to applicable laws.
    - See the CISA-Multi-State Information Sharing and Analysis Center (MS-ISAC) Joint Ransomware Guide and CISA Fact Sheet Protecting Sensitive and Personal Information from Ransomware-Caused Data Breaches for information on creating a ransomware response checklist and planning and responding to ransomware-caused data breaches.
- **Install updates for operating systems, software, and firmware as soon as they are released** [CPG 5.1]. Timely patching is one of the most efficient and cost-effective steps an organization can take to minimize its exposure to cybersecurity threats. Regularly check for software updates and end-of-life notifications and prioritize patching known exploited vulnerabilities. Consider leveraging a centralized patch management system to automate and expedite the process.
- **If you use Remote Desktop Protocol (RDP), or other potentially risky services, secure and monitor them closely** [CPG 5.4].
    - Limit access to resources over internal networks, especially by restricting RDP and using virtual desktop infrastructure. After assessing risks, if RDP is deemed operationally necessary, restrict the originating sources, and require phishing-resistant multifactor authentication (MFA) to mitigate credential theft and reuse [CPG 1.3]. If RDP must be available externally, use a VPN, virtual desktop infrastructure, or other means to authenticate

and secure the connection before allowing RDP to connect to internal devices. Monitor remote access/RDP logs, enforce account lockouts after a specified number of attempts to block brute force campaigns, log RDP login attempts, and disable unused remote access/RDP ports [CPG 1.1, 3.1].

- Ensure devices are properly configured and that security features are enabled. Disable ports and protocols not in use for a business purpose (e.g., RDP Transmission Control Protocol port 3389).
- Restrict the Server Message Block (SMB) protocol within the network to only access necessary servers and remove or disable outdated versions of SMB (i.e., SMB version 1). Threat actors use SMB to propagate malware across organizations.
- Review the security posture of third-party vendors and those interconnected with your organization. Ensure all connections between third-party vendors and outside software or hardware are monitored and reviewed for suspicious activity [CPG 5.6, 6.2].
- Implement application control policies that only allow systems to execute known and permitted programs [CPG 2.1].
- Open document readers in protected viewing modes to help prevent active content from running.

- **Implement a user training program and phishing exercises** [CPG 4.3] to raise awareness among users about the risks of visiting websites, clicking on links, and opening attachments. Reinforce the appropriate user response to phishing and spearphishing emails.
- **Require phishing-resistant MFA for as many services as possible** [CPG 1.3]—particularly for webmail, VPNs, accounts that access critical systems, and privileged accounts that manage backups.
- **Use strong passwords** [CPG 1.4] and avoid reusing passwords for multiple accounts. See CISA Tip Choosing and Protecting Passwords and National Institute of Standards and Technology (NIST) Special Publication 800-63B: Digital Identity Guidelines for more information.
- **Require administrator credentials to install software** [CPG 1.5].
- **Audit user accounts with administrative or elevated privileges** [CPG 1.5] and configure access controls with least privilege in mind.

- **Install and regularly update antivirus and antimalware software on all hosts**.
- **Only use secure networks**. Consider installing and using a VPN.
- **Consider adding an email banner to messages coming from outside your organizations** [CPG 8.3] indicating that they are higher risk messages.
- **Consider participating in CISA's no-cost Automated Indicator Sharing (AIS)** program to receive real-time exchange of machine-readable cyber threat indicators and defensive measures.

If a ransomware incident occurs at your organization:

- Follow your organization's ransomware response checklist.
- Scan backups. If possible, scan backup data with an antivirus program to check that it is free of malware. This should be performed using an isolated, trusted system to avoid exposing backups to potential compromise.
- **U.S. organizations**: Follow the notification requirements as outlined in your cyber incident response plan. Report incidents to appropriate authorities; in the U.S., this would include the FBI at a local FBI Field Office, CISA at cisa.gov/report, or the U.S. Secret Service (USSS) at a USSS Field Office.
- **South Korean organizations:** Please report incidents to NIS, KISA (Korea Internet & Security Agency), and KNPA (Korean National Police Agency).
  - NIS (National Intelligence Service)
    - Telephone : 111
    - https://www.nis.go.kr
  - KISA (Korea Internet & Security Agency)
    - Telephone : 118 (Consult Service)
    - https://www.boho.or.kr/consult/ransomware.do
  - KNPA (Korean National Police Agency)
    - Electronic Cybercrime Report & Management System: https://ecrm.police.go.kr/minwon/main
- Apply incident response best practices found in the joint Cybersecurity Advisory, Technical Approaches to Uncovering and Remediating Malicious Activity, developed by CISA and the cybersecurity authorities of Australia, Canada, New Zealand, and the United Kingdom.

Resources

Stairwell provided a YARA rule to identify Maui ransomware, and a Proof of Concept public RSA key extractor at the following link:

https://www.stairwell.com/news/threat-research-report-maui-ransomware/

Request For Information

The FBI is seeking any information that can be shared, to include boundary logs showing communication to and from foreign IP addresses, bitcoin wallet information, the decryptor file, and/or benign samples of encrypted files. As stated above, the authoring agencies discourage paying ransoms. Payment does not guarantee files will be recovered and may embolden adversaries to target additional organizations, encourage other criminal actors to engage in the distribution of ransomware, and/or fund illicit activities. However, the agencies understand that when victims are faced with an inability to function, all options are evaluated to protect shareholders, employees, and customers.

Regardless of whether you or your organization decide to pay a ransom, the authoring agencies urge you to promptly report ransomware incidents using the contact information above.

Acknowledgements

NSA, FBI, CISA, and HHS would like to thank ROK NIS and DSA for their contributions to this CSA.

Disclaimer of endorsement

The information and opinions contained in this document are provided "as is" and without any warranties or guarantees. Reference herein to any specific commercial products, process, or service by trade name, trademark, manufacturer, or otherwise, does not constitute or imply its endorsement, recommendation, or favoring by the United States Government, and this guidance shall not be used for advertising or product endorsement purposes.

Trademark recognition

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Purpose

This document was developed in furtherance of the authors' cybersecurity missions, including their responsibilities to identify and disseminate threats, and to develop and issue cybersecurity specifications and mitigations. This information may be shared broadly to reach all appropriate stakeholders.

Ransomware Attacks on Critical Infrastructure Fund DPRK Malicious Cyber Activities

Contact

NSA Client Requirements / General Cybersecurity Inquiries: CybersecurityReports@nsa.gov
Defense Industrial Base Inquiries and Cybersecurity Services: DIB_Defense@cyber.nsa.gov
To report incidents and anomalous activity related to information found in this Joint Cybersecurity Advisory, contact CISA's 24/7 Operations Center at Report@cisa.gov or (888) 282-0870 or your local FBI field office at www.fbi.gov/contact-us/field. When available, please include the following information regarding the incident: date, time, and location of the incident; type of activity; number of people affected; type of equipment used for the activity; the name of the submitting company or organization; and a designated point of contact.

Media Inquiries / Press Desk:

- NSA Media Relations, 443-634-0721, MediaRelations@nsa.gov
- CISA Media Relations, 703-235-2010, CISAMedia@cisa.dhs.gov

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Appendix A: CVE Details

CVE-2021-44228	CVSS 3.0: 10 (Critical)
Vulnerability Description	
Apache Log4j2 2.0-beta9 through 2.15.0 (excluding security releases 2.12.2, 2.12.3, and 2.3.1) JNDI features used in configuration, log messages, and parameters do not protect against attacker controlled LDAP and other JNDI related endpoints. An attacker who can control log messages or log message parameters can execute arbitrary code loaded from LDAP servers when message lookup substitution is enabled. From log4j 2.15.0, this behavior has been disabled by default. From version 2.16.0 (along with 2.12.2, 2.12.3, and 2.3.1), this functionality has been completely removed. Note that this vulnerability is specific to log4j-core and does not affect log4net, log4cxx, or other Apache Logging Services projects.	
Recommended Mitigations	
Apply patches provided by vendor and perform required system updates.	
Detection Methods	
See vendors' Guidance For Preventing, Detecting, and Hunting for Exploitation of the Log4j 2 Vulnerability.	
Vulnerable Technologies and Versions	
There are numerous vulnerable technologies and versions associated with CVE-2021-44228. For a full list, please check https://nvd.nist.gov/vuln/detail/CVE-2021-44228.	
See https://nvd.nist.gov/vuln/detail/CVE-2021-44228 for more information.	

CVE-2021-20038	CVSS 3.0: 9.8 (Critical)

Vulnerability Description

A Stack-based buffer overflow vulnerability in SMA100 Apache httpd server's mod_cgi module environment variables allows a remote unauthenticated attacker to potentially execute code as a 'nobody' user in the appliance. This vulnerability affected SMA 200, 210, 400, 410 and 500v appliances firmware 10.2.0.8-37sv, 10.2.1.1-19sv, 10.2.1.2-24sv and earlier versions.

Recommended Mitigations

Apply all appropriate vendor updates

Upgrade to:

- SMA 100 Series - (SMA 200, 210, 400, 410, 500v (ESX, Hyper-V, KVM, AWS, Azure):
  - SonicWall SMA100 build versions 10.2.0.9-41sv or later
  - SonicWall SMA100 build versions 10.2.1.3-27sv or later

System administrators should refer to the SonicWall Security Advisories in the reference section to determine affected applications/systems and appropriate fix actions.

Support for 9.0.0 firmware ended on 10/31/2021. Customers still using that firmware are requested to upgrade to the latest 10.2.x versions.

Vulnerable Technologies and Versions

Sonicwall Sma 200 Firmware 10.2.0.8-37Sv
Sonicwall Sma 200 Firmware 10.2.1.1-19Sv
Sonicwall Sma 200 Firmware 10.2.1.2-24Sv
Sonicwall Sma 210 Firmware 10.2.0.8-37Sv
Sonicwall Sma 210 Firmware 10.2.1.1-19Sv
Sonicwall Sma 210 Firmware 10.2.1.2-24Sv
Sonicwall Sma 410 Firmware 10.2.0.8-37Sv
Sonicwall Sma 410 Firmware 10.2.1.1-19Sv
Sonicwall Sma 410 Firmware 10.2.1.2-24Sv
Sonicwall Sma 400 Firmware 10.2.0.8-37Sv
Sonicwall Sma 400 Firmware 10.2.1.1-19Sv
Sonicwall Sma 400 Firmware 10.2.1.2-24Sv
Sonicwall Sma 500V Firmware 10.2.0.8-37Sv
Sonicwall Sma 500V Firmware 10.2.1.1-19Sv
Sonicwall Sma 500V Firmware 10.2.1.2-24Sv

See https://nvd.nist.gov/vuln/detail/CVE-2021-20038 for more information.

Ransomware Attacks on Critical Infrastructure Fund DPRK Malicious Cyber Activities

CVE-2022-24990	CVSS 3.x: N/A
Vulnerability Description	
The TerraMaster OS Unauthenticated Remote Command Execution via PHP Object Instantiation Vulnerability is characterized by scanning activity targeting a flaw in the script enabling a remote adversary to execute commands on the target endpoint. The vulnerability is created by improper input validation of the webNasIPS component in the api.php script and resides on the TNAS device appliances' operating system where users manage storage, backup data, and configure applications. By exploiting the script flaw a remote unauthenticated attacker can pass specially crafted data to the application and execute arbitrary commands on the target system. This may result in complete compromise of the target system, including the exfiltration of information. TNAS devices can be chained to acquire unauthenticated remote code execution with highest privileges.	
Recommended Mitigations	
Install relevant vendor patches. This vulnerability was patched in TOS version 4.2.30	
Vulnerable Technologies and Versions	
TOS v 4.2.29	
See https://octagon.net/blog/2022/03/07/cve-2022-24990-terrmaster-tos-unauthenticated-remote-command-execution-via-php-object-instantiation/ and https://forum.terra-master.com/en/viewtopic.php?t=3030 for more information.	

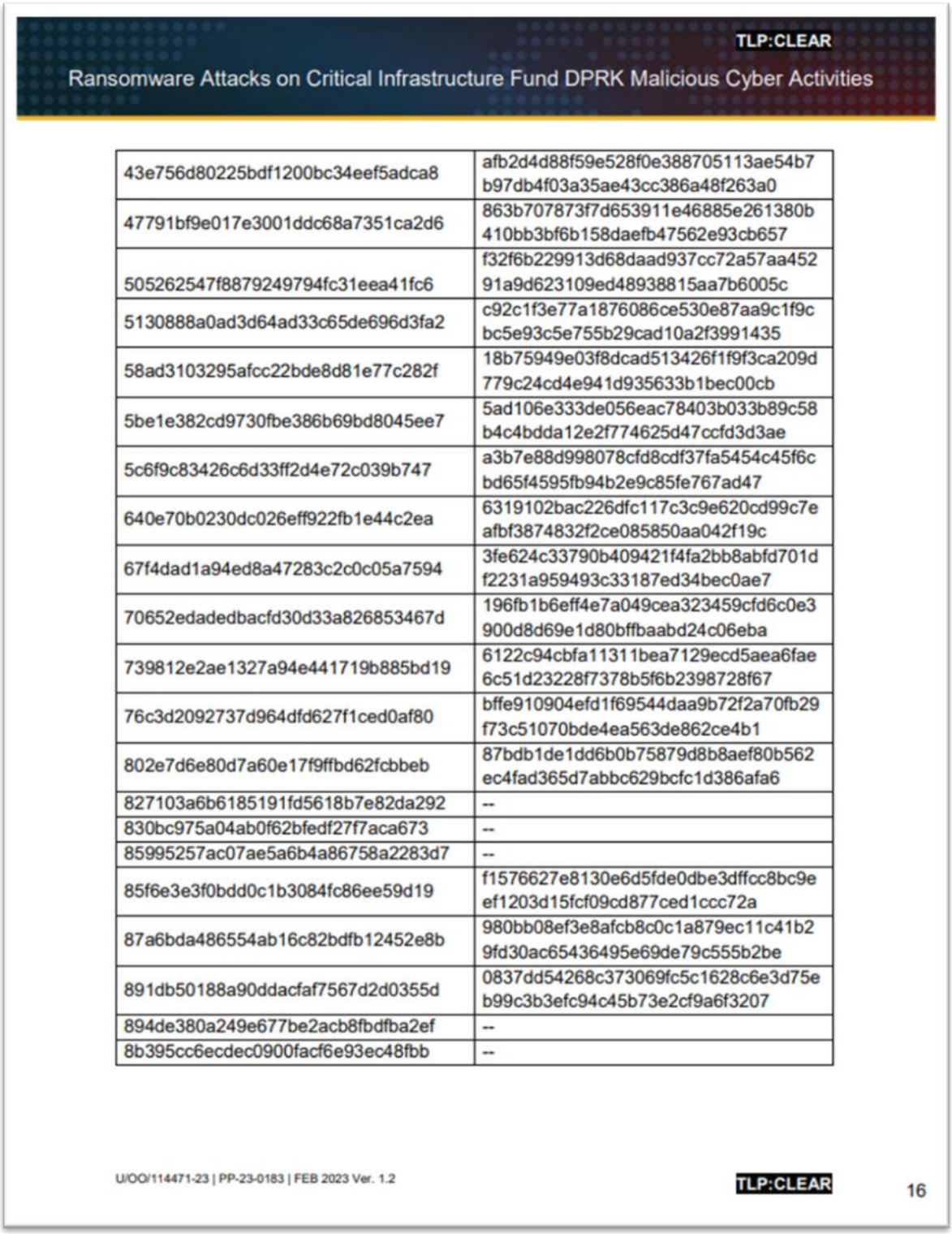
Appendix B: Indicators of Compromise (IOCs)

The IOC section includes hashes and IP addresses for the Maui and H0lyGh0st ransomware variants—as well as custom malware implants assumedly developed by DPRK cyber actors, such as remote access trojans (RATs), loaders, and other tools—that enable subsequent deployment of ransomware. For additional Maui IOCs, see joint CSA North Korean State-Sponsored Cyber Actors Use Maui Ransomware to Target the Healthcare and Public Health Sector.

Table 2 lists MD5 and SHA256 hashes associated with malware implants, RATs, and other tools used by DPRK cyber actors, including tools that drop Maui ransomware files.

Table 2: File names and hashes of malicious implants, RATs, and tools

MD5Hash	SHA256Hash
079b4588eaa99a1e802adf5e0b26d8aa	f67ee77d6129bd1bcd5d856c0fc5314169 b946d32b8abaa4e680bb98130b38e7
0e9e256d8173854a7bc26982b1dde783	--
12c15a477e1a96120c09a860c9d479b3	6263e421e397db821669420489d2d3084 f408671524fd4e1e23165a16dda2225
131fc4375971af391b459de33f81c253	--
17c46ed7b80c2e4dbea6d0e88ea0827c	b9af4660da00c7fa975910d0a19fda0720 31c15fad1eef935a609842c51b7f7d
1875f6a68f70bee316c8a6eda9ebf8de	672ec8899b8ee513dbfc4590440a61023 846ddc2ca94c88ae637144305c497e7
1a74c8d8b74ca2411c1d3d22373a6769	ba8f9e7afe5f78494c111971c39a89111ef 9262bf23e8a764c6f65c818837a44
1f6d9f8fbdbbd4e6ed8cd73b9e95a928	4f089afa51fd0c1b2a39cc11cedb3a4a32 6111837a5408379384be6fe846e016
2d02f5499d35a8dffb4c8bc0b7fec5c2	830207029d83fd46a4a89cd623103ba23 21b866428aa04360376e6a390063570
2e18350194e59bc6a2a3f6d59da11bd8	655aa64860f1655081489cf85b77f72a49 de846a99dd122093db4018434b83ae
3bd22e0ac965ebb6a18bb71ba39e96dc	6b7f566889b80d1dba4f92d5e2fb2f5ef24 f57fcfd56bb594978dffe9edbb9eb
40f21743f9cb927b2c84ecdb7dfb14a6	5081f54761947bc9ce4aa2a259a0bd60b 4ec03d32605f8e3635c4d4edaf48894
4118d9adce7350c3eedeb056a3335346	5b7ecf7e9d0715f1122baf4ce745c5fcd76 9dee48150616753fec4d6da16e99e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Ransomware Attacks on Critical Infrastructure Fund DPRK Malicious Cyber Activities
43e756d80225bdf1200bc34eef5adca8
afb2d4d88f59e528f0e388705113ae54b7 b97db4f03a35ae43cc386a48f263a0
47791bf9e017e3001ddc68a7351ca2d6
863b707873f7d653911e46885e261380b 410bb3bf6b158daefb47562e93cb657
505262547f8879249794fc31eea41fc6
f32f6b229913d68daad937cc72a57aa452 91a9d623109ed48938815aa7b6005c
5130888a0ad3d64ad33c65de696d3fa2
c92c1f3e77a1876086ce530e87aa9c1f9c bc5e93c5e755b29cad10a2f3991435
58ad3103295afcc22bde8d81e77c282f
18b75949e03f8dcad513426f1f9f3ca209d 779c24cd4e941d935633b1bec00cb
5be1e382cd9730fbe386b69bd8045ee7
5ad106e333de056eac78403b033b89c58 b4c4bdda12e2f774625d47ccfd3d3ae
5c6f9c83426c6d33ff2d4e72c039b747
a3b7e88d998078cfd8cdf37fa5454c45f6c bd65f4595fb94b2e9c85fe767ad47
640e70b0230dc026eff922fb1e44c2ea
6319102bac226dfc117c3c9e620cd99c7e afbf3874832f2ce085850aa042f19c
67f4dad1a94ed8a47283c2c0c05a7594
3fe624c33790b409421f4fa2bb8abfd701d f2231a959493c33187ed34bec0ae7
70652edadedbacfd30d33a826853467d
196fb1b6eff4e7a049cea323459cfd6c0e3 900d8d69e1d80bffbaabd24c06eba
739812e2ae1327a94e441719b885bd19
6122c94cbfa11311bea7129ecd5aea6fae 6c51d23228f7378b5f6b2398728f67
76c3d2092737d964dfd627f1ced0af80
bffe910904efd1f69544daa9b72f2a70fb29 f73c51070bde4ea563de862ce4b1
802e7d6e80d7a60e17f9ffbd62fcbbeb
87bdb1de1dd6b0b75879d8b8aef80b562 ec4fad365d7abbc629bcfc1d386afa6
827103a6b6185191fd5618b7e82da292
--
830bc975a04ab0f62bfedf27f7aca673
--
85995257ac07ae5a6b4a86758a2283d7
--
85f6e3e3f0bdd0c1b3084fc86ee59d19
f1576627e8130e6d5fde0dbe3dffcc8bc9e ef1203d15fcf09cd877ced1ccc72a
87a6bda486554ab16c82bdfb12452e8b
980bb08ef3e8afcb8c0c1a879ec11c41b2 9fd30ac65436495e69de79c555b2be
891db50188a90ddacfaf7567d2d0355d
0837dd54268c373069fc5c1628c6e3d75e b99c3b3efc94c45b73e2cf9a6f3207
894de380a249e677be2acb8fbdfba2ef
--
8b395cc6ecdec0900facf6e93ec48fbb
--
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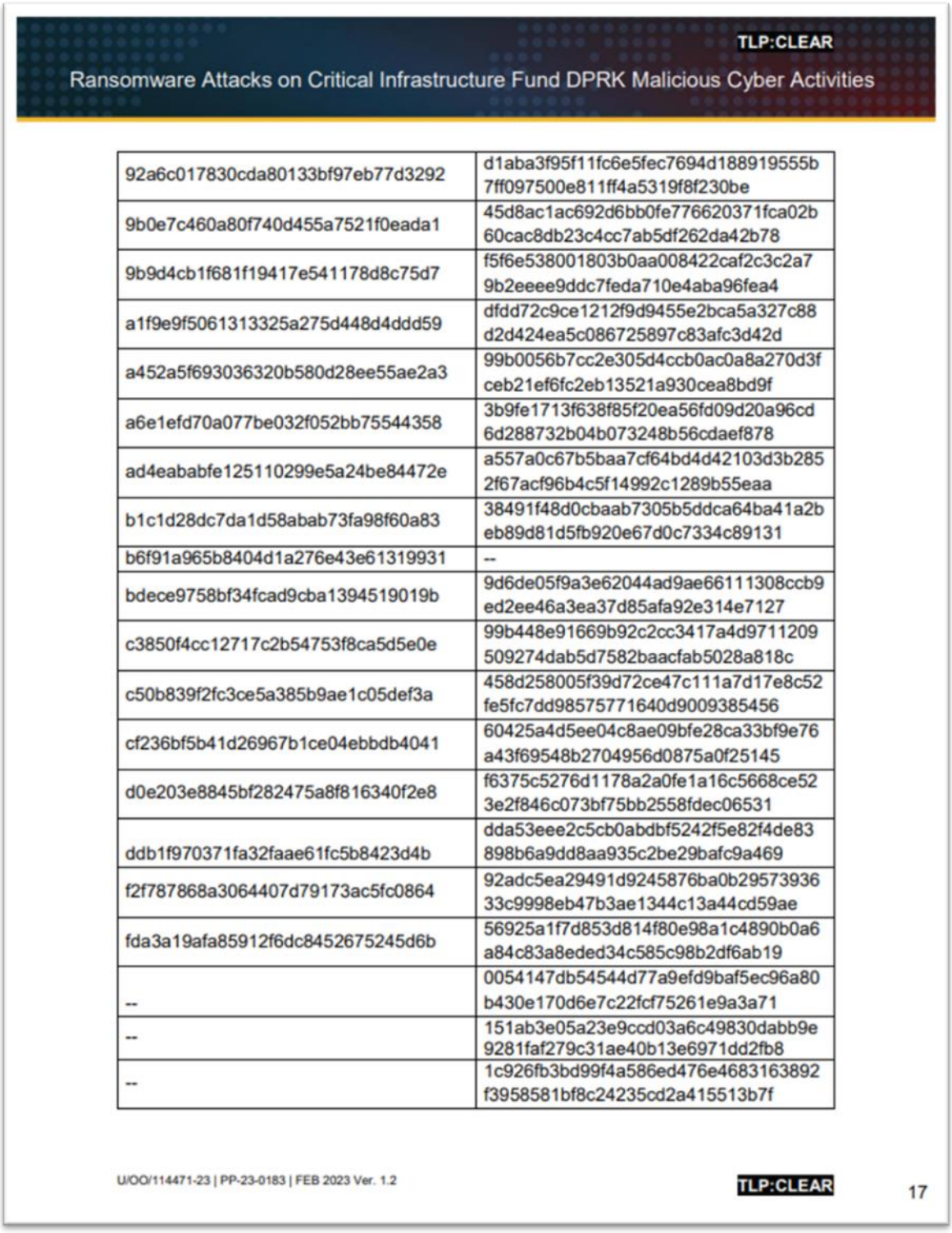


