



Consejo de Seguridad

Distr. general
1 de marzo de 2022
Español
Original: inglés

Nota de la Presidencia del Consejo de Seguridad

En el párrafo 2 de la resolución [2569 \(2021\)](#), el Consejo de Seguridad solicitó al Grupo de Expertos establecido en virtud de la resolución [1874 \(2009\)](#) que presentara un informe final en que figuraran sus conclusiones y recomendaciones. Por consiguiente, la Presidencia remite adjunto el informe que le envió el Grupo de Expertos (véase el anexo).



Anexo

Carta de fecha 25 de febrero de 2022 dirigida a la Presidencia del Consejo de Seguridad por el Grupo de Expertos establecido en virtud de la resolución 1874 (2009)

El Grupo de Expertos establecido en virtud de la resolución 1874 (2009) del Consejo de Seguridad tiene el honor de remitir por la presente, de conformidad con lo dispuesto en el párrafo 2 de la resolución 2569 (2021), el informe final sobre su labor.

El informe se presentó al Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) el 4 de febrero de 2022, y el Comité lo examinó el 23 de febrero de 2022.

El Grupo agradecería que la presente carta y el informe se señalaran a la atención de los miembros del Consejo de Seguridad y se publicaran como documento del Consejo.

Grupo de Expertos establecido en virtud de la resolución 1874 (2009) del Consejo de Seguridad

Apéndice

Carta de fecha 4 de febrero de 2022 dirigida a la Presidencia del Comité del Consejo de Seguridad establecido en virtud de la resolución [1718 \(2006\)](#) por el Grupo de Expertos establecido en virtud de la resolución [1874 \(2009\)](#)

Tras el examen técnico realizado por la Secretaría, solicitado por los Estados Miembros y llevado a cabo después de que el Grupo completara, por consenso, su informe el 28 de enero, el Grupo de Expertos establecido en virtud de la resolución [1874 \(2009\)](#) del Consejo de Seguridad tiene el honor de transmitir por la presente, de conformidad con el párrafo 2 de la resolución [2569 \(2021\)](#) del Consejo, el informe final sobre su labor.

El Grupo agradecería que la presente carta y el informe se señalaran a la atención de los miembros del Comité del Consejo de Seguridad establecido en virtud de la resolución [1718 \(2006\)](#).

Grupo de Expertos establecido en virtud de la resolución [1874 \(2009\)](#) del Consejo de Seguridad

Resumen

Durante el período sobre el que se informa, la República Popular Democrática de Corea mantuvo y siguió desarrollando sus programas nuclear y de misiles balísticos, en violación de las resoluciones del Consejo de Seguridad. Aunque no se notificaron ensayos nucleares ni lanzamientos de misiles balísticos intercontinentales, la República Popular Democrática de Corea siguió desarrollando su capacidad de producción de material nuclear fisible. Se ha constatado una notable aceleración de las pruebas y demostraciones de nuevos misiles de corto y posiblemente medio alcance que incorporan tanto tecnologías balísticas como de guía y que utilizan tanto propulsores sólidos como líquidos, que continúa a finales de enero de 2022. Entre las nuevas tecnologías que se han puesto a prueba se encuentran una posible cabeza de misil planeadora hipersónica y un vehículo de reentrada maniobrable. La República Popular Democrática de Corea demostró una capacidad de despliegue rápido cada vez mayor, una amplia movilidad (incluso en el mar) y una mayor resiliencia de sus fuerzas de misiles. Prosiguió el mantenimiento y desarrollo de la infraestructura nuclear y de misiles balísticos de la República Popular Democrática de Corea, y el país siguió buscando materiales, tecnología y conocimientos para estos programas en el extranjero, incluso a través de medios cibernéticos e investigación científica conjunta.

Ha continuado el estricto bloqueo de la República Popular Democrática de Corea en respuesta a la enfermedad por coronavirus (COVID-19). Durante el período que abarca el informe se han registrado niveles históricamente bajos de entrada y salida de mercancías y personas del país; y ha cesado en gran medida el comercio lícito e ilícito, incluso el de artículos de lujo, pese a que a principios de 2022 se reanudó el tráfico ferroviario transfronterizo. En los casos en que se observó el comercio, las diferentes interpretaciones que hacen los Estados Miembros de las disposiciones del régimen de sanciones y el uso erróneo de los códigos de países siguieron afectando al seguimiento de las estadísticas comerciales, que son muy bajas.

Si bien las exportaciones marítimas de carbón de la República Popular Democrática de Corea aumentaron en el segundo semestre de 2021, sus niveles siguen siendo relativamente bajos. La cantidad de importaciones ilícitas de petróleo refinado aumentó de forma considerable en el mismo período, pero a un nivel mucho menor que en años precedentes. El suministro directo con buques cisterna no pertenecientes a la República Popular Democrática de Corea a la República Popular Democrática de Corea cesó, probablemente en respuesta a las medidas relacionadas con la COVID-19: en lugar de ello, el suministro de petróleo se llevó a cabo exclusivamente con buques cisterna de la República Popular Democrática de Corea, lo que supone un marcado cambio de metodología. Continuó el uso de sofisticados métodos para eludir las sanciones marítimas, facilitado por entramados financieros y de propiedad deliberadamente confusos. Aunque la flota mercante con pabellón de la República Popular Democrática de Corea siguió creciendo, se observaron menos buques pesqueros extranjeros en las aguas del país.

Sigue habiendo algunos nacionales de la República Popular Democrática de Corea que obtienen ingresos en el extranjero, y el bloqueo debido a la COVID-19 impide su repatriación directa. Los ciberataques, en particular contra activos de criptomoneda, siguen siendo una importante fuente de ingresos para el Gobierno de la República Popular Democrática de Corea.

La situación humanitaria en la República Popular Democrática de Corea sigue empeorando, y el bloqueo debido a la COVID-19 ha sido probablemente el factor más importante de ese empeoramiento. La falta casi total de información de la República Popular Democrática de Corea ha provocado que siga siendo difícil desagregar, con respecto a otros factores, las consecuencias humanitarias involuntarias a largo plazo

de las sanciones de las Naciones Unidas que afectan a la población civil. El Grupo volvió a enviar su encuesta a las organizaciones humanitarias, algunas de las cuales consiguieron prestar ayuda a la República Popular Democrática de Corea en 2021. En este informe se presenta un resumen de las respuestas recibidas.

El informe contiene 30 recomendaciones dirigidas al Consejo de Seguridad, al Comité del Consejo de Seguridad establecido en virtud de la resolución [1718 \(2006\)](#) y a los Estados Miembros (véase el anexo 93). El Grupo de Expertos vuelve a expresar su agradecimiento a los Estados Miembros que apoyan de forma constructiva al Grupo en su mandato, aunque el compromiso irregular de algunos Estados Miembros, entidades y personas sigue siendo susceptible de mejora.

Índice

	<i>Página</i>
I. Introducción	7
II. Actividades recientes relacionadas con el programa nuclear y el programa de misiles balísticos	7
III. Sanciones sectoriales y marítimas	33
IV. Embargos, entidades y personas designadas y trabajadores en el extranjero	75
V. Finanzas	84
VI. Efectos no deseados de las sanciones	85
VII. Informes nacionales de aplicación	89
VIII. Recomendaciones	89
Anexos*	90

* Los anexos se distribuyen únicamente en el idioma en que fueron presentados y sin revisión editorial oficial.

I. Introducción

1. En el párrafo 2 de su resolución 2569 (2021), el Consejo de Seguridad solicitó al Grupo de Expertos establecido en virtud de la resolución 1874 (2009) que presentara al Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) un informe final con sus conclusiones y recomendaciones. El presente informe abarca el período comprendido entre el 4 de agosto de 2021 y el 28 de enero de 2022. La República Popular Democrática de Corea ha seguido aplicando medidas restrictivas, incluidos controles fronterizos, en respuesta a la pandemia de enfermedad por coronavirus (COVID-19) durante el período que abarca el informe, pero en enero de 2022 se observó una apertura limitada del transporte transfronterizo (véase el anexo 1).

II. Actividades recientes relacionadas con el programa nuclear y el programa de misiles balísticos

Programa nuclear

2. El Grupo continuó supervisando el programa nuclear de la República Popular Democrática de Corea. Aunque no se notificó la ejecución de ningún ensayo nuclear durante el período que abarca el informe, se están llevando a cabo actividades de renovación y construcción en instalaciones del ámbito nuclear en todo el país, y hay indicios coherentes con el funcionamiento del reactor de 5 MW(e) de Yongbyon y las actividades de la mina y la planta de concentración de uranio de Pyongsan. El Grupo observa que esta actividad continua y el desarrollo de instalaciones nucleares parecen estar en consonancia con los objetivos estratégicos del programa nuclear del Gobierno de la República Popular Democrática de Corea, anunciados en el octavo Congreso del Partido de los Trabajadores de Corea en enero de 2021 (véase el anexo 2).

Central nuclear de Yongbyon

3. Un Estado Miembro evaluó que las obras de construcción externa del reactor de agua ligera han concluido, mientras que las obras en el interior siguen en curso. Las imágenes de satélite analizadas por el Grupo de Expertos entre agosto y septiembre de 2021 muestran la construcción a ritmo intensivo de un edificio en la zona al sur del reactor de agua ligera (véase el anexo 3). El edificio está fuera del perímetro actual de la zona de los reactores nucleares de Yongbyon (véase la figura I) y, por lo tanto, puede no ser de importancia extrema.

4. En julio de 2021, un Estado Miembro detectó indicios de que el reactor de 5 MW(e) en el emplazamiento de la central nuclear experimental de Yongbyon había reanudado su funcionamiento. Según el análisis de imágenes de satélite realizado por el Grupo (véase el anexo 4), desde julio se viene observando una descarga intermitente de agua de refrigeración del reactor. A finales de noviembre se observó un penacho de vapor procedente de la sala del reactor, y las imágenes térmicas obtenidas entre septiembre y noviembre indicaban el funcionamiento del reactor¹. El Grupo de Expertos no ha corroborado de manera independiente esta información.

5. Las imágenes de satélite mostraron la retirada parcial de la cubierta de uno de los edificios del reactor de 50 MW(e) entre mayo y septiembre de 2021. Un centro de

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

estudios² ha estimado que el edificio se diseñó originalmente para contener una piscina de almacenamiento de combustible gastado. Las imágenes de satélite obtenidas entre junio y septiembre de 2021 corroboran esta estimación, y en ellas pueden verse además obras y excavaciones en zonas adyacentes. El complejo del reactor no llegó a completarse y hasta ahora se creía abandonado (véase el anexo 5).

6. No se ha observado ninguna actividad significativa ni en el laboratorio de radioquímica ni en la central térmica desde el anterior informe del Grupo³. El Director General del Organismo Internacional de Energía Atómica mencionó el 24 de noviembre de 2021 que no había indicios de que el laboratorio hubiese estado en funcionamiento desde principios de julio de 2021 (véase el anexo 6). Un Estado Miembro estimó que la República Popular Democrática de Corea podría haber reprocesado varillas de combustible gastado, si bien el Grupo no ha podido verificar este extremo.

7. Desde septiembre de 2021, se ha detectado la posible retirada de los dispositivos de refrigeración de la instalación de enriquecimiento por centrifugación de Yongbyon y se ha observado una nueva actividad de construcción en un área adyacente a la instalación⁴. Entre marzo y septiembre se observaron ocasionalmente penachos de vapor en el edificio de producción de dióxido de uranio. La continua actividad en el edificio de producción de dióxido de uranio indica que es probable que la República Popular Democrática de Corea continúe con la producción de material nuclear fisible (véase el anexo 7).

8. Las imágenes de satélite indican que se está llevando a cabo nuevas obras de construcción en la planta piloto de fabricación de combustible, una instalación ya empleada en la década de 1980 en la fabricación de combustible para el reactor de 5 MW(e) (véase el anexo 8)⁵.

Mina de uranio y planta de concentración de uranio de Pyongsan

9. El análisis de las imágenes de satélite realizado por el Grupo muestra nuevas obras de construcción en un edificio, la instalación de una cinta transportadora en uno de los pozos mineros y el tránsito regular de vagones en la planta. El Grupo observó un aumento continuado de los residuos sólidos en el depósito de decantación de residuos. Esas actividades indican que la mina y la planta están en funcionamiento (véase el anexo 9).

Polígono de ensayos de Punggye-ri

10. El Grupo no ha observado indicios de que la instalación esté en funcionamiento.

Otras plantas

11. El Grupo sigue vigilando las actividades en las inmediaciones de Kangson⁶, una presunta instalación clandestina de enriquecimiento de uranio, y en particular el continuado tránsito de vehículos por el emplazamiento y las nuevas obras de construcción cerca del edificio principal desde julio de 2021. Sigue sin estar claro qué objeto tienen esas obras (véase el anexo 10).

12. El Grupo sigue vigilando la planta de Yongdokdong, de la que se cree que forma parte del programa de armas nucleares de la República Popular Democrática de Corea

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

³ S/2021/777, párr. 5 y anexo 5.

⁴ S/2021/211, párr. 3 y anexo 2.

⁵ Organismo Internacional de Energía Atómica, documento GOV/2011/53–GC(55)/24, párr. 29.

⁶ S/2021/777, párr. 9 y anexo 10.

y que funciona también como instalación de almacenamiento de armas nucleares⁷. El Grupo observó la actividad de varios vehículos cerca de la entrada de los túneles. El Grupo también ha corroborado información externa que indica la posible existencia de un almacén de explosivos en la zona (véase el anexo 11).

Figura I

Actividades de construcción y renovación en Yongbyon

Límites del emplazamiento al noroeste (39°48'22" N 125°44'25" E) y el sudeste (39° 45'57" N 125°46'08" E)



Fuente: Planet Labs Inc, 6 de noviembre de 2021.

⁷ *Ibid.*, párr. 10 y annex 11.

Transferencia intangible de tecnología y actividades de las universidades de la República Popular Democrática de Corea

13. El Grupo ha continuado su investigación sobre la transferencia intangible de tecnología en la que participan científicos de la República Popular Democrática de Corea en determinados ámbitos contemplados en el párrafo 11 de la resolución [2321 \(2016\)](#) del Consejo de Seguridad. El Grupo observa que los estudios académicos avanzados en varios ámbitos (véase [S/2021/777](#), párr. 11) podrían estar relacionados con el desarrollo de armas nucleares, el diseño de misiles balísticos y el posible desarrollo de otras armas de destrucción masiva. También le preocupa que estudiantes o académicos de la República Popular Democrática de Corea puedan recopilar información confidencial relacionada con la proliferación mediante el acceso a bases de datos y comunidades científicas. En este sentido, el Grupo ha identificado 16 trabajos científicos publicados conjuntamente entre 2017 y 2019 por instituciones de la República Popular Democrática de Corea y algunas universidades chinas en los que participaron algunos científicos concretos de la República Popular Democrática de Corea (véase el anexo 12). La información pública de que se dispone apunta a que al menos los siguientes siete científicos de la República Popular Democrática de Corea mantienen una afiliación simultánea con universidades de la República Popular Democrática de Corea y de China: Kim Myonghak⁸, Ri Kwang⁹, Ju Jong-Min¹⁰, Pak Sung-Nam, Kim Myong Chol, Kang Kwang-song¹¹ y Choe Jongchol. El Grupo dirigió una comunicación a China para solicitar que aclarara la naturaleza de los estudios conjuntos y la situación actual de estos. China respondió que “según la investigación, no hay intercambios académicos ni colaboraciones científicas prohibidas entre las universidades chinas y la parte de la RPDC” (véase el anexo 13). Continúan las investigaciones sobre otros trabajos científicos conjuntos¹².

14. El Grupo está investigando los intercambios académicos entre la Universidad de Ciencia y Tecnología de Pyongyang y las universidades extranjeras y los científicos que han impartido conferencias sobre diversas materias en la Universidad de Ciencia y Tecnología de Pyongyang (véanse los anexos 14 a 16).

15. El Grupo también solicitó información a Malasia sobre los supuestos (y posiblemente en marcha desde hace tiempo) intercambios técnicos entre la Universidad Tecnológica Kim Chaek de la República Popular Democrática de Corea y una empresa radicada en Kuala Lumpur. El Grupo está investigando si la empresa está relacionada con Glocom (véanse también los párrs. 135 a 138 y los anexos 17 y 18).

16. El Grupo aún no ha recibido información en respuesta a sus anteriores consultas relacionadas con los intercambios académicos entre la Universidad Tecnológica Kim Chaek, la Universidad Kim Il Sung e instituciones académicas extranjeras¹³.

Misiles balísticos

17. Después de que la actividad del programa de misiles balísticos pareciera menguar en los primeros ocho meses de 2021 ([S/2021/777](#), párr. 14), el programa volvió a altos niveles de intensidad desde septiembre de 2021 hasta enero de 2022 con una gran exhibición estática de todos los sistemas de armas modernos de los que dispone la República Popular Democrática de Corea, incluidos todos los nuevos

⁸ Código Open Researcher and Contributor ID 0000-0001-6619-5670.

⁹ Código Open Researcher and Contributor ID 0000-0002-3687-4602.

¹⁰ Código Open Researcher and Contributor ID 0000-0003-0500-0125.

¹¹ Código Open Researcher and Contributor ID 0000-0002-4907-1673.

¹² [S/2021/211](#), párr. 13.

¹³ [S/2021/777](#), párrs. 12 y 13.

misiles balísticos y diversas pruebas de lanzamiento de una amplia gama de nuevos sistemas de misiles (véanse las figuras II a XIV).

18. Esta tendencia concuerda con la dinámica estratégica de los programas de armamento de la República Popular Democrática de Corea anunciada por Kim Jong Un en el Octavo Congreso del Partido de los Trabajadores de Corea el 9 de enero de 2021 (véase el anexo 19). Se declararon cinco objetivos militares estratégicos¹⁴. Al parecer, los objetivos relacionados con el desarrollo de diversas plataformas de lanzamiento que utilizan misiles balísticos de propulsión sólida o líquida se están alcanzando de forma gradual.

19. Los nuevos acontecimientos analizados por el Grupo pusieron de manifiesto logros operacionales y tecnológicos específicos:

- La capacidad de despliegue rápido, una amplia movilidad y una mayor resiliencia de las fuerzas de misiles balísticos de la República Popular Democrática de Corea (demostrada por los misiles balísticos de corto alcance transportados por ferrocarril y ocultos en túneles ferroviarios (véanse el párr. 25 y los anexos 20 y 21), y también por otras tecnologías exhibidas en diversos lanzamientos).
- La aplicación de nuevas tecnologías que combinan impulsores auxiliares de misiles balísticos con propelente líquido (con el combustible posiblemente cargado en fábrica) con una cabeza de misil posiblemente hipersónica y un vehículo de reentrada maniobrable (véanse los párrs. 23 y 24 y los anexos 22 y 24)
- El intento de adaptar y utilizar uno de los nuevos modelos de misiles balísticos de corto alcance con propergol sólido como misil balístico submarino para su despliegue en el mar (véase el párr. 24 y los anexos 23, 25 y 26).

¹⁴ Los cinco objetivos militares estratégicos son: a) impulsar continuamente la producción de cabezas nucleares de gran tamaño; b) incrementar los niveles de precisión de forma que sea posible atacar y aniquilar cualquier objetivo estratégico en un radio de 15.000 kilómetros con precisión milimétrica; c) desarrollar e introducir cabezas de misil planeadoras hipersónicas; d) desarrollar cohetes balísticos intercontinentales submarinos y terrestres con motor de combustible sólido; y e) poseer un submarino de propulsión nuclear y un arma estratégica nuclear con lanzadera submarina.

Figura II

Pruebas de lanzamiento de misiles balísticos entre septiembre de 2021 y enero de 2022 y exhibición de armamento “Legítima Defensa 2021” el 12 de octubre de 2021¹⁵



Fuente: Agencia Central de Noticias de Corea y Televisión Central de Corea, 16 de septiembre de 2021 a 18 de enero de 2022¹⁶. Planet Labs, 17 de octubre de 2021, 0146 UTC; 18 de octubre de 2021, 0518 UTC; y 20 de octubre de 2021, 0443 UTC.

¹⁵ Se ha demostrado que la República Popular Democrática de Corea ha modificado o falsificado imágenes fotográficas de algunos lanzamientos anteriores, supuestamente con propósitos propagandísticos.

¹⁶ Véase www.nknews.org/pro/wp-content/uploads/kcna-watch/kcna_kp_en/images/MM00289748.jpg?t=1649371935222; Televisión Central de Corea, “Self-defence 2021 arms exhibition at Three Revolution exhibition”, vídeo del boletín de las 20.00 horas, disponible en <https://kcna-watch.org/kctv-archive/61658f2826e3a>; artículos del 12 de enero de 2022, *Rodong Sinmun*, disponibles en <https://kcna-watch.org/?t=1649723100702>; y Agencia Central de Noticias de Corea, imágenes del 15 al 17 de enero de 2022, disponibles en <https://kcna-watch.org/#gallery-1> a <https://kcna-watch.org/#gallery-9>.

20. A este respecto, hubo sinergias entre la exhibición de armas “Legítima Defensa 2021” (véanse las figuras III a XIV y el anexo 20) y las pruebas de lanzamiento hasta enero de 2022 (véanse los cuadros 1 y 2). En 2021, la prueba de misiles balísticos de corto alcance transportados por ferrocarril realizada el 15 de septiembre (véase el anexo 21) se enmarcó en la reanudación de las pruebas dinámicas de sistemas de armas, iniciadas los días 11 y 12 de septiembre, con pruebas de un nuevo sistema de misiles de otro tipo¹⁷. El 28 de septiembre, la República Popular Democrática de Corea probó un nuevo misil que combina tecnología balística y de guiado, denominado “Hwasong-8”, que ha sido descrito como un “misil hipersónico” (véase el anexo 22). El 30 de septiembre se puso a prueba un nuevo “proyectil antiaéreo”, dotado de un sistema de control mejorado, según la República Popular Democrática de Corea¹⁸, y el 19 de octubre se hicieron pruebas en el mar con un misil descrito por la República Popular Democrática de Corea como “un nuevo tipo de misil balístico submarino” (véase el anexo 23). El 5 de enero de 2022, el lanzamiento de otro nuevo misil que combina tecnología balística y de guiado fue descrito por la República Popular Democrática de Corea como correspondiente a un misil dotado de un “vehículo de reentrada maniobrable hipersónico”, y el 11 de enero se registró el lanzamiento del mismo tipo de misil, identificado por los Estados miembros como un posible “misil hipersónico”, el cual, según un Estado Miembro, suponía una mejora con respecto a los misiles sometidos a ensayo el 28 de septiembre de 2021 y el 5 de enero de 2022 (véase el anexo 24). El 14 de enero de 2022 se efectuaron pruebas con otros misiles balísticos de corto alcance transportados por ferrocarril. Los misiles eran

¹⁷ La República Popular Democrática de Corea describió las pruebas efectuadas con un misil de crucero de largo alcance como un “arma estratégica de gran importancia”. Según la Agencia Central de Noticias de Corea, “los misiles de crucero de largo alcance recientemente desarrollados por la Academia de Ciencias de la Defensa superan las pruebas”, 13 de septiembre de 2021; “durante los dos últimos dos años ha sido posible acelerar el desarrollo del misil de crucero de largo alcance, un arma estratégica de gran importancia para alcanzar el objetivo clave del plan quinquenal para el desarrollo de la ciencia de la defensa y el sistema de armas establecido en el octavo Congreso del Partido, de conformidad con el proceso científico y fiable de desarrollo de sistemas de armas, y en el transcurso de este proceso se realizaron con éxito pruebas detalladas de las piezas del misil, decenas de pruebas de potencia de propulsión del motor en tierra, diversas pruebas de vuelo, pruebas de control y guía, pruebas de potencia de la cabeza del misil, etc.”. Según un Estado Miembro, el mismo misil parece haber sido mostrado en la exhibición “Legítima Defensa 2021”; al parecer, se trataba de un misil de crucero subsónico equipado con dos alas, un turborreactor con toma de aire y un acelerador de combustible sólido utilizado en la fase inicial de disparo; de confirmarse estas características, la República Popular Democrática de Corea dispondría de un arma con una capacidad significativamente superior a la de los misiles ya detenidos, como el misil de crucero Kumsong-3, y el misil sería una valiosa diversificación del arsenal de misiles balísticos de corto alcance de la República Popular Democrática de Corea, dada su capacidad de vuelo a baja altura y de maniobra (el informe habla de un recorrido de 1.500 km recorridos y un tiempo de vuelo de 7.580 segundos). Si la República Popular Democrática de Corea considera este misil un “arma estratégica”, su posible capacidad nuclear requeriría una reducción considerable del tamaño del arma nuclear. Otro Estado Miembro añadió que el misil trazó óvalos y ochos en su trayectoria de vuelo sobre el territorio y las aguas de la República Popular Democrática de Corea e impactó en objetivos. Los lanzamientos de prueba demostraron que los indicadores técnicos, como la potencia del recientemente desarrollado motor de turbofán, el control de navegación de los misiles y la precisión del modo de guía combinado, cumplían los requisitos de los diseños.

¹⁸ Según Voice of Korea, de la República Popular Democrática de Corea, “Pruebas con el nuevo misil antiaéreo”, 1 de octubre de 2021, “la Academia de Ciencias de la Defensa anunció que se había confirmado la notable función de combate del misil antiaéreo más reciente, que incrementaba drásticamente las funciones de respuesta rápida, la precisión de guiado y la distancia a la que se podía impactar en objetivos del sistema de control del misil mediante la introducción de una nueva tecnología que incluye la técnica de control de doble timón y un motor de vuelo de doble impulso. La Academia señaló que el reciente disparo de prueba es de gran importancia práctica en la investigación y el desarrollo prospectivos de diferentes tipos de sistemas de misiles antiaéreos”.

similares al KN-23 (S/2021/211, párr. 20). El 17 de enero de 2022 se registraron nuevas pruebas con otros dos misiles balísticos de corto alcance similares al KN-24 (S/2021/211, párr. 20) (véase el anexo 21)¹⁹. Las opiniones de China sobre los lanzamientos de misiles figuran en el anexo 20-3.

21. Además, la República Popular Democrática de Corea siguió adaptando su infraestructura de producción industrial y sus astilleros (véanse los anexos 25 a 27)²⁰. Aunque las sanciones internacionales y los controles de los Estados Miembros están reduciendo significativamente las posibilidades de adquisición y proliferación de la República Popular Democrática de Corea, esta siguió intentando obtener componentes y tecnología de doble uso necesarios para su programa de armas de destrucción masiva (véanse los párrs. 26 a 38 y el anexo 28), así como cooperación científica (véanse el párr. 13 y el anexo 12).

22. Según varios Estados Miembros, la presentación de varios misiles nuevos desglosados por tipo durante la exhibición “Legítima Defensa 2021” indica la voluntad de la República Popular Democrática de Corea de demostrar su alto nivel de compromiso con el mantenimiento y evolución de su programa de misiles balísticos, pese a la grave situación económica del país. Al desarrollar simultáneamente tecnologías de misiles balísticos muy diferentes, como motores de propulsión líquida o de propulsión sólida, varios tipos de plataformas de lanzamiento con una amplia variedad de transportadores-erectores-lanzadores, lanzadores montados sobre raíles o un submarino, la República Popular Democrática de Corea tiene que mantener simultáneamente diferentes subprogramas que conllevan labores específicas de investigación y desarrollo específicos y una producción en la que participan equipos técnicos y de ingeniería con conocimientos especializados muy distintos.

¹⁹ Dos expertos expresaron la opinión de que no estaban del todo claras la naturaleza y la tecnología de los proyectiles lanzados por la República Popular Democrática de Corea que se mencionaban en ese párrafo.

²⁰ Actividad en la industria y las bases vinculadas al programa BM: astillero sur de Sinpo (40°01'20" N 128°09'47" E), febrero a junio de 2021 (anexo 25); astillero naval de Nampo (38°43'08" N 125°23'28" E), noviembre de 2020 a junio de 2021 (anexo 26); y fábrica de tanques de Kusong (fábrica núm. 95, 40°03'23" N 125°13'20" E) y fábrica núm. 112 (40°04'07" N 125°11'52" E) (anexo 27).

Exhibición de armas “Legítima Defensa 2021”

Figura III

Exhibición de armas “Legítima Defensa 2021” en la “Exposición de las Tres Revoluciones”, 12 de octubre de 2021

(39°04'49" N 125°45'23" E)



Fuente: Televisión Central de Corea²¹, 12 de octubre de 2021. Planet Labs, 5 de septiembre de 2021, 0210 UTC; y 1 de octubre de 2021, 0220 UTC.

²¹ Agencia Central de Noticias de Corea, “Self-defence 2021 arms exhibition at Three Revolution exhibition”, vídeo del boletín de las 20.00 horas (39°04'49" N 125°45'23" E), disponible en <https://kcnawatch.org/kctv-archive/61658f2826e3a>.