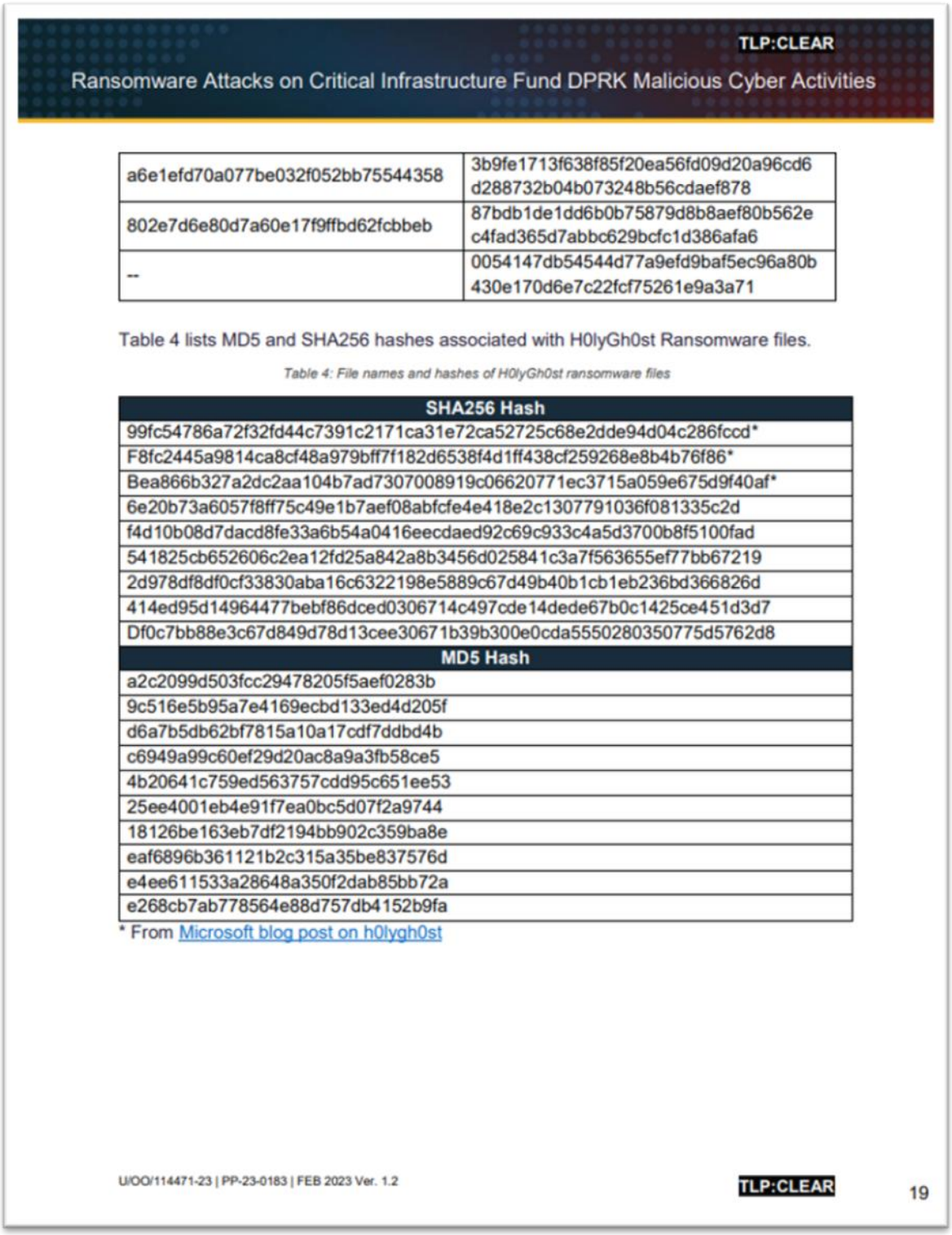
92a6c017830cda80133bf97eb77d3292	d1aba3f95f11fc6e5fec7694d188919555b7ff097500e811ff4a5319f8f230be
9b0e7c460a80f740d455a7521f0eada1	45d8ac1ac692d6bb0fe776620371fca02b60cac8db23c4cc7ab5df262da42b78
9b9d4cb1f681f19417e541178d8c75d7	f5f6e538001803b0aa008422caf2c3c2a79b2eeee9ddc7feda710e4aba96fea4
a1f9e9f5061313325a275d448d4ddd59	dfdd72c9ce1212f9d9455e2bca5a327c88d2d424ea5c086725897c83afc3d42d
a452a5f693036320b580d28ee55ae2a3	99b0056b7cc2e305d4ccb0ac0a8a270d3fceb21ef6fc2eb13521a930cea8bd9f
a6e1efd70a077be032f052bb75544358	3b9fe1713f638f85f20ea56fd09d20a96cd6d288732b04b073248b56cdaef878
ad4eababfe125110299e5a24be84472e	a557a0c67b5baa7cf64bd4d42103d3b2852f67acf96b4c5f14992c1289b55eaa
b1c1d28dc7da1d58abab73fa98f60a83	38491f48d0cbaab7305b5ddca64ba41a2beb89d81d5fb920e67d0c7334c89131
b6f91a965b8404d1a276e43e61319931	--
bdece9758bf34fcad9cba1394519019b	9d6de05f9a3e62044ad9ae66111308ccb9ed2ee46a3ea37d85afa92e314e7127
c3850f4cc12717c2b54753f8ca5d5e0e	99b448e91669b92c2cc3417a4d9711209509274dab5d7582baacfab5028a818c
c50b839f2fc3ce5a385b9ae1c05def3a	458d258005f39d72ce47c111a7d17e8c52fe5fc7dd98575771640d9009385456
cf236bf5b41d26967b1ce04ebbdb4041	60425a4d5ee04c8ae09bfe28ca33bf9e76a43f69548b2704956d0875a0f25145
d0e203e8845bf282475a8f816340f2e8	f6375c5276d1178a2a0fe1a16c5668ce523e2f846c073bf75bb2558fdec06531
ddb1f970371fa32faae61fc5b8423d4b	dda53eee2c5cb0abdbf5242f5e82f4de83898b6a9dd8aa935c2be29bafc9a469
f2f787868a3064407d79173ac5fc0864	92adc5ea29491d9245876ba0b2957393633c9998eb47b3ae1344c13a44cd59ae
fda3a19afa85912f6dc8452675245d6b	56925a1f7d853d814f80e98a1c4890b0a6a84c83a8eded34c585c98b2df6ab19
--	0054147db54544d77a9efd9baf5ec96a80b430e170d6e7c22fcf75261e9a3a71
--	151ab3e05a23e9ccd03a6c49830dabb9e9281faf279c31ae40b13e6971dd2fb8
--	1c926fb3bd99f4a586ed476e4683163892f3958581bf8c24235cd2a415513b7f

--	1f8dcfaebbcd7e71c2872e0ba2fc6db81d651cf654a21d33c78eae6662e62392
--	f226086b5959eb96bd30dec0ffcbf0f09186cd11721507f416f1c39901addafb
--	23eff00dde0ee27dabad28c1f4ffb8b09e876f1e1a77c1e6fb735ab517d79b76
--	586f30907c3849c363145bfdcdabe3e2e4688cbd5688ff968e984b201b474730
--	8ce219552e235dcaf1c694be122d6339ed4ff8df70bf358cd165e6eb487ccfc5
--	90fb0cd574155fd8667d20f97ac464eca67bdb6a8ee64184159362d45d79b6a4
--	c2904dc8bbb569536c742fca0c51a766e836d0da8fac1c1abd99744e9b50164f
--	ca932ccaa30955f2fffb1122234fb1524f7de3a8e0044de1ed4fe05cab8702a5
--	f6827dc5af661fbb4bf64bc625c78283ef836c6985bb2bfb836bd0c8d5397332
--	f78cabf7a0e7ed3ef2d1c976c1486281f56a6503354b87219b466f2f7a0b65c4

Table 3 lists MD5 and SHA256 hashes are associated with Maui Ransomware files.

Table 3: File names and hashes of Maui ransomware files

MD5 Hash	SHA256 Hash
4118d9adce7350c3eedeb056a3335346	5b7ecf7e9d0715f1122baf4ce745c5fcd769dee48150616753fec4d6da16e99e
9b0e7c460a80f740d455a7521f0eada1	45d8ac1ac692d6bb0fe776620371fca02b60cac8db23c4cc7ab5df262da42b78
fda3a19afa85912f6dc8452675245d6b	56925a1f7d853d814f80e98a1c4890b0a6a84c83a8eded34c585c98b2df6ab19
2d02f5499d35a8dffb4c8bc0b7fec5c2	830207029d83fd46a4a89cd623103ba2321b866428aa04360376e6a390063570
c50b839f2fc3ce5a385b9ae1c05def3a	458d258005f39d72ce47c111a7d17e8c52fe5fc7dd98575771640d9009385456
a452a5f693036320b580d28ee55ae2a3	99b0056b7cc2e305d4ccb0ac0a8a270d3fceb21ef6fc2eb13521a930cea8bd9f



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Ransomware Attacks on Critical Infrastructure Fund DPRK Malicious Cyber Activities

a6e1efd70a077be032f052bb75544358	3b9fe1713f638f85f20ea56fd09d20a96cd6 d288732b04b073248b56cdaef878
802e7d6e80d7a60e17f9ffbd62fcbbeb	87bdb1de1dd6b0b75879d8b8aef80b562e c4fad365d7abbc629bcfc1d386afa6
--	0054147db54544d77a9efd9baf5ec96a80b 430e170d6e7c22fcf75261e9a3a71

Table 4 lists MD5 and SHA256 hashes associated with H0lyGh0st Ransomware files.

Table 4: File names and hashes of H0lyGh0st ransomware files

SHA256 Hash
99fc54786a72f32fd44c7391c2171ca31e72ca52725c68e2dde94d04c286fccd*
F8fc2445a9814ca8cf48a979bff7f182d6538f4d1ff438cf259268e8b4b76f86*
Bea866b327a2dc2aa104b7ad7307008919c06620771ec3715a059e675d9f40af*
6e20b73a6057f8ff75c49e1b7aef08abfcfe4e418e2c1307791036f081335c2d
f4d10b08d7dacd8fe33a6b54a0416eecdaed92c69c933c4a5d3700b8f5100fad
541825cb652606c2ea12fd25a842a8b3456d025841c3a7f563655ef77bb67219
2d978df8df0cf33830aba16c6322198e5889c67d49b40b1cb1eb236bd366826d
414ed95d14964477bebf86dced0306714c497cde14dede67b0c1425ce451d3d7
Df0c7bb88e3c67d849d78d13cee30671b39b300e0cda5550280350775d5762d8
MD5 Hash
a2c2099d503fcc29478205f5aef0283b
9c516e5b95a7e4169ecbd133ed4d205f
d6a7b5db62bf7815a10a17cdf7ddbd4b
c6949a99c60ef29d20ac8a9a3fb58ce5
4b20641c759ed563757cdd95c651ee53
25ee4001eb4e91f7ea0bc5d07f2a9744
18126be163eb7df2194bb902c359ba8e
eaf6896b361121b2c315a35be837576d
e4ee611533a28648a350f2dab85bb72a
e268cb7ab778564e88d757db4152b9fa

* From Microsoft blog post on h0lygh0st

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Source : https://media.defense.gov/2023/Feb/09/2003159161/-1/-1/0/CSA_Ransomware_Attacks_on_CI_Fund_DPRK_Activities_v1.2.PDF

Annex 77: 2 June 2023 updates to the 1718 Committee's "*Implementation Assistance Notice No. 7: Guidelines for Obtaining Exemptions to Deliver Humanitarian Assistance to the DPRK*," originally issued on 6 August 2018

The Security Council Committee established pursuant to resolution 1718 (2006) believes that the following information may be useful to Member States in carrying out their obligations contained in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017). The Security Council has repeatedly affirmed that the measures imposed by the abovementioned resolutions are not intended to have adverse humanitarian consequences for the civilian population of the Democratic People's Republic of Korea (DPRK) or to affect negatively or restrict those activities, including economic activities and cooperation, food aid and humanitarian assistance, that are not prohibited by these resolutions. Furthermore, many of the measures found in these resolutions contain explicit humanitarian exemptions that include, in some cases, the need to obtain an explicit exemption from the Committee in advance on a case-by-case basis.

Nevertheless, in order to create a comprehensive humanitarian exemption mechanism, paragraph 25 of resolution 2397 (2017) reaffirms that the measures imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017) are not intended to have adverse humanitarian consequences for the civilian population of the DPRK or to affect negatively or restrict those activities, including economic activities and cooperation, food aid and humanitarian assistance, that are not prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017), and the work of international and non-governmental organizations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population of the DPRK, stresses the DPRK's primary responsibility and need to fully provide for the livelihood needs of people in the DPRK, and decides that the Committee may, on a case-by-case basis, exempt any activity from the measures imposed by these resolutions if the Committee determines that such an exemption is necessary to facilitate the work of such organizations in the DPRK, or for any other purpose consistent with the objectives of these resolutions.

The Committee recalls that paragraph 6 of resolution 2664 (2022) directs it to assist Member States in properly understanding and fully implementing paragraph 1 of resolution 2664 (2022) by issuing Implementation Assistance Notices. To that end, the Committee notes that paragraph 1 of resolution 2664 (2022) created an exception to the asset freeze imposed by paragraph 8(d) of resolution 1718 (2006),[1] which was subsequently expanded by paragraph 27 of resolution 2094

[1] At the time of the publication of this update, the Council has designated individuals and entities for the asset freeze in paragraph 5(a) of resolution 2087 (2013), paragraph 8 of resolution 2094 (2013), paragraph 10 of resolution 2270 (2016), paragraph 3 of resolution 2321 (2016), paragraph 3 of resolution 2356 (2017), paragraph 3 of resolution 2371 (2017), paragraph 3 of resolution 2375 (2017), and paragraph 3 of resolution 2397 (2017). The Committee has

(2013) and paragraph 32 of resolution 2270 (2016) and clarified by paragraph 12 of resolution 2270 (2016), to permit "the provision, processing or payment of funds, other financial assets, or economic resources, or the provision of goods and services necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs" by certain organizations.[2] Accordingly, consistent with paragraph 4 of resolution 2664 (2022), a case-by-case Committee exemption is not required with respect to the asset freeze described above for activities permitted by resolution 2664 (2022).

Because the exception set forth in paragraphs 1 and 4 of resolution 2664 (2022) applies only to the asset freeze, a case-by-case Committee exemption is required to engage in activity prohibited by any other measure imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) or 2397 (2017), including but not limited to sectoral measures. The Committee also notes that paragraph 6 of resolution 2664 (2022) directs the Committee, assisted by its Panel of Experts, to monitor the implementation of paragraph 1 of the resolution, including any risk of diversion. The Committee therefore encourages that Member States and international and non-governmental organizations carrying out humanitarian assistance and relief activities for the benefit of the civilian population of the DPRK to provide the Committee and its Panel of Experts with any information relevant to the risk of diversion.

As such, the Committee offers the following recommendations for Member States and international and non-governmental organizations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population of the DPRK.

Format of Exemption Requests

The Committee recommends that Member States and international and non-governmental organizations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population of the DPRK and requiring a 1718 Committee exemption, submit requests for exemptions in a letter containing the following elements:

- Nature of humanitarian assistance proposed to be provided to the DPRK for the benefit of the civilian population of the DPRK;
- Explanation of the DPRK recipients and criteria employed to select beneficiaries;
- Reasons for requiring a Committee exemption;

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also designated individuals and entities for the asset freeze under the authority granted to it by the Council in paragraph 8(d) of resolution 1718 (2006).

[2] The United Nations, including its Programmes, Funds and Other Entities and Bodies, as well as its Specialized Agencies and Related Organizations, international organizations, humanitarian organizations having observer status with the United Nations General Assembly and members of those humanitarian organizations, or bilaterally or multilaterally funded non-governmental organizations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals, or OCHA-coordinated humanitarian "clusters," or their employees, grantees, subsidiaries, or implementing partners while and to the extent that they are acting in those capacities, or by appropriate others as added by any individual Committees established by this Council within and with respect to their respective mandates.

- Detailed description with quantities and relevant specifications (including, to the extent possible, make, model and manufacturer) of the goods and services to be provided within the exemption period to the DPRK for what purpose and to whom;
- Planned date(s) of proposed transfer to the DPRK within the exemption period;
- Planned route(s) and method(s) of transfer including ports of departure and entry to be used for shipments;
- All parties involved in the transfers, including DPRK entities, whether receiving authorization or providing support, that can be identified at the time of submission of the application;
- Financial transactions associated with the transfers;
- Annex containing itemized list of all planned transfers of goods and services with quantities, approximate value of goods and services in U.S. dollars or local currency, planned shipment date; and
- Measures to ensure that assistance to be provided to the DPRK are used for the intended purposes, such as a monitoring plan, and not diverted for prohibited purposes.

The Committee recommends that Member States and international or non-governmental organizations obtaining humanitarian exemptions should do their utmost to consolidate all planned shipments into three shipments or less every nine months, per project, to the best extent practicable. If an applicant who has received a Committee exemption needs to make necessary and well-justified changes to items planned for transfer to the DPRK (such as exact specifications and quantities) and/or the method and parties involved in the transactions (such as the final shipping and delivery plan) , the applicant must promptly provide the Committee with all changes needed for review through a follow-up exemption letter. The Committee would then review all the changes requested and make appropriate adjustments to the exemption it provided, where necessary.

If an applicant is unable or in any other way not in a position to provide the above information, the Committee recommends submitting the reason the information is missing and a plan to update the Committee as the details become available. If applicants face any challenges during the process, the Committee recommends they consult its Member State, the Committee Chair, the United Nations Office for the Coordination of Humanitarian Affairs, or the United Nations Resident Coordinator in the DPRK. For applicants' convenience and optional use, please find a blank application and annex template for organization's applications on the 1718 Committee website.

Routing of Exemption Requests from International and Non-Governmental Organizations to the 1718 Committee

There are three ways international or non-governmental organizations can seek exemptions from the Committee as outlined below. However, United Nations agencies, ICRC, IFRC, IOC, or an organization that has received two or more exemptions during 18 months preceding the date of the new application, or the exemption request is in regards to providing urgent emergency humanitarian assistance to the DPRK people, such as aid to fight against pandemic outbreaks, like COVID-19, or aid to respond to a natural disaster, can submit exemption requests directly to

the Committee via the Committee Secretary, in accordance with relevant national authorities and organization by laws:

1. **Member States**: Because the resolution imposes obligations on Member States, it is Member States that should submit exemption requests to the Committee on behalf of international or non-governmental organizations seeking to deliver humanitarian assistance to the DPRK. Member States can be contacted domestically or through their Permanent Missions to the United Nations in New York. The contact information for Member States' Permanent Missions is available at https://bluebook.unmeetings.org/.
    - The Committee recommends that Member States explain to applicants how their application will be routed to the Committee (for example, if the application needs to be reviewed first by national authorities before being submitted to the Committee) and how much time the Member State will need to submit the application to the Committee. The Committee further recommends that the Member States update applicants frequently on the status of their application.

2. **United Nations**: If a Member State is unable or in any other way not in a position to route such a request to the Committee, the Office of the United Nations Resident Coordinator in the DPRK may serve as a liaison for the international or non-governmental organization to send exemption requests to the Committee and provide guidance to the organizations. The Resident Coordinator can be contacted at rco.kp@one.un.org.

3. **Committee Secretary**: If both Member States and the Office of the United Nations Resident Coordinator in the DPRK are unable or in any other way not in a position to submit exemption requests to the Committee on behalf of an international or non-governmental organization or fit the criteria above, the international or non-government organization may submit an exemption request directly to the Committee Secretary at sc-1718-committee@un.org. The Committee Secretary will forward exemption requests to the Committee when they meet the following criteria:
    - The requesting entity is an international or non-governmental organization with a track record of having delivered aid to the DPRK or other countries in the past and/or the non-governmental organization is nationally recognized by the relevant Member State(s);
    - The nature of assistance planned to be provided to the DPRK is for humanitarian purposes and benefits the civilian population of the DPRK;
    - The exemption request addresses the informational requirements outlined above.

Committee Approval Process

Due to the time-sensitive nature of humanitarian assistance, the Committee will endeavor to process exemption requests as quickly as possible to provide decisions within a reasonable timeframe in accordance with the Committee Guidelines. Exemptions will be granted for a period of nine months from the date of the letter by which the Committee has granted the exemption, unless the applicant specifically requests otherwise and provides a well-founded

justification, such as transportation delays related to a pandemic, for the Committee to consider. If the party that received an exemption is unable to complete the project within the exemption timeframe, the Committee recommends that the party submit an extension request with an explanation, at least ten business days before the expiration date of the exemption. The Committee will review extension requests, updated exemption requests, and urgent emergency humanitarian assistance requests, such as those aimed at responding to pandemic outbreaks, like COVID-19, or natural disasters on an expedited timeframe.

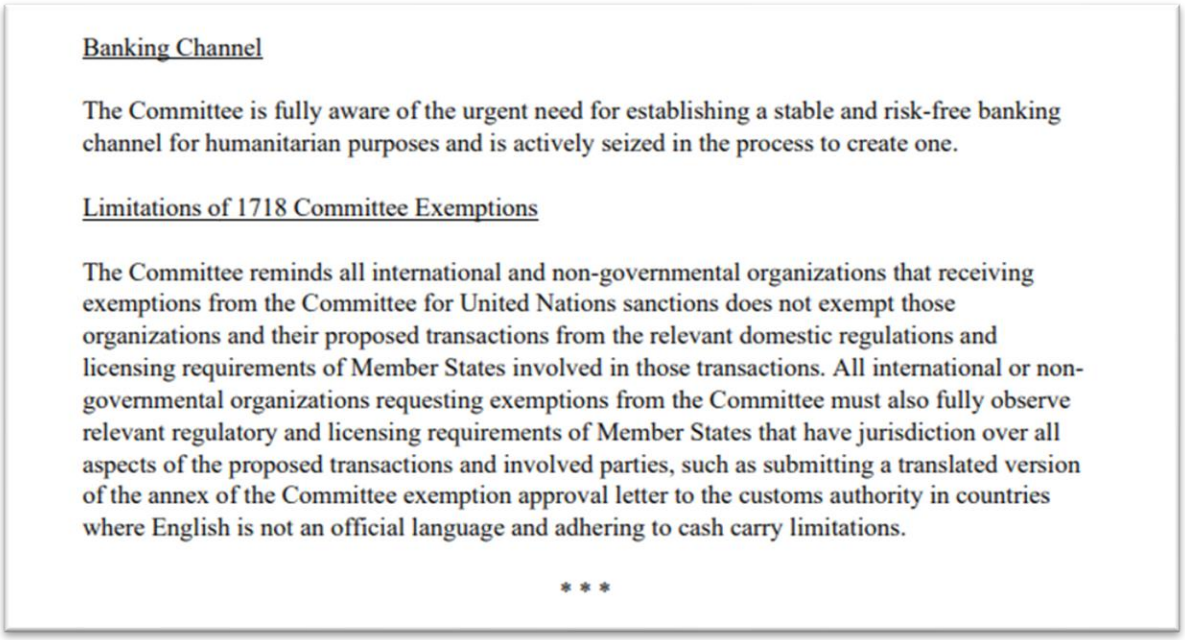
Committee Exemption Approval Letter

After the Committee has reviewed the exemption request, it will issue a response letter with its decision. If the Committee approves the request, it will issue a letter to the requesting party that explains specifically what the Committee approves for transfer to the DPRK. An annex with an approved list of goods and services by quantity and planned shipment date will be appended to the Committee approval letter. The Committee approval letter and its annex will be published on the 1718 Committee website upon issuance for the public for the exemption period. The approval letter will be translated to all UN languages and the applicant may share it with relevant parties. If there is a need for the annex to be translated, for example, to help with procurement, customs, or financial transactions, the applicant should include a translated version in its initial application to be posted online once approved. Publication of the exemption allows relevant national authorities involved in reviewing the exempted transfers to the DPRK, and financial institutions and suppliers working with the applicant to quickly and independently verify the exemption.[3]

Best Practices

The Committee believes international and non-governmental organizations planning to carry out assistance and relief activities in the DPRK for the benefit of the civilian population of the DPRK may benefit from reviewing previously approved exemption applications. If a party is willing to make its approved exemption request, or a portion of its exemption request, available for review for the above purpose, or to provide guidance to a prospective party, the Committee requests this information be included in the application. If a party opts in, the Committee Secretary, UN Resident Coordinator, the United Nations Office for the Coordination of Humanitarian Affairs, or relevant Member State, will share the authorized information to prospective international and non-governmental organizations requesting support. Participating in this best practice process will not impact an applicant's application. Additionally, the Committee Secretary will collate relevant anonymized information for the sake of holding a repository of generalized best practices.

[3] If applicants require portions of their annex to be kept confidential and not posted online, the applicant should indicate this in their application and submit both a full annex for the Committee's review and a redacted annex to be posted online, if approved. If an applicant requires anonymity, an approval letter indicating only the applicant's Member State, type of project, and a short description of the work will be posted online. Applicants requesting redacted annexes or anonymity should note that third parties may not be able to independently verify any portions of their application that are not posted online, and lack of verification might impact certain processes of aid procurement and delivery.



Banking Channel

The Committee is fully aware of the urgent need for establishing a stable and risk-free banking channel for humanitarian purposes and is actively seized in the process to create one.

Limitations of 1718 Committee Exemptions

The Committee reminds all international and non-governmental organizations that receiving exemptions from the Committee for United Nations sanctions does not exempt those organizations and their proposed transactions from the relevant domestic regulations and licensing requirements of Member States involved in those transactions. All international or non-governmental organizations requesting exemptions from the Committee must also fully observe relevant regulatory and licensing requirements of Member States that have jurisdiction over all aspects of the proposed transactions and involved parties, such as submitting a translated version of the annex of the Committee exemption approval letter to the customs authority in countries where English is not an official language and adhering to cash carry limitations.

* * *

Source: https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/ian7_updated_2jun23.pdf; highlight annotations by the Panel

Annex 78: Questionnaire for humanitarian organizations that have worked in the DPRK

For this reporting period the Panel asked some reformulated questions addressing the impact of COVID-19 and the closed borders on organizational operations, as well as each group's estimate of when they expect to resume operations in DPRK.

1) What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?

2) How has the COVID-19 pandemic and the related closure of the borders of DPRK affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.

3) What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID factors and what other factors are at play?

4) Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization's humanitarian response.

5) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?

6) Recommendations of the Panel of Experts in its latest Midterm Report (see S/2022/668, para. 188) include a suggestion that "… relevant stakeholders practically consider the idea of exempting selected exports currently under sanctions, the proceeds of which might be used to finance humanitarian supplies". Do you have any ideas or suggestions how this measure can be implemented and what is your assessment of possible effects?

7) Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?

Annex 79: Responses from humanitarian organizations

The Panel has redacted humanitarian organizations' identities and other phrases which might jeopardize the safety of the relevant organizations and in a few cases on other grounds. The Panel takes no position on the responses provided by these organizations.[256]

Organization 1

[Org.1] has suspended its activities in DPRK since 2020 and therefore no new developments have occurred which might provide information for the panel. We intend to resume our activities as soon as possible, depending on the opening of border and adequate working conditions in DPRK to be able to implement humanitarian projects.

[256] Two experts are of the view NGOs submissions should be verified and edited before publication.

Organization 2

1) What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?

The effect of UN sanctions on the humanitarian situation in DPRK, from [Org. 2]'s perspective, are the following:

- Banking and cash supply issue:

  The transfer of funds to DPRK being banned, [Org. 2] has to rely on its international staff who are the only option to bring funds to the country during their rotations into the country.

  Even though this alternative solution has so far allowed [Org. 2] to keep on working and implementing projects in DPRK, until the border closed in January 2020, this cash supply modality provokes vulnerabilities in [Org. 2]'s operations. First of all, [Org. 2's national] banks are more and more reluctant to supply sufficient amounts of cash, particularly if the cash supply is intended for projects in DPRK. Despite the exemptions that are granted to the funds dedicated humanitarian operations, it is common that banks delay or block the supply of cash, leading to additional administrative work on [Org. 2] side to unblock the situation.

- Procurement and supply:

  Since the sanctions have come to force, a drop in the number of suppliers applying for the tenders [Org. 2] 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.

- Delay of delivery:

  This impact is one of the most visible, considering that it directly impacts the implementation of the projects' activities. As mentioned previously, the exemption process is now well understood and managed but can still provoke delays in case of unexpected administrative issue (e.g.: [Member State's] customs that sometimes refuse to recognize the exemptions granted to [Org. 2] –calling for additional negotiations).

  Even though the COVID 19 related restrictions on importations decided by DPRK are responsible for this situation, it has to be mentioned that [Org. 2] had materials and equipment ([project items]) blocked at the border since January 2020. Recently, in [Month] 2023, [Org. 2] had to close the project under which this purchase was planned, as the importation of these blocked materials has not been possible from January 2020 until [present].

- Additional workload:

  The sanctions and needs for exemptions provoke an additional workload for [Org. 2] teams who have to deal with additional constraints, prepare and follows the exemptions requests.

2) How has the COVID-19 pandemic and the related closure of the borders of DPRK affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.

The strict measures and limitations that [Org. 2] has been facing regarding the COVID 19 have significantly reduced the organization's capacity to monitor the impacts of the restrictions at a local and national level.

The last [Org. 2]'s expatriate staff left the country in [Month] 2020 considering the total suspension of the activities and the complete lack of visibility regarding a potential restart of [Org. 2] operations in the country, as well as the possibility to send personnel, funds and equipment needed to properly run the projects.

Despite its reduced capacity on the ground, [Org. 2] has kept on monitoring the situation prevailing in DPRK through external sources, a bilateral meeting with representants of the DPRK delegation at Paris level, through its liaison officer who remains active in the country and by participating to the UN-led meetings (clusters and HCT).

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 [Org. 2] to propose an analysis of the humanitarian situation evolution in regards with the current pandemic and borders closure.

3) What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID factors and what other factors are at play?

[Org. 2]'s operational capacity has been decreasing from the moment DPRK decided to impose strict quarantine measures in January 2020. However, [Org. 2] did its best to comply with the decreed measures to continue its operations in the country.

As [Org. 2] program activities can only be implemented if an international staff member can physically visit the field sites, all programs were suspended from January 2020. Indeed, from February 2020, the situation at country level was the following:

- 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 [Org. 2] to keep implementing its projects within acceptable quality and integrity standards, forcing the organization to suspend all its activities.

Despite the suspension of all the activities, [Org. 2] decided to maintain its Pyongyang office opened to avoid losing its capacities to redeploy and relaunch its projects once it is possible again.

Considering the impossibility to send cash to DPRK in the absence of international staff movement, [Org. 2] has therefore been accumulating debts since the suspension of its operations. [Org. 2] sold, through an auction process, two of its vehicles to be able to keep its office running and to pay national staff food allowances among others. […]

In terms of future operational capacity, the restart of [Org. 2]'s activities in the country will imply a mission revitalization period (restart the coordination with the [DPRK organization], clean up liabilities, identifying potentially new national staff, sending back international staff to the country, assessing the situation of each suspended projects and restart the contact with farms and partners, etc.).

Additional extension of projects will probably be needed, inducing costs that were not initially planned; [Org. 2] is coordinating with its financial partners and will propose adjustments to its projects once the situation will have been reassessed.

[Org. 2] is still expecting to see the borders to reopen in 2023 in order to be able to restart its operations. If the borders remain closed across 2023, [Org. 2] will potentially revise its strategy around December 2023 for the year 2024.

The main limiting factor for [Org. 2]'s operations at the moment is borders closure and the absence of international staff in country, which is the condition to resume the implementation of assessments and field activities at country level.

4) Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization's humanitarian response.

The exemption process provoked some delays during the first months after its implementation since the different stakeholders ([Member State's] customs, NGOs, UNSC) had to adapt to this new regulation. The first request from [Org. 2] took up to 5 months up to its approval (including [Org. 2] internal delay to manage the request), the second request 3 months and the shortest one only 2 weeks.

It has to be mentioned that thanks to the support of its donors as well as the reactivity of [Org. 2's relevant] [government institutions] who are in charge of introducing the exemption requests, and a better understanding of the process by [Org. 2], the exemption process has been running better and the maximum necessary delay from the exemption request up to the delivery of the procured items in DPRK has been reduced to 4 months maximum (out of COVID 19 period).

It is worth noting that [DPR] Korean government constraints (Korean customs, restrictive rules, access constraints to the field, etc.) have had greater impact on [Org. 2] projects, leading to delays in the implementation of activities.

An issue to report is that the exemptions granted to [Org. 2] are sometimes not recognized by [a Member State's] customs, which implies additional negotiations and explanation delays with [a Member State's] authorities to eventually lift this barrier.

The customs office in [border checkpoint] did not recognize the note and requested confirmation from the [Member State's central customs authority], that is, the central administration in [a city].

As of October 2018, the Sanctions Committee now publishes authorizations online, this can be very useful in asserting permissions. A good practice that could be implemented to facilitate the process would be to translate these documents into [language of the relevant customs authority] as well.

In the frame of the projects [Org. 2] implements in DPRK, [Org. 2] has requested 6 exemptions to the UNSC under the 1718 Directive.

5) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?

In terms of potential improvement to the exemption process, [Org. 2] would recommend the following actions:

- the extension of the 6-month validity period granted for each exemption. Indeed, considering the weight of the exemption request process as well as the procurement delay necessary to import the goods and equipment in DPRK, the 6-month exemption granted so far complicates the implementation of the projects since it has to be quickly renewed to prevent delays in the delivery of the following items to be imported. In addition, even though the exemption process is now well understood and managed by all the stakeholders, any issue in the exemption granting process or more likely in the importation process could delay the importation to more than 6 months and therefore make null and void the exemption valid for 6 months. The current restriction on imports linked to the COVID 19 situation is a good example of this constraint: as mentioned previously, [Org. 2] had to request extension of the exemption since the goods and equipment covered by the granted exemption were blocked at the border.

- To think about possible solutions regarding cash supply due to financial sanctions.

- Strengthen the link with the [Member State's] 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.

6) Recommendations of the Panel of Experts in its latest Midterm Report (see S/2022/668, para. 188) include a suggestion that "… relevant stakeholders practically consider the idea of exempting selected exports currently under sanctions, the proceeds of which might be used to finance humanitarian supplies". Do you have any ideas or suggestions how this measure can be implemented and what is your assessment of possible effects?

This measure, if concretely applied, would allow to gain significant amount of time and ease the planning of activity implementation considering that the exemption process was taking between 1 to 5 months up to completion over the past years (when the borders were still open). Even if well managed by NGOs, this long and heavy process was not leaving room for any unplanned needs and extra purchases in the scope of the implemented projects.

Given the diversity of humanitarian projects and activities, bilateral consultations led by a coordination actor with each humanitarian actor implementing activities in DPRK would allow to prepare a list of goods and equipment needed and purchased on a regular basis.

Once consolidated, a global list common to all humanitarian actors could be pre-approved. Considering the instability of the supply chain to DPRK and in order to remain flexible, it would be important that the pre-approved items and equipment remain generic to avoid blocking the supply in case of minor changes in the technical specifications of the items to be imported.

Depending on the possibilities, a regular update of such a list should be considered to adapt to context and need evolutions.

Possible effects:

- Increased reactivity for humanitarian actors to respond to sudden needs/changes that could not be anticipated.
- Reduced administrative burden over humanitarian actors' shoulders.
- Easier project and activity planning.

7) Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?

UN sanctions over DPRK prevent easy financial transfer to Pyongyang to allow smooth implementation of the activities as listed at question 1). On top of the financial transfer blockage to DPRK, sanctions prevent today the ability of NGOs to pay their contracted debt. If activities are on standby since Covid period, few running costs are still associated with local expenses (office rent, fuel, etc.) [….]

Organization 3

1) What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?

> The North Korean governments decision to close its borders in the early days of the COVID-19 pandemic has aggravated the humanitarian situation in the country; in our understanding and assessment, the UN sanctions had no influence in this. Aid offers from outside to ameliorate the situation received no positive response from the government. Sources: Monitoring the news in international and South Korean media.

2) How has the COVID-19 pandemic and the related closure of the borders of DPRK affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.

> Due to the closing of the borders, our regular visits to the country came to a complete stop; consequently we lost our detailed first hand information from our local counter parts. Drawing from our experiences, the limitations of available health services in country, in particular the challenges of medical laboratories to monitor infectious diseases and to provide necessary preventive and vaccination materials, the COVID-19 pandemic and the closure of the borders hit seriously the overall health status of the population. Food insecurity aggravated this further.

3) What has been the scope of your organization s operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID factors and what other factors are at play?

> From the very beginning of the COVID-19 pandemic, we offered preventive and lab materials to our local counter part, the North Korean Health Ministry. All reactions to support any delivery were slow and came to a complete halt with the closure of the border. Monitoring visits werde not anymore possible and crucial contacts to the our counter parts lost. So even in case the border would open again and visits could be resumed, it would take time to recover project activities and to establish access to local sites. We have been informed that former contact persons changed or even have died.

4) Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization s humanitarian response.

> As mentioned under 1) we don’t see a correlation between the humanitarian situation and the UN sanctions, but with political decisions by the North Korean government. The UN mechanism to receive a humanitarian exemption had in the past gone smoothly and had no negative impact on our operations.

5) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?

The main challenges are at this stage the loss of trust and contacts on our local counter parts' side. So far, we don't see any effort from North Korean government to welcoming international NGO back into the country. Consequently a significant change of attitude of the North Korean government would be required to clearly show that humanitarian assistance is accepted.

6) Recommendations of the Panel of Experts in its latest Midterm Report (see S/2022/668, para. 188) include a suggestion that "relevant stakeholders practically consider the idea of exempting selected exports currently under sanctions, the proceeds of which might be used to finance humanitarian supplies". Do you have any ideas or suggestions how this measure can be implemented and what is your assessment of possible effects?

As there is no clear perspective for continuing cooperation with local counter parts in the humanitarian field any suggestion would be irrelevant.

7) Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?

We hope that the UN panel can contribute to changing the North Korean government's attitude towards allowing humanitarian assistance back into the country.

Organization 4

1) What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?

> [Org. 4's] general assessment is that people in DPRK are suffering from a combination of border closures and sanctions against the country. We are concerned that humanitarian support cannot reach people in need, which are expected to be a large part of the population. This is a general understanding of the situation based on media articles, reports and sharing of information among peers.

3) What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID factors and what other factors are at play?