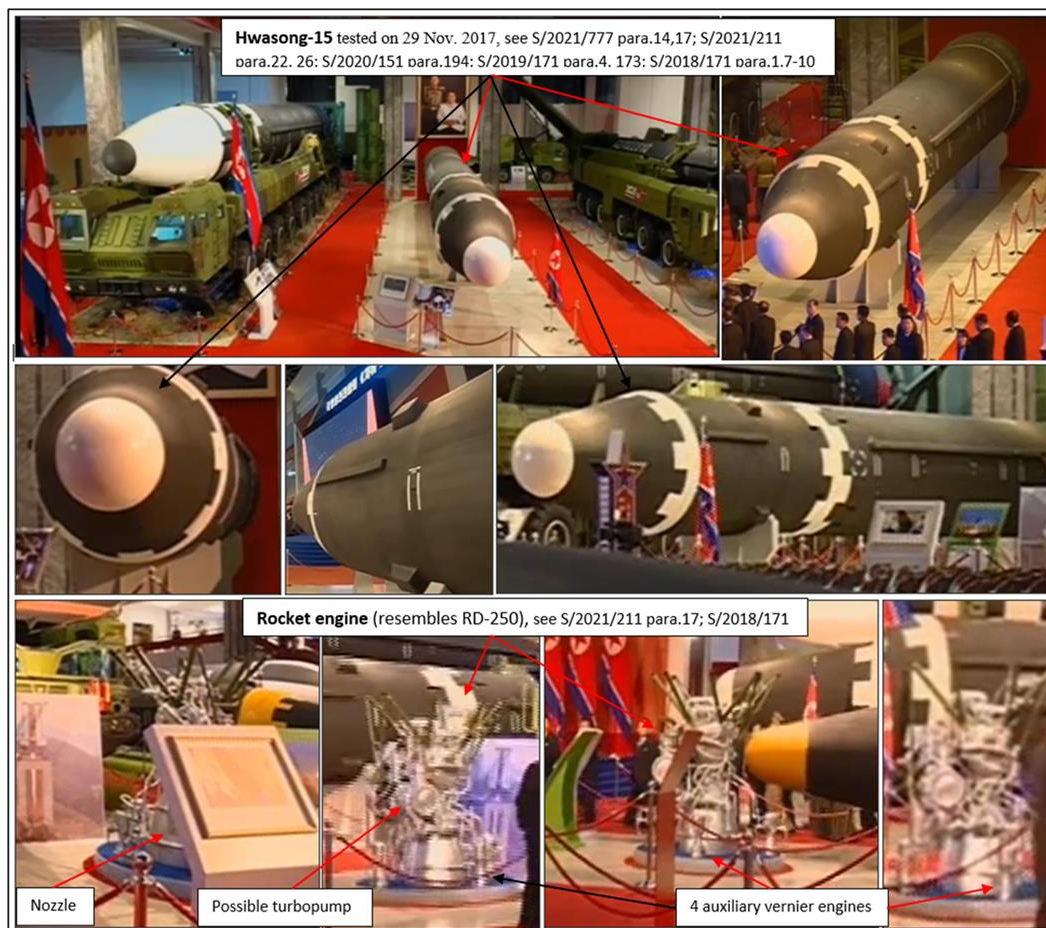
Figura IV
 Nuevo misil balístico intercontinental en la exhibición “Legítima Defensa 2021”²²



Fuente: Televisión Central de Corea, 12 de octubre de 2021.

²² Nuevo misil balístico intercontinental, al que los medios de comunicación de la República Popular Democrática de Corea se han referido recientemente como “Hwasong-17”, y también conocido como “Hwasong-16”.

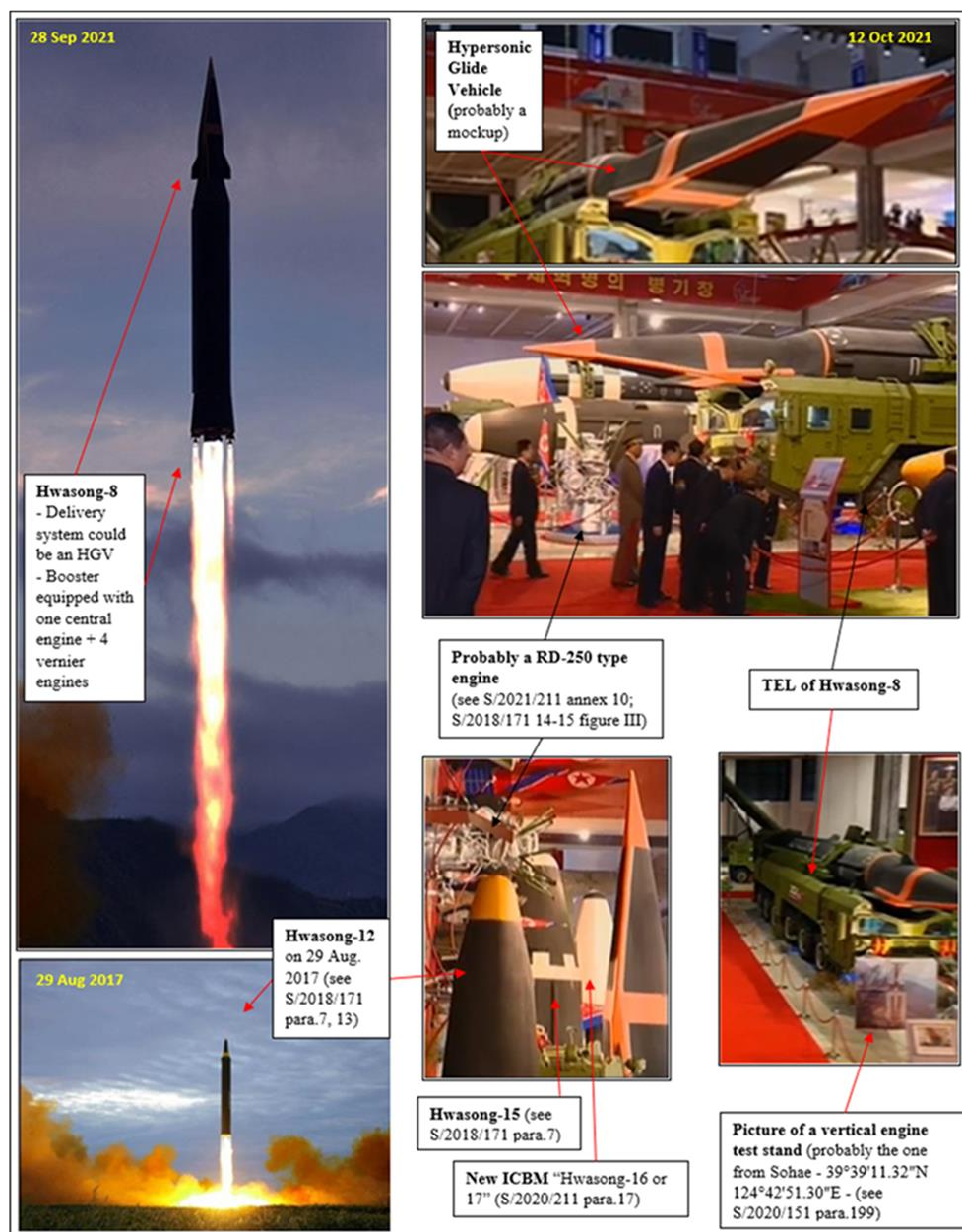
Figura V
Misil balístico intercontinental “Hwasong-15”, probado el 29 de noviembre de 2017, y un motor de cohete (posiblemente derivado del RD-250)



Fuente: Televisión Central de Corea, 12 de octubre de 2021.

23. El nuevo “misil hipersónico “Hwasong-8” se presentó en la exhibición “Legítima Defensa 2021” el 11 de octubre de 2021, y es probable que ya se hubiese utilizado en pruebas el 28 de septiembre de 2021 (véase la figura VI).

Figura VI
Nuevo misil balístico hipersónico “Hwasong-8”, probablemente probado el 28 de septiembre de 2021



Fuente: Televisión Central de Corea, 12 de octubre de 2021; Agencia Central de Noticias de Corea; y *Rodong Sinmun*²³.

24. Un nuevo misil que combina la tecnología balística y de guiado y que, según la República Popular Democrática de Corea, transporta una “cabeza hipersónica planeadora”, fue presentado en la exhibición “Legítima Defensa 2021” el 11 de octubre de 2021, y probablemente se efectuaron pruebas con él los días 5 y 11 de enero de 2022 (véase la figura VII, esquina superior derecha). Este nuevo misil balístico de medio alcance y

²³ Agencia Central de Noticias de Corea y *Rodong Sinmun* (español; versión original en la fuente), “Disparos de prueba con misil hipersónico desarrollado recientemente por la Academia de Ciencias de la Defensa”, 29 de septiembre de 2022.

propelente líquido parece transportar un vehículo de reentrada maniobrable (cono naranja en la imagen); también en la imagen pueden verse el misil balístico de alcance intermedio Hwasong-12 (KN-17 con las marcas amarillas; el último ensayo de lanzamiento fue probablemente el 15 de septiembre de 2017), el misil balístico submarino Pukguksong-5, el misil balístico submarino Pukguksong-1 (KN-11, cuya último ensayo de lanzamiento fue probablemente el 24 de agosto de 2016) y el nuevo misil balístico submarino de corto alcance (posiblemente probado el 19 de octubre de 2021) (ver figura VII).

Figura VII

Misil balístico de alcance intermedio Hwasong-12 (KN-17) (marcas amarillas); posible nuevo misil balístico de mediano alcance con un vehículo de reentrada maniobrable (cono naranja); misil balístico submarino Pukguksong-5; misil balístico submarino Pukguksong-1 (KN-11); y un nuevo misil balístico submarino de corto alcance



Fuente: Televisión Central de Corea, 12 de octubre de 2021; y Agencia Central de Noticias de Corea²⁴.

²⁴ Véase Agencia Central de Noticias de Corea, www.nknews.org/pro/wp-content/uploads/kcna-watch/kcna_kp_en/images/MM00289748.jpg?t=1649371935222 y <https://kcna-watch.org/?t=1649723100702>.

25. En la exhibición “Legítima Defensa 2021” se mostraron los nuevos misiles balísticos de corto alcance con propergol sólido ya expuestos y sometidos a pruebas entre 2019 y 2021, como un nuevo misil balístico de corto alcance parecido al KN-23 (“misil táctico guiado de nuevo tipo”, posiblemente una versión modificada y ampliada) cuyo último ensayo de lanzamiento fue probablemente el 25 de marzo de 2021²⁵. Es posible que los KN-23 formasen parte del sistema de misiles transportados por ferrocarril puesto a prueba el 15 de septiembre de 2021 y de nuevo el 14 de enero de 2022. En la exhibición se presentaron otros misiles balísticos de corto alcance y cohetes que utilizan tecnología de misiles balísticos, como el KN-24 (que probablemente se probará de nuevo el 17 de enero de 2022), el KN-25 y el KN-09²⁶, así como diversos misiles de crucero y de defensa aérea, que utilizan tanto tecnología de propergol sólido para su propulsor o motor como la tecnología de sistemas de guía que también se utiliza en misiles balísticos (véanse las figuras VIII a XIV).

Figura VIII

Nuevo misil balístico de corto alcance parecido al KN-23 (“misil táctico guiado de nuevo tipo”), probablemente lanzado por última vez el 25 de marzo de 2021



Fuente: Televisión Central de Corea, 12 de octubre de 2021.

²⁵ S/2021/777, párr. 16.

²⁶ S/2019/691, anexo 32; S/2020/151, párr. 194; S/2020/840, párr. 11; y S/2021/211, párr. 11.

Figura IX
Misil balístico de corto alcance KN-23



Fuente: Televisión Central de Corea, 12 de octubre de 2021.

Figura X

KN-24 (también “misil balístico tierra-tierra Hwasong-11A”) y un misil de color arena (pardo), probablemente lanzado por última vez el 17 de enero de 2022



Fuente: Televisión Central de Corea, 12 de octubre de 2021.

Figura XI
KN-25 (sistema de lanzamiento múltiple de cohetes, 600 mm) probablemente lanzado por última vez el 29 de marzo de 2020



Fuente: Televisión Central de Corea, 12 de octubre de 2021.

Figura XII
KN-09 (sistema de lanzamiento múltiple de cohetes, 300 mm o 240 mm)



Fuente: Televisión Central de Corea, 12 de octubre de 2021.

Figura XIII
Misil de crucero: misil antibuque y misil de crucero de largo alcance probado
el 12 de septiembre de 2021



Fuente: Televisión Central de Corea, 12 de octubre de 2021.

Figura XIV

Defensa antiaérea: misil tierra-aire probado el 30 de septiembre de 2021**New Surface -to-air missile**

- possible test on 30 Sep. 2021

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

Fuente: Televisión Central de Corea, 12 de octubre de 2021.

Cuadro 1

Resumen de los lanzamientos de misiles balísticos o sistemas que utilizan tecnología de misiles balísticos y propulsores de combustible líquido efectuados por la República Popular Democrática de Corea del 28 de septiembre de 2021 al 11 de enero de 2022

<i>Núm. de ensayo desde 2019</i>	<i>Núm.</i>	<i>Fecha y hora (local)</i>	<i>Tipo notificado</i>	<i>Número</i>	<i>Lugar de lanzamiento notificado</i>	<i>Distancia de viaje notificada (kilómetros)</i>	<i>Apogeo notificado (kilómetros)</i>	<i>Observaciones</i>	<i>Clasificación de la Agencia Central de Noticias de Corea</i>
	Núm.	en 2021-2022	Misiles balísticos de combustible sólido disparados desde 2021: 3						
1°	1°	28 de septiembre de 2021 0640 o 0638	Vehículo planeador hipersónico” 1 Hwasong-8 presentado en la exhibición de misiles “Legítima Defensa 2021” el 11 de octubre de 2021, tras el ensayo de lanzamiento del 28 de septiembre (KCNA) – Misil balístico de corto alcance – La longitud total del misil es de unos 14,5 m, con un diámetro de 1,4 m – La longitud del vehículo de reentrada es de unos 4,7 m, con un diámetro en cola de unos 0,9 m – Transportador-erector-lanzador de 6 ejes	1	Desde el norte de Mupyong-ni, provincia de Chagang, hacia el este en aguas frente a la costa oriental	200	60	– La mención por parte de la República Popular Democrática de Corea de una “ampolla de combustible para misiles” utilizada en los misiles balísticos de propulsión líquida permite cargar el misil con propulsor en fábrica (KCNA) – El cuerpo principal del misil parecía estar compuesto por un impulsor de propelente líquido similar al misil balístico de alcance intermedio Hwasong-12 de una fase (aunque más corto) – El posible vehículo planeador hipersónico guardaba similitudes con otro vehículo planeador hipersónico ya existente ^a ; parece estar en una fase temprana de desarrollo, y para su despliegue efectivo sería necesaria una cantidad de tiempo considerable – Se sabe que en ese momento volaba a una velocidad aproximada de Mach 3	La Academia de Ciencias de la Defensa llevó a cabo el primer disparo de prueba del misil hipersónico Hwasong-8 desde Toyang-ni, provincia de Chagang, el martes 28 (KCNA, 29 de septiembre de 2021) ^b
2°	1°	5 de enero de 2022 0810	Misil balístico de corto alcance o misil balístico de mediano alcance – “Cabeza de misil de vehículo planeador hipersónico”- presentado en la exhibición de misiles “Legítima Defensa 2021” el 11 de octubre de 2021, antes del ensayo de	1	Desde la provincia de Chagang hacia el este, en aguas frente a la costa oriental	500 (o más)	50	– La forma de la cabeza de los misiles probados el 28 de septiembre y el 5 de enero era diferente. Se considera que es uno de los otros tipos de misiles presentados por primera vez en octubre – El cuerpo principal del misil parecía estar compuesto por un impulsor de propelente líquido	Cabeza de misil planeadora hipersónica (KCNA, 7 de enero de 2022) ^c

Núm. de ensayo desde 2019	Núm.	Fecha y hora (local)	Tipo notificado	Lugar de lanzamiento Número	Distancia de viaje notificada (kilómetros)	Apogeo notificado (kilómetros)	Observaciones	Clasificación de la Agencia Central de Noticias de Corea
			lanzamiento del 5 de enero (KCNA) – El vehículo de reentrada parece ser un vehículo de reentrada maniobrable – Transportador-erector-lanzador de 6 ejes				similar al misil balístico de alcance intermedio Hwasong-12 de una fase (aunque más corto) – Velocidad máxima entre Mach 3 y 6	
3º	2º	11 de enero de 2022 0727	Misil balístico de corto alcance o misil balístico de mediano alcance – “Cabeza de misil de vehículo planeador hipersónico”- presentado en la exhibición de misiles “Legítima Defensa 2021” el 11 de octubre de 2021, antes del ensayo de lanzamiento del 11 de enero (KCNA) – El vehículo de reentrada parece ser un vehículo de reentrada maniobrable – Transportador-erector-lanzador de 6 ejes	Desde la provincia de Chagang hacia el este, en aguas frente a la costa oriental	700 (o más)	60	– La forma de la cabeza de los misiles parece similar a la probada el 5 de enero de 2022 – El cuerpo principal del misil parecía estar compuesto por un impulsor de propelente líquido similar al misil balístico de alcance intermedio Hwasong-12 de una fase (aunque más corto). – Posible velocidad máxima de aproximadamente Mach 10 (unos 3.400 m/s = 12.240 km/h) – Kim Jong Un asistió oficialmente al ensayo de los misiles con Jo Yong-won, miembro del Presídium de la Oficina Política (KCNA, 12 de enero de 2022)	– “El sistema de armas de misiles hipersónicos [...] de 600 kilómetros y 240 kilómetros de vuelo circular agudo [...] alcanzó el objetivo sobre las aguas a 1.000 kilómetros de distancia” (KCNA, 12 de enero de 2022) ^d

Fuente: Estado Miembro y el Grupo.

Abreviación: KCNA, Agencia Central de Noticias de Corea.

^a Estos vehículos planeadores hipersónicos son un misil hipersónico de propérgol sólido exhibido por un Estado Miembro durante un desfile militar en 2019.

^b Agencia Central de Noticias de Corea, 29 de septiembre de 2021: “El control de navegación y la estabilidad del misil en la sección activa, así como sus especificaciones técnicas, incluyendo la maniobrabilidad de guiado y las características de planeo de la cabeza de misil hipersónica desacoplada”. “Se constataron el motor, así como la ampolla de combustible para misiles introducida por primera vez”.

^c Agencia Central de Noticias de Corea, 7 de enero de 2022: “El misil realizó un movimiento lateral de 120 km desde el acimut inicial de lanzamiento” y “alcanzó con precisión un objetivo fijo a 700 km de distancia”. “El ensayo de lanzamiento demostró claramente el control y la estabilidad de la cabeza de misil planeadora hipersónica que combina vuelo en planeo en varias etapas y fuerte movimiento lateral” [...] “fue supervisado por la Academia de Ciencias de la Defensa”.

^d Según un extracto de la Agencia Central de Noticias de Corea, del 12 de enero de 2022 “la cabeza de misil planeadora hipersónica se separó del misil lanzado, planeó desde el punto de 600 kilómetros y efectuó un vuelo circular agudo de 240 kilómetros desde el azimut de lanzamiento inicial hasta el blanco fijado y alcanzó el objetivo sobre las aguas a 1.000 kilómetros de distancia”; disponible en el sitio web de NK News/Korean Central News Agency Watch, <https://kcnowatch.org/newstream/1641940310-600724419/distinguished-feat-of-wpk-in-history-of-leading-juche-based-defence-industry/?t=1649727166452>.

Cuadro 2

Resumen de los lanzamientos de misiles balísticos o sistemas que utilizan tecnología de misiles balísticos y propulsores de combustible sólido efectuados por la República Popular Democrática de Corea del 25 de marzo de 2021 al 17 de enero de 2022^a

<i>Núm. de ensayo desde 2019</i>	<i>Núm.</i>	<i>Fecha y hora (local)</i>	<i>Tipo notificado</i>	<i>Número</i>	<i>Lugar de lanzamiento notificado</i>	<i>Distancia de viaje notificada (kilómetros)</i>	<i>Apogeo notificado (kilómetros)</i>	<i>Observaciones</i>	<i>Clasificación de la Agencia Central de Noticias de Corea</i>
	Núm.	en 2021-2022	Misiles balísticos de combustible sólido disparados desde 2019: 45						
18°	1°	25 de marzo de 2021	Nuevo misil balístico de corto alcance	2	Zona de Hamju	600	60 o 100	Véase S/2021/771 , cuadro 1	
19°	2°	15 de septiembre de 2021 1234 y 1239 o 1232 y 1237	Misil balístico de corto alcance. 2 Al parecer, se trata del misil balístico de corto alcance KN-23, probado como sistema de misiles transportado sobre rieles, que se presentó en la exhibición de misiles “Legítima Defensa 2021” el 11 de octubre de 2021	2	Desde un vagón a la entrada de un túnel situado en las coordenadas 39°16’31”N 126°48’17”E, en la zona de Yangdok de la provincia de Phyong-an del Sur ^b , hacia el este en aguas de la costa oriental pero dentro de la zona económica exclusiva del Japón	800	60	– Nuevo sistema de misiles sobre rieles Tiempo transcurrido entre lanzamientos: 5 minutos – Las trayectorias fueron las más largas de los misiles balísticos de combustible sólido probados desde 2019, y se detectó una maniobra de “desvío súbito” – De tratarse del KN-23, habría demostrado una mayor autonomía en comparación con los ensayos anteriores, probablemente debido a una carga útil más reducida – El uso de un lanzador montado sobre rieles proporciona a la República Popular Democrática de Corea un modo de transporte para diversos misiles, que puede desplegar y lanzar rápidamente desde cualquier lugar de su red ferroviaria, con lo que dispondría de otra opción para ocultar y lanzar su fuerza de misiles	“El Regimiento de Misiles Móviles Ferroviarios” ^c (Voz de Corea, KCNA, 19 de septiembre de 2021)

<i>Núm. de ensayo desde 2019</i>	<i>Núm.</i>	<i>Fecha y hora (local)</i>	<i>Tipo notificado</i>	<i>Número</i>	<i>Lugar de lanzamiento notificado</i>	<i>Distancia de viaje notificada (kilómetros)</i>	<i>Apogeo notificado (kilómetros)</i>	<i>Observaciones</i>	<i>Clasificación de la Agencia Central de Noticias de Corea</i>
20°	3°	19 de octubre de 2021 1017 o 1015	Misil balístico submarino. Parece tratarse de un nuevo misil balístico submarino de corto alcance que se presentó en la exhibición de misiles “Legítima Defensa 2021” el 11 de octubre de 2021 La longitud del misil, sin adaptador de lanzadera, es de unos 6,8 m, mientras que el cuerpo tiene un diámetro de 1 m	1	Desde un submarino de la clase Gorae/Sinpo (o una barcaza sumergible utilizada como plataforma de pruebas) situado en la zona de Sinpo (provincia de Hamgyong del Sur), hacia el este en aguas frente a la costa oriental	600 o 430	60 o 50	Nuevo misil balístico submarino de menor tamaño – Se ha detectado una maniobra de cambio súbito de dirección, pero sin movimiento horizontal significativo – Su diseño es más pequeño que la serie de misiles balísticos submarinos Pukguksong y se asemeja al de los misiles balísticos de corto alcance KN-23 y KN-24, con los que comparte características de vuelo similares. Podría ser utilizado en tubos de lanzamiento múltiple desde un submarino de mayor envergadura de la clase Romeo de la República Popular Democrática de Corea, lo que aumenta la capacidad de lanzar ataques contra objetivos en alta mar – El misil fue presuntamente lanzado desde un submarino experimental de misiles balísticos de la clase Gorae/Sinpo-B llamado “8.24 Yongung”, cuyo tubo de lanzamiento puede haber sido adaptado para un misil balístico submarino de menor tamaño que el tipo Pukguksong – Sin embargo, es posible que el misil se lanzase desde una plataforma de pruebas sumergible	“Un nuevo tipo de misil balístico submarino” (KCNA, 20 de octubre de 2021) ^d

Núm. de ensayo desde 2019	Núm.	Fecha y hora (local)	Tipo notificado	Número	Lugar de lanzamiento notificado	Distancia de viaje notificada (kilómetros)	Apogeo notificado (kilómetros)	Observaciones	Clasificación de la Agencia Central de Noticias de Corea
21°	1°	14 de enero de 2022 1441 y 1452	Misil balístico de corto alcance. 2 Parece tratarse del mismo tipo de misil balístico de corto alcance KN-23 que se probó recientemente en dos ocasiones como sistema de misiles sobre raíles el 15 de septiembre de 2021 y el 14 de enero de 2022. Fue exhibido en la exhibición de misiles “Legítima Defensa 2021” el 11 de octubre de 2021. El vagón parece ser un vagón de mercancías adaptado ^e		Desde un vagón en la zona de Uiju (posiblemente situado en el rectángulo, esquina suroeste 40°13’10”N 124°34’02”E, esquina noreste 40°13’06”N 124°33’57”E), hacia el noreste en aguas frente a la costa este; impactó contra una isla deshabitada (posible ubicación del objetivo 40°38’50”N 129°33’02”E).	430 o 400	36 o 50	– El 15 de septiembre de 2021 ya se ensayó el nuevo sistema de misiles sobre raíles – Tiempo transcurrido entre lanzamientos: 11 minutos – Velocidad máxima: Mach 6 – De tratarse de misiles KN-23, sus trayectorias fueron comparables en alcance y capacidad de maniobra a las pruebas anteriores de 2019-2020, incluida la maniobra de cambio brusco de dirección detectada – El uso de un lanzador montado sobre rieles proporciona a la República Popular Democrática de Corea un modo de transporte para diversos misiles, que puede desplegar y lanzar rápidamente desde cualquier lugar de su red ferroviaria, con lo que dispondría de otra opción para ocultar y lanzar su fuerza de misiles	“Ejercicios de tiro del Regimiento de Misiles Móviles Ferroviarios”) o “Ejercicios de tiro para la inspección del Regimiento de Misiles Móviles Ferroviarios” (KCNA, 15 de enero de 2022)
22°	2°	17 de enero de 2022 0849 y 0852 o 0850 y 0854	Misil balístico de corto alcance. 2 Parece ser el mismo tipo de misil balístico de corto alcance KN-24 que se probó el 21 de marzo de 2020 y que se exhibió en la exposición de misiles “Legítima Defensa 2021” el 11 de octubre de 2021 - También nombrado “Hwasong-11 Na” o Hwasong-11 B” ^f		Desde un transportador-erector-lanzador situado en la zona del aeropuerto de Pyongyang-Sunan (posiblemente situado a 39°15’44”N 125°40’3”E), hacia el noreste en aguas frente a	300 o 380	50 o 42	– Tiempo entre lanzamientos: 3 o 4 minutos – Velocidad máxima: Mach 5 – De confirmarse el lugar desde el que se efectuó el disparo, este se encontraría muy cerca de la ubicación del ensayo de lanzamiento del misil Hwasong-12 el 29 de agosto de 2017 (S/2019/171 y S/2019/171/Corr.1, párr. 174, y anexo 84) – El chasis del transportador-erector-lanzador puede estar	“Dos misiles guiados tácticos” [...] “para confirmar la precisión del sistema de armas” (KCNA, 18 de enero de 2022) ^g

Núm. de ensayo desde 2019	Núm.	Fecha y hora (local)	Tipo notificado	Número	Lugar de lanzamiento notificado	Distancia de viaje notificada (kilómetros)	Apogeo notificado (kilómetros)	Observaciones	Clasificación de la Agencia Central de Noticias de Corea
					la costa oriental; impactó contra una isla deshabitada (posible ubicación del objetivo 40°38'50"N 129°33'02"E).			basado en el chasis del carro de combate Pokpung-ho de la República Popular Democrática de Corea (derivado del T62 y el T72; véase S/2020/151 , anexo 58.4.2)	

Fuente: Estado Miembro y el Grupo.

Abreviación: KCNA, Agencia Central de Noticias de Corea.

^a [S/2021/777](#), cuadro 1; y [S/2020/840](#), cuadro 1.

^b Según un Estado Miembro, la ubicación podría ser 39°16'2.04 "N 126°47'17 "E. Esta estimación de las coordenadas difiere ligeramente del análisis que hace el Grupo del vídeo de la Agencia Central de Noticias de Corea, que da una idea de la longitud del túnel y de la curva de la vía.

^c "El Regimiento de Misiles Móviles Ferroviarios participó en el simulacro con la misión de desplazarse a la zona montañosa central y lanzar un ataque contra la zona designada como objetivo a 800 kilómetros de distancia a primera hora de la mañana del 15 de septiembre" (Voz de Corea, Agencia Central de Noticias de Corea, 19 de septiembre de 2021)

^d *Rodong Sinmun*/Academia de Ciencias de la Defensa Nacional, 20 de octubre de 2021: la República Popular Democrática de Corea declaró que había realizado "con éxito" el ensayo de lanzamiento de un nuevo tipo de misil balístico submarino. "El nuevo misil balístico submarino [...] contribuirá en gran medida al avance de la tecnología de defensa de nuestro país y a la capacidad operacional submarina de la Armada". Agencia Central de Noticias de Corea, 20 de octubre de 2021: "La Academia de Ciencias de la Defensa Nacional llevó a cabo el ensayo de lanzamiento desde "8.24 Yongung", el mismo desde el que hace cinco años lanzó con éxito su primer misil balístico submarino, para demostrar el poderío militar de la República Popular Democrática de Corea". "La Academia aclaró que el nuevo misil balístico submarino, en el que se han incorporado muchas tecnologías avanzadas de guía, incluyendo la movilidad lateral y la movilidad en el paso a planeo, contribuirá en gran medida a situar la tecnología de defensa del país en un nivel alto y a mejorar la capacidad operacional submarina de nuestra Armada".