> The [Org. 4] country delegation in Pyongyang has been kept in place since the closing of the borders [….] Due to the Covid-19 restrictions along with the lack of a functioning banking channel, operations have been very limited. Primary focus has been to procure emergency items and supporting emergency preparedness activities. Items are purchased outside DPRK to be shipped to DPRK and sent to [Org. 4] warehouses. [Org. 4] is dedicated to keep supporting the [local Org. 4] to be prepared in case of a natural disaster. The central problem for [Org. 4] is the inability to get money into DPRK and to pay off the incurred debt to the DPRK [Org. 4] Society, local suppliers and [Org. 4] staff. It is not possible to identify a specific time for [Org. 4] to return with international staff, but we are preparing for a return and ready to respond if there is a request for international assistance during a natural disaster of scale.

4) Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization's humanitarian response.

> The effects of the sanctions have primarily impacted the ability to transfer funds for the support of operations and staff. The absence of a banking channel along with the unwillingness and risk awareness of banks and suppliers have made it almost impossible to continue funding activities in country. The overall situation is contributing to overall reduced funding and might influence the [Org. 4] ability to sustain presence in DPRK.

5) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?

> The exemption approval process has met our needs lately. [Org. 4] had helpful and speedy support during the last request and need for publishing of the approval. We appreciate the new 2664 UN resolution but also acknowledge that private actors, especially banks, are still hesitant to support transfers to DPRK.

7) Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?

> Humanitarian organizations must be able to deliver humanitarian assistance in a way that does not compromise the humanitarian principles. There is a need for a permanent banking channel for humanitarian funding.

Organization 5

1) *What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?*

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. On the other hand, we can assume that the humanitarian impact of the DPRK's self-isolation because of COVID-19 is severe and threatens to undo some of the progress made in areas such as food security, nutrition and health. However, it has to be noted that any assessment of the impact within the DPRK of the COVID-19 pandemic or the country's border closure is based on assumptions rather than evidence at this point. No foreigner has visited the areas outside Pyongyang since 22 January 2020. Very little reliable information trickles out of the country.

2) *How has the COVID- 19 pandemic and the related closure of the borders of DPRK affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.*

The border closure is a concern especially for the most vulnerable population requiring specific medical treatment, be it for chronic conditions, severe acute malnutrition (children) or tuberculosis. With the exception of [one UN agency], which was able to import and distribute therapeutic foods and micronutrients in February this year, international humanitarian actors that used to support the country's health system seem not to have been able to import and distribute goods on a significant scale since June 2020 [….]The strict border closure further affects the livelihood of small traders and industries relying on cross-border trade and imported goods.

3) *What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID factors and what other factors are at play?*

The COVID-19 pandemic preventive measures taken by the DPRK Government have strongly affected the ability of all humanitarian actors to deliver humanitarian goods and assistance.

[Org. 5] had to put its activities in the DPRK on hold […] The office in Pyongyang is running with minimal local staffing looking after the maintenance of the premises and other assets. An independent monitoring of the situation is impossible.

A recent positive development has been the delivery to DPRK in [month] 2022 of a stock of PPE gear (Personal Protective Equipment) destined for hospitals. It received clearance at the [Member State's] border, where it was blocked since [Month] 2020. No other activity is currently implemented.

The first and main condition to be able to resume humanitarian operations in the DPRK will be the reopening of borders. As long as they are closed and no international staff is allowed to enter into DPRK, the current minimal activities (maintenance of the premises and other assets) will continue. As for now, there is no concrete signal for any development in that direction or a time horizon for a potential reopening of the border. Without such a signal, it is difficult and too early to assess the level of operations that will take place once they could resume. Their feasibility and the DPRK humanitarian needs at that moment will have to be taken into account.

4) *Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization's humanitarian response.*

As stated above, the strict border closure imposed by DPRK has had more impact on the difficulties to respond to COVID-19 than the UN sanctions. For example, the stock of [project items were] allowed to enter into the country after waiting for clearance from the DPRK authorities for [number of] years, meaning the humanitarian exemption from the 1718 Committee had to be extended several times.

5) *If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?*

In some cases in the past, the approval process 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 years. We are satisfied with the procedures, and welcome the 1718 Committee's update of the IAN7 specifying the implementation of Resolution 2664 in the context of the DPRK. 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.

6) *Recommendations of the Panel of Experts in its latest Midterm Report (see S/2022/668, para. 188) include a suggestion that " relevant stakeholders practically consider the idea of exempting selected exports currently under sanctions, the proceeds of which might be used to finance humanitarian supplies". Do you have any ideas or suggestions how this measure can be implemented and what is your assessment of possible effects?*

[Org. 5] welcomes initiatives aimed at facilitating the provision of humanitarian aid, while attaching the utmost importance to the proper implementation of UN sanctions. At this stage, we do not have specific elements to share regarding the Panel of Experts' recommendation.

7) *Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?*

There is room for improvement in the implementation of sanctions as follows:

- establishment of a humanitarian international banking channel, and we refer here to our letter of [Month] 2022 on that matter. We need a way to legally and transparently bring humanitarian funds into DPRK to be able to pay local expenses. Without being able to pay our debts, we put at risk our cooperation with local partners.

- consideration of a "green list" of humanitarian goods for which multi-year exemptions could be granted (for example: water pipes, plastic sheeting for agriculture, personal protective equipment etc.).

Organization 6

1) What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?

The humanitarian crisis is a reality that the North Korean authorities refer to the current situation, such as international sanctions against North Korea, COVID-19, and natural disasters caused by the climate crisis, as "triple hardships." However, at the fifth plenary session in December 2019, the North Korean authorities declared the "front-to-front breakthrough" and decided to resolve the crisis by self-reliance, judging that the situation would be prolonged. These policies remain unchanged over three years (Source: Rodong Newspaper, a party newspaper). Recently (June 15), however, various media outlets in Korea quoted the BBC as saying that starving people appear in North Korea.

In response, we checked with North Korean insiders and contacts to find the authenticity and obtained information that the broadcast could be true. However, insiders also said that although the situation of North Koreans is serious, they should overcome it on their own, not with external help. In other words, it is judged that they are not in a condition where they can request external assistance.

We are concerned about whether the situation before and after 1995 is repeated. At that time, it was recognized that there would be a high humanitarian crisis in North Korea, but there was no way to help it out, so I recall the experience of nearly 300,000 starvation. I hope not to repeat the tragic history. To do so, humanitarian aid organizations must actively seek opportunities to talk with North Korea.

The U.N. says humanitarian aid to North Korea is possible at any time and is ready to provide it if it wants, but we believe that the U.N. is not taking action acceptable to the North Korean authorities.

2) How has the COVID-19 pandemic and the related closure of the borders of DPRK a affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.

The North Korean authorities have closed their borders for over three years, preventing even their citizens from entering the country. Recently, the North Korea-China and North Korea-Russia borders have been opened, allowing trains and vehicles to enter, but the North Korean authorities need most of the material transported. It is still impossible for ordinary North Koreans to come forward and import the necessary supplies. The COVID-19 quarantine the North Korean authorities are taking is still strongly promoted.

However, we recently sent [item] from Dandong […] to Sinuiju, confirming that the natural neglect date for preventing supplies in the previous period considerably eased from 90 days (3 months) to 14 days (2 weeks). And from the second half of this year, rumors have been confirmed that it is possible to accept not only supplies but also outsiders' visits to North Korea.

Still, if the international atmosphere is unfavorable to the North Korean authorities, the humanitarian crisis could be prolonged because it is improbable to open the border. We hope the international community will discuss measures to resolve this issue.

3) What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID Actors and what, other factors are at play?

We have promoted humanitarian aid projects to North Korea since [Date in the 1990s], but contact with North Korean business partners has been suspended since 2019. Moreover, with the inauguration of a new South Korean government in 2022, military tensions have increased, and as the current government has been confirmed to be pessimistic about inter-Korean exchange and cooperation, we have given up the North Korea project itself. In other words, neither South nor North Korean authorities accept NGO exchanges and cooperation.

Therefore, we are waiting for the time when inter-Korean exchange and cooperation are possible with the minimum number of people. We will closely watch the situation in North Korea and collect related data to focus on education and research projects.

The North Korean authorities are also seriously in a difficult economic situation, so the need to open the border is likely to increase over time. In addition, in May 2023, the WHO decided to lift the COVID-19 pandemic. As many countries are turning to the endemic, North Korea is also likely to come to the international community in the second half of 2023 to supply necessary supplies and secure funds through tourists. Unfortunately, however, the [Org. 6 national] government or NGOs will not be considered.

4) Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization's humanitarian response.

UN sanctions against North Korea make it difficult to deliver supplies smoothly. We can't do business when it's impossible to make bank transfers to purchase supplies. The willingness to actively develop the project has been dampened as we have seen the difficulty of delivering humanitarian aid to North Korea during the three years of the COVID-19 pandemic.

As exchange and cooperation with North Korea and humanitarian aid, which are the basis for our organization's existence, have become impossible, we are stuck in a vicious cycle that has decreased the interest from sponsors and doubled the difficulties in raising funds.

5) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be full further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?

It is true that the process has improved a lot, with the UN 1718 Committee's approval process for sanctions exemption being streamlined and the time it takes to make an approval decision being shortened. However, from the standpoint of NGOs, it still feels cumbersome and challenging to get approval. In particular, even if we do get approved, humanitarian aid itself is still impossible when North Korea, which accepts it, is not receptive.

Unfortunately, the decision to accept outside humanitarian aid is in the hands of the North Korean authorities. Humanitarian aid is in a difficult place to take hold at a time when the international community, which is unable to resolve the issue of UN sanctions, and the North Korean authorities, which reject UN sanctions, are in a tight tug-of-war. Also, North Korean authorities do not believe that humanitarian aid will fundamentally improve their economic situation; instead, they think it only increases the dependence of its high-ranking officials and people on the outside world.

However, if the internal situation of North Korea is dire enough to dampen the will of the North Korean authorities, as it was in 1995, they may ask for help. But it is the worst-case scenario, and we know from experience that the level of suffering among North Koreans was already excessive in 1995 and that many starvation deaths had already occurred.

In addition, the climate crisis is causing more damage to poorer countries like North Korea, which the North Korean authorities recognize and are trying to solve it. The UN agencies needs to step up and promote projects that can fundamentally improve the situation in North Korea. Only then can the North Korean authorities move.

The longer the connection with North Korea is completely cut off, as it is now, the more the way is blocked to grasp the situation on the ground accurately. This is likely to act as an obstacle to the peace of the international community along with the prolonged tension on the Korean Peninsula.

6) Recommendations of the Panel of Experts in its latest Midterm Report (see S/2022/668. para. 188) include a suggestion that "... relevant stakeholders practically consider the idea of exempting selected exports currently under sanctions, the proceeds of which might be used to finance humanitarian supplies". Do you have any ideas or suggestions how this measure can be implemented and what is your assessment of possible effects?

Items already approved should be exempted from the same approval process, or clear humanitarian supplies such as food and healthcare should be exempted from the UN sanctions waiver approval process altogether. The UN 1718 Committee on North Korea should review and actively implement the system of preparing a list of goods and removing sanctions exemption. We believe that the evaluation of the effectiveness could be sufficiently conducted through comparison of indicators across UN agencies before and after the implementation of the system.

7) Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?

[…] We hope that [North Koreans] will never starve to death again in another humanitarian crisis. We also hope that UN sanctions on North Korea due to its nuclear program will not drive North Koreans to death.

In common sense, no one believes that North Korea, the world's most impoverished country, can solve strong international sanctions against it, COVID-19, and the climate crisis on its own. North Koreans should not be sacrificed to break the will of the North Korean authorities. We do not think that humanitarian aid, in particular, should ignore this type of business.

Organization 7

1) What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?

> There have been reports that the health of North Koreans is not as good as it used to be since the UN sanctions in 2018. In particular, we have heard from the North Korean Consulate in [Member State] and North Korean sources that the nutrition and health of people in rural areas are worse than in Pyongyang.

2) How has the COVID-19 pandemic and the related closure of the borders of DPRK a affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.

> COVID-19 and border closures have significantly impacted North Korea's economy and humanitarian sectors. Internally, North Koreans have been surviving on their folk remedies due to the lockdown and disruption of medicine supplies from abroad. Also, we've heard from North Korean defectors that North Koreans are struggling to buy medicine, even at the market.

3) What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID Actors and what, other factors are at play?

> Since the border was closed in 2020, we have virtually lost contact with North Korea. We received a waiver from UN sanctions in 2021. Since then, we have consistently asked the North to meet in third countries […] conveying our opinion to the country on the resumption of [Org. 7's project]. However, we have been unable to do so due to COVID-19. Our occasional correspondence through the North Korean Consulate in [Member State] has also been cut off.
>
> According to a North Korean source, we've heard that flights between North Korea and China will resume between July and August this year. Now we are all set to resume the [Org. 7's] project. Suppose we receive a positive response from North Korea. In that case, we will immediately proceed with the project to resume the construction of [Org. 7's project]. As the WHO declared end to COVID-19 as a global health emergency on May 5, we hope North Korea will open its borders soon.

4) Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization's humanitarian response.

Since most of the items we wanted to resume the project with were under sanctions, it took over a year to get the waiver approved. With the borders closed due to COVID-19, we were unable to make any plans for the project as an organization due to the length of time it took to get the waiver approved.

5) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be full further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?

We are always grateful to the 1718 Committee for providing Sanctions Exemption Guidelines and humanitarian assistance through the Implementation Assistance Notices. Thanks to them, we were able to be exempted from UN sanctions for a significant amount of goods to resume the construction of [Org. 7's project].

However, getting approval for such a large-scale exemption was quite time-consuming and economically draining. Therefore, if the facts of the exemption applicant's project are verified, I think it would be better to exempt the project as a whole rather than approving individual items.

Also, we were approved for sanctions exemption, but we have yet to make any progress due to COVID-19. The exemption approval was extended in [Month] 2022, and we need it to be extended again this year. Instead of continuously extending without making progress, we would like to request an automatic extension until the end of the project.

6) Recommendations of the Panel of Experts in its latest Midterm Report (see S/2022/668. para. 188) include a suggestion that "... relevant stakeholders practically consider the idea of exempting selected exports currently under sanctions, the proceeds of which might be used to finance humanitarian supplies". Do you have any ideas or suggestions how this measure can be implemented and what is your assessment of possible effects?

First, the whitelist will be created by selecting the most sanctioned items and prioritized items for each field of humanitarian aid. We believe that the evaluation of the effectiveness of the whitelist can be achieved through the monitoring of the organizations that have implemented the assistance and the subsequent submission of monitoring reports.

7) Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?

As per the answer to question 5, we need the sanctions exemption extended until the project is completed. Please review the automatic extension system for the goods already exempted from sanctions. We are unsure when we will be able to send the goods to North Korea, and we believe continuous extensions are pointless.

Organization 8

1) What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?

As outlined in the annexed letter there is a continuing and pressing need to provide emergency relief and development to the most vulnerable people in DPRK. The UN OCHA's Needs and Priorities Report for 2023 estimates that 11.3 million people are in need of humanitarian assistance. The World Food Program (WFP) estimates that 40 percent of the population (10.1 million) are food insecure and according to the Global Hunger Index (GHI) 2022, DPRK scored 24.9, a level of hunger that is serious.

It is important to emphasise also that up-to-date data is not available at this time and that the situation is likely to be worse than estimates indicate. The biggest humanitarian challenges facing the country include chronic malnutrition; lack of access to basic health services; declining conditions in water and sanitation, and hygiene (WASH); malnutrition and high vulnerability to natural disasters

The details in Question 1 in the annexed letter also outlines the unintended consequences of the sanctions.

2) How has the COVID-19 pandemic and the related closure of the borders of DPRK affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.

The annexed letter outlines the information we have regarding the economic and humanitarian situation in the country as a result of the COVID-19 measures. As you are aware the strict lockdown measures implemented in the Democratic People's Republic of Korea (DPRK) as a response to the COVID-19 pandemic have indeed posed significant challenges for humanitarian operations. The suspension of many humanitarian programs and the lack of international staff since early 2020 have impacted the delivery of essential services to vulnerable populations. The restrictions on supplies into the country, limited to China and Russia, have hampered the flow of goods; including food, medical supplies, and equipment. This has put a strain on the availability of food, access to healthcare, and water and sanitation services. It is still not possible to get verifiable data however there are continuing reports in the media about serious food security concerns.

3) What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID factors and what other factors are at play?

Again the annexed letter outlines [Org. 8's] operations in the DPRK since early 2020. We are still working from the assumption that the borders may reopen sometime in quarter three 2023. Since our last correspondence there has been some positive reports that the flow of trade by rail and ship are getting back to normal and there is on-going negotiations to open the border by land transport. Moreover, quarantine period of items coming from outside the country at present is 3-6 weeks compared to previously 3 months.

It was also confirmed that [a Member State's] ambassador also crossed a bridge at the […] border city of Dandong into Sinuiju on the DPRK side by vehicle last March 2023. There have also been some informal reports that there may be some lifting of restrictions for diplomats, UN & International NGO staff in 2023. Nevertheless, until this information has been officially conveyed or validated, we remain in the current situation.

Given the global crisis caused by COVID-19, the challenges faced in DPRK are particularly complex and require concerted efforts from all stakeholders involved. To effectively respond to the humanitarian needs in the country, it urgently require greater cooperation of all stakeholders and needed support to secure entry for international staff and facilitate their movement with fewer restrictions both inside and outside the country.

We recognize that securing the necessary permissions and access for international staff has been challenging due to various factors, including diplomatic and logistical constraints. However, it is crucial that we continue to engage with DPRK authorities and various diplomatic missions to emphasize the negative consequences of restricted access on humanitarian assistance. Through these engagements, we can work towards negotiating a formal arrangement that facilitates the entry and movement of international staff, ensuring access to vulnerable communities and the uninterrupted delivery of critical humanitarian aid.

4) Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization's humanitarian response.

Please refer to Question 1 in the annexed letter for further information on the unintended consequences of UN sanctions.

5) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?

Please refer to Question 5 in the annexed letter.

6) Recommendations of the Panel of Experts in its latest Midterm Report (see S/2022/668, para.188) include a suggestion that relevant stakeholders practically consider the idea of exempting selected exports currently under sanctions, the proceeds of which might be used to finance humanitarian supplies". Do you have any ideas or suggestions how this measure can be implemented and what is your assessment of possible effects?

Before we are able to provide a response to this suggestion it would be useful to get more clarity on this question specifically related to what are the 'selected exports' currently under sanctions that are being considered for exemptions to finance humanitarian supplies. In hindsight, although the objective is to alleviate human suffering, the challenge in DPRK will be how it could be operational in a very restrictive and controlled environment. Unhindered access to the most vulnerable and unrestricted monitoring of humanitarian supplies delivered should be the most important priority while maintaining the highest standards of transparency, accountability, and impact.

7) Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?

Please refer to Question 7 in the annexed letter for recommendations regarding the UN sanctions.

Annex to [Org. 8]'s letter

Based on the conditions of the UN Security Council's resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017), [Org. 8]'s Country programme has streamlined its standard operating procedures (SOPs) to comply with the obligatory UNSC policies and process. We actively pursued the derogation approval processes through the [Org. 8's national] Government's Department of Foreign Affairs and Trade (DFAT) as the competent member state authority responsible for the monitoring of the Sanctions. The guidance and collaboration with DFAT on derogations from the UN Sanctions Committee 1718 has always proved to be an effective and collaborative support to [Org. 8] in adhering to the mandatory process and smooth submission.

[Org. 8] successfully received three UNSC approvals; two in 2019 and one in 2020 from the 1718 Committee for the derogation of all humanitarian supplies falling under the restricted Harmonised Standard (HS) Codes on a half yearly basis. The cooperation and approval from the 1718 Committee and support from our Member Sate, the Department of Foreign Affairs (DFA) and the [Org. 8's country] Aid team ensured timely humanitarian assistance in [North Korea] up to 2021. Currently our biggest challenge is the strict lockdown of the country as a result of COVID-19 preventative measures. As you may be aware, the majority of humanitarian programmes have been suspended with limited international staff on the ground since early 2020. Supplies into the country (restricted only to China & Russia) have been severely hampered, which has no doubt put a huge strain on food supply, the health system and water and sanitation services. In addition, these restrictions have severely limited [Org. 8] and the International Community's ability to assess and verify the level of humanitarian need on the ground.

1) What is your assessment of the effect of UN sanctions on the humanitarian situation in the DPRK? What sources of data and information do you draw from as the basis for this assessment?

There is an immense need to provide emergency relief and development to the most vulnerable people in DPRK in a timely manner to save lives and uplift the lives of the people. The UN OCHA's Needs and Priorities Report for 2022 estimates that 11 million people are in need of humanitarian assistance. The World Food Program (WFP) estimates that 40 percent of the population is undernourished and according to the Global Hunger Index (GHI) 2022, DPRK scored 24.9, a level of hunger that is serious. It is important to emphasise also that up-to-date data is not available and that the situation is likely to be worse than estimates indicate. The biggest humanitarian challenges facing the country include chronic food insecurity; lack of access to basic health services; declining conditions in water and sanitation, and hygiene (WASH); malnutrition and high vulnerability to natural disasters.

The unintended consequences of the sanctions continue to have a major impact on the humanitarian operations coupled with the gradual decline in funding. Other factors such as the disruption to the banking channel as the result of the sanctions; the delay in supply chains due to the border restrictions for the transportation of vital goods; inflation in the prices of humanitarian goods and a steady decline in donor funding due to restricted working environments have all complicated and delayed humanitarian responses. The situation gets more challenging in the case of rapid-onset-emergencies, where the humanitarian response needs to be swift to respond in real-time to needs. The capacity to secure supplies to deliver a timely humanitarian response is restricted and complicated by access issues and compliance issues relating to UNSC sanctions. While there is a mechanism of humanitarian exemptions of banned items for UN agencies and INGOs, the approval process of UNSC adds another layer to the huge logistical challenges of bringing the much needed relief assistance to the people in a timely manner. As detailed under question six below, modifications to the sanction approval timelines would be welcomed to expedite the process of delivery of humanitarian supplies once the country opens up.

2) How has the COVID-19 pandemic affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.

The humanitarian situation in the DPRK is characterized by chronic food insecurity and lack of access to lifesaving essential basic services with profound impacts on the most vulnerable. The situation has been exacerbated during the global pandemic. DPRK, with its fragile health system took a more protective stand to shield the country from the spread of the pandemic. COVID-19 related restrictions, especially the closure of the border, further hampered the already complex and challenging humanitarian operations on the ground, with international staff unable to return to the country, and the entry of humanitarian supplies severely restricted. The ongoing border closures and the resulting suspension of most humanitarian programmes, means that the humanitarian situation is likely to have worsened significantly in 2022, and will continue to deteriorate through 2023.

The ongoing socio-economic and other challenges resulting from COVID-19 are likely to reverse the meagre development gains made in previous years and result in additional people

requiring humanitarian support and deeper vulnerabilities. Natural disasters such as drought, floods and storms are recurring phenomena in the country, compounding vulnerabilities and food insecurity, and increasing the need for humanitarian assistance. There have been some reports of food imports from China and Russia but these are unverified, and there is no information on how the food items are being distributed across the country and if it reached those most in need.

Due to COVID-19 restrictions, field monitoring has not been possible and no verifiable data on the humanitarian situation is available, therefore the data is tentative and subject to adjustment once is access is restored.

3) What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period?

DPRK has been under strict lockdown since early January 2020. The [number] international [Org. 8] staff left the country at different stages following the closure of the border. The Country Director along with all remaining international staff left in March 2021 by crossing the border by land to China. Since then, [Org. 8] and other agencies have been waiting for the borders to re-open to resume full operations. [Org. 8] was able to remotely deliver some ongoing activities (including COVID response activities with IFRC) in 2020 and 2021, however, it was not possible in 2022 with no international staff in-country throughout the year. As a result, projects were either suspended or terminated impacting the delivery of food security & agriculture, WASH and [disaster risk reduction (DRR)] activities.

Despite this context, [Org. 8] has still maintained its presence in DPRK with limited national staff supervised remotely by the Interim Country Director. The difficulty in accessing cash in country to support the remaining national staff has been a huge challenge, not only for [Org. 8] but also to the UN and other INGOs. [Org. 8] continues to accrue administration operational costs and once the country reopens, these costs will be considered.

4) If you had to pause your operations in the DPRK due to the COVID-19 pandemic, when, if at all, do you expect to be able to resume your operations in the DPRK? Do you expect to return operations to their pre-COVID levels? Why or why not?

It is anticipated that the country will re-open again in quarter three of 2023 and [Org. 8] is cautiously optimistic that international staff will be able to return. There have been reports of a 'return plan' being drafted by the UN Permanent Representative to DPRK, following meetings with the DPRK Ambassador in Bangkok. The on-going DPRK response planning for 2023 is based on the assumption that the border will open at least in the third quarter of 2023. Resuming operations to pre-COVID levels will take time. There may be significant quarantine periods for international staff entering the country as well as long quarantine periods for imported goods. Therefore the priority first step upon re-entry will be to conduct detailed needs assessment to understand the needs on the ground and to scale up operations as quickly as possible.

5) Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization's COVID-19 response.

In 2020 [Org. 8] joined with the UN and [another organization's] team to respond to the COVID preparedness at the community level, under the "Global Humanitarian Response plan for COVID-19" in DPRK. Between April and May 2020, [Org. 8]'s COVID-19 preparedness response facilitated the distribution of PPE material/hygiene kits to 314 kindergartens, nurseries, schools and clinics, benefitting 12,394 children and community members.

However, as the monitoring and access to the field by the international team has been restricted since January 2020, monitoring and verification of data was limited. Due to the strict COVID restrictions, [Org. 8] faced delays in procuring humanitarian supplies which resulted in the UNSC derogation approval received in April 2020 expiring, as it was valid for up to six months. This meant that COVID response, WASH and other activities could not be continued.

6) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?

Looking at the post- COVID-19 scenario when the border re-open and the increasing complexity of the operational environment as a result, it would be extremely helpful to extend the validity of the approval process to allow for expected delays in procurement and other processes.

Further, the consideration of a 'blanket waiver' for local procurement for humanitarian operations would be welcome to avoid the delays in meeting the priority needs for effective humanitarian assistance, once the border opens.

7) Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?

The list of sanctioned items from agricultural machinery to simple vegetable garden hand tools affect many aspects of everyday life and present serious challenges to social economic and development in the country. This impacts the most vulnerable people who live in remote villages and have very limited access for food, WASH, health supplies, and fuel for cooking and heating in winter. A review of the UN sanctions mechanisms would be welcome to make it more streamlined with wider inclusion to cover humanitarian supplies to reach the most vulnerable in timely manner. Apart from the supply of sanctioned items, many if not all the humanitarian agencies have been forced to suspend their operations due to the limitation of cash supply in the country. It would be very timely and progressive if a decision to pursue an operational banking channel was facilitated to ensure the continuity of the actions with cash flow possibilities for humanitarian operations.

Given the global crisis that COVID-19 has created and the unique consequences in DPRK, we must all work together to prevent further suffering and increasing vulnerability of communities. In order to do this, [Org. 8] must be able to plan and coordinate our operations effectively and efficiently. We also require greater cooperation and support to secure entry for international

staff and ensure international staff can move with fewer restrictions inside and outside the country. This will require continued bilateral engagement with relevant authorities and diplomatic missions to emphasise the negative consequence on the humanitarian assistance and negotiate for a formal arrangement in this regard.

Thanking you again for the opportunity to engage in these critical discussions in relation to the impact of sanctions and the COVID-19 pandemic on DPRK. We cannot underestimate the importance of greater cooperation and coordination to ensure humanitarian programming can resume and continue to deliver to the most vulnerable communities in DPRK.

Organization 9

1) What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?

> We believe there is a “structural vulnerability” when it comes to North Koreans' access to cooking and heating fuels. A vicious chain reaction of energy shortages continues.
>
> Economic hardship due to UN sanctions → Deforestation for cooking and heating fuels → Forest degradation → Landslides due to heavy summer rains → Food shortages → Economic hardship and energy shortages
>
> We’ve learned that the reality inside North Korea has been revealed through news reports of typhoons and torrential rains in the country and media interviews with North Korean defectors about their struggles to heat their homes and make meals in the winter.

2) How has the COVID-19 pandemic and the related closure of the borders of DPRK a affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.

> In the early days of COVID-19, shortages of COVID-19 quarantine supplies, vaccines, etc. in North Korea were already known. However, North Korean defectors suggest that the situation of cooking and heating fuels has improved somewhat as UN sanctions have prevented North Korea from exporting coal, which is distributed internally.

3) What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID Actors and what, other factors are at play?

> It has been more difficult to get in touch with North Korea than before since the border closure in 2020. Our organization did not have local staff on the ground in North Korea before the border closure, and the closure limited our ability to get information about the humanitarian situation inside the country. North Korea is likely to partially open its borders with the recent easing of COVID-19, but it will take time as political factors such as inter-Korean and U.S.-North Korea relations, apart from the humanitarian situation, are strongly at play.

4) Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization's humanitarian response.

Implementing UN sanctions required an additional process, called UN sanctions exemption, in addition to the domestic legal process for humanitarian aid. To proceed with the project of providing coal briquette machines, we had to first obtain a UN sanctions waiver before we could begin the domestic import and export process and consultations with North Korea. It was another gateway that we had to go through.

5) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be full further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?

The process of obtaining the approval for sanctions exemption went smoothly. Still, if the 1718 Committee reduced the time, it would benefit organizations to carry out their projects.

It is also likely to improve meeting the needs and achieving the goals of the humanitarian sector if the approval letter includes recommendations for governments to implement their projects exempted from the sanctions imposed by the Committee.

6) Recommendations of the Panel of Experts in its latest Midterm Report (see S/2022/668. para. 188) include a suggestion that "... relevant stakeholders practically consider the idea of exempting selected exports currently under sanctions, the proceeds of which might be used to finance humanitarian supplies". Do you have any ideas or suggestions how this measure can be implemented and what is your assessment of possible effects?

We believe it would benefit us if the sanctions exemption continued to apply to the items approved for a sanctions waiver. In addition, the 1718 Committee should make a whitelist by organizing a list of items exempted from sanctions, including non-disclosure items.

7) Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?

We would love the opportunity to organize online or offline seminars on the implementation of UN sanctions exemptions to share information.

Organization 10 [257] [258]

With respect to the questions raised by the Panel, the provision of accurate analysis of recent developments of the impact of UN sanctions on the civilian population continues to be challenging due to the lack of transparent data and strict limitations imposed by the DPRK government on access inside the country.

Throughout our submission, we have particularly focused on examining the responsibility of the DPRK government in perpetuating a widespread situation of humanitarian concern among the population, especially the most vulnerable. In particular, we have addressed government expenditure on its nuclear weapons and missile program at the expense of the citizens' health, nutrition, and human security. The human security of North Koreans has remained precarious, especially since the spread of the COVID-19 pandemic. This becomes increasingly problematic not only as the population remains at the edge of a widespread humanitarian crisis, but also because the state's commitment to develop its nuclear and missile programs continues to pose a threat to international peace and security while violating multiple UN Security Council resolutions.

[Org. 10] respectfully submits the following observations to the Panel based on our experience, expertise, and current understanding of the topics addressed. Our response below addresses questions 1, 2 and 3 from the list of questions provided by the Panel as these questions most directly pertain to our activities.

1) *What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?*

> In our previous submissions to the Panel of Experts, we described the ongoing concerns relating to the humanitarian and human rights situations in the DPRK by highlighting and addressing the government's responsibility in protracting the dire conditions that threaten the human security of the North Korean citizens. Moreover, we addressed the DPRK government's continuation of sponsoring its nuclear development and missile programs despite the critical humanitarian situation that remains widespread in the country and the multiple UN Security Council resolutions that sanction such activities.
>
> One year later, the conditions have not improved. 2022 has in fact characterized a turning point concerning the escalation of tensions in the East Asian and Pacific region. In December 2022, the Korean Workers' Party (KWP) stressed the importance of advancing the mass production of tactical nuclear weapons for their potential employment against Japan and the Republic of Korea.[259] Additionally, with the DPRK launching more than 90 missiles in one year, the Republic of Korea and Japan may consider the potential deployment of nuclear weapons within their own territories and/or the increase of military security spending in light of the escalating threats deriving from the DPRK missile launches.[260] Moreover, despite the fact that it remains challenging to establish the exact ratio of the national budget assigned to nuclear weapons and artillery development, it is believed that both the Supreme People's Assembly and Kim Jong-un requested an additional increase of budgetary allocation devoted to military equipment, from

[257] Note: Sourcing and bolding are in Org. 10's submission.

[258] Two experts are of the view that this organization did not answer the Panel's questions from a professional perspective. Its response is full of ideological bias and misinformation and should not be reflected in the report.

[259] Stockholm International Peace Research Institute, "World Nuclear Forces," 2022, retrieved from https://www.sipri.org/sites/default/files/YB23%2007%20WNF.pdf.

[260] Kim Tong-hyung, "North Korea sustains high defense spending with new budget," *AP News*, 2023, January 19, retrieved from: https://apnews.com/article/politics-united-states-government-kim-jong-un-north-korea-south-d834bdffda0c2277f180e2e749b5e764.

15.9 % in 2022.[261] For each missile launch, Bruce Bennet, analyst and researcher at the RAND Corporation, stated that costs range from $3 to $10 million USD. Ever since the 1970s, the DPRK is estimated to have allocated up to $1.6 billion for the development of its nuclear weapons.[262] Such expenditure would have sufficed to feed the North Korean population for 4 years straight.[263] While the DPRK government continues to allocate funds to the country's military apparatus, humanitarian actors and international organizations believe that the population is continuing to endure increasingly critical conditions relative to their human security.

The most recent FAO-WFP report highlighted that a large segment of the population remains food insecure due to the extremely low levels of food access and consumption.[264] Defined as a "strategic issue" other than merely a humanitarian one by Dr. Marcus Noland,[265] humanitarian concerns and, mostly, food insecurity are deepening within the country as a consequence of the government's policy-making which disregards its own citizens. Exclusive interviews from inside the country quoted by BBC News have recently revealed that food insecurity remains widespread today and people are dying from starvation.[266] Some have argued that the current situation might become catastrophic soon and might amount to the worst humanitarian crisis ever since the famine of the 1990s, also considering the worsening climate conditions and increased global food prices.[267] The FAO currently estimates that the number of malnourished people in the country range from 40 to 60 %,[268] as the number of undernourished people has increased since the 2000s up to more than 10 million people today.[269]

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[261] Christy Lee, "Price of North Korea's Missile Launches Measured in Food Relief," *VOA Asia*, 2022, February 2, retrieved from https://www.voanews.com/a/price-of-north-korea-s-missile-launches-measured-in-food-relief-/6423243.html.

[262] Rok Suk-jo, "Starving N.Korea Squanders Billions on Developing Nukes," *The Chosunilbo*, 2022, September 27, retrieved from https://english.chosun.com/m/news/article.amp.html?contid=2022092701605.

[263] Greg Scarlatoiu, "Long Overdue Paradigm Shift: A Human Rights up Front Approach toward North Korea," *HRNK Insider,* 2022, November 2, retrieved from https://www.hrnkinsider.org/2022/11/long-overdue-paradigm-shift-human.html.

[264] WFP and FAO, "Hunger Hotspots. FAO-WFP early warnings on acute food insecurity: October 2022 to January 2023 Outlook," 2022, Rome.

[265] Marcus Noland, "North Korea as a complex humanitarian emergency: Assessing food insecurity," 2022, *Asia and the Global Economy, 2*(3): 100049.

[266] Jean Mackenzie, "North Korea: Residents tell BBC of neighbours starving to death," *BBC News,* 2023, June 14, retrieved from https://www.bbc.com/news/world-asia-65881803.

[267] Paula Hancocks, "North Korea's food shortage is about to take a deadly turn for the worse, experts say," *CNN*, 2023, March 3, retrieved from https://edition.cnn.com/2023/03/03/asia/north-korea-hunger-famine-food-shortages-intl-hnk/index.html.

[268] FAO, IFAD, UNICEF, WFP and WHO, "FAO Hunger Map," 2022, Rome retrieved from https://www.fao.org/fileadmin/templates/SOFI/2022/docs/map-pou-print.pdf.

[269] FAO, IFAD, UNICEF, WFP and WHO, "The State of Food Security and Nutrition in the World," 2022, Rome, retrieved from https://www.fao.org/3/cc0639en/cc0639en.pdf.

Since 2006, the UN Security Council has adopted multiple resolutions for sanctioning and terminating the illicit activities of the DPRK government to ultimately safeguard the North Korean population and the international community as a whole. The fundamental aim of the sanctions encompasses limiting the regime sources of funding that allow it to pursue its illicit activities. According to our previous submissions and statements, **the sanctions are not meant to degrade the human security or humanitarian situation of DPRK citizens. Rather, accountability for the lack of health, food, and human rights of the DPRK population is to be attributed to the country's regime.** The funds that remain available to the DPRK government continue to be invested in the development of nuclear warheads and missile launches, in turn having a significant negative impact on its population.

To illustrate this proposition, we can look at last year's arms development expenditures versus food shortages. In 2022 alone, the DPRK is believed to have spent $589 million on nuclear weapons development, approximately one third of its GNI (35%), witnessing an increase of $21 million from the previous year.[270] As of 2023, the DPRK is expected to not be able to provide enough food to its population as it is facing a food deficit of about 800,000 tons of rice.[271] As the average price of rice is currently estimated to be $0,70 cents per kilogram,[272] the DPRK government could have used the funds spent on nuclear weapons in 2022 to buy the tons of rice that the population needs. Therefore, despite the potential financial burdens arising from the UN sanctions, the DPRK government could have sufficient funds to ensure a more stable food supply to its population. And yet the DPRK leadership has knowingly and willingly decided to allocate the available funds to its military and security apparatuses. It is therefore a question of will, not capacity, which continues to perpetuate human insecurity among the population.

Although the UN sanctions may have unintended and indirect negative effects on the civilian population, the DPRK government's priority on the nuclear weapons program directly affects the human security, especially the food and health security of the civilian population. While UN sanctions can "frequently delay and suspend the delivery of international humanitarian aid",[273] the DPRK government has continued to refuse the humanitarian aid offered by international organizations and bilateral aid offered by other countries ever since the imposition of the COVID-19 border closure.[274] The DPRK's allocation of funds to the nuclear weapons program while also rejecting foreign aid and vaccines for over two years demonstrates how the DPRK's priority on the nuclear weapons program affects the citizens of the DPRK.

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[270] International Campaign to Abolish Nuclear Weapons, "Wasted: 2022 Global Nuclear Weapons Spending," 2023, June, retrieved from https://assets.nationbuilder.com/ican/pages/3785/attachments/original/1686495965/ICAN_Spending_Report_2023_sm.pdf?1686495965.

[271] Sung Whui Moon and Do Hyung Han, "Food shortage spreads in North Korea, with some starving farmers unable to work," *Radio Free Asia*, 2023, May 23, retrieved from https://www.rfa.org/english/news/korea/food-05232023121954.html.

[272] RimJin Gang "Latest Market Price Index Inside N.Korea,", 2023, *Asiapress*, retrieved from https://www.asiapress.org/rimjin-gang/north-k-korea-prices/.

[273] Council on Foreign Relations, "What to Know About Sanctions on North Korea," 2022, July 27, retrieved from https://www.cfr.org/backgrounder/north-korea-sanctions-un-nuclear-weapons.

[274] The Guardian, "'Poisoned candy': North Korean state media shuns food aid despite hunger crisis," 2023, February 22, retrieved from https://www.theguardian.com/world/2023/feb/22/poisoned-candy-north-korean-state-media-shuns-food-aid-despite-hunger-crisis#:~:text=3%20months%20old-,'Poisoned%20candy'%3A%20North%20Korean%20state%20media%20shuns,food%20aid%20despite%20hunger%20crisis&text=The%20major%20North%20Korean%20state,increase%20in%20deaths%20from%20starvation.

Moreover, UN sanctions against DPRK illicit activities have not been enforced unanimously and consistently. [Certain Member States] in particular have maintained a certain level of relationships, trade, and exchanges with the DPRK despite sanctions. This includes officially dispatching North Korean workers to [certain Member States], leading to further human rights violations at overseas worksites. The DPRK's official dispatching of overseas workers provides the government with hard currency which fuels the elite and the country's nuclear weapons and missile program rather than assisting its own population.[275] Dispatching North Korean workers to the Middle East and other areas has become more difficult, due to applicable UNSC sanctions, and most of them are now sent to [certain Member States]. Their worksites are managed by agents of the DPRK. They work under conditions that constitute forced labor while the DPRK regime confiscates up to 90 percent of their salary, under different pretexts. Nevertheless, providing work authorizations and allowing North Koreans to work within the territories of UN Member States remains prohibited by the UN Security Council, following Resolution 2397 from 2017.[276] Despite sanctions having been implemented at the UN level to halt this exchange, North Korean workers appear to have remained in [certain Member States].[277] The latest US State Department Trafficking in Persons Report estimated that between 20,000 to 100,000 North Koreans are currently working in [a Member State].[278] Latest developments have also included the consideration by the DPRK regime to send North Korean workers to [a Member State's]-occupied territories in support of the war in Ukraine,[279] highlighting the continuation of the sanctioned activity also after the spark of the pandemic.

The DPRK continues to use cyberattacks to fund its nuclear program while bypassing sanctions. These cyberattacks and cryptocurrency thefts are used to steal millions or even billions of dollars for the regime while the citizens suffer from food insecurity and health issues.[280] In May 2023, CNN reported that almost half of the regime's nuclear program is funded through cyberattacks and cryptocurrency thefts.[281] Latest data on this matter indicates that billions of dollars are garnered through these illicit activities which is funding that could be directed to alleviate the country's humanitarian crisis.[282] It is evident that cyberattacks, cryptocurrency theft, and the exploitation of illicit overseas workers are essential strategies for the DPRK to fund the nuclear weapons program, despite the UN sanctions and the resulting human and labor rights violations of its citizens.

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[275] https://www.hrnk.org/uploads/pdfs/Overseas_Workers_0926.pdf.