^e Véase el anexo 21.

^f NK News, "North Korea says it successfully launched 'tactical guided missiles' on Monday", 18 de enero de 2022.

^g Agencia Central de Noticias de Corea, "The Academy of Defence Science confirmed the accuracy, security and efficiency of the operation of the weapon system under production", 18 de enero de 2022.

Adquisición de productos básicos ilícitos relacionados con armas de destrucción masiva de difícil obtención

O Yong Ho

26. Según un Estado Miembro, O Yong Ho²⁷, actualmente radicado en Moscú como diplomático de la República Popular Democrática de Corea, está implicado en la adquisición de artículos relacionados con el programa de misiles balísticos de la República Popular Democrática de Corea²⁸ a través de su apoyo a la Segunda Academia de Ciencias Naturales designada por las Naciones Unidas (también conocida como Academia de Ciencias de la Defensa Nacional)²⁹.

27. Según el Estado Miembro, entre 2016 y 2020, y pese a la supuesta “disrupción” por parte de la Federación de Rusia de intentos de adquisición similares, O intentó (y en ocasiones consiguió) adquirir fibra de aramida rusa (kevlar), equipos que incluían bobinadoras utilizadas para producir fibra de aramida, una versión rusa de una boquilla de hilatura, cuatro productos químicos específicos, acero inoxidable utilizado en la producción de misiles balísticos de propelente líquido, aceros específicos utilizados en la fabricación del casco de misiles balísticos submarinos de la República Popular Democrática de Corea, rodamientos, instrucciones y conocimientos técnicos especializados sobre la producción de propergol sólido, así como planos de diseño asistido por computadora de un misil de crucero y prensas isostáticas calientes y frías. En relación con algunas de estas transacciones, O utilizó términos de cobertura (véase el anexo 28 para más detalles, incluidas las actividades de compra y los contactos de O).

28. En respuesta a la pregunta del Grupo, la Federación de Rusia respondió que “las autoridades rusas carecen de información sobre la participación [de O Yong Ho] en operaciones ilegales. [...] Las autoridades aduaneras rusas no disponen de información sobre los contratos de comercio exterior cerrados entre las personas mencionadas en la carta, ni sobre la exportación desde Rusia a Corea del Norte de mercancías sujetas a las sanciones internacionales que se indican en la carta” (véanse los anexos 28 y 29).

Kim Jong Dok

29. El Grupo continuó investigando³⁰ otras adquisiciones que probablemente estén vinculadas al programa nuclear y de misiles balísticos de la República Popular Democrática de Corea. El Grupo ha informado de que Korea Machinery General Trading, representada por Kim Jong Dok, solía hacer pedidos de materiales industriales sensibles, entre ellos acero inoxidable de tipo 1Cr18Ni9Ti³¹. Según un

²⁷ Fecha de nacimiento: 25 de diciembre de 1961, pasaporte diplomático núm. 108410041 (expedido el 13 de octubre de 2018, expira el 13 de octubre de 2023).

²⁸ Según un Estado miembro, O es un empleado de la oficina del Consejero Comercial de la Embajada de la República Popular Democrática de Corea en Moscú, encargado de la adquisición de bienes civiles de producción y de consumo en el país. Las autoridades rusas no disponen de información sobre su participación en operaciones ilegales.

²⁹ Figuran por separado en la lista de sanciones del Comité como KPe.018 y KPe.021, respectivamente.

³⁰ [S/2021/777](#), párr. 22 y anexo 27.

³¹ En un aviso conjunto publicado por el Gobierno de los Estados Unidos de América en el que se detallan los esfuerzos desplegados por la República Popular Democrática de Corea para adquirir materiales y tecnología confidenciales se menciona que las aleaciones de acero que contienen titanio son probablemente importaciones para los programas de misiles balísticos de la República Popular Democrática de Corea, y se menciona explícitamente el 1Cr18Ni9Ti como una de esas aleaciones. Véase https://home.treasury.gov/system/files/126/20200901_nk_ballistic_missile_advisory.pdf.

Estado Miembro, Kim Jong Dok hizo estos pedidos a Dandong Jongsan Trading³², con sede en Dandong, a través de su principal contacto, Jon Gon Hua³³. Varias empresas chinas habrían estado implicadas, entre ellas Zibo Stirling Mechanical Equipment Co. Ltd. y Shandong Jinjian Heavy Mining Equipment Co. Ltd. Las empresas aún no han respondido al Grupo (véase el anexo 30).

Rim Ryong Nam

30. Varios Estados Miembros informaron al Grupo de que un individuo radicado en Shenyang, Rim Ryong Nam³⁴, ha estado actuando como representante en materia de adquisiciones del Departamento de la Industria de las Municiones de la República Popular Democrática de Corea (KPe.028). Esta persona no solo intentó adquirir productos básicos utilizados en la fabricación de propulsores sólidos en 2018, sino que consiguió comprar varias toneladas de polvo de aluminio y enviarlas al Ministerio de Industria de Cohetes de la República Popular Democrática de Corea. En la transacción participaron al parecer algunas empresas chinas, como Shandong Zhangqiu Metallic Pigment Co. Ltd.³⁵ y Shenyang Jingchengjin Import and Export Co. Ltd. (véase el anexo 30).

31. China respondió que “ha llevado a cabo una minuciosa investigación basada en la información proporcionada por el Grupo. No descubrimos transacción alguna de polvo de aluminio realizada por Rim Ryong Nam dentro de China. Tampoco se ha hallado información de la empresa registrada a nombre de esta persona. Rim no se encuentra actualmente en territorio chino”. Todavía no se ha recibido respuesta de las empresas.

Recomendación

32. **El Grupo recomienda la designación de la siguiente persona por su papel en el programa prohibido de la República Popular Democrática de Corea y el apoyo prestado a ese programa: Sr. O Yong Ho³⁶, que actualmente se encuentra en Moscú ejerciendo como diplomático de la República Popular Democrática de Corea, está implicado en la adquisición de artículos relacionados con el programa de misiles balísticos de la República Popular Democrática de Corea en virtud de la asistencia que presta a la Segunda Academia de Ciencias Naturales designada por las Naciones Unidas (también conocida como Academia de Ciencias de la Defensa Nacional).**

III. Sanciones sectoriales y marítimas

Productos refinados derivados del petróleo

33. En el informe anterior del Grupo³⁷ se observaron niveles muy bajos de entregas de productos refinados derivados del petróleo (lícitos o ilícitos) a la República

³² 丹东鼎山贸易有限公司.

³³ Jon Gon Hua es probablemente un ciudadano de la República Popular Democrática de Corea, y Dandong Jongsan, una empresa pantalla de Korea Machinery General Trading a través de la que se adquieren en China materiales reservados. Al parecer, Jon Gon Hua es, junto con Li Faming, uno de los directores de la empresa.

³⁴ Rim es un ciudadano de la República Popular Democrática de Corea nacido el 5 de diciembre de 1978. La información de que se dispone también indica que está directamente relacionado con una empresa llamada China Yantai Panocean Shipping Agency Co. Ltd. (烟台泛洋船务代理有限公司).

³⁵ 章丘市金属颜料有限公司铝粉厂.

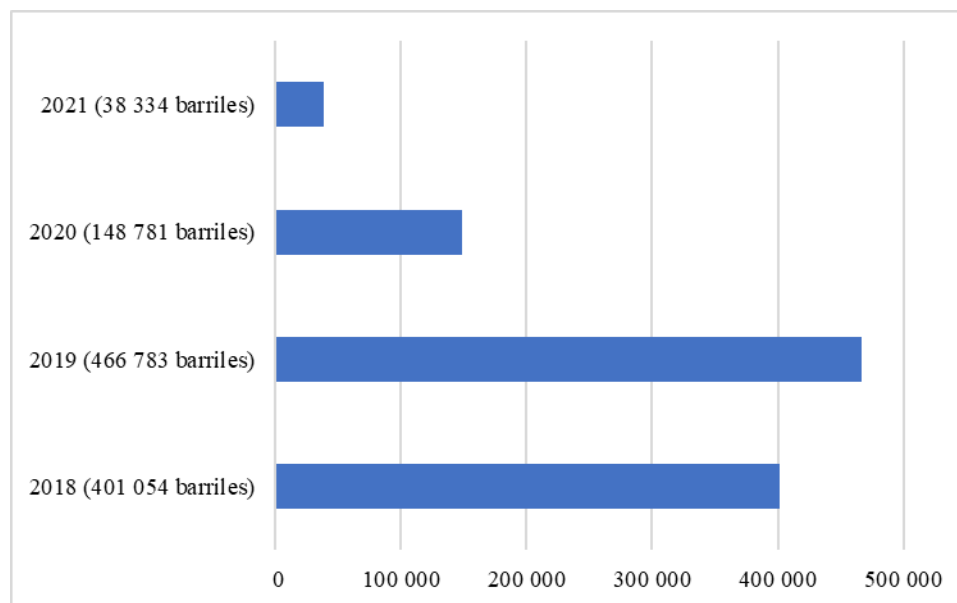
³⁶ Un experto opinó que para la designación eran necesarias más pruebas.

³⁷ S/2021/777, párrs. 25 y 26.

Popular Democrática de Corea en los primeros seis meses de 2021. Las declaraciones oficiales al Comité relativas a las entregas de petróleo refinado a la República Popular Democrática de Corea se han mantenido en niveles históricamente bajos durante todo el año (no ha habido entregas declaradas por la Federación de Rusia) y siguen siendo de tan solo el 7,67 % del volumen máximo anual permitido de 500.000 barriles^{38, 39} (véase la figura XV).

Figura XV

Entregas de petróleo refinado a la República Popular Democrática de Corea declaradas al Comité por la Federación de Rusia y por China, 2018-2021



Fuente: <https://www.un.org/securitycouncil/es/sanctions/1718/supply-sale-or-transfer-of-all-refined-petroleum>.

34. En diciembre de 2021, 50 Estados Miembros presentaron un informe (véase el anexo 31) al Comité en el que se indicaba que en el segundo semestre de 2021 se había infringido el límite máximo de productos de petróleo refinado. El informe contenía imágenes de 18 entregas no declaradas de productos de petróleo refinado por parte de buques cisterna de la República Popular Democrática de Corea a los puertos del país durante ese periodo. Se calcula que estos buques, de haber estado cargados al 90 % de su capacidad, habrían entregado 323.865 barriles de importaciones ilícitas. Once de las imágenes mostraban buques con pabellón de la República Popular Democrática de Corea en espera de descargar su carga el 30 de septiembre de 2021, lo que representa otros 202.102 barriles, suponiendo que su carga era del 90 %. La suma de esos volúmenes supondría un total de 525.967 barriles de importaciones ilícitas, con lo que se incumpliría el límite máximo. Dos miembros del Comité se mostraron en desacuerdo con las conclusiones del informe (véase el anexo 32), alegando la ausencia de pruebas firmes y de datos suficientes, en particular en lo que respecta a la metodología de entrega (transferencia entre buques en la zona económica

³⁸ En la resolución 2397 (2017) del Consejo de Seguridad no se exigen declaraciones de entregas cuando estas son iguales a cero, y en el pasado China no ha declarado entregas mensuales iguales a cero cuando no se han producido entregas, a diferencia de la Federación de Rusia, que sí ha seguido presentando declaraciones de ese tipo durante 2021.

³⁹ Resolución 2397 (2017) del Consejo de Seguridad, párr. 5.

exclusiva de la República Popular Democrática de Corea) y a las cantidades estimadas de petróleo refinado transportadas por cada buque.

35. Con el fin de identificar los buques utilizados para transportar las entregas oficialmente declaradas de productos refinados derivados del petróleo, el Grupo solicitó a China por escrito los nombres, la titularidad y los detalles de gestión de los buques implicados en las entregas lícitas, así como los puertos y las fechas de carga y entrega⁴⁰. China respondió lo siguiente:

Después de que el Consejo de Seguridad adoptara la resolución 2397 (2017), la parte china publicó notificaciones de inmediato, a fin de establecer normas sobre la exportación de productos refinados derivados del petróleo a la República Popular Democrática de Corea y de velar por que las actividades de las empresas y los individuos chinos fuesen coherentes con las resoluciones. China ha notificado al Comité del Consejo de Seguridad establecido en virtud de la resolución 1718 (2006) la suma de sus exportaciones de productos refinados derivados del petróleo a la República Popular Democrática de Corea. La inmensa mayoría de las exportaciones chinas de productos refinados derivados del petróleo a la República Popular Democrática de Corea consiste en productos como aceite lubricante y asfalto, más que combustibles como la gasolina, el gasóleo y el queroseno. Las cantidades totales siempre se han mantenido en un nivel extremadamente bajo.

36. El Grupo vigila de forma constante las importaciones de la República Popular Democrática de Corea de productos refinados derivados del petróleo en contravención del régimen de sanciones (véanse los párrs. 38 a 41). Hay cierta lógica en la idea de que los buques de la República Popular Democrática de Corea maximizan las entregas ilícitas para compensar el tiempo que pasan en cuarentena en alta mar, pero el Grupo considera que una cifra media de carga del 90 % por buque puede ser elevada. Sin embargo, el Grupo observa que en el informe de los 50 Estados Miembros solo se medían las entregas hasta finales de septiembre de 2021⁴¹.

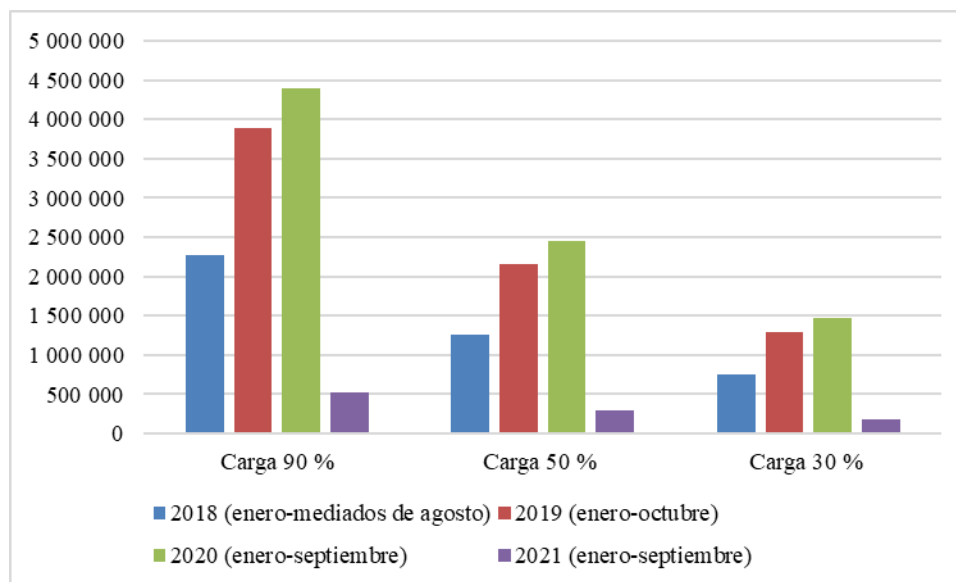
37. El Grupo observa que las estimaciones de entregas ilícitas que figuran en el informe de 50 Estados Miembros indicaban niveles extremadamente bajos en 2021 en comparación con las estimaciones de grupos de Estados Miembros de años anteriores (véase el gráfico XVI).

⁴⁰ En el párrafo 5 a) de su resolución 2397 (2017), el Consejo de Seguridad estableció el límite máximo de 500.000 barriles, siempre que el Estado Miembro notifique al Comité cada 30 días la cantidad de productos refinados derivados del petróleo que suministra, vende o transfiere a la República Popular Democrática de Corea, junto con información sobre todas las partes que participan en la transacción-

⁴¹ De forma independiente, un centro de estudios ha llegado a la conclusión de que el límite se superó en septiembre de 2021. Véase <https://rusi.org/explore-our-research/publications/commentary/north-koreas-oil-terminals-come-back-life-imports-breach-uncsc-cap>. Posteriormente, el centro de estudios ha obtenido datos que sugieren que la trayectoria de las entregas de petróleo refinado a los puertos de la República Popular Democrática de Corea continuó hasta finales de 2021, y que el límite correspondiente a ese año se habría superado incluso si la carga de los buques solo hubiera sido de un 60 % de su capacidad. El Grupo sigue revisando este material inédito.

Figura XVI⁴²

Estimación de las entregas ilícitas de petróleo refinado a la República Popular Democrática de Corea, 2018-2021, si los buques observados por los Estados Miembros hubieran estado cargados al 90 %, 50 % y 30 % de su capacidad (en barriles)



Fuente: Estados Miembros y el Grupo.

Terminal petrolera de Nampo

38. Como consecuencia de las medidas de mitigación de la COVID-19 de la República Popular Democrática de Corea, el país ha importado mucho menos petróleo en 2021 que en años anteriores. A partir de marzo de 2021, la República Popular Democrática de Corea retomó las transferencias entre buques y entregas no declaradas de petróleo refinado en sus puertos⁴³.

39. Las importaciones de petróleo no declaradas se aceleraron en el segundo semestre de 2021. Por ejemplo, el buque Vifine⁴⁴, que tiene ahora pabellón de la República Popular Democrática de Corea y navega bajo el nombre de Un Hung (núm. de la Organización Marítima Internacional (núm IMO) 9045962), entregó petróleo en Nampo en junio y volvió a hacerlo tres meses más tarde (véase la figura XVII). En octubre también se utilizó la terminal auxiliar de petróleo de Nampo (véase la figura XVIII). En el anexo 33 se enumeran otras entregas no declaradas de petróleo refinado en diversos puertos de la República Popular Democrática de Corea.

⁴² S/2019/171 y S/2019/171/Corr.1, anexo 2; S/2020/151, anexo 1; y S/2021/211, figura 6 a).

⁴³ Resolución 2397 (2017) del Consejo de Seguridad, párr. 5.

⁴⁴ S/2020/151, párrs. 18, 19 y 32.

Figura XVII
Buque Un Hung en Nampo, 21 de junio y 21 de septiembre de 2021



Fuente: (izquierda) Maxar Technologies, anotaciones del Grupo; (derecha) Estado Miembro.

Figura XVIII
Buques petroleros de la República Popular Democrática de Corea en las terminales petroleras auxiliar (izquierda) y existente (derecha) de Nampo, 18 de octubre de 2021



Fuente: Maxar Technologies, anotaciones del Grupo.

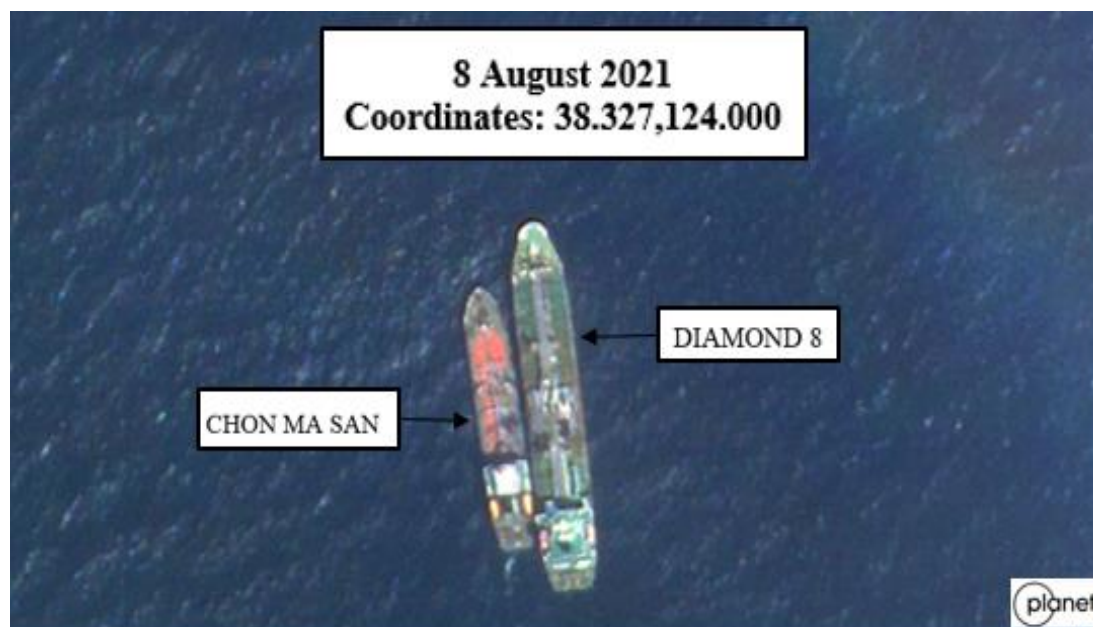
La bahía de Corea, zona de transferencia entre buques

40. El cierre de fronteras de la República Popular Democrática de Corea alteró el patrón de comercio marítimo del país de otras maneras. Los buques siguieron cumpliendo su cuarentena durante largos periodos fuera de la zona del embalse del

mar Occidental y de otros puertos. Diversos buques cisterna de entrega directa⁴⁵, así como otros buques cisterna con pabellón distinto del de la República Popular Democrática de Corea, participaron en transferencias de petróleo con buques de la República Popular Democrática de Corea dentro de la zona económica exclusiva del país y en otros lugares, en lugar de efectuar las entregas en los puertos del país, como era la práctica habitual antes de la pandemia. Por ejemplo, el Diamond 8 (núm. IMO 9132612), que desde 2019 había efectuado frecuentes entregas en puertos de la República Popular Democrática de Corea⁴⁶ desde 2019, fue observado en agosto de 2021 en la zona económica exclusiva del país con el buque designado Chon Ma San (núm. IMO 8660313) (véase la figura XIX). El Grupo informó por última vez sobre el Diamond 8 en mayo de 2021⁴⁷, a raíz de que este transmitiera identificadores falsificados en aguas territoriales chinas. El Chon Ma San fue observado frente a la esclusa de Nampo a mediados de agosto de 2021 (véase la figura XX), esperando la descarga de su cargamento, y fue visto amarrado en el puerto de Nampo el 16 de septiembre de 2021.

Figura XIX

El Diamond 8 y el Chon Ma San, 8 de agosto de 2021



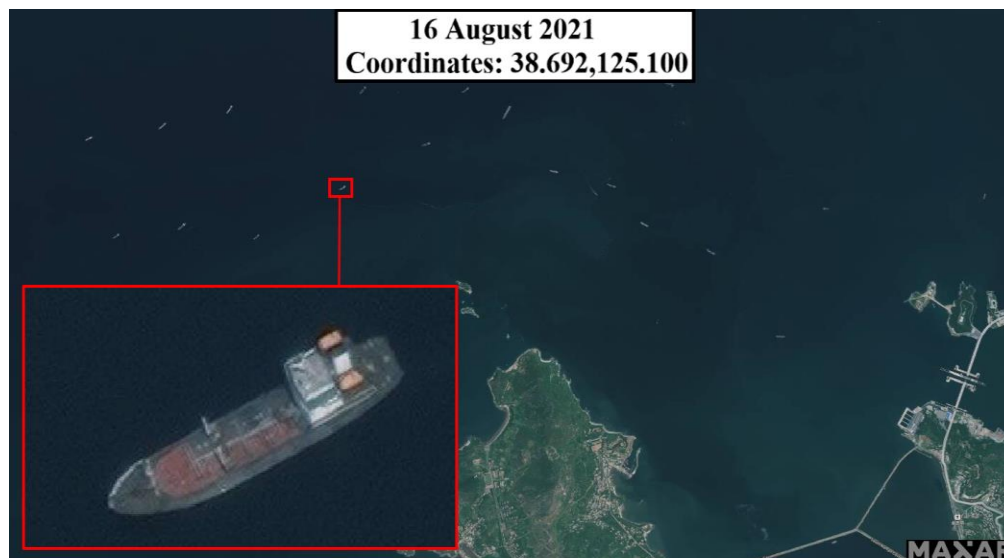
Fuente: Planet Labs, anotaciones del Grupo.

⁴⁵ El Grupo utiliza el término “entrega directa” para describir los buques no pertenecientes a la República Popular Democrática de Corea que en el pasado han entregado petróleo refinado en repetidas ocasiones en puertos de la República Popular Democrática de Corea. Estos buques entregaron su carga ilícita de petróleo en múltiples ocasiones y se ha propuesto su designación. Véanse los informes del Grupo desde 2020.

⁴⁶ [S/2020/151](#), [S/2020/840](#), [S/2021/211](#) y [S/2021/777](#).

⁴⁷ [S/2021/777](#), párrs. 44 a 47 y 50, y anexos 30a y 33a.

Figura XX
El Chon Ma San con otros buques de la República Popular Democrática de Corea, fondeadero del mar Occidental, 16 de agosto de 2021



Fuente: Maxar Technologies, anotaciones del Grupo.

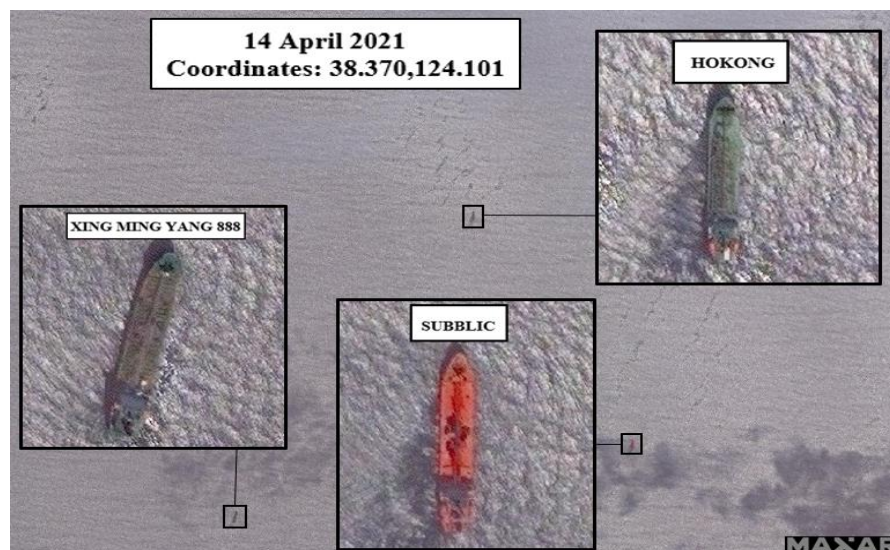
41. El ejemplo del Diamond 8 no es un caso aislado. En abril de 2021, las imágenes de satélite permitieron observar otros buques de entrega directa en la zona económica exclusiva de la República Popular Democrática de Corea o cerca de ella⁴⁸, lo que hace de esta otra área de interés que mantener vigilada en el futuro para detectar posibles transferencias ilícitas (véase la figura XXI; véase también el anexo 34)⁴⁹.

⁴⁸ Los buques apátridas Xing Ming Yang 888 (núm. IMO 8410847), Subblic (núm. IMO 8126082), Hokong (núm. IMO 9006758), New Konk (núm. IMO 9036387) y Unica (núm. IMO 8514306), cuya designación ha sido recomendada por el Grupo, fueron observados en la zona económica exclusiva de la República Popular Democrática de Corea y sus alrededores en 2021.

⁴⁹ [S/2021/777](#), párr. 57 y figura VII.

Figura XXI

Buques vinculados a la República Popular Democrática de Corea, bahía de Corea, 24 de abril de 2021



Fuente: Maxar Technologies, anotaciones del Grupo.

Patrones de comportamiento de los buques sospechosos

42. Los buques de entrega directa y otros buques sospechosos han mostrado patrones de comportamiento similares, que se caracterizan por el falseamiento de las identidades de los buques; el paso por determinados astilleros; las aguas que frecuentan; y las transferencias ilícitas entre buques en las que participan junto con embarcaciones de interés que a su vez han tratado de enmascarar sus identidades. Entre estos buques también suele haber vínculos comunes que los asocian entre sí, como la gestión y la titularidad de las embarcaciones y las terceras partes de las que obtienen servicios, entre ellas entidades comunes de servicios de secretaría corporativa⁵⁰. Estas entidades y personas están constituidas en terceros países, muchas de ellas con una dirección física en Asia. La pauta de comportamiento del petrolero apátrida New Konk (núm. IMO 9036387) y de los buques de interés conexos puede servir de ejemplo a efectos de diligencia debida y cumplimiento. Otro ejemplo, el del buque de entrega directa Unica (núm. IMO 8514306), se menciona en el anexo 35.