[276] United Nations Security Council, "Resolution 2397 (2017)," 2017, S/RES/2397.

[277] Jacob Fromer, "After UN Worker Ban Took Effect, Russia Granted 753 Work Visas to North Koreans," *NK Pro*, April 21, 2020, https://www.nknews.org/pro/after-un-worker-ban-took-effect-russia-granted-753-work-visas-to-north-koreans/. https://www.reuters.com/article/us-northkorea-usa-china-sanctions-idUSKBN1ZL34H.

[278] US Department of State, "2023 Trafficking in Persons Report: North Korea," 2023, retrieved from https://www.state.gov/reports/2023-trafficking-in-persons-report/north-korea/.

[279] Justin McCurry, "North Korean labour could be sent to rebuild Donbas, Russian ambassador says", *The Guardian*, July 19, 2022, https://www.theguardian.com/world/2022/jul/19/north-korean-workers-could-help-rebuild-donbas-region-russian-ambassador-says

[280] Benjamin Young, "North Korea Knows How Important Its Cyberattacks Are," Foreign Policy, 2022, February 9, retrieved from Underestimating North Korean Cyberattacks Leaves the West Vulnerable (foreignpolicy.com).

[281] Sean Lyngaas, "Half of North Korean missile program funded by cyberattacks and crypto theft, White House says," CNN, 2023, May 10, retrieved from Half of North Korean missile program funded by cyberattacks and crypto theft, White House says | CNN Politics.

[282] Jeff Stone, "North Korean IT Workers Help Spy from UAE and Russia, UN Says," Bloomberg, 2023, May 31, retrieved from: North Korean IT Workers Help Spy from UAE and Russia, UN Says - Bloomberg.

The DPRK regime continues to violate numerous UN sanctions in order to procure the funds needed to support its nuclear and missile development programs. Funds continue to be invested on the country's military apparatus while the population continues to suffer increasing levels of food insecurity and what appears to be an evolving healthcare crisis.

2) *How has the COVID-19 pandemic and the related closure of the borders of DPRK affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.*

The current conditions of the economic and humanitarian spheres in the DPRK are driven by political factors. The constant food insecurity and the limited access to basic healthcare and clean water in the country have left millions of people in need of humanitarian assistance. However, the limited and restricted access to information inside the country, along with the absence of official statistics, makes it challenging to correctly assess the needs of the economic and humanitarian spheres within the country.[283] Nevertheless, the evidence collected has highlighted that both have particularly worsened since the COVID-19 pandemic and border closures imposed by the DPRK regime in January 2020. After two years of claiming no confirmed COVID-19 cases, the DPRK government disclosed a nationwide outbreak in May 2022 and launched emergency epidemic prevention measures, including a strict national lockdown.[284] We have previously expressed the concern that the inability to conduct independent assessments within the DPRK directly hinders other countries, institutions and aid organizations from not only estimating the current COVID-19 situation, but also from providing humanitarian assistance in an effective manner.[285]

The DPRK government continues to deny any great negative impact caused by the COVID-19 pandemic, announcing in August 2022 that it has successfully defeated the virus. The government's preferred narrative remains framing the outbreak as under control for two reasons. Firstly, to boost Kim's legitimacy and enhance domestic control over the population, and secondly, to signal to the world that it is self-reliant under its *Juche* "self-reliance" ideology - able to handle its own affairs without outside assistance.[286] This is only a smokescreen masking the true condition of the country.

It is perplexing to see how the DPRK has been reluctant to reveal the facts regarding COVID-19 - hiding the truth from its people to avoid any potential unrest, and from the outside world to avoid any speculation and investigation.[287] Despite this, the recognition of the spread of COVID-19 has led the government to impose tighter travel controls, both internationally and domestically. Moreover, the overall situation has been defined by worsening food insecurity, decreasing food consumption and nutritional diversity levels among the most vulnerable.[288] As mentioned in our previous correspondence, official statistics indicated a cumulative total of 4.7 million cases in a country of 25 million, with only 74 deaths reported as of July 7, 2022. Around 4.8 million cumulative fever cases (nearly 20% of the country's total population) were reported

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[283] ACAPS, "DPRK: Humanitarian Needs in the Context of COVID-19," 2023, retrieved from https://www.acaps.org/country/dprk/crisis/complex-crisis.

[284] Ibid.

[285] [Org. 10], "Submission: UN Panel of Experts," 2022.

[286] Khang Vu, "North Korea's Politics Defeats COVID…Almost," *Lowy Institute,* 2022, September 7, retrieved from https://www.lowyinstitute.org/the-interpreter/north-korea-s-politics-defeats-covid-almost.

[287] Kim Myong, "The Need for the Truth: COVID-19-Free North Korea," *HRNK Insider*, retrieved from https://www.hrnkinsider.org/2020/04/the-need-for-truth-covid-19-free-north.html.

[288] ACAPS, "DPRK: Humanitarian Needs in the Context of COVID-19."

in the DPRK as of August 2022.[289] Yet on August 11, 2022, the DPRK claimed that it had succeeded in defeating the virus without vaccines. Kim Jong-un called it the "greatest miracle," accomplished without a single vaccine being administered. Subsequently, on August 13, 2022, the DPRK government lifted the mask mandate and social distancing regulations.[290] We have previously submitted that public health experts including WHO have noted that the healthcare system in the DPRK is not at all equipped to deal with such a massive outbreak. Moreover, experts have argued that it remains difficult to provide a proper analysis of the most closed country where we do not have access to the necessary data, casting uncertainty on the government's narrative.[291] In October 2022, Elizabeth Salmón, the special rapporteur on human rights in the DPRK, expressed her concerns about the people's access to healthcare given the fragile state of the health system, plagued by unreliable electricity supply, lack of equipment, and lack of access to basic medicine, which has reportedly been further limited during the prolonged border shutdown brought about by the COVID-19 pandemic.[292] Nevertheless, Kim Jong-un announced victory over the COVID-19 pandemic purportedly without a single vaccine being administered, and after refusing to receive millions of vaccines from foreign countries in the past two years, implying their lack of "technical preparedness" and supply shortages.[293] The situation seemingly changed when, last September, Kim Jong-un announced that the DPRK would begin distributing COVID-19 vaccines officially for the first time in fall 2022, having been wary of the virus spreading during the winter. The origin of the vaccines remains unclear and undisclosed, but most of them are believed to be Chinese imports.[294]

The COVID-19 restrictions have affected the already dire food insecurity and nutritional deficiency levels in the country, especially among the most vulnerable, including the children and the elderly.[295] Between 2020 and 2021, the population affected by food insecurity was estimated to be 45–60% of the total population and the prevalence of malnutrition among children under five years of age was estimated at 18%.[296] The prices of staple foods, i.e. rice and corn, have increased in recent months, with more people not being able to access food. A series of satellite images indicates that the increased border security has almost entirely stopped unauthorized cross-border economic activity, which has contributed to severe shortages of food, medicine, and other necessities. The DPRK government has been taking advantage of the pandemic to tighten control and further oppress its citizens. The government continues to impose severe restrictions on basic freedoms to allegedly contain the spread of the virus. These restrictions include the shutdown of informal marketplaces commonly known as *jangmadangs*, as well as a crackdown on cross-border trade. Kim Yeong-soo, a professor of Political Science and International Studies at Sogang University, said, "North Korean residents obtained food through rations in the past, but since the Arduous March, they have been securing food from the marketplace.[297] Many marketplaces have been shut down due to the COVID-19 pandemic, severely affecting the food supply. "The North has been in serious economic difficulties since a total border lockdown early in the coronavirus pandemic. Yoo Seong-ok, a former chief of the Institute for National Security Strategy, said, "The North is launching provocations to create a

[289] [Org. 10], "Submission: UN Panel of Experts," 2022.

[290] Ibid.

[291] Maria Cheng, "WHO Believes COVID is Getting Worse, Not Better in North Korea," *AP News,* 2022, June 2, retrieved from https://apnews.com/article/covid-politics-health-epidemics-north-korea-ba092ba8f0dfd1e534fb420a0efddd91.

[292] OHCHR, "Report of the Special Rapporteur to the 77th session of the General Assembly," 2022, October 13, A/77/522.

[293] James Fretwell, "State media silence fosters uncertainty around COVID vaccinations in North Korea," *NK Pro,* 2022, November 16, retrieved from https://www.nknews.org/pro/state-media-silence-fosters-uncertainty-around-covid-vaccinations-in-north-korea/.

[294] Ibid.

[295] ACAPS, "DPRK: Humanitarian Needs in the Context of COVID-19."

[296] ACAPS, "DPRK: Humanitarian Needs in the Context of COVID-19."

[297] [Org. 10], "Submission: UN Panel of Experts," 2022.

warlike atmosphere and quell domestic discontent with economic difficulties".[298] As such, the strict containment measures issued by the DPRK are expected to have long-term consequences on the economy as trade, imports/exports, aid, and livelihood opportunities have been disrupted.[299] Furthermore, the reduced cases of DPRK citizens who seek asylum abroad are also attributed to the strengthening of border control. The DPRK government has used purported COVID-19 measures to further repress the citizens of the DPRK, which violates freedom of movement and other fundamental human rights.[300]

Constraints on humanitarian access have persisted in the DPRK. As mentioned in previous correspondence, international aid organizations and countries including the United States and the Republic of Korea have attempted to make multiple aid shipments to the DPRK to alleviate the COVID-19 situation in the country, but they have been consistently refused by the DPRK's government.[301] As previously submitted, UNICEF has been one of the few aid organizations that has been able to ship supplies to the DPRK after it shut its borders in early 2020 (after being granted a second exemption from UN sanctions against the DPRK). However, once a shipment crosses the border, it will likely be held at a storage facility for several months and no information relative to its distribution will be provided to the sender. Considering the organization's most recent aid shipment took more than a year to reach the country, it is unclear when the latest health and nutrition supplies may reach the DPRK's most vulnerable groups.[302] It is noteworthy that the DPRK has been implementing the *songbun* system, a socio-political classification system that favors groups who are viewed as loyal to the DPRK regime, its top leadership in particular as well as the Korean Workers' Party (KWP). This system inevitably discriminates against certain groups and limits their access to resources in the country, also including basic services and necessities, and especially humanitarian aid. As mentioned in our previous correspondence, the Republic of Korea approved two recent deliveries of humanitarian aid to the DPRK in October 2022, according to the ROK Ministry of Unification, which was the fourth aid delivery that had been approved under the Yoon administration and subsequently rejected. It seems that regardless of the sender, the DPRK appears unlikely to accept aid as it still exerts strict COVID-19 border controls resulting in very few humanitarian shipments reaching the DPRK over the last three years.[303]

The right to freedom of movement remains strictly controlled in the DPRK. Traveling abroad or moving within the country without government authorization is rendered illegal. The announcement of the COVID-19 pandemic resulted in stronger COVID-19 containment measures, with the implementation of a strict national lockdown, tighter border control (including total closure), and a further restriction of the freedom of movement. This resulted in heightened movement restrictions for the population and led to a negative impact on both trade and the remaining humanitarian responses.[304] Tómas Ojea Quintana, the previous Special Rapporteur on the situation of human rights in the DPRK, claimed that "prolonged border closures and restrictions on movement in-country have decimated the market activity that has become essential for the general population to access basic necessities.[305] Since April 2021, there have been no foreign aid workers left in the country. International aid organizations have

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[298] Kim Myong-song and Yang Seung-sik, "N.Korea's Missile Launches 'Squandered a Year's Rice Imports'," *The Chosunilbo,* 2022, November 4, retrieved from https://english.chosun.com/site/data/html_dir/2022/11/04/2022110400890.html.

[299] ACAPS, "DPRK: Humanitarian Needs in the Context of COVID-19."

[300] Human Rights Watch, "North Korea: Covid-19 Used as Pretext to Seal Border," 2022, November 17, retrieved from https://www.hrw.org/news/2022/11/17/north-korea-covid-19-used-pretext-seal-border.

[301] [Org. 10], "Submission: UN Panel of Experts," 2022.

[302] Ifang Bremer, "Seoul approves two new deliveries of humanitarian aid to North Korea," *NK News,* 2022, October 18, retrieved from https://www.nknews.org/2022/10/seoul-approves-two-new-deliveries-of-humanitarian-aid-to-north-korea/.

[303] [Org. 10], "Submission: UN Panel of Experts," 2022.

[304] ACAPS, "DPRK: Humanitarian Needs in the Context of COVID-19."

[305] [Org. 10], "Submission: UN Panel of Experts," 2022.

been relying on local staff to distribute aid throughout the country, resulting in the increased control of the government over the distribution of humanitarian aid and subsequently increasing the likelihood of maldistribution (as this is subject to the *songbun* system). In her first report to the UN General Assembly in October 2022, Elizabeth Salmón, the UN Special Rapporteur on the situation of human rights in the DPRK, noted that "the DPRK's self-imposed COVID-19 restrictions led to the departure of all international humanitarian staff from the country.[306]

COVID-19 and the subsequent tighter border controls have placed a lot of strain on an already failing DPRK economy. Despite this, Kim Jong-un's choice is still to prioritize his nuclear and missile programs, not food or other necessities of the population. The DPRK remains consistent with its strategy of advancing its nuclear and missile capabilities to gain recognition for its status as a nuclear power and to increase its bargaining power with the United States. However, this is a strategy that does not allow any sustainability for future generations. We have previously indicated that sources within the DPRK escapee community who are in contact with sources inside the country have informed [Org. 10] that, in absolute terms, the level of human insecurity may be comparable to the mid to late-1990s, the days of the "Arduous March," the great famine that devastated the DPRK. It is unfortunate that the DPRK continues to deliberately choose to prioritize the regime's perceived "security" at the expense of the population's health and well-being. In our previous correspondence, it was highlighted that if there were a shift in the DPRK's budget allocation from military spending to COVID-19 relief, the humanitarian impact of COVID-19 on the DPRK could be limited. "The money North Korea spent launching missiles this year could have been used to procure 20 million to 32.5 million coronavirus vaccine doses, according to KIDA.[307] That would be enough to give each North Korean citizen one round of vaccination, the institute said." This is the value that the DPRK places on its nuclear and missile program versus that of the lives of its people.[308]

At this point, the DPRK is likely facing a prolonged humanitarian crisis caused by worsening food shortages resulting from long-term border closures, adverse weather, and a failing economy. It has been reported that in March 2023 the country requested assistance from the WFP, which could not be provided due to disagreements around access into the country. According to statistics, before the COVID-19 pandemic, approximately 42% of the population was malnourished, and an estimated 40% of the population was unable to access food or other supplies. In 2022, the number of people affected by food insecurity was estimated to increase to 60% of the population.[309] In the economic sphere, trade with [a Member State] decreased by up to 90% in 2021 compared to 2019. The current humanitarian and economic situation in the DPRK is exceptionally dire. This is due to the lack of imports, including agricultural inputs, and the decline in food production which has led to significant price increases and food shortages. Furthermore, continued access restrictions make assessment data difficult to obtain, allowing Kim Jong-un's narrative to mislead the population. Nevertheless, the DPRK government continues to build its nuclear and missile programs and allocate its funding elsewhere. In 2023, there is no marked improvement in the humanitarian, human security, or human rights situation in the DPRK.

While the COVID-19 pandemic has a clear humanitarian and economic impact on the DPRK, the government continues to prioritize its military power over reducing the impact of the pandemic on its population. The DPRK's rejection of foreign aid while allocating funds to the nuclear weapons and missile programs demonstrates how the DPRK's prioritization of such

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[306] OHCHR, A/77/522.

[307] Junnosuke Kobara, "North Korea missile tests cost 2% of GDP already this year: report," *Nikkei Asia,* 2022, June 11, retrieved from https://asia.nikkei.com/Spotlight/N-Korea-at-crossroads/North-Korea-missile-tests-cost-2-of-GDP-already-this-year-report.

[308] Junnosuke Kobara, "North Korea missile tests cost 2% of GDP already this year: report," *Nikkei Asia,* 2022, June 11, retrieved from https://asia.nikkei.com/Spotlight/N-Korea-at-crossroads/North-Korea-missile-tests-cost-2-of-GDP-already-this-year-report.

[309] ACAPS, "DPRK: Humanitarian Needs in the Context of COVID-19."

programs worsens any possible unintended negative effects of the UN sanctions on its citizens, resulting in an exacerbated humanitarian and economic crisis affecting the North Korean population.

3) *What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID factors and what other factors are at play?*

[….] The COVID-19 border closure implemented by the DPRK has not directly affected our operations and research projects, as we do not operate and engage with local actors within the country's borders. Nevertheless, considering the strict measures imposed in early 2020, including the *shoot-to-kill* orders at the country's borders,[310] the number of North Koreans who escaped the country has notably decreased during the last three years, reaching a record low of fewer than 100 escapees entering the Republic of Korea in 2021 and 2022.[311] As a consequence, the number of recently escaped North Koreans that we have been able to interview has decreased. As we rely on interviews and testimonies of escapees for the collection of data on human rights violations, it has been challenging to obtain direct information about the conditions experienced by the population, both related to the humanitarian emergency as well as the repression and human rights abuses perpetrated by the government.

Additionally, despite the sporadic release of unofficial news announcing the total re-opening of the DPRK-China border for tourism and trade, as of now it remains unlikely that such activities will fully resume soon and that the DPRK will officially open its entire northern border. Nevertheless, small-scale exchanges of both authorized and illicit goods, such as hair products, rice and seafood, have been detected at the beginning of this year at border cities in China and the DPRK.[312] Moreover, considering the crumbling DPRK economy, which deteriorated after the closure of the borders and interruption of all economic exchanges as well as inflows of hard currency, it appears that the country has not entirely interrupted its cross-border trade with China and Russia.[313] Over the course of the pandemic, despite enforcing the strictest COVID-19 border closure in the world, the DPRK has continued to engage in illicit trade for sponsoring its nuclear weapons program, neglecting the needs of its population and breaching UN-imposed sanctions.

In conclusion, the COVID-19 border closure has been an additional challenge to international organizations aiming to gather information on the humanitarian and human rights situations within the country and for assisting the people of the DPRK. Nevertheless, the DPRK regime has not altered its sanctioned and illegal activities, continuing to develop its nuclear weapons program and never ceasing to represent a threat to regional and international peace and security.

In closing, [Org. 10] wishes to emphasize the egregious human rights situation in the DPRK. [Org. 10] continues to support human rights initiatives in the DPRK and abroad. [Org. 10] would like to highlight a "Human Rights up Front" approach towards the dire humanitarian situation in the DPRK, also ming to successfully denuclearize the country, which includes international

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[310] France 24. "North Korea issues shoot-to-kill orders to prevent virus: US," September 9, 2020, retrieved from: https://www.france24.com/en/20200911-north-korea-issues-shoot-to-kill-orders-to-prevent-virus-us.

[311] Ministry of Unification, "Settlement Support for North Korean Defectors," n.d., retrieved from: https://www.unikorea.go.kr/eng_unikorea/whatwedo/support/.

[312] https://asia.nikkei.com/Spotlight/N-Korea-at-crossroads/From-wigs-to-seafood-North-Korea-scrambles-for-[redacted]-trade.

[313] Sangsoo Lee. "North Korea Likely to Lift Pandemic Border Restrictions in 2023," January 6, 2023, The Diplomat, retrieved from: https://thediplomat.com/2023/01/north-korea-likely-to-lift-pandemic-border-restrictions-in-2023/.

access to DPRK detention facilities, increased transparency, and in-country access for human rights organizations as well as humanitarian assistance for the most vulnerable groups in the DPRK. [Org. 10] respectfully recommends that the Panel ask organizations requesting sanctions exemptions for specific information on the intended locations of the disbursement of humanitarian aid as well as its beneficiaries. This will facilitate better monitoring of humanitarian aid and allow to determine more accurately whether the aid prioritizes the most vulnerable DPRK citizens.

Organization 11

1) What is your assessment of the cumulative effect of UN sanctions on the humanitarian situation in the DPRK since 2018? What sources of data and information do you draw from as the basis for this assessment?

The DPR Korea has suffered a severe set-back, impacting the humanitarian situation due to UN and bilateral sanctions and to the complete closure of borders since February 2020. This has further weakened [Org. 11]'s efforts to supply critical equipment and human resources development initiatives.

The sanctions and closure of borders also have challenged and, in some cases, stopped the work of [Org. 11] and other … humanitarian organizations. The dysfunctionality of international banking channels has further led to acute liquidity crunch and severely constrained the critical in-country activities. Concomitantly, with limited in-country funds, [Org. 11]'s focus remained in supporting and responding to humanitarian crisis and emergencies, such as those caused by the COVID-19 pandemic, floods and typhoons, etc. Resultantly, there is dearth of resources needed to develop strategies enabling prevention and mitigation of shocks and emergencies, as demonstrated by the COVID-19 pandemic.

For instance, procurement got delayed due to the closure of borders and ultimately some items could not be procured.

These challenges further cascaded when some supplies and equipment got stranded at the [Member State's] borders and not allowed to enter the country, thus incurring huge storage/demurrage/cold chain charges.

2) How has the COVID-19 pandemic and the related closure of the borders of DPRK affected the economic and humanitarian spheres, and in what way have they influenced the overall humanitarian situation in the DPRK? If possible, please include information or examples that support your assessment.

[See also response under 1) above]

In January 2020 the Government of DPRK closed its international borders (air, sea, and land) in an attempt to prevent the entry of the novel coronavirus into the country when WHO declared the COVID-19 outbreak to be a pandemic. As of date, the borders continue to remain closed although the limited supply of essential commodities are being allowed on a case-by-case basis.

The strict restrictions on cross-border movement has a profound negative impact on the flow of supplies, which the DPRK population heavily relied on to supplement the government initiatives to meet needs of its vulnerable population.

To reiterate, several shipments of essential and critical equipment that [Org. 11] procured, most of which were approved by the UN Sanctions Committee were held up at different locations incurring large expenses on storage charges and customs demurrage. Several shipments expired while being held up, costing more money to dispose such shipments. Some shipments had to be re-routed to other countries, causing additional financial burden.

3) What has been the scope of your organization's operations in the DPRK since its borders were closed in early 2020? Were you able to continue some humanitarian operations with local staff? What problems, if any, have you encountered in this time period? When, if at all, do you expect to be able to resume your operations in the DPRK? How do you see the prospects of re-opening of the borders? How are these prospects related to COVID factors and what other factors are at play?

In the absence of any international staff allowed in the country for about three years, the operations were remotely managed. The implementation of technical activities however, got severely impacted.

There were certain difficulties encountered as during the year 2021 and early 2022 the borders and ports were closed due to pandemic which impacted in delivering supplies to the country. Also due to the sanctions imposed on certain items, the procurements are delayed.

The preparation of the required documentation for the UN Sanctions Committee is lengthy and requires several levels of consultations.

As of now, there is no concrete information from the Government on the border reopening. However, with WHO's declaration of COVID-19 no longer a public health emergency of international concern, it is anticipated that the Government may consider opening its borders in the near future.

4) Please provide any detailed information about how the implementation of UN sanctions may have impacted your organization's humanitarian response.

With the decision of the Government to limit the presence of international staff, the capacity of the [Org. 11] Country Office was markedly reduced. Limited capacity due to suboptimal staff presence led to challenges in providing emergency support to the country. This got further aggravated when all international staff had to leave the country.

5) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? What could be further improved in the exemption process or the sanctions regime itself that would better meet your operational needs and objectives in addressing the humanitarian problems of DPRK?

[Org. 11] has been able to obtain humanitarian exemption approvals from the 1718 committee in the past as required, generally on a fast-track process, whenever required. [Org. 11] also appreciate the fact that the exemptions may now be provided for a period longer than 6 months (i.e., up to 18 months) for instance when the applicant provides a well-founded justification such as transportation delays. This development is very helpful and welcome. Thanks to the quick approval process used during the pandemic, [Org. 11] requests to procure emergency supplies were approved within 4 days, which is a positive example of the UN Sanctions Committees flexibility and understanding of the severity of the situation.

6) Recommendations of the Panel of Experts in its latest Midterm Report (see S/2022/668, para. 188) include a suggestion that "… relevant stakeholders practically consider the idea of exempting selected exports currently under sanctions, the proceeds of which might be used to finance humanitarian supplies". Do you have any ideas or suggestions how this measure can be implemented and what is your assessment of possible effects?

> The Panel's recommendation is a welcome move if considered. It would be good to know the selected exports under sanctions that will be considered for exemption. without which it will be difficult to comment or suggest how the proceeds for financing humanitarian supplies will be utilized.

7) Are there other issues, needs, or organizational viewpoints regarding the humanitarian impact of UN sanctions on your work in the DPRK that you want to share with the Panel?

> One of the major challenges in [Org. 11]'s work in DPRK has been the absence of a viable banking channel to transfer much needed funds for in-country operations and programmatic implementation. This has a significant negative impact on [Org. 11] activities, and a quick and efficient solution is required to be found. This also negatively impact international staff to meet their daily subsistence expenses like accommodation, food, and other personal expenses.

Annex 80: Excerpts of *BBC News* interviews conducted in 2023 with North Korean citizens in the DPRK

Individual 1 ("Myong Suk" – a border town)

"I wake up at 5 am and make breakfast for my family. Then I go and prepare my business at the market, where I sell medicine. Before COVID, life was stable. I didn't smuggle every day, but my business made quite a profit. But since COVID, my earnings have halved. It's become much harder to smuggle things over the border, and the crackdowns have become stricter. I tried to smuggle, but I got caught. I had to bribe an official with money I didn't have, and barely got away with it. After that, I was monitored, and I couldn't do anything. Most of the products in the market came from China, but its empty now. You could always find grain, but not these days. The scarcest thing is medicine. Even if you can find it, it's too expensive."

"Our food situation has never been this bad," Myong Suk tells us.

She is the main earner in the family. Before the border closure, Myong Suk would arrange for much-needed drugs, including antibiotics, to be smuggled across from China, which she would sell at her local market. She needed to bribe the border guards, which ate up more than half of her profits, but she accepted this as part of the game. It allowed her to live a comfortable life in her town in the north of the country, along the vast border with China.

The responsibility to provide for her family has always caused her some stress, but now it consumes her. It has become nearly impossible to get hold of products to sell.

Once, in desperation, she tried to smuggle the medicine herself, but was caught, and now she is monitored constantly. She has tried selling North Korean medicine instead, but even that is hard to find these days, meaning her earnings have halved.

Now when her husband and children wake, she prepares them a breakfast of corn. Gone are the days they could eat plain rice. Her hungry neighbours have started knocking at the door asking for food, but she has to turn them away.

"We are living on the front line of life," she says.

The pandemic, she believes, has merely provided the authorities with the excuse to re-exert its diminished control over people's lives. *"Really they want to crack down on the smuggling and stop people escaping,"* she says. *"Now, if you even just approach the river to China, you'll be given a harsh punishment."*

Individual 2 ("Chan Ho" – a border town)

"I work on construction projects. Often, we have to work late into the night, and I sleep at the site. I wouldn't be able to survive if my wife didn't work at the market. When they closed the border, everything became scarce. The price of grain, sugar and seasoning has shot up. Food supplies are so low, people have started dying."

"I want people to know that I am regretting being born in this country," says Chan Ho, a construction worker.

He helps his wife set up for the market, before heading to the construction site. He carries her products and loads them on to her stall, aware that her business is the only reason he is still alive. The 4,000 won he makes a day is no longer enough to buy one kilo of rice, and it has been so long since his family received government food rations, he has forgotten about them.

The markets, where most North Koreans buy their food, are now almost empty, he says, and the price of rice, corn and seasonings has soared.

At first Chan Ho was afraid he might die from Covid, but as time went on, he began to worry about starving to death, especially as he watched those around him die.

The first family in his village to succumb to starvation was a mother and her children. She had become too sick to work. Her children kept her alive for as long as they could by begging for food, but in the end all three died. Next came a mother who was sentenced to hard labour for violating quarantine rules. She and her son starved to death.

More recently, one of his acquaintance's sons was released from the military because he was malnourished. Chan Ho remembers his face suddenly bloating. Within a week he had died.

"I can't sleep when I think about my children, having to live forever in this hopeless hell," he says.

This is the hardest period he has ever lived through. The famine was difficult, he says, but there were not these harsh crackdowns and punishments. *"If people wanted to escape, the state couldn't do much,"* he says. *"Now, one wrong step and you're facing execution."*

His friend's son recently witnessed several executions carried out by the state. In each instance three to four people were killed. Their crime was trying to escape.

"If I live by the rules, I'll probably starve to death, but just by trying to survive, I fear I could be arrested, branded a traitor, and killed," Chan Ho tells us. *"We are stuck here, waiting to die."*

Individual 3 ("Ji Yeon" – Pyongyang)

"I know one family that starved to death at home. No-one came in or out for three days. Water was brought around, and we knocked on their door telling them to get some. But nobody answered. There are lots of beggars now. if they're lying down, we check them and usually find they're dead. There are others who kill themselves at home or disappear into the mountains. I never used to hear of this happening."

Ji Yeon has two children and her husband to support with the pennies she makes working in a food shop.

She used to sneak fruit and vegetables out of the shop to sell at the market, alongside cigarettes her husband received in bribes from his co-workers. She would buy rice with the money. Now her bags are thoroughly searched when she leaves, and her husband's bribes have stopped coming. No-one can afford to give anything away.

"They've made it impossible to have a side-hustle," she frets.

Ji Yeon now goes about her day pretending she has eaten three meals, when in truth she has eaten one. Hunger she can endure. It is better than having people know she is poor.

She is haunted by the week she was forced to eat puljuk – a mash of vegetables, plants and grass, ground into a porridge-like paste.

"We survive by thinking 10 days ahead, then another 10, thinking that if my husband and I starve, at least we will feed our kids," Ji Yeon says. Recently she went two days without food.

"I thought I was going to die in my sleep and not wake up in the morning," she says.

Despite her own hardship, Ji Yeon looks out for those worse off. There are more beggars now, and she stops to check on the ones lying down, but usually finds they are dead. One day she knocked on her neighbour's door to give them water, but there was no answer. When the authorities went inside three days later, they discovered the whole family had starved to death.

"It's a disaster," she says. *"With no supplies coming from the border, people do not know how to make a living."* Recently she has heard of people killing themselves at home, while others disappear into the mountains to die. She deplores the ruthless mentality that has blanketed the city.

"Even if people die next door, you only think about yourself. It's heartless."

Source: BBC News, lightly edited by the Panel, https://www.bbc.co.uk/news/extra/bskbb4rmae/inside-north-korea

Annex 81: Russian Ambassador Alexander Matsegora's interview with NK News

INTERVIEWS

Russian ambassador rejects reports of famine in North Korea, corpses on streets

In interview, Alexander Matsegora admits food situation is 'not easy' but dismisses BBC documentary claims of starvation

Chad O'Carroll June 23, 2023

The Russian Embassy in North Korea has not observed an increase in beggars in Pyongyang or dead bodies lying in the streets, the country's ambassador has told *NK News*, dismissing claims featured in a new documentary on famine in the DPRK.

But Ambassador Alexander Matsegora acknowledged that the food situation is "not easy" and that North Korea lacks fertilizers, farm machinery and other materials needed to boost harvests, blaming international sanctions for preventing their import.

In written remarks sent to *NK News* on Thursday, Russia's envoy to the DPRK described a new BBC documentary on food shortages in the country as "biased" and "far from the truth" and claimed that there are "no signs of starvation" in the capital.

In the documentary released last week, an anonymous Pyongyang source told the British broadcaster that she had seen a growing number of beggars on the streets, adding that "if they are lying down we check them and usually find that they are dead."

The source also said she knew of a family of three that starved to death at home, while sources in other parts of the country told the BBC they had experienced major food shortages.

Jesus Aise Sotolongo, Cuba's former ambassador to North Korea who ended his post in April, also rejected BBC's reports of famine in the capital and told *NK News* that the food situation was stable when he left.

He also said there had been "radical" improvements in food supplies compared to summer 2021, when North Korean state media openly admitted to a "food crisis."

Both Cuba and Russia have historically maintained friendly ties with the DPRK, and Moscow and Pyongyang have notably made efforts to strengthen cooperation since last year.

A third diplomat in Pyongyang told *NK News* on condition of anonymity that they had not observed famine-like conditions in the capital, but they did note rising food scarcity of late.

Experts have raised alarm about the food situation in North Korea since earlier this year, with some analysts warning that price data and other signs point to the worst food insecurity since the Arduous March famine of the 1990s.

The South Korean government also assessed that a "significant" number of North Koreans are dying of starvation in smaller cities, while concluding that the situation has not yet devolved in to mass famine.

The following interview has been edited for clarity and style.

Amb. Alexander Matsegora: I've received your letter with a request to answer the questions about the situation in North Korea. Being an Ambassador Extraordinary and Plenipotentiary of the Russian Federation to the Democratic People's Republic of Korea, I was supposed to ignore such an inquiry, especially from the representative of the unfriendly state's media.

I'm sure that ambassadors, for example, of the USA or Great Britain, accredited in any state, would not have done so in case Russian media made such a request. But the story by BBC, which I surely watched and read, is so biased and so far from the truth that I've decided to answer some of your questions in order to discredit that false impression, which English colleagues deliberately or not could have created in the minds of their audience. Besides, I think that if I stay silent that will give grounds to believe the story made by BBC.

I ask you to publish this letter and my answers in full. Keeping in mind our previous agreement, I suppose that you will not add any comments in the vein of the modern Western mainstream. [Editor's note: *NK News* proposed using the ambassador's responses to inform this report.]

So, here are my answers to your questions.

NK News: A source in Pyongyang reportedly told the BBC that there are now lots of beggars on the streets of the capital, and that often they can be found "lying down." When the bodies are checked, they are "usually dead," the source said. What is your and colleagues' experience of walking around Pyongyang? Have you ever encountered such scenes?

Matsegora: Neither I nor my colleagues walking or driving around Pyongyang have ever seen beggars lying or loitering in the streets.

There are even no drunk people lying around in the streets here, as is often the case in many other capitals.

It is impossible to imagine someone falling down and not having a passerby run up and help him get up.

NK News: DPRK state media acknowledged a "food crisis" in summer 2021. However, Chinese trade data now shows that bilateral trade has recovered to nearly pre-pandemic levels. How would you characterize the changing supply of food and medical supplies since the beginning of the pandemic to date?

Matsegora: As for the availability of locally produced food (grain, beans, potatoes, meat, poultry, eggs, vegetables, fruits), the situation has not changed compared to the pre-pandemic period — the aisles in stores were full of all kinds of goods both then and now. There is more fish available as sea and river fishing resumed after being temporarily put on hold by the Emergency Anti-Epidemic Headquarters.

Prices, as always, fluctuate slightly depending on the season but generally remain stable. The range of imported food products is slightly wider than at the end of 2020, but it is still nowhere near as extensive as it was before the pandemic.

Medicines, including those made in Russia, are now quite available in pharmacies, and the deficit in pharmaceutical products is virtually gone, except maybe for a few rare medications.

I would add one caveat here: Although the markets in Pyongyang and all other cities are overcrowded with both vendors and customers, certainly not everyone can afford to buy food at market prices on a daily basis.

That's why there is a fixed rationing supply system in place here. Depending on a person's workplace, either the state or his enterprise is responsible for providing food rations. The main thing is to have sufficient resources to meet the population's needs to the utmost. Hence, the availability of these resources remains the key issue. I will talk about it later.

NK News: A source in the BBC report claims closed-door executions are now taking place in the DPRK. Have you or colleagues ever heard of such a phenomenon?

Matsegora: I have never heard of any "closed-door executions."

NK News: Overall, what is your assessment of the BBC documentary and the text report that claims that the DPRK currently is enduring food shortages so significant that people are starving to death? The ROK government has shared similar assessments in recent months.

Matsegora: The situation with food resources is not easy, and the DPRK government admits this. One of the main reasons for it is last year's unfavorable weather conditions. But the current difficulties are nothing compared to those during the Arduous March [famine of the 1990s]. At that time, it was very hard. I was here at that time, so I can compare. Now there are no visible signs of starvation here.

Regarding the last point, I would like to add the following. Increasing grain production is the main, top-priority goal on the list of 12 goals to be achieved by the government during the five-year plan (2021-2025). All government efforts are aimed at solving the problem of nutrition once and for all. A lot is being done; we can see it with our own eyes.

But, unfortunately, there are still many issues that cannot be resolved quickly, and harvest yields cannot be increased dramatically due to a lack of fertilizers, pesticides, fuel, agricultural machinery and spare parts for them. The local industry can't fully satisfy these needs. However, the country could have imported all these items, including grain, from abroad. But sanctions do not let it happen.

In the West, you whine pharisaically that North Korean authorities don't provide food to their people and also don't let humanitarian organizations in to help with the food situation. In fact, this country doesn't need any of your help, especially since in recent years humanitarian aid has not reached more than $25 million a year (that's one dollar per person per year).

The DRRK could have fully coped with its problems if there were no sanctions imposed on it. Lift the sanctions or ease them at least partially, give North Koreans an opportunity to legally export their coal, iron ore and seafood. Allow them to open a bank account, and deposit a well-earned $2 billion so they could pay for 500,000 tons of grain, 300,000 tons of fertilizer, 100,000 tons of diesel fuel, 50,000 tons of pesticides, tractors and harvesters.

Make customs officers authorize bringing these goods to the DPRK, and do not harass foreign manufacturers, suppliers and transporters for maintaining ties with North Korea. Then the issue of DPRK people's nutrition will be solved in the shortest possible time!

But we understand that the West will never let this happen. Because the worse it is here, the better it is for them. Because the West wants to make the life of the people of North Korea as difficult as possible, stoke up grievances against the authorities, provoke protests and (this is a golden dream!) finally give rise to social upheavals, overthrow the political system and achieve the overarching goal of destroying the DPRK as a sovereign state.

By the way, the West is trying to do the same in my country. That won't work either in Russia or in DPRK.

Edited by [redacted]

Source: https://www.nknews.org/2023/06/russian-ambassador-rejects-reports-of-famine-in-north-korea-corpses-on-streets/

Annex 82: Excerpts from previous Panel reports on humanitarian factors

S/2019/171, paragraph 176

176. Member States, United Nations agencies and humanitarian organizations have expressed concern that despite the exemption clauses and the Committee's efforts, United Nations agencies and humanitarian organizations continue to experience unintended consequences on their humanitarian programmes that make it impossible to operate normally in the Democratic People's Republic of Korea. The six main areas of concern communicated to the Panel are: delays in receiving exemptions; the collapse of the banking channel; delays in customs clearance; a decrease in willing foreign suppliers; the increased cost of humanitarian-related items and operations; and diminished funding for operations (see annexes 85–87). These are negatively affecting their ability to implement humanitarian-related programmes. In particular, the sectoral sanctions are affecting the delivery of a number of humanitarian-sensitive items (see ibid.). For the Panel's assessment of adverse humanitarian consequences of sanctions for the civilian population of the Democratic People's Republic of Korea, see annex 85.

S/2019/691, paragraph 83

83. In its previous final report, the Panel identified six main areas of concern communicated by United Nations agencies and humanitarian operations in which unintended consequences had adversely affected the operation of their humanitarian programmes in the Democratic People's Republic of Korea (S/2019/171, para. 176). Two leading concerns were delays in receiving exemptions from the Committee and the collapse of the banking channel. On 6 August 2018, the Committee adopted "Implementation Assistance Notice No. 7: guidelines for obtaining exemptions to deliver humanitarian assistance to the Democratic People's Republic of Korea".[48] While the average time between the receipt and approval of exemption requests has been significantly reduced,[49] there has been no restoration of a banking channel. This, together with the practice by financial institutions of rejecting all transactions tied up to high-risk jurisdictions, has continued to hinder the programmes of United Nations agencies and humanitarian organizations, with adverse consequences for the civilian population of the Democratic People's Republic of Korea.

[48] Available at www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1718_implementation_assistance_notice_7.pdf.

[49] From February 2019 to the time of writing, the Committee granted 16 approvals. Information about the exemptions approved by the Committee are posted on the website. See www.un.org/sc/suborg/en/sanctions/1718/exemptions-measures/humanitarian-exemption-requests.

S/2020/151, paragraph 209

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[200] (see annex 68).
- 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 (see annex 69).
- 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.

[200] Estimates from the Bank of Korea (see https://www.bok.or.kr/portal/main/contents.do?menuNo=200091, webpage in Korean).

S/2020/840, paragraphs 156-158 and 160

156. As the Panel has previously noted, it is difficult to disambiguate United Nations sanctions from other factors, including unilateral sanctions regimes and domestic socioeconomic and political factors, but there can be little doubt that United Nations sanctions have had unintended effects on the humanitarian situation and aid operations within the Democratic People's Republic of Korea.[97] Additionally, according to a Member State, the Democratic People's Republic of Korea "government policy lockdown measures – enacted early in response to [COVID-19-related] low capability for health preparedness – have hit the economy in a way that sanctions alone do not appear to have".

157. The Panel notes that several non-governmental organizations have concerns about United Nations sanctions affecting the civilian population. One concern, for example, is how sanctions may further constrain limited agricultural resources (for example, transportation, machinery and production of fertilizers) and the allocation of financial resources for food imports, leading to reduced food "availability" (that is, decreasing food security). This effect is further compounded by the political priorities of the Democratic People's Republic of Korea, which have reduced "accessibility" through the redirection of needed resources.

158. According to some assessments, sectoral sanctions may result in negative social and economic consequences for those employed in those sectors, including loss of income.[98] The extent of this effect, however, is largely unknown as there is no accurate compilation of economic data and the fiscal and monetary policy priorities of the Democratic People's Republic of Korea may also have a significant impact. There is also a concern about lost wages for repatriated workers, especially those who may have been affected by COVID-19-related quarantine measures.

…

160. The concern of financial institutions and private-sector entities over compliance with sanctions regimes continued to affect humanitarian operations. The efforts to restore the banking channel for United Nations humanitarian organizations in the Democratic People's Republic of Korea and provide access to consistent and reliable financing continued with marginal progress owing to the pandemic, jeopardizing supply chain operations and also creating risky situations for humanitarian personnel.

[97] For the Panel's most recent reporting, see S/2020/151, sect. VI.