Falseamiento de la identidad de las embarcaciones

Perfiles digitales falsificados utilizados por los buques de entrega directa

43. En su informe anterior, el Grupo identificó las sofisticadas y complejas técnicas empleadas para proporcionar identidades falsas a los buques de entrega directa que transportan petróleo refinado a la República Popular Democrática de Corea o a sus buques⁵¹. Esto contrasta con otro método, más sencillo, de manipulación digital o

⁵⁰ A menos que se indique lo contrario, la titularidad se refiere al propietario registrado de un buque que figura en la lista de la OMI.

⁵¹ S/2021/211, párrs. 31 a 36 y anexo 22; y S/2021/777, párrs. 28 a 41 y anexos 28 y 29.

usurpación del perfil del sistema de identificación automática (SIA) de un buque, que suele detectarse en las bases de datos marítimas⁵².

44. Dado que esos perfiles vacantes del SIA ya no están vinculados a un buque físico real, más de un buque puede utilizar los perfiles digitales. En el cuadro 3 se enumeran los identificadores vacantes investigados por el Grupo que han sido utilizados por buques apátridas de entrega directa (véase también el anexo 36).

Cuadro 3^a

Buques de entrega directa que ocasionalmente emiten señales con elementos de identificación fraudulentos

Nombre	Núm. IMO	Señales que utilizan	Núm. de identidad del servicio móvil marítimo (ISMM)	Última inspección de control por el Estado del puerto
New Konk	9036387	M0uson.F. Lonline	511444000 312162000	Julio de 2018
El Subblic	8126082	Hai Zhou 168	667001397	Mayo de 2004
Unica ^b	8514306	Liton Haishun 2	457106000 457400047	No hay datos

Fuente: Grupo.

^a El cuadro no es exhaustivo y representa lo presentado en los informes del Grupo.

^b Véase el anexo 37.

El New Konk como F. Lonline

45. El Grupo informó anteriormente sobre el New Konk como un petrolero suministrador que llevó a cabo una transferencia entre buques con el Vifine (ahora conocido como Un Hung, de pabellón de la República Popular Democrática de Corea) (núm. IMO 9045962)⁵³; este último entregó posteriormente petróleo refinado en la República Popular Democrática de Corea. El Grupo identificó asociaciones de titularidad, gestión y registro corporativo comunes a ambos buques⁵⁴, lo que indica la existencia de entidades similares vinculadas a actividades relacionadas con las sanciones (véase el anexo 38). Posteriormente, el propio New Konk comenzó a entregar cargamentos ilícitos directamente a Nampo de forma reiterada⁵⁵, y el Grupo recomendó su designación. Para continuar con sus entregas ilícitas, el buque adoptó entonces diferentes identificadores falsificados de buques, y en 2020 navegó ocasionalmente haciéndose pasar por el M0uson⁵⁶ y más recientemente por el F. Lonline (véanse los párrs. 59 a 63).

46. Las investigaciones en curso sobre el F. Lonline apuntan a otro complejo caso de falseamiento de identidades de buques en el que está implicado el antiguo Smooth Sea 3 (núm. IMO 8303616), con pabellón de Tailandia, que dio lugar a la creación de una identidad digital fraudulenta (el F. Lonline) de la que se valían buques sospechosos como el New Konk. En este caso de falseamiento de identidades también estaban implicadas las mismas entidades y astilleros o diques secos que ya habían

⁵² En esencia, la manipulación de la identidad de los buques difiere del falseamiento de su identidad, ya que este último conlleva niveles considerables de sofisticación, esfuerzo y coordinación para crear identidades ficticias fraudulentas con el fin de mantener un perfil limpio para un buque comprometido. Véase *Unmasked: Vessel Identity Laundering and North-Korea's Maritime Sanctions Evasion* (C4ADS, 2021).

⁵³ [S/2020/151](#), párrs. 18 y 32 y anexo 8.

⁵⁴ *Ibid.*, párrs. 10 a 27 y 32.

⁵⁵ [S/2020/840](#), párrs. 27 y 28.

⁵⁶ [S/2021/211](#), párrs. 3 a 36 y anexo 22.

sido investigados anteriormente por el Grupo en relación con el falseamiento de identidades (véase el anexo 39a para más detalles).

Utilización de astilleros para facilitar las actividades de evasión de sanciones

47. Para reforzar su camuflaje tras el falseamiento de identidad, el New Konk fue observado atracado durante el primer semestre de 2021 en un astillero propiedad de Fujian Yihe Shipbuilding Industry Co. Ltd./福建省易和船舶重工有限责任公司 (véase la figura XXII) y pintado de otro color.



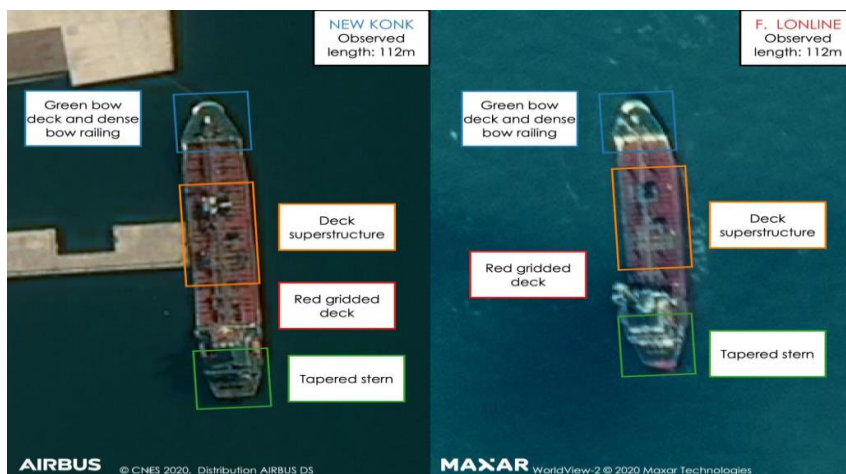
Figura XXII

El New Konk, haciéndose pasar por el F. Lonline, durante el repintado en Fujian Yihe, marzo y abril de 2021

Fuente: C4ADS; Planet Labs; y Airbus DS.

48. Un análisis visual del New Konk y del supuesto F. Lonline de pabellón beliceño (núm. de ISMM 312162000) muestra que se trata de la misma embarcación (véase la figura XXIII). Esta acción sirvió para que el New Konk siguiera navegando, comerciando y violando las sanciones, facilitando así la evasión de estas.

Figura XXIII
Comparación del *New Konk* y el *F. Lonline*, 2020



Fuente: Estado Miembro.

49. Se ha demostrado que los buques de entrega directa y otros sospechosos utilizan desde hace años tres astilleros situados a lo largo del río Baima, en la provincia china de Fujian, para llevar a cabo reparaciones y reacondicionamientos⁵⁷. Esos astilleros están situados cerca de la bahía de Sansha y de la isla de Dongyin, donde la presencia de esos buques es habitual⁵⁸.

50. En 2021, el *New Konk* regresó a los astilleros del río Baima antes de zarpar para participar en transferencias entre buques con petroleros de la República Popular Democrática de Corea. Las investigaciones siguen en curso. Otros buques investigados por el Grupo que también hicieron escala en el astillero Fujian Yihe fueron el *Unica*, el *Rui Hong 916* (núm. IMO 9058866), el *M0uson 328* (núm. IMO 9021198) y el *Hai Zhou 168* (núm. IMO 8514045) (véase el anexo 39b).

51. El Grupo se dirigió por escrito a los Estados Miembros pertinentes, a los astilleros, a las entidades y a los individuos titulares de esos buques o responsables de su gestión o vinculados a su facilitación. Fujian Yihe Shipping Industry Co. Ltd. aún no ha respondido a las preguntas del Grupo. En los anexos 39a y 39b se ofrecen más detalles sobre los casos y las respuestas.

Transferencias entre buques

New Konk y *Kum Jin Gang 3*

52. El *New Konk* partió del astillero Fujian Yihe el 3 de agosto de 2021, transmitiendo en el servicio móvil marítimo el número de identidad de un buque de pabellón beliceño presuntamente fraudulento, el *F. Lonline* (312162000). A mediados de agosto, el *New Konk* estuvo anclado en las proximidades de la bahía de Sansha (China), un lugar frecuentado por otros buques de entrega directa. El buque transmitió por última vez una señal del SIA el 21 de agosto de 2021. Aproximadamente un mes más tarde, el *New Konk* participó en una transferencia entre buques en la bahía de

⁵⁷ Muchos de los buques de entrega directa investigados por el Grupo fueron adquiridos y transferidos a posibles redes de empresas pantalla antes de recalar en astilleros específicos situados a lo largo del río Baima e introducir petróleo refinado de contrabando en la República Popular Democrática de Corea.

⁵⁸ S/2021/777, párr. 50 y anexo 33a.

Corea con el Kum Jin Gang 3, de pabellón de la República Popular Democrática de Corea (núm. IMO 8791667) (véase la figura XXIV).

Figura XXIV

New Konk y Kum Jin Gang 3, Bahía de Corea, 23 de septiembre de 2021



Fuente: Estado Miembro.

New Konk y Hai Jun

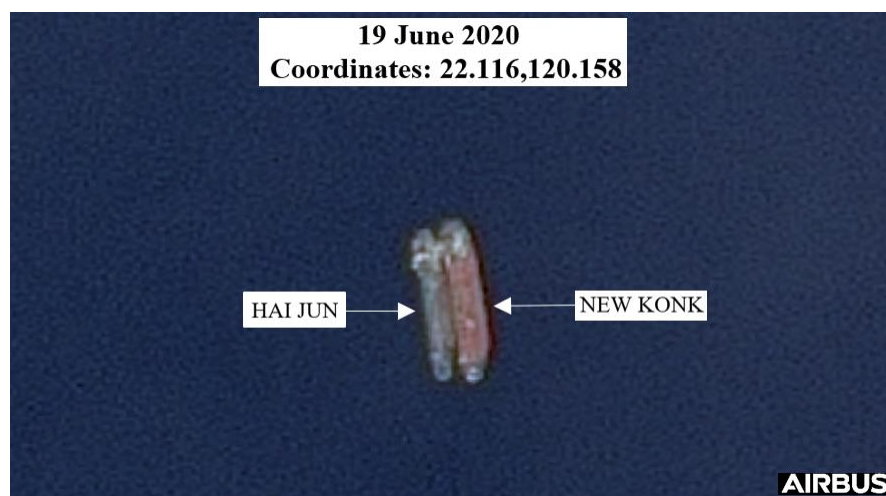
53. El New Konk obtuvo su cargamento de petróleo de otros petroleros. El seguimiento del SIA y las imágenes por satélite indicaron que, antes de someterse a labores de renovación en el astillero Fujian Yihe, el New Konk participó en una presunta transferencia entre buques iniciada en el Hai Jun (núm. IMO 9054896), en aquel momento con pabellón de las Islas Cook, en aguas al suroeste de Kaohsiung, en la Provincia China de Taiwán, en torno al 19 de junio de 2020 (véase la figura XXV)⁵⁹. La ubicación está vinculada a transferencias de petróleo entre buques con pabellón de la República Popular Democrática de Corea⁶⁰. Posteriormente, se registró la presencia del New Konk en el puerto de Songnim (República Popular Democrática de Corea) el 2 de julio de 2020, entregando petróleo refinado⁶¹. En las fechas aproximadas de la presunta transferencia, el New Konk transmitió señales haciéndose pasar por el M0uson, una identidad fraudulenta ya conocida.

⁵⁹ Dado de baja por las Islas Cook el 1 de diciembre de 2021 debido a la venta del buque.

⁶⁰ S/2021/777, párr. 57 y figura VIII.

⁶¹ S/2021/211, anexo 27.

Figura XXV
**El Hai Jun y el New Konk (emitiendo señales como el M0uson),
 19 de junio de 2020**



Fuente: Airbus DS, anotaciones del Grupo.

Hai Jun, Unica y Sky Venus

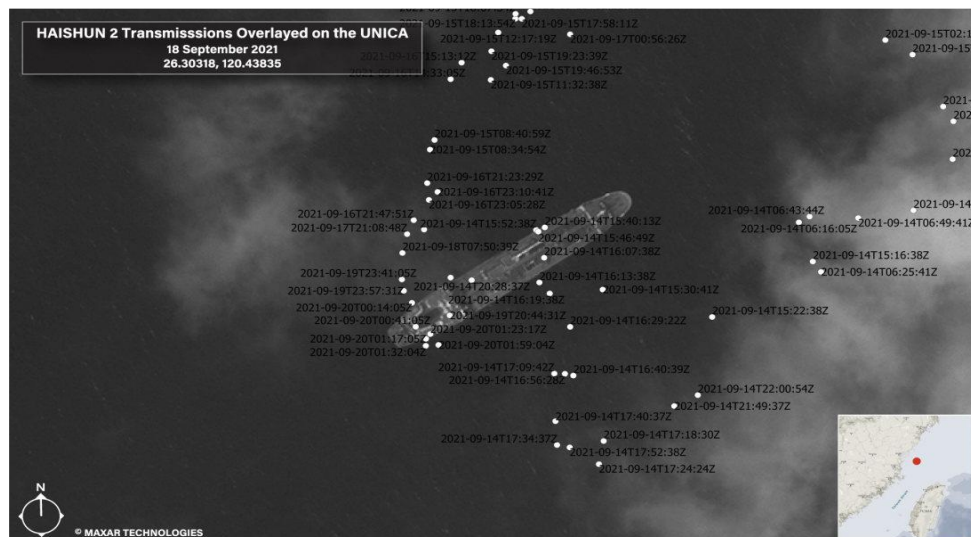
54. El encuentro con el New Konk no fue la única transferencia sospechosa entre buques en la que participó el Hai Jun. El seguimiento de la actividad del Hai Jun⁶² desde 2020 por parte del Grupo indicó que también se reunió con el Unica en varias ocasiones mientras este último transmitía números de ISMM asociados a Mongolia correspondientes al Liton (núm. IMO 8346395) y al identificador fraudulento del Haishun 2 (véase la figura XXVI y el anexo 37).

55. Los datos de seguimiento marítimo también mostraron que el Hai Jun se encontró con el Sky Venus (núm. IMO 9168257), con pabellón de Palau, en repetidas ocasiones en 2021 (véase la figura XXVII). El Sky Venus está siendo investigado por el Grupo por múltiples transferencias entre buques de petróleo refinado con destino a la República Popular Democrática de Corea (véanse los párrs. 64 a 73).

⁶² Basado en las transmisiones del SIA.

Figura XXVI

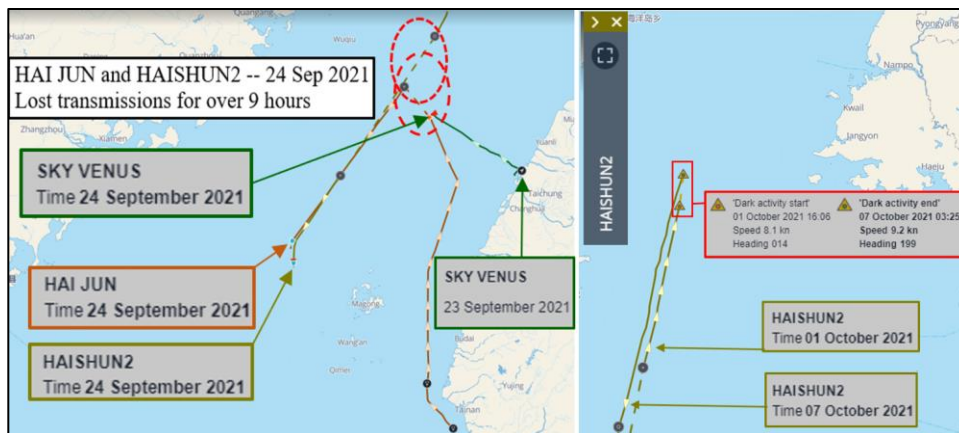
El Unica utilizando las señales del Haishun 2, Isla de Dongyin, 18 de septiembre de 2021



Fuente: Estado Miembro.

Figura XXVII

El Sky Venus, el Hai Jun y el Unica (usando señales del Haishun 2), 23 y 24 de septiembre de 2021 (izquierda); y el Unica cerca de la zona económica exclusiva de la República Popular Democrática de Corea, 1 a 7 de octubre de 2021 (derecha)



Fuente: Windward, anotaciones del Grupo.

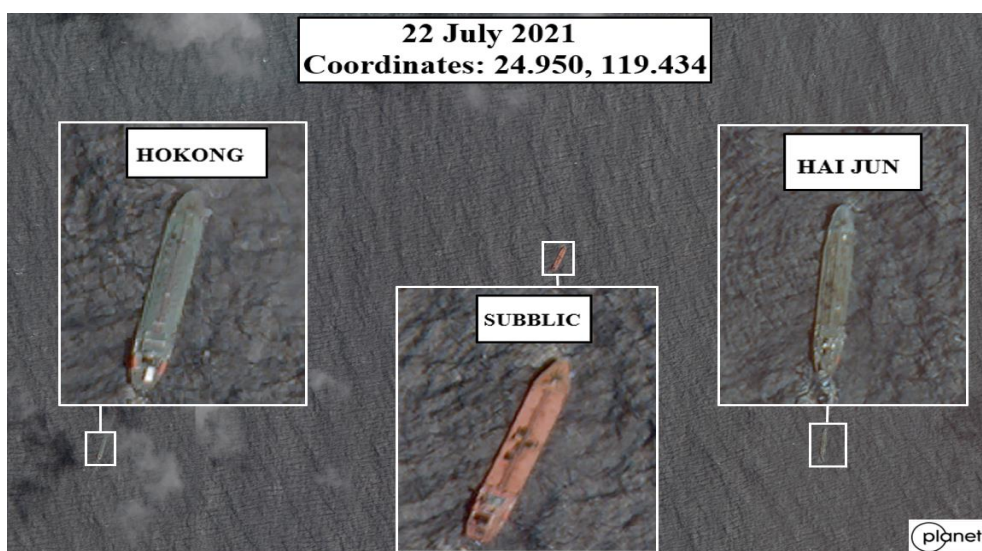
56. Se ha observado que el Hai Jun frecuenta las aguas de la bahía de Sansha y de las islas Dongyin y Wuqiu (véase la figura XXVIII), donde han estado presentes otros buques de entrega directa y sospechosos (véanse los anexos 40 y 41). Además, se sospecha que el Hai Jun participó en otras transferencias entre buques con embarcaciones de entrega directa que transmiten bajo identificadores fraudulentos en 2021. Las investigaciones están en curso.

57. El Grupo se dirigió por escrito a los Estados Miembros y entidades implicados. Las Islas Cook confirmaron que el buque fue eliminado de su registro de buques el

1 de diciembre de 2021 debido a la venta del buque⁶³. Mongolia aún no ha respondido a las preguntas del Grupo. Ruicheng (HK) Shipping Co. Ltd., propietaria registrada del buque, respondió a través del registro de buques que el Hai Jun “no ha participado en ninguna operación ilegal ni ha tenido ningún trato con los buques implicados en la República Popular Democrática de Corea”. También declaró que “para ahorrar gastos de operación, el buque suele dejar de suministrar energía cuando no está en funcionamiento”. El Grupo observa que las transmisiones se interrumpieron durante el período de interés para la investigación, incluso en aguas abiertas. Además, desde el 4 de diciembre de 2020 no se ha renovado su seguro marítimo, y otras certificaciones del buque seguían pendientes. En los anexos 42a a 42e se ofrece información detallada a este respecto.

Figura XXVIII

El Hai Jun y buques de entrega directa cerca de la isla de Wuqiu, 22 de julio de 2021



Fuente: Planet Labs, anotaciones del Grupo.

Nota: El Hokong ha sido desguazado (véase el anexo 43).

Manipulación física de la identidad de buques

58. El New Konk no fue el único barco sospechoso que trató de ocultar su identidad. El Hai Jun también fue fotografiado empleando este subterfugio y utilizando identificadores desmontables, que contravienen las normas de la OMI (véase la figura XXIX). En los anexos 44, 45a y 45b se incluyen, respectivamente, detalles de los métodos de evasión previamente identificados por el Grupo y de los petroleros de la República Popular Democrática de Corea que enmascaran sus identidades.

⁶³ Actualmente bajo pabellón de Togo y con Ruicheng Shipping como titular del DC (documento de conformidad) desde diciembre de 2020. IHS Markit.

Figura XXIX

Fotografía del Hai Jun, mar de China Oriental, 3 de octubre de 2020



Fuente: Estado Miembro, anotaciones del Grupo.

Facilitadores

New Konk

59. La República Popular Democrática de Corea se vale de terceras personas y entidades para que los buques sospechosos puedan llevar a cabo su comercio ilícito. El New Konk utilizaba una identidad de buque falseada, el F. Lonline, cuando partió del río Baima en Fujian (China) en agosto de 2021. Las investigaciones en curso indicaron que se había falsificado la identidad del antiguo Smooth Sea 3, de pabellón tailandés, lo que dio lugar a la creación de una presunta identidad fraudulenta: el F. Lonline. Se sospecha que el Smooth Sea 30 (núm. IMO 9892262), de pabellón tailandés y presunta nueva construcción, es el antiguo Smooth Sea 3.

60. El historial de gestión y titularidad del F. Lonline está relacionado con otros buques investigados anteriormente por el Grupo que también han falsificado su identidad. Aunque en la actualidad consta como propiedad de Brilliant Trade International, constituida en Hong Kong, y gestionado por esta desde octubre de 2019⁶⁴, el F. Lonline fue propiedad de Smooth Sea Co. Ltd. y operado por esta empresa, y navegó como Smooth Sea 3 desde junio de 2004 hasta junio de 2019, antes de ser transferido a Rui He HK Marine Co. Ltd.⁶⁵, para navegar bajo un pabellón y un nombre diferentes. El buque fue traspasado un mes después a Cheng Xin Shipping Ltd., se le dio pabellón de Belice y tres meses más tarde fue rebautizado como F. Lonline. La empresa Cheng Xin Shipping⁶⁶, constituida en Hong Kong, está implicada en la investigación llevada a cabo por el Grupo en relación con el Smooth Sea 22 en un caso de supuesta falsificación de la identidad del buque⁶⁷. El New Konk,

⁶⁴ Sistema mundial integrado de información marítima de la OMI, a enero de 2022.

⁶⁵ Rui He HK Marine Co. Ltd. también fue en el pasado propietaria y administradora del Unica, otro buque de entrega directa, antes de que la titularidad fuera transferida a Prospera Pacific International Company Limited, constituida en las Islas Vírgenes Británicas. Información del Sistema mundial integrado de información Marítima de la OMI.

⁶⁶ Esta entidad suele conservar los buques durante algunos meses.

⁶⁷ S/2021/777, párrs. 29 a 37 y anexo 28.

el M0uson 328 y el Hai Zhou 168⁶⁸ visitaron el astillero Fujian Yihe y partieron transmitiendo nuevas identidades digitales fraudulentas.

61. El Grupo Especial se dirigió por escrito a Tailandia, a los registros de pabellón pertinentes, a las entidades propietarias o explotadoras de los buques y a Fuijan Yihe.

62. Tailandia aún no ha respondido a las preguntas del Grupo. En otra correspondencia, Tailandia confirmó que la empresa Smooth Sea Co. Ltd., registrada en Tailandia, transfirió la propiedad del Smooth Sea 3 a Cheng Xin Shipping Ltd. el 18 de julio de 2019. El Grupo continuó el seguimiento de Cheng Xin Shipping. La empresa aún no ha respondido a las preguntas del Grupo.

63. En los anexos 46a y 46b pueden consultarse detalles adicionales y las respuestas de los registros de pabellón y las entidades.

Sky Venus y Sunward

64. El Grupo está investigando las sospechas de evasión de sanciones que afectan a Cheng Chiun Shipping Agency Co. Ltd., ubicada en Kaohsiung, Provincia China de Taiwán⁶⁹. Según la información facilitada por un Estado Miembro, la empresa explota buques, entre ellos el Sky Venus (núm. IMO 9168257), con pabellón de Palau, y el Sunward (núm. IMO 8920115), con pabellón de Panamá, que transfirieron petróleo mediante transferencias ilícitas entre buques a petroleros de la República Popular Democrática de Corea. Cheng Chiun Shipping Agency Co. Ltd. utilizó una serie de empresas ficticias para facilitar los pagos relacionados con las transferencias entre buques. El Grupo sigue investigando otros casos en los que la empresa está implicada.

65. El Grupo destaca las siguientes técnicas de evasión utilizadas para supuestamente proporcionar y entregar petróleo ilícito a la República Popular Democrática de Corea.

Uso de empresas ficticias

66. Las empresas implicadas en las transferencias ilícitas entre buques de petróleo refinado con destino a la República Popular Democrática de Corea utilizan una serie de empresas ficticias para efectuar el pago de los envíos presuntamente destinados a la República Popular Democrática de Corea. Dos de estas empresas propiedad de Cheng Chiun Shipping Agency Co. Ltd. (Ocean Energy International Corp., registrada en las Seychelles y propietaria y operadora del Sky Venus, y Wills International Co. Ltd., constituida en Samoa y operadora del Sunward) sirvieron de alias para Cheng Chiun Shipping, al igual que Everway Global Ltd.⁷⁰.

Suministro de petróleo

67. Las investigaciones sobre el Sunward, el Sky Venus y varios buques de entrega directa y sospechosos demostraron que gran parte de los productos derivados del petróleo entregados a la República Popular Democrática de Corea proceden de terminales petrolíferas de Asia Oriental y se entregan mediante transferencias entre buques. Los contraventores de las sanciones explotan el negocio legítimo de las transferencias entre buques⁷¹ para transferir petróleo ilícitamente a la República Popular Democrática de Corea (véase el anexo 47).

⁶⁸ En relación con el falseamiento de la identidad del buque Smooth Sea 28/Hai Zhou 168/Smooth Sea 22, Tailandia proporcionó al Grupo las dimensiones del buque. Véase también el anexo 46b.

⁶⁹ 程群船務代理有限公司.

⁷⁰ *Ibid.*

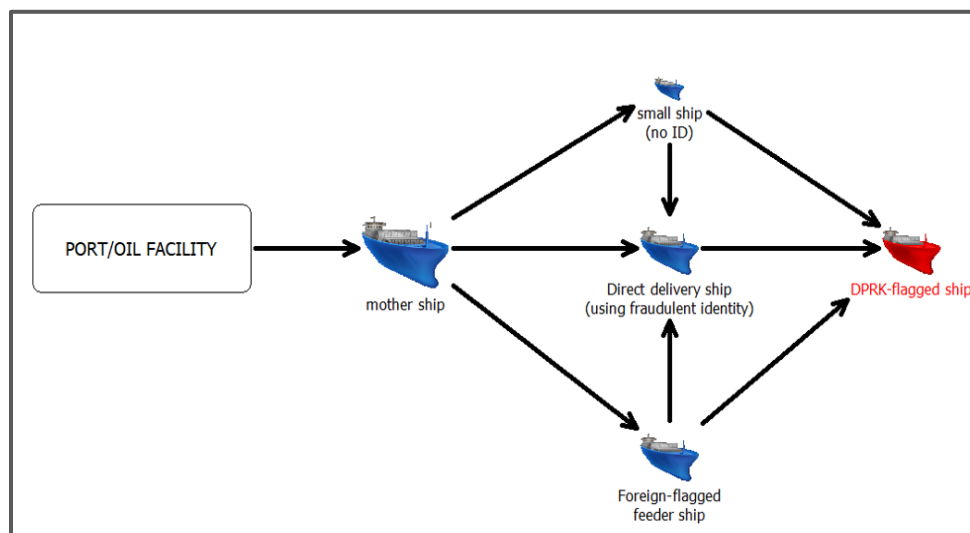
⁷¹ En el contexto del sistema de franco a bordo, la responsabilidad de las transferencias de carga pasa del vendedor al comprador cuando la carga de petróleo cruza las barandillas de un buque a

Transferencias de petróleo en varias etapas

68. El Sunward y el Sky Venus se utilizaron como buques nodriza para cargar petróleo refinado desde el puerto de Taichung antes de, presuntamente, entregar su carga a petroleros de la República Popular Democrática de Corea mediante una cadena de transferencias entre buques en las ocasiones identificadas por el Grupo (véase la figura XXX). De este modo, se genera la impresión de que una o varias operaciones separan a las naves nodriza y sus facilitadores de las transferencias de petróleo a los buques sospechosos. El Grupo había informado anteriormente sobre el uso de buques de menor tamaño, que la República Popular Democrática de Corea emplea preferentemente como buques de intermediación para recibir el cargamento de petróleo, ya que al carecer de número IMO es más difícil rastrearlos e identificarlos. Estos buques, a su vez, transfieren el petróleo a la República Popular Democrática de Corea o a buques asociados a la República Popular Democrática de Corea.

Figura XXX

Transferencias de petróleo en múltiples etapas destinadas a la República Popular Democrática de Corea



Fuente: Grupo.

69. Por ejemplo, entre el 8 y el 10 de agosto de 2021, el Sky Venus transfirió en repetidas ocasiones petróleo a buques no identificados de menor tamaño en días consecutivos, y estos buques transfirieron a su vez petróleo refinado al mismo buque con pabellón de la República Popular Democrática de Corea, el Sin Phyong 5 (núm. IMO 8865121) (véase la figura XXXI)⁷². El Grupo ya había investigado el Sin Phyong 5 por separado tras su venta a la República Popular Democrática de Corea⁷³.