[98] Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, media statement, Geneva/Seoul, 9 June 2020. https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25929&LangID=E.

S/2021/211, paragraphs 168-171

168. United Nations agencies, Member States and non-governmental organizations describe the evolving humanitarian situation in the Democratic People's Republic of Korea as dire and rapidly deteriorating. The combination of the COVID-19 pandemic, environmental disasters, sanctions and the mismanagement of social and economic policies have exacerbated food shortages,[141] led to price spikes and panic buying and further limited the availability of medical supplies and services.[142]

169. Given these factors, in addition to the scarcity of accurate data, the Panel is unable to make a quantitative assessment of the unintended consequences of United Nations sanctions[143] but notes that during the reporting period sanctions likely had unintended effects affecting civilian population.

170. According to two Member States, the unintended consequences of United Nations sanctions were as follows:

- Limitations on fuel imports negatively influenced energy security,[144] production of electricity,[145] civil transport and agriculture, and resulted in ecological problems like deforestation
- Constraints on agricultural resources, e.g. transportation services, imports of machinery and production of fertilizers, led to reduced food "availability"[146]
- The health care, sanitation and hygiene spheres were negatively affected by import restrictions on medical equipment and its supplements[147]
- Sectoral sanctions caused an estimated loss of at least 200,000 jobs, resulting in a disappearance of income and a rise in hidden unemployment
- The repatriation of workers has led to the loss of income and adverse socioeconomic conditions. Such workers were mostly sent to do construction work in remote mountainous regions, practically without pay, and some faced a debt crisis because of the abrupt termination of their earnings.

[141] A Member State conveyed to the Panel that the public distribution system quota as of October 2020 had been reduced to 545 grams.
[142] See annex 98 for the statement of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea on the humanitarian crisis in that country.
[143] Two experts have different views on this.
[144] According to research materials (http://nautilus.org/wp-content/uploads/2020/08/Refined-Products-Balance-Thru-July-22-2020-SR-PDF.pdf), imported fuel is predominantly used in the civilian sector (see annex 97).
[145] According to the Member States: "Amid growing scarcity of hydrocarbons in the country, many thermoelectric power stations suspended their operation".
[146] According to the Member States: "Unable to use the fuel-consuming farming equipment, Korean farmers are forced back to implement less effective methods (up to using draught cattle and manual labour)".
[147] The Member State notes that "health-care problems grow out of import restrictions on medical equipment and its supplements related to coercive measures and of a deficit of foreign currency due to export restrictions".

171. Two additional Member States reported to the Panel that their analyses indicate that the trajectory of economic mismanagement of the Democratic People's Republic of Korea, including "white elephant" projects and the diversion of resources, not sanctions, has been the primary driver of agricultural declines, food insecurity and inadequate health and medical services. The Member States further noted the following:

- The Democratic People's Republic of Korea continues to prioritize the stability and continuity of the Kim family regime over all other national priorities, including health and medical services and food security
- The vast majority of the income that nationals of the Democratic People's Republic of Korea earn abroad is retained by the State-owned enterprises that employ them, so the regime is the primary beneficiary of their labour. Additionally, any "social benefit" derived from overseas workers is hampered by strict living conditions that are controlled and monitored;
- Agricultural and enterprise reforms were publicly launched months after Kim Jong Un took power in 2012 and rolled back almost immediately afterwards, nearly five years before the Security Council unanimously implemented sectoral sanctions and bans on overseas workers in 2017
- The Democratic People's Republic of Korea has politicized humanitarian assistance. It is only accepting aid in areas that the Korea Workers' Party considers a priority, and it is only accepting aid from countries that do not pose an ideological problem for the regime or demand procedures that minimize diversion. Moreover, the aid has "almost certainly" been diverted to meet the needs of the leadership, ultimately reducing the incentive for meaningful economic reform.
- The regime has focused all its energy on hastily building a showcase hospital in the heart of the capital city. Construction was started, apparently, without a comprehensive plan for even completing the building and was rushed to meet an artificial political deadline, which was not met.

S/2021/777, paragraphs 174-178

174. United Nations agencies, Member States and non-governmental organizations continue to characterize the humanitarian situation in the Democratic People's Republic of Korea as deteriorating. In April 2021, Kim Jong Un underscored the severity of the country's economic situation, noting that "the people's food situation is now getting tense as the agricultural sector failed to fulfil its grain production plan due to the damage by typhoon last year",[118] and the situation was officially described as a "food crisis",[119] which official data support.[120] This admission coincided with an unusual price volatility for many consumer commodities, food shortages, a drop in access to goods and services, panic buying and a further decrease in the availability of medical supplies and services. The Panel attributes the following as factors contributing to the deteriorating humanitarian situation in the Democratic People's Republic of Korea:

(a) Measures related to the prevention of COVID-19, including border closures since January 2020 and the virtual cessation of consumer imports, declines in export earnings and strict limits on the ability to purchase food and other essential goods;

(b) Continuing restrictions related to United Nations sanctions: In its previous reports, the Panel assessed that these restrictions, such as limitations on the importation of fuel, machinery and spare parts, had unintended effects on energy security, civil transport, agriculture, health care, sanitation and hygiene. Although the Panel is unable to make a quantitative assessment of this impact and further notes that its relative impact has probably decreased due to the country's border closures, travel limitations and import restrictions, the Panel does assess that in the reporting period, sanctions likely have had some unintended effects and would continue to have negative humanitarian consequences after the borders are opened;[121]

(c) Attempts to increase centralized control over the economy and further limitations on market activity (for example, restricting domestic sales of consumer goods other than food), resulting in the loss of stimulus for individuals' economic activities.

[118] Remarks made by Kim Jong Un during the Workers' Party Central Committee plenum in June, which is traditionally a period when the depletion of food stocks is at its lowest. See "Kim Jong Un admits food security issues as party plenum event kicks off", *NK News*, 19 August 2021, available at www.nknews.org/2021/06/party-plenum-event-kicks-off-kim-jong-un-admits-food-security-issues.

[119] "North Korea admits 'food crisis,' says grain to be distributed to population", *NK News*, 20 June 2021. Available at www.nknews.org/2021/06/north-korea-admits-food-crisis-says-grain-to-be-distributed-to-population/.

[120] According to the information officially provided by the Democratic People's Republic of Korea, "the production in 2018 was about 4.95 million tons, the lowest during the last 10 years", and experts estimate a food shortage of around 1.3 million tons in 2021. See also "N. Korea says its food production down to 10-year low in 2018", *The Korea Herald*, 14 July 2021. Available at http://www01.koreaherald.com/view.php?ud=20210714000330.

[121] Two experts are of the view that there can be little doubt that United Nations sanctions have had unintended effects on the humanitarian situation. Another expert notes that there is no evidence to support the assessment that sanctions have had an effect on the humanitarian situation in the Democratic People's Republic of Korea.

175. The Panel continued to assess the impact of the COVID-19 pandemic and sanctions on humanitarian operations within the Democratic People's Republic of Korea. In May 2021, the Panel surveyed 38 United Nations organizations and non-governmental organizations that applied for exemptions to the Security Council Committee established pursuant to resolution 1718 (2006), either directly or indirectly[122] (see annexes 65 (1) to 65 (3) for a summary of responses).

176. Responding organizations noted little or no improvement in their ability to conduct humanitarian aid operations since the border closures in January 2020.[123] Most organizations no longer have in-country personnel and lack access to information, making independent monitoring impossible. Continued restrictions on movement for the few remaining personnel have weakened relationships with local officials. This decreased transparency makes it increasingly difficult to seek new funding. Organizations are struggling to maintain overhead costs in the absence of ongoing projects.

177. With respect to sanctions' impact on humanitarian aid, the main areas of concern for the organizations are delays in receiving exemptions; the absence of a stable banking channel, which ultimately increases administrative costs and risks; delays in customs clearance; a decrease in the willingness of foreign suppliers; increased costs of humanitarian-related items and operations; de-risking by financial institutions; and diminished funding for operations. One organization noted: "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." Complicated customs procedures create significant delays, despite the imports having received the proper exemptions. Suppliers to aid groups have stopped submitting offers, specifically noting the challenge with customs authorities.[124] According to another organization, the "secondary boycott" measures have prevented bank transactions for payments for humanitarian supplies purchases and vessels to enter ports in the Democratic People's Republic of Korea and, as a result, Democratic People's Republic of Korea counterparts have given up on humanitarian projects for the country. Shipping and logistical delays have also been attributed to both sanctions compliance and customs enforcement.

178. The Panel recognizes the importance of humanitarian aid as the country recovers from the pandemic and underscores the need for Member States to ensure that humanitarian aid to the country proceeds unhindered, consistent with the relevant resolutions. The exemption process, which has improved considerably since the start of pandemic, should be further streamlined and made more transparent and understandable.

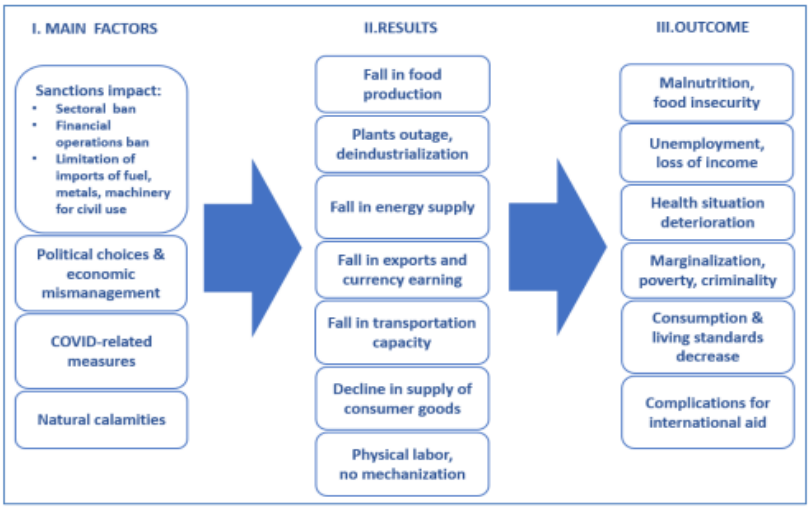
[122] See S/2021/211, paras. 173–174 and annex 99 (a) for a summary of previous survey responses.
[123] According to one organization, measures imposed by the Democratic People's Republic of Korea have resulted in a shortage of domestic production, ultimately affecting the civilian population.
[124] Since 2018, the price of goods for humanitarian projects has increased, sometimes by as much as 25 per cent, ultimately putting pressure on the operating budgets of aid organizations.

S/2022/132, paragraphs. 187-190

187. The Panel's analysis, however, focuses on the unintended impact of the United Nations sanctions. Access to data and evidence is limited and there is no reliable methodology that disambiguates the effects of United Nations sanctions from other factors, including unilateral sanctions regimes and domestic socioeconomic problems.

188. However, there can be little doubt that the United Nations sanctions have unintentionally affected the humanitarian situation and the right to development,[136] exacerbating the problems caused by the inward-looking centralized economic mismanagement by the Government of the Democratic People's Republic of Korea. Although the influence of sanctions is not the most important factor in the dismal humanitarian situation, it has not been negligible (see figure XLVI). As a result of the Security Council resolutions in 2016 and 2017, export and currency earnings declined, trans-border financial operations stopped and transportation encountered growing limitations, while foreign economic and financial entities started to avoid risks of any operations involving the Democratic People's Republic of Korea. This contributed to limiting the ability of the country to legally acquire humanitarian necessities and medical commodities, and the degradation of social services including health care (see annex 87; see also annex 88 for the Panel's pre-pandemic analysis of the possible factors of sanctions impact on humanitarian sphere).

Figure XLVI
United Nations sanctions as one of several factors causing humanitarian problems (examples)
(Factors retrospective since 2018 (after Security Council resolutions), outcomes 2020–2021)



Source: The Panel.

[136] This right for nation States is enshrined in the Declaration on the Right to Development, see General Assembly resolution 41/128, annex; and A/41/53. See also Office of the United Nations High Commissioner for Human Rights (OHCHR), "Discussion paper: implications of the Right to Development for the Democratic People's Republic of Korea and other United Nations Member States", August 2021, p. 11, in which it was proclaimed that "sanctions should always take full account of the provisions of the International Covenant on Economic, Social and Cultural Rights. See also www.ohchr.org/EN/HRBodies/CESCR/Pages/CESCRIndex.aspx.

189. Any negative humanitarian effect of the sanctions is probably long-term and is not directly linked to COVID-related isolation. The Panel notes the comments on these issues by the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, Tomás Quintana.[137] In October 2021, China and the Russian Federation submitted a draft resolution to the Security Council calling for the relaxation of Democratic People's Republic of Korea-related sanctions, citing the absence of nuclear and long-range missile testing by the Democratic People's Republic of Korea since 2017.[138,139]

190. International aid operations that have contributed to mitigating the above-mentioned negative effects have currently been drastically reduced. To assess the impact of sanctions and the COVID-19 pandemic on humanitarian operations, the Panel surveyed around 40 organizations (including both United Nations and non-governmental aid organizations), most of which had applied for exemption requests, either directly to the Committee, through the United Nations Resident Coordinator or through a Member State (for the list of questions, see annex 89).[140] The following analysis is based mostly on the information received (see annex 90):

- Limitations by the Democratic People's Republic of Korea of all cross-border movements have complicated humanitarian operations. Most organizations had to suspend both implementation and monitoring efforts in 2021. Some retain a small local presence after the departure of international staff
- The absence of a banking channel is continuing to be a major issue leading to the depletion of cash reserves[141]
- The organizations are not very optimistic about the possibility of resuming their operations even when and if the borders are reopened

[137] The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, Tomás Quintana, noted in October 2021 that "sanctions imposed by the Security Council should be reviewed and eased when necessary both to facilitate humanitarian and life-saving assistance and to enable the promotion of the right to an adequate standard of living of ordinary citizens" (A/76/392).

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

[139] Four experts object to this sentence, believing that the reports of the Panel are not a place for political statements.

[140] Responses to the Panel's inquiry were optional and had no bearing on the exemption approval processes.

[141] World Food Programme (WFP), "WFP DPR Korea country brief", December 2021. Available at https://reliefweb.int/sites/reliefweb.int/files/resources/WFP-0000135453.pdf.

S/2022/668, paragraphs. 163-166

163. Although difficult to specify precisely, the Panel has previously concluded that there can be little doubt that the United Nations sanctions have unintentionally affected the humanitarian situation and the right to development, even as the relative influence of sanctions has probably lessened after 2020.[148]

164. Although it concentrates on analysing the influence of United Nations sanctions, the Panel notes that the dismal humanitarian situation in the Democratic People's Republic of Korea is probably the result of a number of factors, including a lack of resources and capital, low productivity, the prioritization of heavy industry and military needs, which dwarf the consumer sector, the country's internal decision-making, a failed centralized planning system, frequent natural calamities, self-isolation, a lack of export earnings and import capacity and the closure of borders because of the COVID-19 pandemic, as well as the effect of sanctions.

165. The direct impact on the humanitarian situation of the COVID-19 outbreak (referred to by the Democratic People's Republic of Korea as "fever"), which reportedly started in the country in April 2022, is difficult to assess. The illness was estimated by July to have affected around 25 per cent of the population, but very few lethal cases were reported (although some sources suspect underreporting).

166. Prior to the pandemic, the medical system of the Democratic People's Republic of Korea was already in a dilapidated state due to a number of factors (see para. 164) and the country reportedly imported only a limited supply of medical commodities (see annex 71), most of them through aid channels. Disaggregating the impact of United Nations sanctions from these other factors is difficult. The Panel has calculated that in 2020 and 2021, with the borders closed, the country imported COVID-19-related medical goods amounting to approximately $1.87 per person.[149]

[148] S/2022/132, para. 188.

[149] This figure is calculated on the basis of the population of the Democratic People's Republic of Korea and ITC data on the country's COVID-19-related imports (see annex 71).

S/2023/171, paragraphs 179-180

179. Although difficult to specify precisely, and based on its previous conclusions[163] and information from humanitarian actors, the Panel is of the view that there can be little doubt that the United Nations sanctions have unintentionally affected the humanitarian situation, even as the relative influence of sanctions has probably lessened after 2020.[164]

180. The responses provided to the Panel by the humanitarian organizations reflect the difficulties presented by continued closed borders, as well as differing opinions about the impact of United Nations sanctions and the Committee on their work. They noted that COVID-19-related restrictions and the absence of a banking channel enabling humanitarian operations were particular concerns.[165]

[163] S/2020/151, para. 209; S/2021/777, para. 174; S/2022/132, paras. 188 and 189; and S/2022/668, paras. 121 and 122 and annexes 51 and 52.

[164] In S/2020/151, para. 209, before the pandemic, the Panel concluded that the unintended consequences of sanctions on the humanitarian needs of the civil population might include the following: the decrease in sources of livelihood for those employed in industries affected by sanctions; the increase in social marginalization as the elites respond to both United Nations and other sanctions by increasing control over scarce resources, in some cases channelling those 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 of agriculture; and increases in the disruption of medical supply chains.

[165] In interviews with non-governmental organizations, the Panel learned that internal debts within the Democratic People's Republic of Korea weighed heavily on organizations because of their inability to pay rent for their buildings, purchase new supplies of aid and pay salaries to employees, some of whose contracts needed to be terminated owing to a lack of funds, or who simply left the organization. It should be noted that the Democratic People's Republic of Korea side, without publicizing, does carry the burden of the local expenses for the operation of the humanitarian assistance representative offices, showing a degree of interest in continuing cooperation for obtaining humanitarian assistance without requesting it.

Annex 83: Consolidated list of recommendations

Trade Statistics and Customs Issues

1. The Panel emphasizes its previous recommendations that:

(a) Appropriate measures be taken by the International Organization for Standardization and Member States, including outreach activities to respective customs authorities, to prevent erroneous usage of country codes;

(b) Member States streamline their export and import control lists, using as supporting material the informal list of prohibited commodities (see annex 50);

(c) Customs authorities of Member States use the above-mentioned list to inform trading agents in their jurisdictions for due diligence purposes, in particular when dealing with such commodities in the vicinity of sanctioned jurisdictions such as the Democratic People's Republic of Korea;

(d) With regard to Member States requiring assistance with the implementation of the sectoral ban, the Committee consider information outreach.

Luxury Goods Ban

2. The Panel reiterates its recommendation that Member States consider updating their export control lists to reflect their lists of prohibited luxury goods in a manner consistent with the objectives of Security Council resolutions 1718 (2006), 1874 (2009), 2094 (2013), 2270 (2016) and 2321 (2016), avoiding unnecessary broadening of their scope in order not to restrict the supply of unprohibited goods to the civilian population or have a negative humanitarian impact.

3. The Panel recommends that Member States encourage their business entities and nationals involved in exporting luxury goods to include a contractual provision to prohibit forwarding to the Democratic People's Republic of Korea.

Overseas Workers

4. The Panel reminds Member States that there is no humanitarian or health services exemption to the requirement, pursuant to paragraph 8 of resolution 2397 (2017), to repatriate to the DPRK all DPRK nationals overseas earning income in that Member State's jurisdiction and all DPRK government safety oversight attachés monitoring DPRK workers abroad, unless the Member State determines that a DPRK national is a national of that Member State or a DPRK national whose repatriation is prohibited, subject to applicable national and international law.

Finance

5. **The Panel encourages Member States to be vigilant regarding Democratic People's Republic of Korea financial sanctions evasion through the use, by United Nations-designated entities of the Democratic People's Republic of Korea,**

of front and subordinate companies. The Panel also encourages Member State provision of company names and other identifying data to the Panel and/or Committee, as appropriate.

6. The Panel reiterates its recommendation that Member States implement as soon as possible the Financial Action Task Force guidance on virtual assets and virtual asset service providers, including full implementation of the revised recommendation 15 (and the "Travel Rule").

7. The Panel further recommends that Member States consider more active outreach to the virtual asset industry to ensure a broad awareness of Democratic People's Republic of Korea cyber-enabled thefts of virtual assets, as well as appropriate measures to defend against and respond to such attacks.

Unintended Humanitarian Effects of Sanctions

8. The Panel values the biannual briefings by the relevant United Nations entities on the unintended impact of sanctions and recommends that the Committee continue this practice.

9. The Panel once again stresses the urgency of re-establishing a durable banking channel for humanitarian operations in the Democratic People's Republic of Korea.

10. The Panel recommends that, in the context of implementation of Security Council resolution 2664 (2022), the United Nations system, including the Committee, take into account information provided by humanitarian actors on the mitigation of the potential adverse impact of United Nations sanctions on the civilian population and on humanitarian assistance in the Democratic People's Republic of Korea.

11. The Panel reiterates its previous recommendations that:

(a) The Security Council continue to address issues and processes that mitigate the potential unintended adverse impact of sanctions on the civilian population of the Democratic People's Republic of Korea and on humanitarian aid operations;

(b) The Committee and other relevant stakeholders continue to practically consider the idea of exempting selected exports currently under sanctions, the proceeds of which might be used to finance humanitarian supplies;

(c) The Committee consider more active outreach with civil society providing humanitarian assistance to the DPRK to help to implement Security Council resolution 2664 (2022);

(d) The Committee practically consider the idea of renewable and standing exemptions for humanitarian aid actors and humanitarian-related commodities.