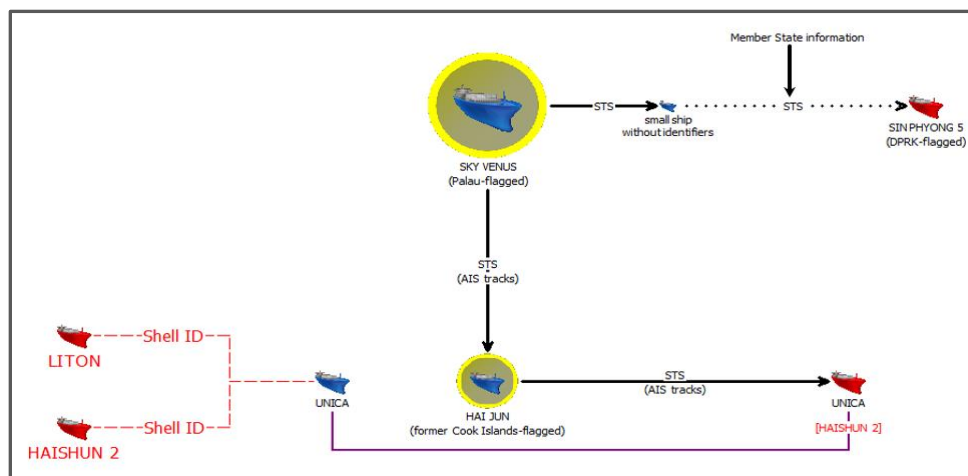
70. Un Estado Miembro ha determinado que Cheng Chiun Shipping Agency Co. Ltd. “era consciente de la actividad con la que se intentaba eludir las sanciones e intentó encubrir sus actividades”.

otro durante una transferencia entre buques. Véase [S/2019/171](#) y [S/2019/171/Corr.1](#), párr. 11 y anexo 7.

⁷² Observado por un Estado Miembro.

⁷³ [S/2021/777](#), párrs. 76 a 79 y anexo 38.

Figura XXXI
Transferencias ilícitas de petróleo refinado



Fuente: Grupo.

71. Cheng Chiun Shipping Agency Co. Ltd., a través de un bufete de abogados, ha negado “haber transportado productos refinados derivados del petróleo a buques relacionados con la República Popular Democrática de Corea mediante [sus] petroleros Sunward y Sky Venus”, y ha negado también que la empresa haya actuado como agente de compras y transitario para compradores o vendedores de gasóleo cerca de la provincia china de Fujian. Según la empresa, la única persona a la que vendió gasóleo durante los períodos por los que se interesó el Grupo fue un tal Sr. Liu, de una empresa constituida en Hong Kong. El petróleo se transfirió a “buques de navegación interior” y “barcos de pesca” designados por el Sr. Liu. No se proporcionaron identificadores de barcos para recibir el gasóleo. Cheng Chiun Shipping declaró que “el Sr. Liu siempre envía sus buques con los indicadores y números cubiertos”. En lugar de esos indicadores, el reconocimiento de los buques se producía mediante la presentación de un billete de papel de yuanes chinos, cuyos números de serie coincidían con los proporcionados por el Sr. Liu.

72. El Grupo continúa revisando la información proporcionada por la empresa.

73. En el anexo 48 se incluyen detalles adicionales sobre esta sección.

Venta de buques

74. El Grupo ha documentado numerosos casos en los que los buques adquiridos en última instancia por la República Popular Democrática de Corea no actualizaban el historial de titularidad o gestión. La República Popular Democrática de Corea recurre al uso de terceras partes e intermediarios para ocultar su presencia en dichas transacciones. También se vale de empresas pantalla para complicar el escrutinio de la venta de buques. La demora en la presentación de informes o la no presentación de estos, junto con la provisión de datos de contacto por correo electrónico efímeros o erróneos, han sido técnicas de las que se han valido activamente quienes intentan generar confusión en torno a la evasión de sanciones.

75. El Grupo destaca las ventas del Rui Hong 916 (núm. IMO 9058866) y del Ri Hong (núm. IMO 9162318) como ejemplos (véanse los anexos 49 y 50).

Adquisición de buques

Su Ryong San y Ocean Sky

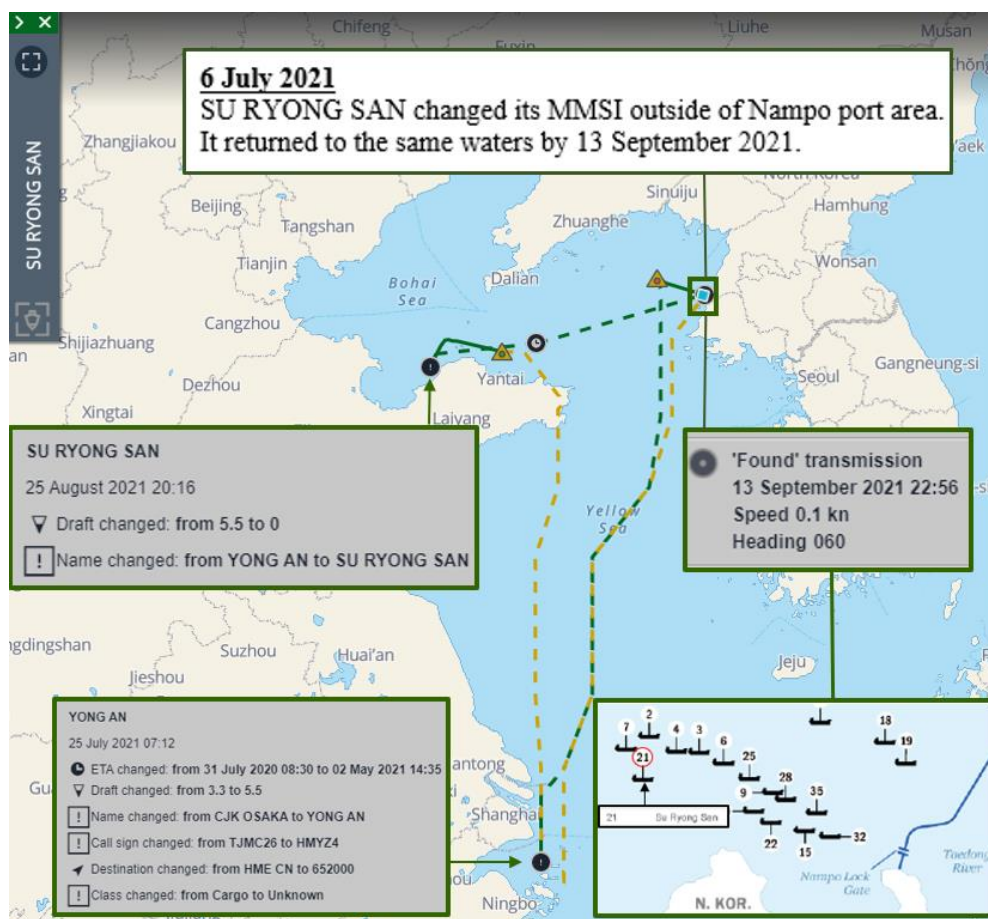
76. La República Popular Democrática de Corea siguió añadiendo buques cisterna y cargueros a su flota, contraviniendo las resoluciones del Consejo de Seguridad. El Grupo identificó en primer lugar el Su Ryong San (núm. IMO 9016430), que en fecha reciente había obtenido pabellón de la República Popular Democrática de Corea, basándose en transmisiones anómalas del SIA (véase la figura XXXII). El Grupo también identificó a HongKong Great Fortune Development Co. Limited. (香港吉運(運)發(發)展有限公司) como último propietario registrado del buque antes de que pasara a formar parte de la flota de la República Popular Democrática de Corea⁷⁴. En el anexo 51 se recogen los detalles y las respuestas.

77. Un Estado Miembro ha expresado la sospecha de que la empresa Asia Ocean Shipping Ltd. (亞洲遠洋運輸有限公司), constituida en Hong Kong, ha facilitado la presunta transferencia en alta mar del buque Ocean Sky (núm. IMO 9125308), con pabellón de Sierra Leona, a la República Popular Democrática de Corea. Según los registros marítimos, el propietario actual del buque sigue siendo Asia Ocean Shipping Ltd.⁷⁵. El Ocean Sky, al igual que otros petroleros y cargueros investigados en el pasado por el Grupo, tuvo un último tránsito en Shidao (China) antes de llegar a la República Popular Democrática de Corea. En los anexos 52a y 52b pueden encontrarse datos y comentarios a este respecto.

⁷⁴ Sistema mundial integrado de información marítima de la OMI.

⁷⁵ Al 31 de diciembre de 2021.

Figura XXXII
Viaje del Su Ryong San, julio a septiembre de 2021



Fuente: Windward, anotaciones del Grupo.

Transferencia de derechos de pesca

78. El Grupo continúa sus investigaciones en torno a la venta o la transferencia por parte de la República Popular Democrática de Corea de derechos de pesca, que está prohibida en virtud del párrafo 9 de la resolución 2371 (2017) del Consejo de Seguridad, como se aclara en el párrafo 6 de la resolución 2397 (2017) del Consejo. Según la información proporcionada por un Estado Miembro, la venta o transferencia de derechos de pesca por parte de la República Popular Democrática de Corea en contravención de las resoluciones continuó en 2021. Un Estado Miembro identificó al menos 428 buques que entraron en aguas de la República Popular Democrática de Corea entre abril y junio de 2021, algunos de los cuales habían tenido como origen las provincias chinas de Shandong y Liaoning (véase el anexo 53a)⁷⁶. El Grupo Especial se dirigió por escrito a China solicitando más información sobre la identificación de los buques, las entidades conexas, los puertos de origen y las actividades pesqueras en aguas de la República Popular Democrática de Corea. China respondió que “la autoridad pesquera de China y las provincias costeras pertinentes han tomado medidas para reforzar la gestión y han exigido a las empresas pesqueras y a los pescadores que se atengan estrictamente a los requisitos de las resoluciones del Consejo de Seguridad” (véase el anexo 53b).

⁷⁶ S/2021/777, párr. 82.

79. El Estado Miembro observó que el volumen de los buques pesqueros de terceros países que se desplazan a aguas de la República Popular Democrática de Corea ha disminuido considerablemente (véase el cuadro 4) y que el tamaño de las zonas de pesca permitidas en aguas de la República Popular Democrática de Corea se redujo en 2021 (véase el anexo 53c).

Cuadro 4

Número de pesqueros de terceros países observados entrando en aguas territoriales de la República Popular Democrática de Corea

	2017	2018	2019	2020	2021
Núm. de pesqueros	1 711	2 611	1 882	2 389	554
Fecha de inicio del movimiento cada año	2 de mayo	18 de abril	23 de abril	10 de mayo	21 de abril

Fuente: Estado Miembro.

Exportaciones marítimas de la República Popular Democrática de Corea

Exportaciones de carbón con buques de la República Popular Democrática de Corea

80. Un Estado Miembro estimó que, entre septiembre de 2020 y agosto de 2021, la República Popular Democrática de Corea exportó alrededor de 552.400 toneladas de su carbón en al menos 64 envíos a aguas territoriales y puertos chinos⁷⁷ (véanse los anexos 54 a 61). Entre octubre de 2020 y enero de 2021 no hubo exportaciones de carbón debido a las restricciones en el país relacionadas con la COVID-19, que incluyeron importantes períodos de cuarentena para sus buques exportadores de carbón. El Grupo mantuvo el seguimiento de los buques a lo largo del río Taean, donde se carga el carbón para su exportación. Desde abril de 2021, y durante los meses posteriores, muchos de los buques de la República Popular Democrática de Corea en los que se habían observado cargamentos de carbón abandonaron el río, y varios de ellos visitaron en repetidas ocasiones las aguas de Ningbo-Zhoushan (véase la figura XXXIII).

⁷⁷ Dos de los expertos opinan que esta información debe comprobarse más a fondo.

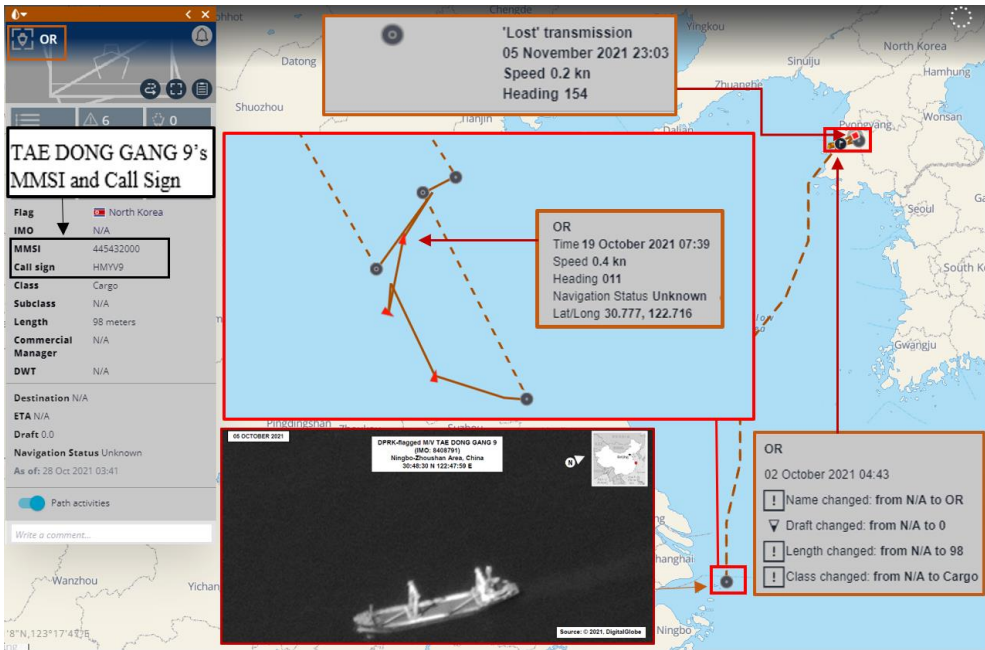
Figura XXXIII
Buques en el río Taean, abril y noviembre de 2021



Fuente: Estado Miembro (parte superior) y Maxar Technologies (parte inferior), anotaciones del Grupo.

81. Por ejemplo, el Tae Dong Gang 9 (núm. IMO 8408791), que se encontraba en Taean el 4 de abril de 2021 (véase la figura XXXIV), regresó el 5 de noviembre de 2021 tras haber transitado por aguas de Ningbo-Zhoushan en octubre. El buque también manipuló sus identificadores, navegando como Or, y durante todo el trayecto solo transmitió señales brevemente (véase la figura XXXIV).

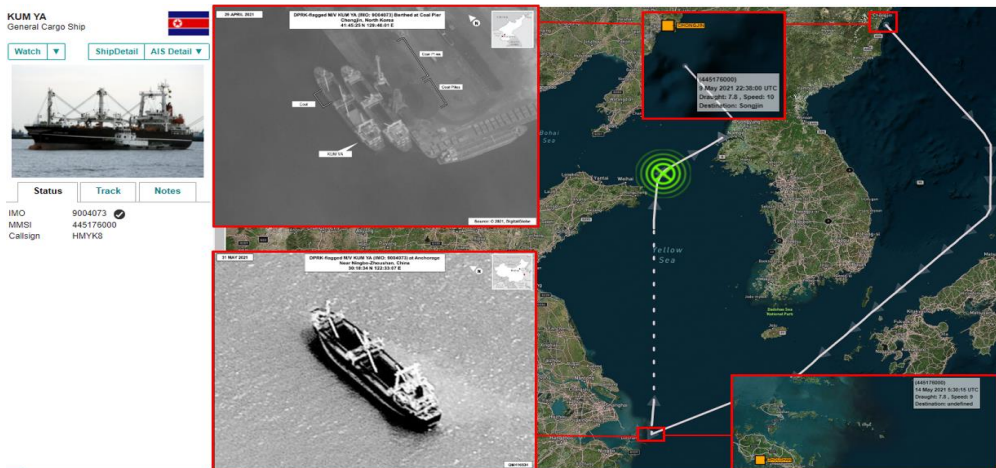
Figura XXXIV
Viaje del Tae Dong Gang 9, octubre a noviembre de 2021



Fuente: Windward, anotaciones del Grupo; y Estado Miembro (imágenes de satélite).

82. Los buques de la República Popular Democrática de Corea, como el Kum Ya (núm. IMO 9004073), también zarparon de otros puertos de la costa oriental de la República Popular Democrática de Corea para exportar carbón (véase la figura XXXV). En el anexo 55 se ofrecen otros ejemplos de carbón exportado a aguas de Ningbo-Zhoushan entre los meses de mayo y septiembre de 2021.

Figura XXXV
Representación gráfica de la exportación de carbón con el Kum Ya, abril a mayo de 2021

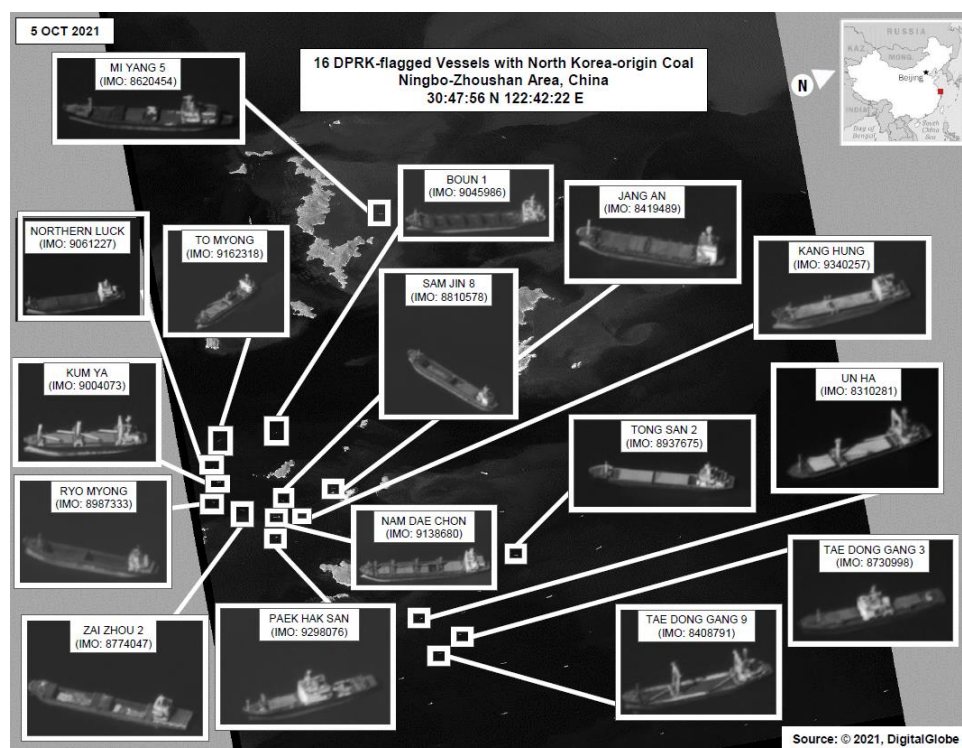


Fuente: IHS Markit Sea-web, anotaciones del Grupo; y Estado Miembro (imágenes de satélite).

83. El Grupo continuó solicitando la asistencia de China en relación con la presencia recurrente de múltiples buques de la República Popular Democrática de Corea en aguas de Ningbo-Zhoushan (véase la figura XXXVI) para exportar carbón mediante transferencias entre buques, en particular solicitando información sobre cualquier descarga efectuada por embarcaciones de la República Popular Democrática de Corea mediante transferencias entre buques en esas aguas y sobre los identificadores de los buques receptores y las entidades y personas que poseen, operan y adquieren la carga de los buques de la República Popular Democrática de Corea y la documentación de expedición y las transacciones financieras pertinentes⁷⁸. Un Estado Miembro informó de que todos los buques transportaban cargamentos de carbón procedente de la República Popular Democrática de Corea. Algunos de los buques permanecieron durante cierto tiempo en la zona de Ningbo-Zhoushan (véase el anexo 56).

Figura XXXVI

Buques con pabellón de la República Popular Democrática de Corea, Ningbo-Zhoushan (China), 5 de octubre de 2021



Fuente: Estado Miembro.

84. El Grupo Especial solicitó a China información sobre cada uno de los buques de la República Popular Democrática de Corea presentes en aguas chinas, los identificadores con los que transmitían, cualquier transferencia entre buques realizada en aguas chinas, el cargamento descargado, las identidades de los buques receptores junto con las de sus propietarios y operadores, los detalles de las personas o entidades que importaron el carbón de la República Popular Democrática de Corea y los registros financieros y de expedición pertinentes. El Grupo solicitó la misma información en relación con los buques que se mencionan en los párrafos siguientes y a propósito de los cuales se solicitó la ayuda de China.

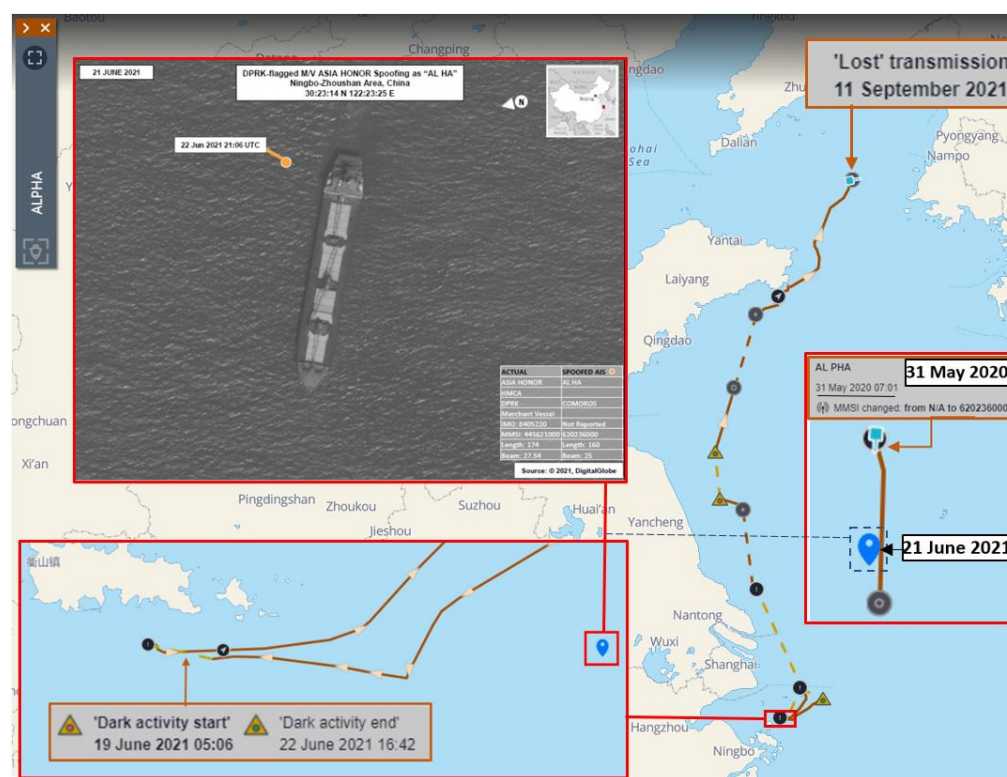
⁷⁸ De conformidad con el párrafo 8 de la resolución 2371 (2017) del Consejo de Seguridad, el párrafo 11 de la resolución 2375 (2017) y los párrs. 9 y 20 de la resolución 2397 (2017).

85. China respondió que “en el caso de los buques ZAI ZHOU 2, TO MYONG, SAM JIN 8, NAN DAE CHON, KANG HUNG y UN HA, estos entraron en el puerto de Yantai vacíos de carga y salieron del puerto después de cargar fertilizantes químicos, pesticidas y otros suministros agrícolas”. Respecto del resto de los buques con pabellón de la República Popular Democrática de Corea que aparecen en la figura XXXVI, China “no tenía ningún registro de sus escalas en puertos de China”.

86. Los buques de la República Popular Democrática de Corea también siguieron transmitiendo identificadores falsificados que se habían identificado en informes anteriores del Grupo (véase el anexo 57). El Asia Honor (núm. IMO 8405220), por ejemplo, transmitió desde casi la misma posición en aguas de Ningbo-Zhoushan que cuando creó su perfil falso del SIA hace más de un año (véase la figura XXXVII).

Figura XXXVII

Historial de transmisiones fraudulentas de elementos de identificación del Asia Honor en aguas territoriales de China



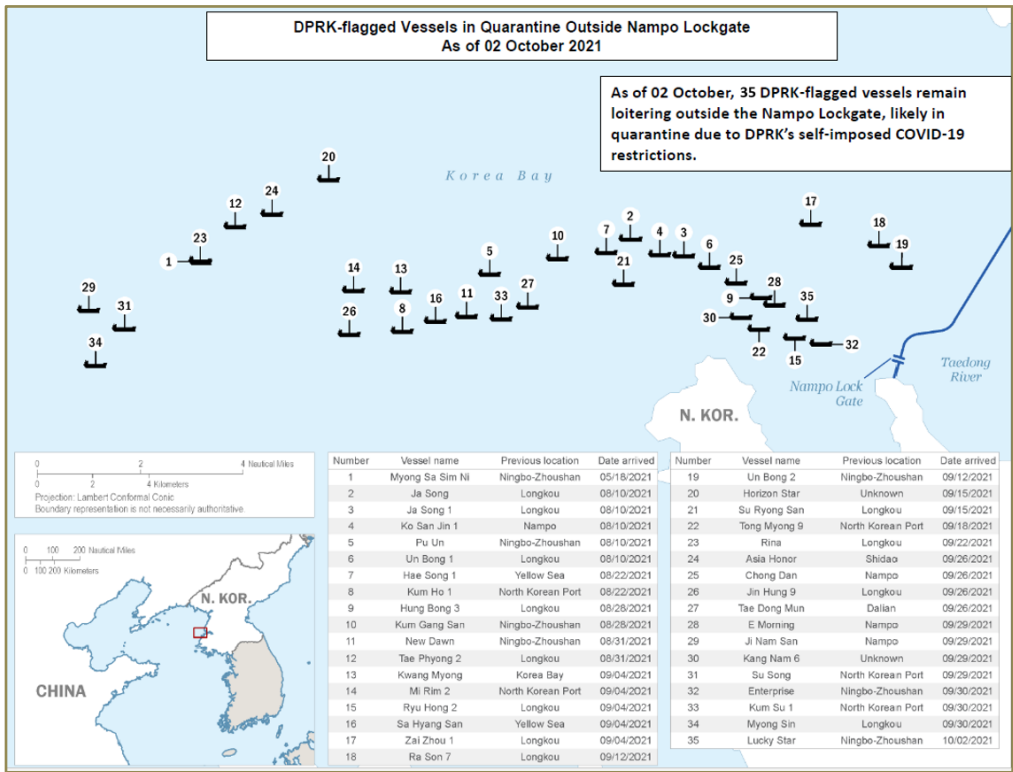
Fuente: Windward, anotaciones del Grupo; y Estado Miembro (inserciones gráficas).

87. El Grupo preguntó a China sobre el buque Asia Honor. China respondió que no había constancia de que el Asia Honor hubiese hecho escalas en puertos de China.

88. El 2 de octubre de 2021 había 35 buques de la República Popular Democrática de Corea anclados en cuarentena frente a la esclusa de Nampo (véase la figura XXXVIII). Varios de los buques estaban en Ningbo-Zhoushan. En el informe anterior del Grupo se señalaba que varios de los buques se encontraban en Ningbo-Zhoushan el 5 de abril de 2021 exportando carbón⁷⁹.

⁷⁹ S/2021/777, figura XII.

Figura XXXVIII
Buques en cuarentena, embalse del mar del Occidental, República Popular Democrática de Corea



Fuente: Estado Miembro.

89. El Grupo solicitó información a China sobre la presencia de los buques de la República Popular Democrática de Corea que aparecen en la figura XXXVIII en 2021, en particular qué buques de la República Popular Democrática de Corea implicados en el transporte de carga humanitaria o de otro tipo han participado también en el transporte de carbón procedente de la República Popular Democrática de Corea y han hecho escala en puertos chinos. China respondió que “no era posible acceder al registro de escalas en puertos de China de 35 buques, incluidos el Myong Sa Sim No y el Ja Song, ya que no se proporcionó información de la OMI”. El Grupo observa que todos los números IMO de estos cargueros específicos con pabellón de la República Popular Democrática de Corea están registrados en el sitio web de la OMI y figuran en él. En informes anteriores del Grupo se informó sobre varios de estos buques⁸⁰.

⁸⁰ Por ejemplo, el Myong Sa Sim Ni (núm. IMO 9010058), como se recoge en [S/2021/777](#), párrs. 89 a 92 y figuras XIII y XIV.

Buques exportadores de carbón con pabellón de la República Popular Democrática de Corea en puertos chinos

República Popular Democrática de Corea – aguas de Ningbo-Zhoushan – puertos chinos – República Popular Democrática de Corea

90. Algunos de los buques que exportaban carbón en aguas de Ningbo-Zhoushan transitaban luego por otros puertos chinos, como los de Longkou y Laizhou. Entre ellos se contaban los buques con pabellón de la República Popular Democrática de Corea Su Ryong San (véase también el párr. 76), Pho Phyong (núm. IMO 8417962), Samjin 8 (núm. IMO 8810578), Kang Hung (núm. IMO 9340257) y Un Ha (núm. IMO 8310281), que transitaron desde aguas de Ningbo-Zhoushan hasta el puerto de Longkou; y To Myong (antes conocido como Ri Hong) (núm. IMO 9162318) y Northern Luck (núm. IMO 9061227) que transitaron desde aguas de Ningbo-Zhoushan hasta el puerto de Laizhou (véase el anexo 58). El Grupo ha investigado anteriormente buques de la República Popular Democrática de Corea que exportaron carbón en aguas de Ningbo-Zhoushan e importaron cargamentos de ayuda humanitaria en el puerto de Longkou en un solo viaje de ida y vuelta⁸¹. China respondió que el “Pho Phyong entró en el puerto de Yantai vacío de carga en septiembre de 2021 y salió del puerto con carga general en noviembre de 2021”.

República Popular Democrática de Corea – puertos chinos – República Popular Democrática de Corea

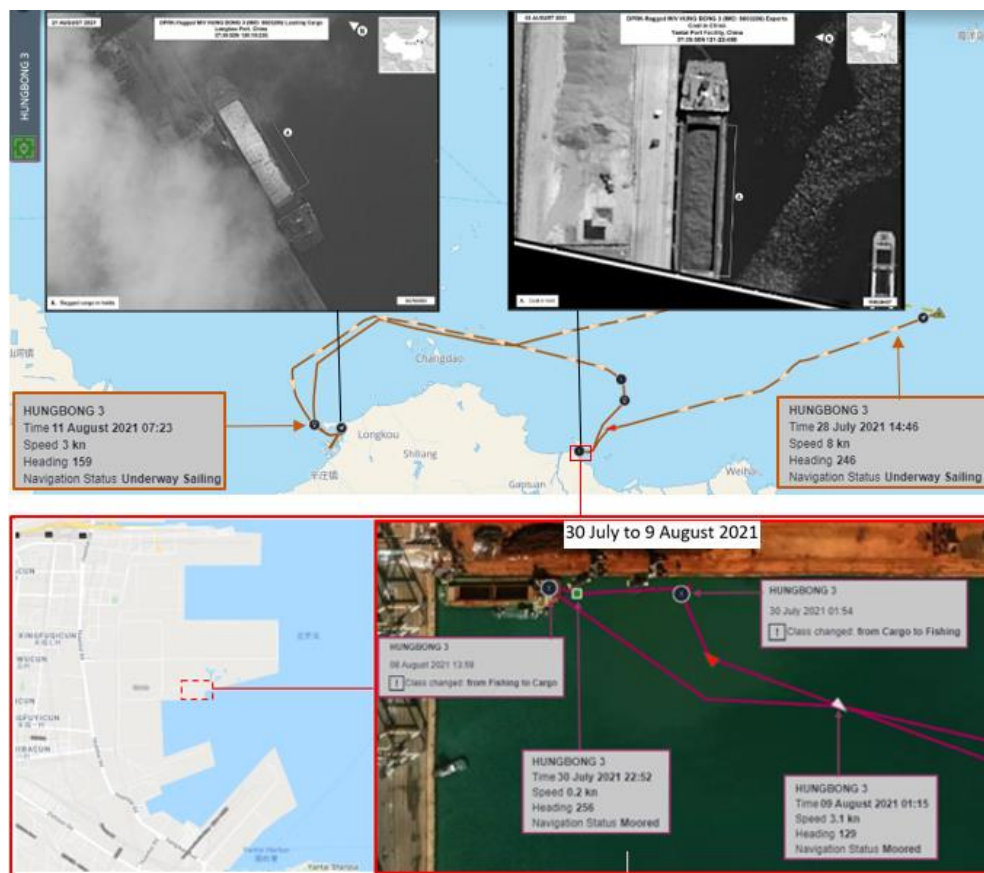
91. Algunas exportaciones de carbón también fueron entregadas directamente en puertos de China por buques con pabellón de la República Popular Democrática de Corea, según la información proporcionada por un Estado Miembro. El seguimiento del SIA del Grupo mostró que el Hung Bong 3 (núm. IMO 8603286) partió de Nampo el 26 de julio de 2021 con rumbo al puerto de Yantai (China), donde fue observado en el muelle el 2 de agosto de 2021 cargando carbón. El buque se dirigió entonces a Longkou y fue observado junto al muelle diez días más tarde cargado con lo que parece ser una carga embolsada de color blanco (véase la figura XXXIX) antes de zarpar. En el anexo 59 se describe un caso similar relacionado con el Tae Phyong 2 (antes conocido como Ming Zhou 6) (núm. IMO 8602763), un buque que el Grupo ha investigado por exportar carbón procedente de la República Popular Democrática de Corea⁸².

⁸¹ S/2021/777, párrs. 100 y 101; y S/2021/211, párrs. 58, 63 y 64.

⁸² S/2021/211, párrs. 70 a 72; y S/2021/777, párrs. 80 y 102 y anexo 39.

Figura XXXIX

Buque de la República Popular Democrática de Corea exportando carbón e importando otros cargamentos, Yantai, China, julio a agosto de 2021



Fuente: Windward, IHS Markit Sea-web, anotaciones del Grupo; representación gráfica, Estado miembro (parte superior). (Las imágenes de la parte inferior son representativas de la ubicación, no se corresponden con la fecha real de la superposición de señales del SIA).

92. El Grupo solicitó a China información, incluida la documentación de expedición pertinente, sobre todas las mercancías prohibidas descargadas y cargadas en muelle o en transferencias entre buques en los respectivos puertos chinos. China respondió que el Hung Bon 3 “entró en el puerto de Yantai vacío de carga en marzo y julio de 2021 respectivamente, y salió del puerto con carga de fertilizantes y otros suministros agrícolas en marzo y agosto respectivamente”. Las investigaciones siguen en curso.

Redes de la cadena de suministro

HongKong Great Fortune Development Co. Limited

93. A propósito de la labor de facilitación en la adquisición del Su Ryong San, un Estado Miembro alega que HongKong Great Fortune Development Co. Limited también ha invertido en varios buques de la República Popular Democrática de Corea, incluso realizando trabajos conjuntos de mantenimiento y explotación; que la empresa ha participado en otras importaciones de carbón procedente de la República Popular Democrática de Corea a China; que ha participado en trueques relacionados con la exportación de fertilizante a la República Popular Democrática de Corea; y que vendió y envió artículos prohibidos a la República Popular Democrática de Corea, entre ellos acero, combustible y vehículos de transporte y relacionados con la

construcción⁸³. La empresa está inscrita en el Registro Mercantil de Hong Kong a nombre de Li Xiangmin (李祥民), de la provincia de Liaoning (China)⁸⁴. Con el recurso al trueque se evita el uso del sistema financiero internacional, con lo que es posible seguir eludiendo las sanciones.

94. La información obtenida por el Grupo de varias fuentes indicaba que la empresa Yonggwang Furniture and Building Materials Corporation (영광가구건설회사), con sede en la República Popular Democrática de Corea, había participado en la exportación de entre 100.000 y 200.000 toneladas de carbón procedentes de la República Popular Democrática de Corea a HongKong Great Fortune Development Co. Limited. A propósito de esta cantidad, el Estado Miembro proporcionó tres ejemplos en los que supuestamente buques con pabellón de la República Popular Democrática de Corea habrían transportado el carbón: el Jang Un (núm. IMO 8822260) con aproximadamente 20.000 toneladas; el Kum Song 7 (núm. IMO 8739396) con aproximadamente 5.000 toneladas⁸⁵; y el Ryon Hwa 3 (núm. IMO 8312227) con unas 6.000 toneladas. El análisis del SIA de los buques llevado a cabo por el Grupo indicó que el Ryon Hwa 3 había navegado por aguas territoriales chinas en 2021. Los datos del SIA también mostraron que el Ryon Hwa 3 visitó la zona portuaria de Longkou entre el 18 y el 27 de marzo. En agosto, el buque estaba exportando carbón en aguas de Ningbo-Zhoushan, donde encalló el 18 de septiembre (véase la figura XLa).

⁸³ El Grupo informó en el pasado sobre las exportaciones de vehículos relacionados con la construcción a la República Popular Democrática de Corea (véase [S/2021/211](#), párrs. 68 y 69 y anexo 36).

⁸⁴ Consta como miembro fundador y director. Dirección: 39-3-208, Qingnian Street, Zhenxing District, Dandong City, Liaoning Province, China.

⁸⁵ Según los informes, valorado en 88 dólares por tonelada.

Figura XLa

El *Ryon Hwa 3* encallado, Ningbo-Zhoushan, 18 de septiembre de 2021

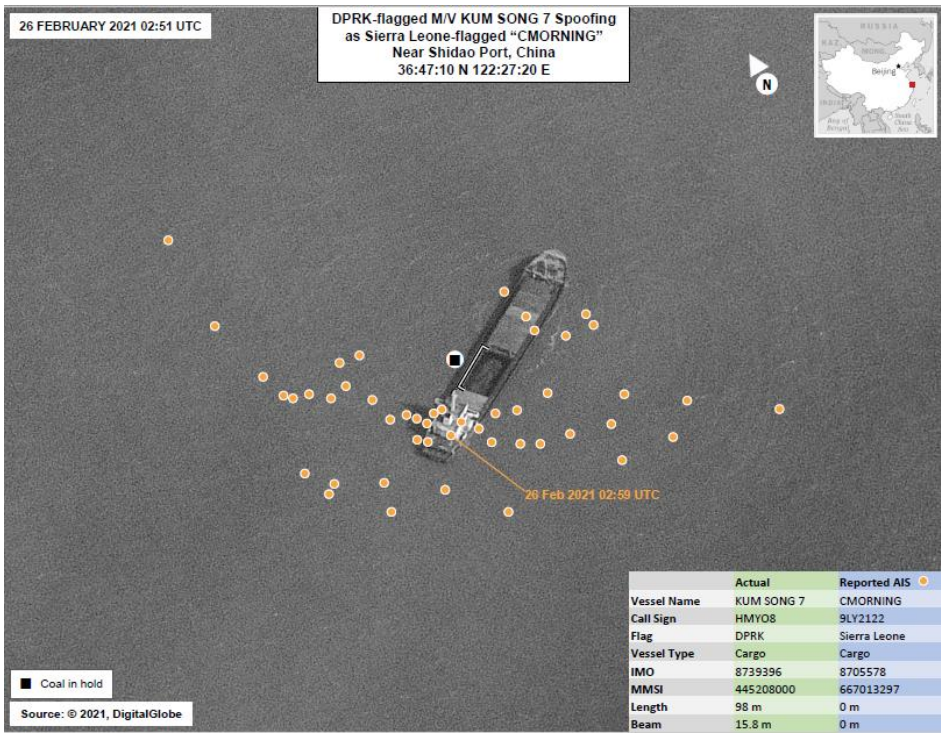


Fuente: (parte superior) Estado Miembro, (parte inferior) Maxar Technologies y Windward.

95. El Jang Un y el Kum Song 7 no han emitido señal alguna del SIA durante años, y se han desplazado “emboscados” o falsificando los identificadores de otros buques para evitar ser detectados en las bases de datos marítimas (véase la figura XLb). El Grupo ha informado de que los tres buques han exportado carbón en la zona de Ningbo-Zhoushan⁸⁶. HongKong Great Fortune Development Co. Limited no ha respondido todavía.

⁸⁶ El Grupo ha mencionado el Jang Un en sus informes del Grupo por exportar carbón de la República Popular Democrática de Corea desde 2018, y tanto el Kum Song 7 como el Ryon Hwa 3 han sido observados en aguas de Ningbo-Zhoushan desde 2020.

Figura XLb
**El *Kum Song 7* practica el engaño radioelectrónico cerca de Shidao (China),
26 de febrero de 2021**



Fuente: Estado Miembro.

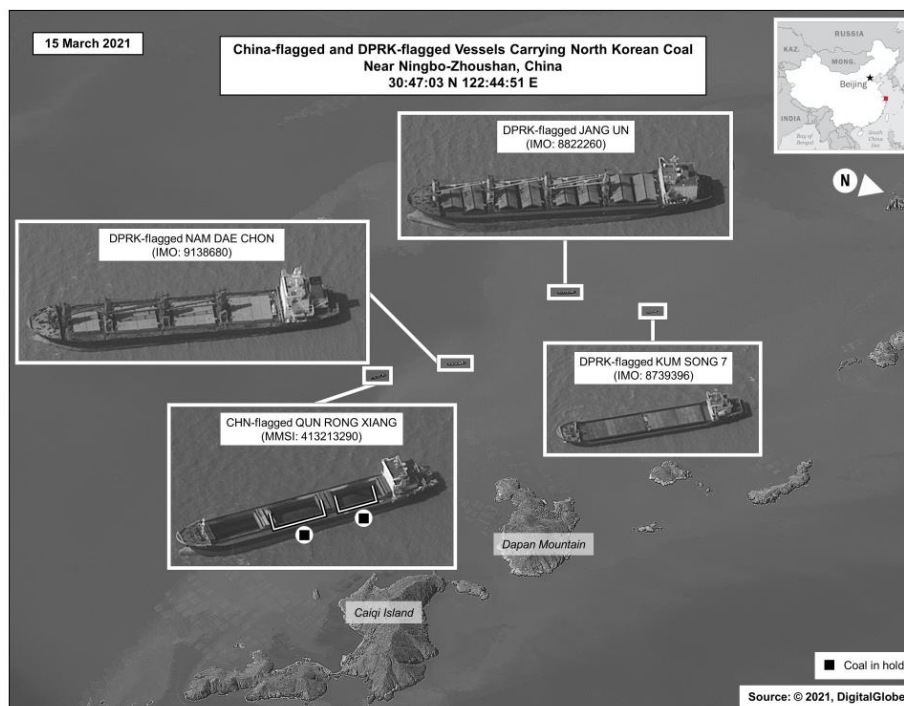
96. El Grupo pidió a China que verificara la titularidad de HongKong Great Fortune Development Co. Limited, el papel de la empresa en la adquisición de carbón y su participación en cualquier actividad relacionada con la República Popular Democrática de Corea. China respondió que “la parte china no dispone de información relativa a Hong Kong Great Fortune Development Co. Ltd. en este momento” (véase el anexo 61).

97. Tras revisar múltiples datos, el Grupo consideró que HongKong Great Fortune Development Co. Limited era la entidad probablemente asociada con la exportación de carbón por parte de la República Popular Democrática de Corea al carguero de bandera china Qun Rong Xiang (sin número IMO, núm. de ISMM 413213290) en aguas chinas. El Grupo había investigado previamente el buque chino, pero se abstuvo de identificarlo a petición de China, que estaba llevando a cabo una investigación (véase la figura XLI)⁸⁷. El buque chino entregó el carbón en el puerto de Qinzhou el 23 de marzo de 2021. En los anexos 60 y 61 se ofrecen más detalles e imágenes.

⁸⁷ S/2021/777, párrs. 96 a 98.

Figura XLI

El *Qun Ron Xiang* cerca de tres buques de la República Popular Democrática de Corea, Ningbo-Zhoushan, 15 de marzo de 2021



Fuente: Estado Miembro.

98. China respondió que “las investigaciones sobre [...] el Qun Rong Xiang siguen en curso y, por ahora, no tenemos información que compartir al respecto”.

99. Todos los buques de la República Popular Democrática de Corea sospechosos de haber exportado carbón procedente del país estarían sujetos al párrafo 9 de la resolución [2397 \(2017\)](#) del Consejo de Seguridad (véase el anexo 61 para obtener más detalles)⁸⁸.

Recomendaciones

100. Dado que el comercio marítimo constituye un vector importante tanto en la adquisición como en la venta por parte de la República Popular Democrática de Corea de mercancías sujetas a sanciones, se recuerda a los sectores público y privado que deben aplicar las normas reglamentarias necesarias y los controles de diligencia debida a todos los niveles en relación con la operación de los buques y la transacción de mercancías, en particular las que se llevan a cabo en aguas identificadas⁸⁹ con productos y servicios prohibidos o restringidos. El Grupo destaca que las numerosas recomendaciones relacionadas con el sector marítimo contenidas en los informes anteriores siguen siendo pertinentes.

101. A continuación se exponen algunas recomendaciones adicionales.

⁸⁸ En el párrafo se decide que los Estados Miembros deben decomisar, inspeccionar y confiscar cualquier buque que se encuentre en sus puertos o en sus aguas territoriales si tienen motivos razonables para considerar que ha estado involucrado en actividades que han violado las distintas resoluciones del Consejo de Seguridad.

⁸⁹ [S/2021/777](#), párr. 57 y figura VIII.

Falseamiento de la identidad de embarcaciones y manipulación del SIA

102. El Grupo recomienda a los Estados Miembros y a los registros de buques que añadan a sus circulares información relativa a los casos detectados de blanqueo o manipulación de la identidad de los buques, y que garanticen una amplia difusión, incluso entre las autoridades marítimas. Dicha información debería incluir:

- Identificadores de los buques en su registro que hayan transmitido identidades camufladas
- Identificadores de buques en su registro de los que otros buques puedan haber hecho un uso indebido
- Nombres de los registratarios de buques cuyas embarcaciones hayan transmitido identificadores fraudulentos

103. El Grupo recomienda que los Estados de abanderamiento y sus organizaciones reconocidas mantengan registros verificados y fotografías actualizadas, en las que se indique fecha y hora, de los buques que certifican y abanderan, entre otras cosas para presentarlos a la OMI a intervalos regulares. Estas imágenes grabadas podrían incluir:

- Todas las marcas permanentes del nombre y el número IMO de identificación del buque
- Fotografías del barco desde varios ángulos
- Fotografías del motor del barco, incluido su número de motor

104. El Grupo recomienda que la OMI considere la revisión de las normas de seguridad de hardware y software para evitar la manipulación de los transpondedores de los SIA.

105. El Grupo recomienda que la OMI inste a todos los Estados de abanderamiento a garantizar el cumplimiento de los requisitos del Registro Sinóptico Continuo, en particular la actualización de dicha información en el sitio web del Sistema mundial integrado de información marítima de la OMI.

Venta de buques

106. El Grupo recomienda que los vendedores comprueben que la información sobre la venta de buques se refleja en el sitio web del Sistema mundial integrado de información marítima de la OMI de forma oportuna.

107. El Grupo recomienda que los armadores y los gestores lleven a cabo revisiones internas continuas de los programas de cumplimiento de sanciones con la formación y los recursos necesarios.

La cadena de suministro de petróleo y prácticas de franco a bordo

108. El Grupo reitera que las empresas de comercio de productos básicos y las flotas de petroleros que operan bajo su jurisdicción y en los sectores de riesgo del mercado franco a bordo o que se dedican a la transferencia entre buques en las aguas internacionales afectadas adopten un lenguaje contractual que incluya una verificación eficaz del uso final de las entregas.

109. El Grupo recomienda que las empresas que comercian con productos básicos, las flotas de petroleros y los segmentos de los mercados afectados del sistema franco a bordo revisen el historial del SIA y cualquier uso conocido de identidades fraudulentas de todos los buques a los que pretenden suministrar bienes o productos básicos prohibidos en virtud de las resoluciones, así como de todos los buques de los que pretendan recibir tales bienes y productos.

110. El Grupo recomienda que las instituciones financieras incluyan cláusulas de evaluación de riesgos de los SIA y de diligencia debida con respecto a los buques en las cartas de crédito, los préstamos y otros instrumentos financieros extendidas a las empresas comerciales de productos básicos que participan en la industria del petróleo y sus derivados en las zonas afectadas.

111. El Grupo recomienda que las instituciones financieras que participan en el comercio de productos básicos en las zonas afectadas amplíen los programas de supervisión de las transacciones para que incorporen un cribado de los SIA de los buques de los clientes y de las contrapartes.

Mejora de la diligencia debida y el intercambio de datos

112. El Grupo recomienda que los Estados de abanderamiento dispongan de las herramientas necesarias para identificar e investigar las sospechas de uso fraudulento de ISMM cuando estas se detecten, y que compartan los resultados de su investigación con otras autoridades marítimas, así como con el Grupo.

113. El Grupo recomienda que el sistema mundial integrado de información marítima de la OMI incluya información que indique si el registro del pabellón de un buque es provisional o permanente, así como el intervalo de las fechas en que entró en vigor.

114. El Grupo recomienda que los armadores, fletadores y operadores continúen reforzando la diligencia debida de “conocimiento de los clientes” y “conocimiento del buque de la contraparte” en relación con las transferencias entre buques. Durante las transferencias se registran fotografías, con anotación de fecha y hora, que incluyen identificadores verificables de los buques y los perfiles asociados del SIA transmitidos, los registros de las transacciones financieras y otros detalles relevantes de la tripulación, a efectos de cumplimiento y para ser compartidos con las fuerzas del orden y el Grupo de Expertos cuando sea necesario.

Recomendaciones al Comité

115. El Grupo reitera sus recomendaciones anteriores sobre el siguiente buque para su designación en virtud del párrafo 5 de la resolución [2397 \(2017\)](#) del Consejo de Seguridad, y recomienda además la designación del buque en virtud del párrafo 14 de la resolución [2397 \(2017\)](#): Un Hung (anteriormente, Vifine) (núm. IMO 9045962), con pabellón de la República Popular Democrática de Corea.

116. El Grupo recuerda sus recomendaciones anteriores sobre los siguientes buques para su designación en virtud del párrafo 5 de la resolución [2397 \(2017\)](#) del Consejo de Seguridad, y recomienda además su designación en virtud del párrafo 5 de la resolución [2397 \(2017\)](#) y el párrafo 11 de la resolución [2375 \(2017\)](#):

- *Diamond 8* (núm. IMO 9132612), de pabellón desconocido
- *New Konk* (núm. IMO 9036387), de pabellón desconocido

- *Subblic* (núm. IMO 8126082), de pabellón desconocido
- *Xing Ming Yang 888* (núm. IMO 8410847), de pabellón desconocido

117. El Grupo recomienda la designación del siguiente buque en virtud del párrafo 11 de la resolución [2375 \(2017\)](#) y del párrafo 14 de la resolución [2397 \(2017\)](#) del Consejo de Seguridad: Sun Ryong San (núm. IMO 9016430)

118. El Grupo de Expertos reitera su recomendación de que se designe el siguiente buque por infringir lo dispuesto en el párrafo 11 de la resolución [2375 \(2017\)](#) del Consejo de Seguridad: Pho Phyong (núm. IMO 8417962), con pabellón de la República Popular Democrática de Corea

119. El Grupo reitera sus recomendaciones anteriores sobre la designación de los siguientes buques en virtud del párrafo 11 de la resolución [2375 \(2017\)](#) del Consejo de Seguridad, y recomienda su designación adicional en virtud del párrafo 14 de la resolución [2397 \(2017\)](#):

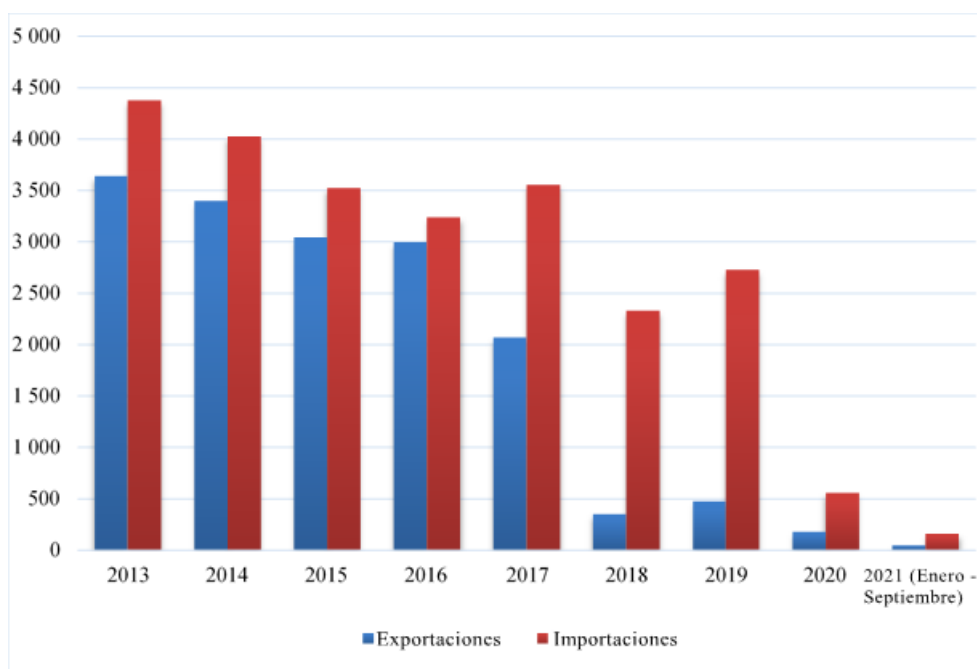
- *To Myong* (anteriormente, *Ri Hong/Klausen*) (núm. IMO 9162318), con pabellón de la República Popular Democrática de Corea
- *Tae P(h)yong 2* (anteriormente, *Ming Zhou 6*) (núm. IMO 8602763), con pabellón de la República Popular Democrática de Corea

Estadísticas comerciales y cuestiones aduaneras

120. El volumen registrado de comercio exterior de la República Popular Democrática de Corea siguió disminuyendo en 2021 y fue significativamente menor que en años anteriores, incluso durante el confinamiento de 2020 (véase el gráfico XLII). El Grupo considera que esto se debió a la interrupción *de facto* de todos los movimientos transfronterizos de mercancías, transporte y personas en respuesta a la pandemia de COVID-19.

Figura XLII
República Popular Democrática de Corea, comercio registrado, 2013-2021

(Millones de dólares de los Estados Unidos)



Fuente: Trade Map del Centro de Comercio Internacional (consultado el 31 de diciembre de 2021).

121. A partir de junio de 2021 se observaron algunos signos de revitalización del limitado comercio exterior de la República Popular Democrática de Corea (véase el gráfico XLIII), pero en términos interanuales el volumen comercial se redujo en dos tercios entre enero y septiembre de 2021. Al parecer, la actividad comercial de la República Popular Democrática de Corea se desarrollaba principalmente por vía marítima. China informó al Grupo de varios envíos marítimos en 2021, principalmente suministros agrícolas y “carga general”⁹⁰.

122. Según la información publicada en los medios de comunicación, el 16 de enero de 2022, trenes de mercancías de la República Popular Democrática de Corea cruzaron la frontera con Dandong (China) y partieron hacia Sinuiju con suministros médicos y productos de primera necesidad⁹¹. El Ministerio de Relaciones Exteriores de China declaró que “se ha reanudado el transporte ferroviario transfronterizo de mercancías entre Dandong y Sinuiju”⁹².

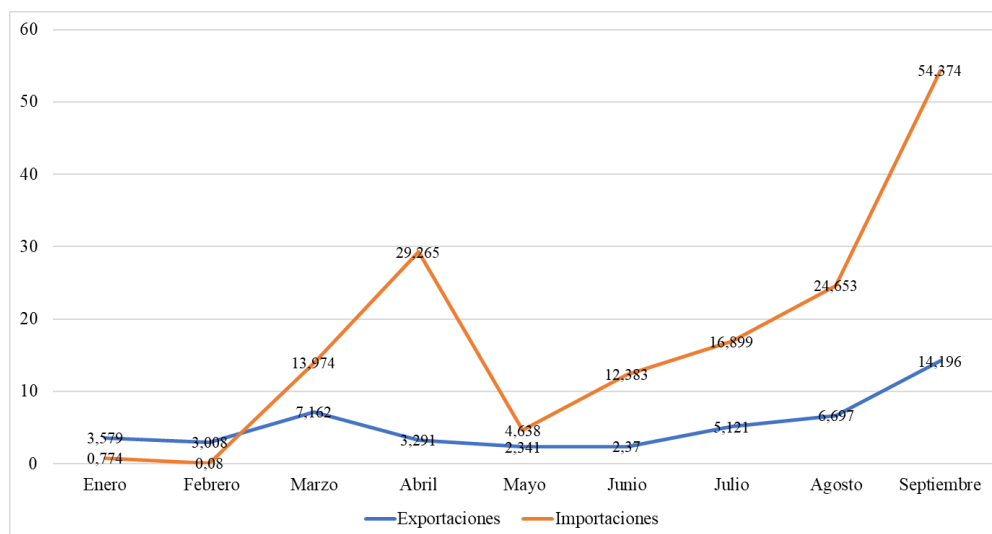
⁹⁰ En respuesta a las consultas marítimas del Grupo sobre buques concretos (véanse los párrs. 85, 90 y 92), China declaró que, en 2021, varios buques entraron vacíos de carga en el puerto de Yantai, del que salieron tras cargar fertilizantes químicos, pesticidas y otros suministros agrícolas. Un buque entró en el puerto de Longkou en agosto, descargó movimientos de relojería y salió del puerto tras cargar material de oficina en septiembre. Hubo otros casos de carga de fertilizantes y otros suministros agrícolas.

⁹¹ Agencia de noticias Yonhap, “Another N. Korean cargo train arrives in Chinese border city: sources”, 17 de enero de 2022.

⁹² “El transporte ferroviario de mercancías entre China y la República Popular Democrática de Corea se interrumpió durante algún tiempo debido al impacto de la COVID-19. Merced a las consultas amistosas entre las partes se ha reanudado el transporte ferroviario transfronterizo de mercancías entre Dandong y Sinuiju. Las dos partes procederán con el ánimo de garantizar una

Figura XLIII
Estadísticas comerciales, República Popular Democrática de Corea,
enero a septiembre 2021 (mensual)

(Millones de dólares de los Estados Unidos)



Fuente: Trade Map del Centro de Comercio Internacional, consultado el 31 de diciembre de 2021.

123. El análisis de las exportaciones e importaciones prohibidas realizado por el Grupo en el presente informe abarca principalmente el período comprendido entre enero y septiembre de 2021.

124. A partir de los registros del Centro de Comercio Internacional sobre los datos comerciales nacionales, algunos de los cuales parecían corresponder a categorías sujetas a sanciones, el Grupo solicitó a 46 Estados Miembros información sobre transacciones efectuadas con la República Popular Democrática de Corea, así como detalles sobre cualquier caso de rechazo de despacho o incautación de bienes exportados a la República Popular Democrática de Corea o importadas desde ese país. En el anexo 62 figura la lista de productos básicos de código SA (Sistema Armonizado) restringido que el Grupo utiliza para supervisar la prohibición sectorial.

125. El Grupo también solicitó a las autoridades aduaneras de los Estados Miembros que informaran acerca de la aplicación práctica de las obligaciones en materia de sanciones, como el requisito de inspeccionar todos los cargamentos cuyo destino o cuya procedencia fuera la República Popular Democrática de Corea y de incautarlos y eliminarlos cuando se encontraran artículos prohibidos, de conformidad con el párrafo 18 de la resolución [2270 \(2016\)](#) y el párrafo 20 de la resolución [2397 \(2017\)](#) del Consejo de Seguridad. En términos generales, las autoridades aduaneras de los Estados Miembros respetaron las prohibiciones, aunque en ocasiones se enfrentan al problema de determinar si el intercambio comercial de determinados artículos con la República Popular Democrática de Corea está prohibido o no.

126. Muchos Estados Miembros indicaron que la actividad comercial registrada con la República Popular Democrática de Corea en 2021 era atribuible principalmente a datos erróneos en las estadísticas comerciales, debido al uso de códigos de país incorrectos durante los respectivos procesos de declaración aduanera. En esos casos,

sólida prevención y control de epidemias para facilitar la normalidad de los intercambios comerciales bilaterales” (17 de enero de 2022).

el código de país de la República Popular Democrática de Corea (KP) se introducía por error en lugar del código de país de la República de Corea (KR), el verdadero asociado comercial⁹³. Tailandia informó al Grupo de dos casos de este tipo que afectaban a empresas locales (véase el anexo 92). Otros Estados Miembros afirmaron que las transacciones realizadas se atenían al régimen de sanciones de las Naciones Unidas. Varios Estados Miembros informaron al Grupo sobre los resultados de las investigaciones de casos de posible incumplimiento (véase el cuadro 5).

Cuadro 5

Cuadro comparativo del comercio bilateral, República Popular Democrática de Corea, enero a septiembre de 2021⁹⁴

(Miles de dólares de los Estados Unidos)

Núm. Estado Miembro	Volumen del comercio con la República Popular Democrática de Corea		Comercio de código SA restringido con la República Popular Democrática de Corea		Respuesta del Estado Miembro
	Exportación a RPDC	Importación desde RPDC	Exportación a RPDC	Importación desde RPDC	
1 Alemania	16	1			Ningún caso aplicable/sin casos
2 Armenia	0	18		1 (código SA 12) 1 (código SA 84) 3 (código SA 85)	Inexactitud de los datos debida a un error técnico en la declaración de las mercancías/el origen de los artículos es la República de Corea y Japón
3 Barbados	200	951		22 (código SA 61) 1 (código SA 63) 581 (código SA 84) 274 (código SA 85)	
4 Bélgica	0	203		15 (código SA 73)	
5 Belice		14		14 (código SA 84)	
6 Benin	0	41			Ningún caso aplicable/sin casos
7 Bolivia (Estado Plurinacional de)	0	20			Ningún caso aplicable/sin casos
8 Bosnia y Herzegovina	0	16		5 (código SA 84) 4 (código SA 85)	
9 Brasil	564	97	539 (código SA 2710)	2 (código SA 61)	
10 Bulgaria	0	4		1 (código SA 85)	Error técnico en la declaración de aduana/artículos importados de la República de Corea
11 Cabo Verde	0	110			Ningún caso aplicable/sin casos
12 Camboya	453	61		41 (código SA 72)	Investigación en curso
13 Canadá	0	52		2 (código SA 72)	El verdadero país de origen de las mercancías era la República de Corea, y se transmitió información incorrecta al Centro de Comercio Internacional
14 Chile	36	0			Ningún caso aplicable/sin casos
15 China	151 739	33 595	2229 (código SA 2710) 48 (código SA 2712) 3292 (código SA 2713)	2442 (código SA 50) 19 (código SA 62) 11388 (código SA 72) 7 (código SA 85)	La seda (código SA 50) es una materia prima y no un textil /las ferroaleaciones (código SA 72) son diferentes del hierro y del mineral de hierro/la ropa de mujer

⁹³ Por ejemplo, S/2021/777, párr. 117, y S/2021/211, anexo 41.⁹⁴ Véase el anexo 63.

Núm. Estado Miembro	Volumen del comercio con la República Popular Democrática de Corea		Comercio de código SA restringido con la República Popular Democrática de Corea		Respuesta del Estado Miembro
	Exportación a RPDC	Importación desde RPDC	Exportación a RPDC	Importación desde RPDC	
16 Colombia	21	84		3 (código SA 73) 1 (código SA 52) 8 (código SA 56) 2 (código SA 61) 36 (código SA 84)	(código SA 62) y los equipos eléctricos (código SA 85) proceden de la República de Corea y hubo un error en la declaración
17 Costa Rica	26	240			Ningún caso aplicable/sin casos
18 Croacia	0	16		16 (código SA 87)	Error en la declaración/el país de origen era la República de Corea
19 Dinamarca	0	99		5 (código SA 59)	Error en el código de país/el país de origen era la República de Corea
20 Ecuador	0	13			Ningún caso aplicable/sin casos
21 El Salvador	0	817		38 (código SA 84)	
22 Eslovaquia	0	6			Ningún caso aplicable/sin casos
23 España	256	68	231 (código SA 84) 2 (código SA 85)	1 (código SA 58) 40 (código SA 84) 26 (código SA 85) 1 (código SA 63)	
24 Eswatini	0	12		1 (código SA 61) 2 (código SA 84)	Debido a que el declarante era incapaz de diferenciar entre la República Popular Democrática de Corea y la República de Corea/el proveedor era la República de Corea
25 Etiopía	267	1 049		562 (código SA 72) 207 (código SA 79) 51 (código SA 84) 59 (código SA 85)	
26 Federación de Rusia	0	2		1 (código SA 84)	
27 Fiji	87	594	2 (código SA 84) 43 (código SA 72)	332 (código SA 72) 169 (código SA 73) 9 (código SA 55) 15 (código SA 60)	
28 Finlandia	0	6			Ningún caso aplicable/sin casos
29 Georgia	0	11			Ningún caso aplicable/sin casos
30 Grecia	2	0			Ningún caso aplicable/sin casos
31 Hungría	0	1		1 (código SA 85)	Error en la consignación del código de país
32 Indonesia	0	259		5 (código SA 73) 39 (código SA 84) 30 (código SA 85)	Se interpretan las resoluciones del Consejo de Seguridad en el sentido de que no prohíben las exportaciones desde la República Popular Democrática de Corea de los artículos correspondientes al código 73 del SA/investigaciones

Núm. Estado Miembro	Volumen del comercio con la República Popular Democrática de Corea		Comercio de código SA restringido con la República Popular Democrática de Corea		Respuesta del Estado Miembro
	Exportación a RPDC	Importación desde RPDC	Exportación a RPDC	Importación desde RPDC	
33 Italia	0	6		1 (código SA 84)	en curso sobre otros artículos comerciales El proveedor era una empresa del Reino Unido de Gran Bretaña e Irlanda del Norte (Reino Unido: no pudo identificar ninguna importación de la República Popular Democrática de Corea)
34 Luxemburgo	12	0	1 (código SA 84) 9 (código SA 85)		Errores de codificación/las mercancías tenían por destino la República de Corea
35 Madagascar	0	176		1 (código SA 84) 3 (código SA 63)	
36 Namibia	0	6		4 (código SA 84) 2 (código SA 85)	
37 Níger	0	66		62 (código SA 85)	
38 Países Bajos	413	33		1 (código SA 52)	
39 Polonia	116	85			Ningún caso aplicable/sin casos
40 Reino Unido de Gran Bretaña e Irlanda del Norte	0	1 536		5 (código SA 73) 1503 (código SA 84) 9 (código SA 85)	Presentación inexacta del código de país/se confirma que todo el comercio fue con la República de Corea
41 Rumania	0	1		1 (código SA 73)	Las autoridades no han confirmado la transferencia de productos de hierro y acero procedentes de la República Popular Democrática de Corea.
42 Seychelles	0	1 156		726 (código SA 72) 11 (código SA 84)	Datos inexactos/se han importado artículos con los códigos SA 72, 84 y 85
43 Sudáfrica	61	39	5 (código SA 84) 7 (código SA 73)	7 (código SA 56) 7 (código SA 84) 16 (código SA 85)	
44 Tailandia	1 637	78	2 (código SA 74)	19 (código SA 84) 12 (código SA 85)	Algunos formularios de declaración se presentaron erróneamente indicando la República Popular Democrática de Corea como origen o destino, pero ya están enmendados
45 Turquía	49	538		41 (código SA 72) 10 (código SA 73) 45 (código SA 84) 212 (código SA 85) 187 (código SA 55)	Errores involuntarios durante la declaración/otros países de origen, como la República de Corea
46 Zambia	1 085	5 585	1085 (código SA 84)	13 (código SA 84) 19 (código SA 85)	
Total	157 040	47 765			

Nota: Información hasta enero de 2022.

Abreviatura: SA, Sistema Armonizado.

127. Indonesia informó al Grupo de que las resoluciones del Consejo de Seguridad no prohíben la adquisición de artículos correspondientes al código SA 73 (artículos de hierro y acero) de la República Popular Democrática de Corea. Si bien existe una lista clara de importaciones prohibidas en relación con el código SA 73 a la República Popular Democrática de Corea, no se menciona específicamente el código SA 73 en el caso de las exportaciones prohibidas desde la República Popular Democrática de Corea⁹⁵. La orientación informal del Grupo (véase el anexo 62) incluye el código SA 73 en su lista de control de la aplicación de la prohibición sectorial de las exportaciones de la República Popular Democrática de Corea.

128. China también ha declarado que las resoluciones no prohíben las importaciones de ferroaleaciones (código SA 72) procedentes de la República Popular Democrática de Corea, ya que se estipula que el hierro y el mineral de hierro están prohibidos sin mencionar explícitamente el código SA 72⁹⁶.

129. Dado que no se mencionan códigos SA explícitos para las exportaciones procedentes de la República Popular Democrática de Corea, los Estados Miembros siguen interpretando las disposiciones de las resoluciones de maneras diferentes.

130. Como en años anteriores, entre las principales mercancías exportadas ilegalmente desde la República Popular Democrática de Corea se contaron el carbón, los minerales, el hierro y los productos textiles (véanse, por ejemplo, los párrafos 80 a 92 relativos a las exportaciones marítimas ilegales de carbón).

131. El Grupo observó que muchos Estados Miembros no habían podido presentar sus estadísticas comerciales de forma oportuna. En consecuencia, el Grupo tiene la intención de continuar con el análisis comparativo de las estadísticas y los datos de dominio público proporcionados por los Estados Miembros para señalar cualquier posible discrepancia e investigar su causa.

Recomendaciones

132. El Grupo recomienda que la Organización Internacional de Normalización adopte las medidas necesarias para evitar el uso erróneo de los códigos de país⁹⁷ de la República Popular Democrática de Corea y la República de Corea (KP y KR, respectivamente).

133. El Grupo recomienda a los Estados Miembros que racionalicen sus listas de control de exportaciones e importaciones utilizando como material de apoyo la lista no oficiosa de productos básicos prohibidos (véase el anexo 62).

134. El Grupo recomienda que las autoridades aduaneras de los Estados Miembros utilicen la lista mencionada para informar a los agentes comerciales de sus respectivas jurisdicciones y para que los utilicen con fines de diligencia debida, especialmente cuando se trate de productos básicos de ese tipo en las proximidades de jurisdicciones sujetas a sanciones.

⁹⁵ En el párrafo 8 de la resolución [2371 \(2017\)](#) del Consejo de Seguridad se estipula que la República Popular Democrática de Corea no deberá suministrar, vender ni transferir [...] hierro y mineral de hierro, y que todos los Estados deberán prohibir la adquisición de esos materiales procedentes de la República Popular Democrática de Corea. En cambio, en el párrafo 7 de la resolución [2397 \(2017\)](#) se establece que los Estados Miembros prohibirán el suministro, la venta o la transferencia, directa o indirectamente, a la República Popular Democrática de Corea, [...] hierro, acero y otros metales (códigos SA 72 a 83).

⁹⁶ China también señaló: “Por ejemplo, la seda cruda y los residuos de seda importados de la República Popular Democrática de Corea bajo el código 50 del Sistema Armonizado entran en la categoría de materias primas, no de textiles, cuyas exportaciones están prohibidas por las resoluciones del Consejo de Seguridad”.

⁹⁷ En el anexo 64 figuran más detalles sobre los códigos de país.

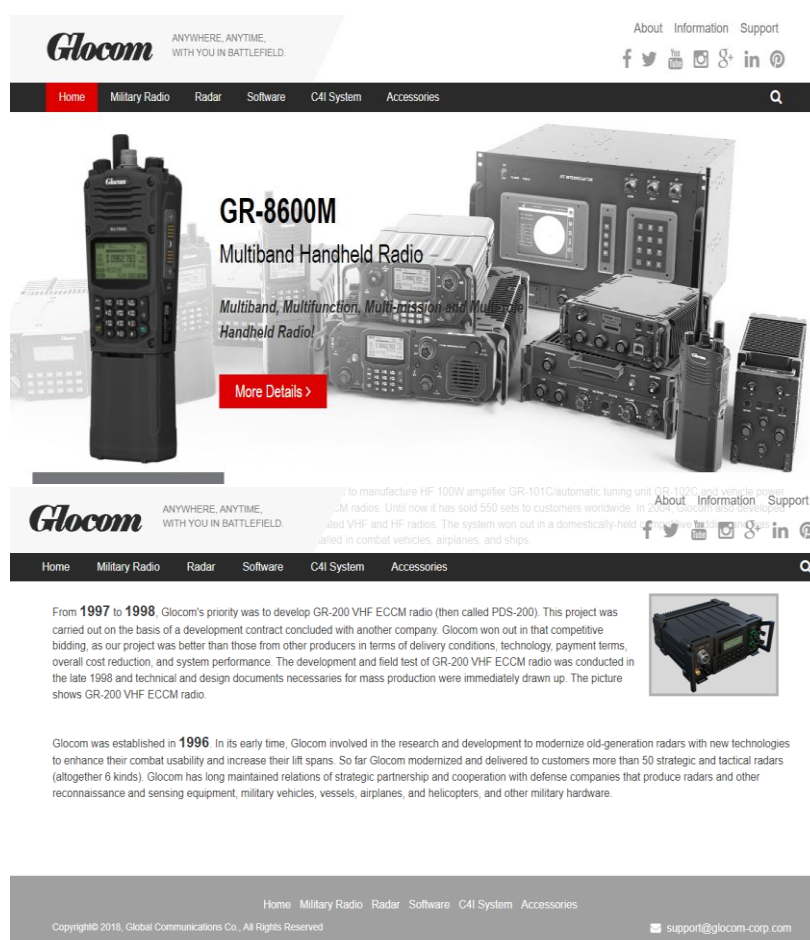
IV. Embargos, entidades y personas designadas y trabajadores en el extranjero

Embargos

Global Communications (Glocom)

135. Según las investigaciones preliminares del Grupo, la información de un Estado Miembro y las informaciones de los medios de comunicación⁹⁸, Glocom mantiene su actividad (véanse sus páginas web en la figura XLIV) y sigue utilizando su marca para ofrecer y promocionar un catálogo cada vez mayor de sistemas de radio militar, radares de campo de batalla y software de control (véase el anexo 65).

Figura XLIV
Sitio web de Glocom



Fuente: www.glocom-corp.com.

136. El grupo desconoce la ubicación actual de Glocom y ha intentado ponerse en contacto con la empresa para conocer sus datos de registro, su composición y el estado de sus operaciones. El Grupo no ha recibido respuesta.

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

137. Privacy Protect Business Development, una empresa con sede en Massachusetts (Estados Unidos de América), registró las credenciales del dominio de Glocom. El Grupo preguntó a esta empresa sobre la prestación de servicios de dominio a Glocom. El Grupo también pidió a Malasia, país en el que Glocom operaba anteriormente, información actualizada sobre las medidas específicas adoptadas por las autoridades en relación con la empresa y sus asociados en los últimos años. Según un Estado Miembro, Pan Systems Pyongyang lleva desde 2019 vendiendo radios y accesorios militares a la empresa eritrea Zagre Computer Components and Assembly Line Company. El Grupo preguntó a Eritrea sobre las adquisiciones de Pan Systems (Glocom) u otras entidades de la República Popular Democrática de Corea. El Grupo aún no ha recibido respuestas en relación con los tres casos mencionados.

138. Según un Estado Miembro, Pan Systems Pyongyang, valiéndose de los nombres de varias empresas pantalla, ha encargado componentes de radio militares a siete empresas chinas en los últimos años. El Grupo solicitó a estas empresas la información pertinente. Solo Shenzhen Air Digital Technology Co. Ltd. respondió, señalando que “nuestra empresa NUNCA ha hecho negocios con la RPDC”.

Casos relacionados con el documental The Mole: Undercover in North Korea

139. *The Mole* mostraba a un traficante de armas de la República Popular Democrática de Corea y a un individuo, interpretado por un actor danés, mientras discutían la construcción de una instalación que podría destinarse a la fabricación de metanfetamina y armas a partir de componentes procedentes de la República Popular Democrática de Corea o suministrados por ella en una isla del lago Victoria (Uganda) en 2017. En el documental se da a entender que el proyecto no llegó a llevarse a cabo⁹⁹. A las preguntas del Grupo, Uganda respondió que el actor y el equipo “se presentaron como pertenecientes a la familia real noruega [...], expresaron interés en comprar la isla [...] [y] prometieron volver a Uganda, promesa que no se ha cumplido”. Nunca revelaron su verdadera identidad ni sus intenciones” (véase el anexo 66; véase también el anexo 67 para un caso relativo a Camboya que guarda relación con el documental).

Cooperación militar con la República Popular Democrática de Corea

140. El Grupo siguió investigando posibles medidas de cooperación militar y tecnológica entre la República Bolivariana de Venezuela y la República Popular Democrática de Corea, así como las posibles exportaciones de armas de la República Popular Democrática de Corea a Somalia (véase el anexo 68 para más detalles).

Chan Han Choi

141. El Grupo informó anteriormente de que un empresario australiano, Chan Han Choi¹⁰⁰, que trabajaba en nombre de la República Popular Democrática de Corea, fue detenido por las autoridades australianas en diciembre de 2017 por ejercer como intermediario en la venta de productos básicos prohibidos, incluidas armas y materiales conexos, a la República Popular Democrática de Corea. El 23 de julio de 2021, el Tribunal Supremo de Nueva Gales del Sur condenó a Chan a tres años y seis meses de prisión¹⁰¹.

⁹⁹ S/2021/211, anexo 88; y S/2021/777, párr. 137.

¹⁰⁰ S/2018/171, párrs. 87 y 88.

¹⁰¹ En el anexo 69 puede consultarse el resumen de la sentencia sobre el Sr. Chan (los detalles completos de la sentencia completa pueden obtenerse en www.caselaw.nsw.gov.au/decision/17acff4723618647ad83e770).

Aplicación de la prohibición relativa a los artículos de lujo

142. Debido al cierre de las fronteras y al cese casi total de la importación de bienes de consumo por parte de la República Popular Democrática de Corea, el Grupo no ha recibido ninguna información nueva sobre las entregas de artículos de lujo (prohibidas en virtud del párrafo 8 a) iii) de la resolución 1718 (2006) del Consejo de Seguridad).

143. Según fuentes de la República Popular Democrática de Corea, la práctica ausencia de importaciones de bienes de consumo (incluido el alcohol) provocó un fuerte aumento de los precios de mercado y un déficit general en el suministro de bienes como equipos eléctricos, cosméticos, detergentes y artículos de papelería¹⁰². Las mismas fuentes sugieren que los artículos de lujo quedaron fuera del alcance incluso de los consumidores más ricos de la República Popular Democrática de Corea, y la demanda se volvió inexistente, al igual que cualquier posibilidad de importación privada o contrabando.

144. Algunos medios de comunicación sugirieron que, aprovechando el breve período de tiempo en el que se reanudó (con restricciones) el comercio en el segundo semestre de 2021, los buques que transportaban ayuda humanitaria y suministros médicos entregaron algunos bienes de consumo de marca y suministros de lujo para las élites, aunque el Grupo no puede confirmar esa información.

145. El Grupo continuó investigando las redes que posibilitaron la entrega a la República Popular Democrática de Corea de dos vehículos de lujo Mercedes Benz clase S en el período comprendido entre 2017 y 2019 desde Italia (véanse los anexos 70 y 71).

146. El Grupo tomó nota de los informes de prensa según los cuales se había visto a funcionarios de la República Popular Democrática de Corea haciendo uso de vehículos utilitarios deportivos Mercedes Benz clase G (véase el anexo 72). A petición del Grupo de Expertos, Daimler respondió: “En lo que respecta al Mercedes-Benz clase G de la imagen [...] no hay indicaciones relativas a la protección antibalas y antimetralla. El diseño de la carrocería parece indicar que se trata de un modelo construido entre 2013 y 2018. Sin embargo, las imágenes no proporcionan ninguna indicación técnica sobre un blindaje o una puesta a punto que proceda de los fabricantes originales de equipos de Daimler o Mercedes-Benz”.

147. Según información presentada por Estados Miembros, en abril de 2021, la Administración General de la Aviación Civil de la República Popular Democrática de Corea coordinó con la empresa china Shenyang Power Company Ltd.¹⁰³ la compra de cuatro vehículos utilitarios deportivos Toyota de lujo valorados en más de 600.000 dólares. El Grupo está investigando esa información. El Grupo también ha obtenido información de que en mayo de 2021 el mismo comprador coordinó con Jintianda Import and Export Trading Company Ltd.¹⁰⁴ la compra de diez vehículos industriales y camiones valorados en aproximadamente 400.000 dólares. La empresa no atendió la solicitud de información del Grupo. El Grupo continuó investigando una presunta transferencia de vehículos Toyota Lexus a la República Popular Democrática de Corea con la posible participación de Jiangsu Overseas Group Foreign Economic and Technical, de Ningbo, a finales de 2020. El Grupo aún no ha recibido respuesta a sus solicitudes de información.

148. El Grupo continuó investigando una posible infracción relativa al suministro de un piano de cola de alta gama, que las cadenas de televisión locales mostraron en

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

¹⁰³ 沈阳力天商贸有限公司.

¹⁰⁴ 沈阳市金天达进出口贸易有限公司. Dirección: No. 6 Changjiang Nanjie, Huanggu District, Shenyang, Liaoning, China (沈阳市皇姑区长江南街 6 号).

2021 durante la retransmisión de los conciertos de la Banda de la Comisión de Asuntos Estatales de la República Popular Democrática de Corea¹⁰⁵. La información publicada en los medios sugiere que el piano de cola era un modelo Steinway¹⁰⁶. El Grupo pidió información en repetidas ocasiones a Steinway Musical Instruments Inc., pero hasta ahora no ha recibido respuesta.

Recomendaciones

149. El Grupo recomienda que los Estados Miembros examinen la posibilidad de actualizar sus listas de control de las exportaciones de forma que reflejen sus listas de bienes de lujo prohibidos conforme a los objetivos de las resoluciones del Consejo de Seguridad [1718 \(2006\)](#), [1874 \(2009\)](#), [2094 \(2013\)](#), [2270 \(2016\)](#) y [2321 \(2016\)](#), pero sin caer en ampliaciones innecesarias a fin de no restringir el suministro de bienes no prohibidos a la población civil ni provocar efectos humanitarios negativos una vez que se reanude el comercio.

150. El Grupo reitera su recomendación de que los Estados Miembros alienten a las entidades y los ciudadanos de su territorio que exporten artículos de lujo a incorporar en los contratos cláusulas que impidan el transbordo de esos artículos a la República Popular Democrática de Corea.

151. El Grupo reitera su recomendación de que los Estados Miembros y las organizaciones competentes alienten a las empresas de expedición y transporte marítimo a establecer un sistema de control riguroso de los usuarios finales que tenga en cuenta el riesgo de transbordo, incluidas las transferencias entre buques y los medios de transporte de cargamentos humanitarios.

Korea Mining Development Trading Corporation (KPe.001)

152. El Grupo está investigando casos relacionados con Korea Mining Development Trading Corporation. Uno de los casos se refiere a un representante la Korea Mining Development Trading Corporation, Kil Jong Hun, radicado en Guinea Ecuatorial, país desde el que opera. Otro caso concierne a un nacional de la República Popular Democrática de Corea, Ri Hyong Thae, que ha trabajado por cuenta de Korea Mining Development Trading Corporation y empresas asociadas a Korea Mining Development Trading Corporation en Cuba, la República Islámica del Irán y Malasia (véanse los anexos 73 y 74).

Departamento de la Industria de las Municiones (Munitions Industry Department, KPe.028)

153. El Grupo recibió información de que en 2021 la empresa china Breeze Group International Trade¹⁰⁷ trabajó en la venta de martillos neumáticos a la República Popular Democrática de Corea. En la operación estaban implicadas dos empresas de la República Popular Democrática de Corea subordinadas al Departamento de la Industria de las Municiones designado por las Naciones Unidas, Korea Ryonhap Trading Corporation¹⁰⁸ y Yanghung Trading Corporation. Los martillos neumáticos, con número de modelo C41-2000, debían ser enviados desde Dandong (China) a Sinuiju (República Popular Democrática de Corea). Estos martillos entran en la categoría de maquinaria industrial (código SA 84), cuya exportación a la República

¹⁰⁵ [S/2021/777](#), párr. 149.

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

¹⁰⁷ 微风社国际贸易（北京）有限公司.

¹⁰⁸ 연합무역회사. La empresa consta como corporación comercial de la República Popular Democrática de Corea subordinada al Departamento de la Industria de las Municiones en informes anteriores del Grupo ([S/2020/840](#) y [S/2020/840](#), anexo 46).

Popular Democrática de Corea está prohibida en virtud del párrafo 7 de la resolución [2397 \(2017\)](#) del Consejo de Seguridad. El Grupo aún no ha recibido respuesta de Breeze Group International Trade.

Oficina General de Reconocimiento (Reconnaissance General Bureau, KPe.031)

Agentes responsables de ciberamenazas

154. El Grupo siguió investigando los ciberataques perpetrados por agentes de la República Popular Democrática de Corea adscritos a la Oficina General de Reconocimiento¹⁰⁹, como Lazarus Group y Kimsuky¹¹⁰. En 2021, los agentes de las ciberamenazas procedentes del país lanzaron ataques contra diversas entidades de todo el mundo, incluidas infraestructuras críticas relacionadas con la defensa, en un intento de acceder a tecnología confidencial en violación de las resoluciones pertinentes¹¹¹.

155. El Grupo intentó obtener información sobre los ciberataques contra las industrias nucleares y relacionadas con la defensa de la República de Corea. Según diversas empresas de ciberseguridad y la información publicada en medios de comunicación, un grupo de ciberamenazas consiguió acceder a la red interna del Instituto de Investigación de la Energía Atómica de Corea en mayo de 2021¹¹². Se informó de que las direcciones IP desde las que se lanzó el ataque estaban vinculadas a la infraestructura de ataque utilizada por Kimsuky. Se informó al Grupo de que el mismo grupo podría haber intentado piratear los dispositivos de la red privada virtual de Korea Aerospace Industries para hacerse con datos tecnológicos de la red interna.

156. Se informó al Grupo de que Kimsuky era capaz de configurar una infraestructura de obtención fraudulenta de datos (*phishing*) para imitar conocidos sitios web y aplicaciones (por ejemplo, Microsoft Outlook) y engañar a las víctimas para que introdujeran sus credenciales. El agente se vale de las credenciales robadas para lanzar ataques contra objetivos concretos. Una empresa de ciberseguridad informó de que, en uno de los casos, el agente recopiló direcciones de correo electrónico no solo de entidades gubernamentales, sino también las asociadas a un funcionario de seguridad del Organismo Internacional de Energía Atómica¹¹³. Según la misma empresa de ciberseguridad, se cree que Kimsuky utilizó posteriormente esta información para llevar a cabo ataques selectivos contra el Organismo.

157. Las conclusiones de otra empresa de ciberseguridad pusieron al descubierto que se había detectado el programa malicioso “Vyveva” (atribuido con bastante certeza a Lazarus Group) en un ataque contra una empresa sudafricana de transporte y logística

¹⁰⁹ Véase [S/2020/840](#), anexo 48, en que se detallan las funciones de la Oficina General de Reconocimiento y otras organizaciones en las ciberoperaciones de la República Popular Democrática de Corea.

¹¹⁰ Según la información obtenida de varios Estados Miembros y fuentes públicas, la llamada “Tercera Oficina” de la Oficina General de Reconocimiento incluye diferentes grupos de ciberamenazas, específicamente Lazarus Group, Kimsuky, Bluenoroff y Andariel. Lazarus Group es conocido por los destructivos ataques que emprendió contra Sony Pictures Entertainment en 2014. Kimsuky es conocido por sus actividades de piratería informática y por los ciberataques que dirige u orienta contra el Grupo. Bluenoroff y Andariel son subgrupos de Lazarus Group.

¹¹¹ Para conocer los detalles de estos grupos de ciberamenazas, véase Estados Unidos de América, Departamento del Tesoro, “Treasury sanctions North Korean State-sponsored malicious cyber groups”, comunicado de prensa, 13 de septiembre de 2019.

¹¹² Véase, por ejemplo, <https://therecord.media/north-korean-hackers-breach-south-koreas-atomic-research-agency-through-vpn-bug>.

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

en abril de 2021¹¹⁴. Además, el Grupo ha recibido información por separado de que el programa malicioso “Vyveva” era capaz de extraer archivos y modificar los sellos de los mismos y utilizaba la plataforma “Tor” de la web oscura para el mando y control. El acceso a las empresas de logística proporciona a la República Popular Democrática de Corea información detallada sobre las ubicaciones y los movimientos de las mercancías, lo que aumenta su capacidad para eludir las sanciones, y también permite a sus *hackers* desplegar programas secuestradores con los que aspira a generar ingresos ilícitos.

158. Estos intentos, incluidos los que pretendían obtener ilegalmente tecnología confidencial, suponen posibles violaciones del párrafo 8 a) ii) de la resolución 1718 (2006) del Consejo de Seguridad y del párrafo 27 de la resolución 2270 (2016) por parte de la República Popular Democrática de Corea. Un Estado Miembro informó al Grupo de que había investigaciones en curso para confirmar si se había producido alguna violación sustancial de la seguridad de los datos.

159. Una empresa de ciberseguridad¹¹⁵ describió la forma en que “TA406” y “TA427”, ciberactores asociados a Kimsuky, habían estado utilizando cuentas de correo electrónico falsas valiéndose de las identidades de personas y entidades legítimas de países como la República de Corea, los Estados Unidos y la Federación de Rusia. Los agentes informáticos de la República Popular Democrática de Corea han sometido a cibercampañas ilícitas a entidades de todo tipo. Según un informe publicado por una organización de ciberseguridad en marzo de 2021, Lazarus Group, también conocido como Hidden Cobra, lanzó varios ataques contra organizaciones japonesas¹¹⁶. Un Estado Miembro también informó al Grupo de Expertos de que se habían registrado 350 casos de ciberactividad procedentes de la República Popular Democrática de Corea contra una de sus instituciones gubernamentales desde principios de 2021. En casi todos los casos se trató de mensajes dirigidos a correos electrónicos oficiales con la intención de obtener información por medios fraudulentos (*spearphishing*). En enero de 2022, otra empresa de ciberseguridad publicó un informe¹¹⁷ según el cual un ciberagente de la República Popular Democrática de Corea conocido como “Konni”¹¹⁸ había puesto al sector diplomático ruso en su punto de mira utilizando las felicitaciones de Año Nuevo como señuelo para su actividad fraudulenta.

160. Estas actividades constituyen espionaje y tienen por objeto facilitar información y contribuir a las estrategias de evasión de sanciones de la República Popular Democrática de Corea. Los ciberagentes se ponen en contacto con entidades relevantes para solicitar fraudulentamente información relevante, incluso para eludir los efectos de las sanciones, y también para generar ingresos con los que financiar las operaciones del país. Otras tendencias de las cibercampañas incluyen la suplantación de personas para establecer relaciones y posteriormente enviar programas o enlaces maliciosos. Esto también puede conducir a la obtención de credenciales a través de sitios de suplantación de identidad (*phishing*). En caso de que se hubiera conseguido instalar programas maliciosos secuestradores para generar ingresos ilícitos, el acto habría constituido una violación de las sanciones financieras, en particular conforme

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

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

¹¹⁶ Véase https://blogs.jpccert.or.jp/en/2021/03/Lazarus_malware3.html.

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

¹¹⁸ Para consultar la cobertura anterior en los informes del Grupo de este ciberagente de la República Popular Democrática de Corea, véase S/2021/211, párr. 128.

a lo dispuesto en el párrafo 11 de la resolución 2094 (2013) del Consejo de Seguridad (véanse los párrs. 182 a 184 sobre el robo de criptomonedas).

161. Los ciberataques relacionados con el Grupo continuaron. El Grupo ha sido víctima de intentos de piratería informática por parte de ciberagentes¹¹⁹ de la República Popular Democrática de Corea, y se han enviado mensajes para la obtención fraudulenta de información utilizando cuentas de correo electrónico camufladas en nombre de integrantes del Grupo.

Sok Kha

162. Según la información proporcionada por los Estados Miembros, un oficial de inteligencia de la Oficina General de Reconocimiento de la República Popular Democrática de Corea llamado Kim Chol Sok (también conocido como Sok Kha)¹²⁰ estuvo al frente de hoteles, casinos, restaurantes y bares en Camboya a partir de mediados de 2020 y trabajaba para ampliar sus actividades empresariales en el ámbito del turismo, así como en otros sectores empresariales como la minería de metales preciosos¹²¹.

163. Las autoridades camboyanas, tras una exhaustiva investigación, concluyeron que Kim Chol Sok y Sok Kha son la misma persona y aclararon que Sok Kha tenía un pasaporte diplomático camboyano (núm. D0004492)¹²². Las autoridades comprobaron que el certificado de nacimiento, el libro de familia y el documento de identidad de Sok Kha eran falsos y anularon esos documentos, incluido el mencionado pasaporte diplomático.

164. Los resultados de las investigaciones también revelaron que Sok Kha era el director de C.H. World Travel Co. Ltd.¹²³. La empresa tenía una cuenta en el Banco Público de Camboya. Las autoridades cerraron la empresa y congelaron la cuenta.

165. En octubre de 2021, las autoridades camboyanas emprendieron acciones legales para llevar a juicio a Sok Kha. Sin embargo, este no ha regresado a Camboya desde que abandonara el país en noviembre de 2020¹²⁴. La investigación del Grupo sobre los aspectos empresariales y financieros del caso Sok Kha continúa.

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

¹²⁰ Otros alias conocidos son Lee Un-Kang, Chang Sok-kha, Kang Hyok, Li Yun-chiang y Steven Lee. Fecha de nacimiento: 1 de enero de 1970 (según el pasaporte).

¹²¹ Try Pheap, que fue designado por el Departamento del Tesoro de los Estados Unidos por corrupción en 2019, es un socio comercial de Sok Kha. Véase Estados Unidos, Departamento del Tesoro, "Treasury sanctions corruption and material support networks", comunicado de prensa, 9 de diciembre de 2019.

¹²² Según Camboya, no había ningún pasaporte con el nombre de Kim Chol Sok, pero sí diez pasaportes a nombre de Sok Kha (dos de los pasaportes estaban en vigor y, en consecuencia, fueron anulados). Véase el anexo 75 para consultar la lista y las copias de los pasaportes.

¹²³ Véase el anexo 76 para consultar la ficha de la empresa.

¹²⁴ Según la información facilitada por Camboya, entre 2003 y 2020 Sok Kha se desplazó a varias ciudades de Asia Sudoriental y Nordoriental, como Bangkok, Ho Chi Minh, Kuala Lumpur, Beijing, Hong Kong y Taipéi.

Mansudae Overseas Project Group of Companies (KPe.050)

Benin

166. El Grupo continuó sus investigaciones sobre la construcción de una estatua de bronce en Benin¹²⁵. Las imágenes de satélite analizadas por el Grupo sugieren que la estatua se instaló entre junio y septiembre de 2020 (véase el anexo 77).

Namibia

167. El Grupo preguntó a Namibia por los hangares supuestamente construidos por Mansudae Overseas Project Group of Companies en la base aérea de Grootfontein (véase el gráfico XLV) y la nueva sede de las Fuerzas de Defensa de Namibia en Windhoek, uno y otro proyectos construidos en 2017, así como por otros proyectos de construcción de Mansudae Overseas Project Group of Companies en Namibia. El Grupo todavía no ha recibido respuesta.

Figura XLV

Hangar aéreo supuestamente construido por Mansudae Overseas Project Group of Companies en la base aérea de Grootfontein (19°35'37,64" S 18°7'21,86" E)



Fuente: Google Earth, anotaciones del Grupo: dentro del óvalo rojo se encuentra el supuesto hangar recién construido.

Trabajadores en el extranjero

168. El Grupo de Expertos siguió investigando a nacionales de la República Popular Democrática de Corea que obtenían ingresos en el extranjero (trabajadores en el

¹²⁵ [S/2020/840](#), párr. 105 y anexo 45; y [S/2017/150](#), párr. 115.

extranjero). Debido al bloqueo de la República Popular Democrática de Corea a consecuencia de la pandemia de COVID-19 desde enero de 2020, el Grupo observa que la circulación transfronteriza de personas ha estado prohibida, en términos generales¹²⁶. Algunos Estados Miembros informaron al Grupo de que nacionales de la República Popular Democrática de Corea permanecían en varios países y habían seguido percibiendo ingresos en 2021, en contravención del párrafo 8 de la resolución [2397 \(2017\)](#) del Consejo de Seguridad.

169. Según un Estado Miembro, “al parecer, un número considerable de trabajadores de la República Popular Democrática de Corea permanecen aún en algunas regiones de China y Rusia”, ya que no han podido regresar a su país debido al cierre de las fronteras de la República Popular Democrática de Corea desde principios de 2020.

China

170. La información proporcionada al Grupo por los Estados Miembros da a entender que hay entidades de la República Popular Democrática de Corea que colaboraron con entidades situadas en China para dar empleo a nacionales de la República Popular Democrática de Corea entre 2020 y 2021 (véase el anexo 78).

171. Según la información de otro Estado Miembro, Koryo Commercial Bank Ltd., una entidad de la República Popular Democrática de Corea, acordó establecer una empresa conjunta con una empresa de China principalmente para la producción y venta de aceite de soja en 2019 (véase el anexo 79).

172. El Grupo se dirigió por escrito a China, así como a las entidades implicadas, solicitando más información sobre sus actividades. China respondió al Grupo que “China ha estado aplicando de forma estricta las disposiciones pertinentes relativas a trabajadores migrantes de la RPDC. Todos sus permisos de trabajo han expirado antes del plazo establecido por las resoluciones del Consejo de Seguridad” (véase el anexo 80). El Grupo todavía no ha recibido respuesta de estas entidades. Las investigaciones siguen en curso.

Guinea Ecuatorial

173. Según un Estado Miembro, al menos 13 trabajadores del sector de la tecnología de la información de la República Popular Democrática de Corea residen y trabajan en Malabo y Oyala (Guinea Ecuatorial) (véase el anexo 81).

República Democrática Popular Lao

174. El Grupo ha obtenido información de un Estado Miembro que indica que varios restaurantes de la República Democrática Popular Lao han estado empleando a nacionales de la República Popular Democrática de Corea como camareras y bailarinas incluso después de que expirase el plazo de repatriación de diciembre de 2019 (véase el anexo 82).

Federación de Rusia

175. Según la información de Estados Miembros, el nacional de la República Popular Democrática de Corea Kim Ju Sok¹²⁷, representante oficial de la empresa Ponghwa General Corporation de la República Popular Democrática de Corea y radicado en Moscú, facilitó varios contratos para enviar a nacionales de la República Popular

¹²⁶ [S/2021/777](#), anexo I.

¹²⁷ Según un Estado Miembro, Kim Ju Sok llegó a la Federación de Rusia en octubre de 2016 como funcionario de la Embajada de la República Popular Democrática de Corea en Moscú.

Democrática de Corea a trabajar en actividades agrícolas y de construcción en la Federación de Rusia entre 2020 y 2021.

176. El mismo Estado Miembro informó de que Kim colaboró con la empresa Uljibong Cooperation Corporation de la República Popular Democrática de Corea y contrató a la empresa rusa SMU-07 LLC¹²⁸ para enviar un máximo de 100 nacionales de la República Popular Democrática de Corea a proyectos de construcción en Moscú y sus alrededores en junio de 2020. Kim Ju Sok también colaboró con la empresa Korea Rungra-888 Trading Corporation de la República Popular Democrática de Corea para enviar al menos 60 trabajadores en formación a la empresa rusa Stroy Servis LLC¹²⁹ en julio de 2020.

177. La Federación de Rusia respondió que “no se dispone de información sobre actividades (de Kim Ju Sok) que contravengan la resolución del Consejo de Seguridad” e informó al Grupo de que “las dos empresas de construcción mencionadas en la investigación —SMU-07 LLC, que no está registrada en la dirección indicada, y Story Servis LLC— cesaron en sus operaciones este año. No se dispone de información sobre sus contactos con nacionales de la RPDC” (véase el anexo 83).

Viet Nam

178. Según un Estado Miembro, los nacionales de la República Popular Democrática de Corea que permanecían en Viet Nam seguían trabajando en el restaurante Koryo en 2021. Además, la información de libre acceso sugiere que el restaurante vende productos de arte, incluidos cuadros producidos en el estudio de arte Mansudae (véase el anexo 84).

V. Finanzas

179. El Grupo escribió a China (véase el anexo 85a) en relación con una investigación financiera sobre las transferencias de dinero vinculadas con la adquisición ilícita de productos derivados del petróleo por parte de la República Popular Democrática de Corea. La respuesta de China se incluye en el anexo 85b.

180. Los Emiratos Árabes Unidos respondieron a la investigación del Grupo (véase el anexo 86a) a propósito de una investigación financiera aparte relativa a los pagos por las transferencias entre buques de productos derivados del petróleo. La respuesta de los Emiratos Árabes Unidos se incluye en el anexo 86b.

Sector bancario

181. En diciembre de 2021, las autoridades estadounidenses impusieron una sanción reglamentaria a una filial multinacional de un banco canadiense con sede en los Estados Unidos por procesar 1.479 transacciones por un total de 382.685 dólares y mantener nueve cuentas en nombre de cinco empleados de la Misión Permanente de la República Popular Democrática de Corea ante las Naciones Unidas¹³⁰. Según el comunicado de prensa, el banco no obtuvo la licencia que exigen las autoridades

¹²⁸ OOO “CMY-07”: DCI 7725403828. Según el Registro Estatal Unificado de Entidades Jurídicas, SMU-07 LLC se disolvió el 1 de abril de 2021.

¹²⁹ OOO “СТРОЙ СЕРВИС”: DCI 5015015182. Según el Registro Estatal Unificado de Entidades Jurídicas, Stroy Servis LLC estaba en proceso de disolución a 31 de diciembre de 2021.

¹³⁰ Véase Estados Unidos, Departamento del Tesoro, “OFAC settles with TD Bank, N.A. for \$115,005.04 related to apparent violations of the North Korea sanctions regulations and the foreign narcotics kingpin sanctions regulations”, 23 de diciembre de 2021. Se encuentra en https://home.treasury.gov/system/files/126/20211223_TDBNA.pdf.

reguladoras de los Estados Unidos, lo que el banco atribuyó a un error humano y a un exceso de confianza en una lista de control proporcionada por un proveedor. Las autoridades estadounidenses señalaron que el banco había comunicado voluntariamente las infracciones y que estas constituían un “caso no grave”. La sanción reglamentaria se impuso por el incumplimiento del régimen de sanciones de los Estados Unidos a la República Popular Democrática de Corea, pero el número de cuentas también puede haber supuesto una vulneración del párrafo 16 de la resolución [2321 \(2016\)](#) del Consejo de Seguridad¹³¹. Tanto las autoridades estadounidenses como el banco en cuestión han tomado medidas.

Generación ilícita de ingresos mediante ciberactividades

182. El Grupo ha recibido información sobre ciberagentes de la República Popular Democrática de Corea que siguen dirigiendo sus ataques contra las instituciones financieras y contra las empresas e intercambios de criptomonedas. Según un Estado Miembro, los ciberagentes de la República Popular Democrática de Corea robaron más de 50 millones de dólares entre 2020 y mediados de 2021 de al menos tres plataformas de cambio de criptomonedas en América del Norte, Europa y Asia, lo que probablemente refleja un cambio para diversificar las operaciones de ciberdelincuencia.

183. Según un informe reciente de una empresa de ciberseguridad¹³², los ciberagentes de la República Popular Democrática de Corea robaron un total de 400 millones de dólares en criptomonedas en 2021 a través de siete intrusiones en bolsas de criptomonedas y empresas de inversión. Estos ciberataques “utilizaron señuelos para la obtención fraudulenta de información, piratearon códigos y se valieron de programas maliciosos e ingeniería social avanzada para desviar fondos de las carteras ‘calientes’ conectadas a Internet de estas organizaciones a direcciones controladas por la República Popular Democrática de Corea”. Los fondos de criptomonedas que adquieren los ciberagentes de la República Popular Democrática de Corea se someten a un cuidadoso proceso de blanqueo de dinero para ser cobrados¹³³.

184. El Grupo continúa con sus investigaciones sobre las actividades ilícitas de los ciberagentes de la República Popular Democrática de Corea encaminadas a obtener ingresos.

VI. Efectos no deseados de las sanciones¹³⁴

185. En el párrafo 25 de su resolución [2397 \(2017\)](#), el Consejo de Seguridad reafirmó que las sanciones de las Naciones Unidas no tenían el propósito de acarrear consecuencias humanitarias adversas para la población civil de la República Popular Democrática de Corea, ni de afectar negativamente ni restringir las actividades, incluidas las actividades económicas y la cooperación, la ayuda alimentaria y la

¹³¹ En el párrafo 16 de la resolución [2321 \(2016\)](#) del Consejo de Seguridad se estipula que los Estados deben adoptar medidas para limitar el número de cuentas bancarias a una por cada diplomático de la República Popular Democrática de Corea en los bancos ubicados en sus territorios.

¹³² Véase Chain Analysis, “North Korean hackers have prolific year as their unlaunched cryptocurrency holdings reach all-time high”, 13 de enero de 2022.

¹³³ Velar por el cumplimiento a escala mundial de las obligaciones contra el blanqueo de capitales y vigilar la actividad de las instituciones financieras no bancarias son medidas fundamentales para combatir la explotación de los sistemas financieros mundiales por parte de la República Popular Democrática de Corea para generar ingresos.

¹³⁴ Dos expertos opinan que el título de esta sección debería estar en consonancia con el lenguaje de la resolución (“consecuencias” no deseadas de las sanciones). Otro experto opinó que esta cuestión requiere un mayor debate.

asistencia humanitaria, que no estuvieran prohibidas en virtud de las resoluciones, y también destacó la responsabilidad primordial de la República Popular Democrática de Corea y la necesidad de que esta atendiera plenamente las necesidades de subsistencia de su población.

186. Los observadores han calificado la situación actual del país como próxima a una crisis humanitaria. Esto se debe a una combinación de la pandemia de COVID-19 y el consiguiente cierre de fronteras (probablemente el factor más importante de los dos últimos años), las sanciones, las catástrofes naturales y los cambios en la política económica interna para un uso más acusado de los métodos de mando administrativo¹³⁵.

187. Sin embargo, el análisis del Grupo se centra en el impacto no deseado de las sanciones de las Naciones Unidas. El acceso a los datos y las pruebas es limitado y no existe una metodología fiable que permita desvincular los efectos de las sanciones de las Naciones Unidas de otros factores, incluidos los regímenes de sanciones unilaterales y los factores socioeconómicos internos.

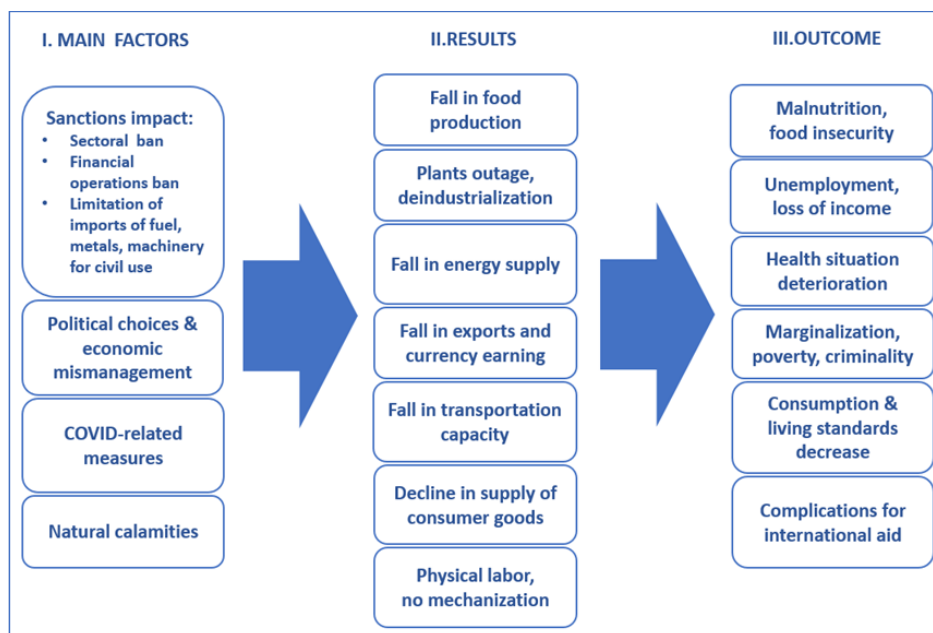
188. Sin embargo, no cabe duda de que las sanciones de las Naciones Unidas han afectado involuntariamente a la situación humanitaria y al derecho al desarrollo¹³⁶ y han agravado los problemas causados por la aislacionista y deficiente gestión económica del Gobierno de la República Popular Democrática de Corea. La influencia de las sanciones, pese a no ser el factor principal en la pésima situación humanitaria, ha sido significativa (véase la figura XLVI). Como consecuencia de las resoluciones del Consejo de Seguridad en 2016 y 2017, los ingresos derivados de exportaciones y divisas disminuyeron, las operaciones financieras transfronterizas se interrumpieron y el transporte topó con limitaciones cada vez mayores, mientras que las entidades económicas y financieras extranjeras comenzaron a evitar los riesgos asociados a toda operación que involucrara a la República Popular Democrática de Corea. Todo ello contribuyó a que la capacidad del país para adquirir legalmente artículos de primera necesidad y productos médicos básicos fuese cada vez más limitada, así como a la degradación de los servicios sociales, incluida la atención sanitaria (véase el anexo 87; véase también el anexo 88 para obtener información sobre el análisis prepandémico del Grupo sobre los posibles factores del impacto de las sanciones en el ámbito humanitario).

¹³⁵ La tendencia a limitar los mecanismos de mercado y reintroducir el control estatal sobre la economía, especialmente en la agricultura, quedó patente en la cuarta reunión plenaria del octavo Congreso del Partido de los Trabajadores de Corea a finales de 2021. Véase “Let us strive for our great State’s prosperity and development and our people’s wellbeing: report on 4th plenary meeting of 8th C.C., WPK”, *Rodong Sinmun*, 1 de enero de 2022.

¹³⁶ Este derecho de los Estados nación está consagrado en la Declaración sobre el Derecho al Desarrollo: véase la resolución 41/128 de la Asamblea General, anexo; y A/41/53. Véase también Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos (ACNUDH), “Discussion paper: implications of the Right to Development for the Democratic People’s Republic of Korea and other United Nations Member States”, agosto de 2021, pág. 11, en el que se proclama que “las sanciones deben siempre tener plenamente en cuenta las disposiciones del Pacto Internacional de Derechos Económicos, Sociales y Culturales”. Véase también www.ohchr.org/EN/HRBodies/CESCR/Pages/CESCRIndex.aspx.

Figura XLVI
Las sanciones de las Naciones Unidas como uno de los factores que causan problemas humanitarios (ejemplos)

(Factores retrospectivos desde 2018 (tras las resoluciones del Consejo de Seguridad), resultados 2020-2021)



Fuente: Grupo.

189. Cualquier efecto humanitario negativo de las sanciones es probablemente a largo plazo y no está directamente relacionado con el aislamiento relacionado con la COVID. El Grupo toma nota de los comentarios a este respecto del Relator Especial sobre la situación de los derechos humanos en la República Popular Democrática de Corea, Tomás Quintana¹³⁷. En octubre de 2021, China y la Federación de Rusia presentaron un proyecto de resolución al Consejo de Seguridad en el que se pedía la relajación de las sanciones relacionadas con la República Popular Democrática de Corea, mencionando la ausencia de ensayos nucleares y con misiles de largo alcance por parte de la República Popular Democrática de Corea desde 2017^{138, 139}.

190. En la actualidad, las operaciones de ayuda internacional que han contribuido a mitigar los efectos negativos mencionados se han reducido de forma drástica. A fin de evaluar el impacto de las sanciones y de la pandemia de COVID-19 en las operaciones humanitarias, el Grupo llevó a cabo una encuesta entre unas 40 organizaciones (tanto del sistema de las Naciones Unidas como organismos no gubernamentales de ayuda), la mayoría de las cuales habían presentado solicitudes de exención, bien directamente al Comité, bien a través del Coordinador Residente de las Naciones Unidas o de un Estado Miembro (puede consultarse la lista de preguntas

¹³⁷ El Relator Especial sobre la situación de los derechos humanos en la República Popular Democrática de Corea, Tomás Quintana, señaló en octubre de 2021 que era necesario que “se revisen las sanciones impuestas por el Consejo de Seguridad y se atenúen cuando sea necesario, tanto para facilitar la asistencia humanitaria y salvar vidas, como para permitir la promoción del derecho a un nivel de vida adecuado para los ciudadanos comunes” (A/76/392).

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

¹³⁹ Cuatro expertos expresaron sus objeciones a esta frase, ya que consideran que en los informes del Grupo no tienen cabida declaraciones políticas.

en el anexo 89)¹⁴⁰. El siguiente análisis se basa principalmente en la información recibida (véase el anexo 90):

- Las limitaciones impuestas por la República Popular Democrática de Corea a todos los movimientos transfronterizos han complicado las operaciones humanitarias. La mayoría de las organizaciones tuvieron que suspender sus actividades de ejecución y supervisión en 2021. Algunas mantienen una pequeña presencia local tras la salida del personal internacional.
- La falta de un canal bancario sigue siendo un problema importante que provoca el agotamiento de las reservas de efectivo¹⁴¹
- Las organizaciones no ven con demasiado optimismo la posibilidad de reanudar sus operaciones ni siquiera cuando se reabran las fronteras.

191. En agosto y septiembre de 2021, la Organización Mundial de la Salud y el Fondo de Población de las Naciones Unidas entregaron unos 50 contenedores con medicamentos a la República Popular Democrática de Corea, pero estos fueron puestos en cuarentena durante 90 días y sometidos a un largo proceso de desinfección. En enero de 2022 no se disponía de datos que indicasen que los suministros hubiesen llegado a su destino (véase el anexo 91)¹⁴².

192. Las organizaciones no gubernamentales (ONG) aprueban en general las medidas adoptadas por el Comité para agilizar el proceso de obtención de exenciones¹⁴³. Sin embargo, han señalado la necesidad de facilitar aún más los procedimientos. Algunas ONG sugieren exenciones “permanentes” o “generales” para los proyectos¹⁴⁴.

Recomendaciones

193. El Grupo recomienda que el Comité revise las respuestas de las ONG a la encuesta del Grupo (véase el anexo 90) y considere la posibilidad de establecer contactos con la sociedad civil para abordar los complejos aspectos de una crisis humanitaria en la República Popular Democrática de Corea, a fin de contribuir a fundamentar la futura toma de decisiones y a evaluar mejor las necesidades en materia de ayuda humanitaria.

194. El Grupo subraya la necesidad urgente de adoptar medidas concretas para restablecer el canal bancario.

195. El Grupo expresa su aprecio por las sesiones informativas semestrales de los organismos competentes de las Naciones Unidas sobre los efectos no deseados de las sanciones y recomienda que el Comité mantenga esa práctica.

¹⁴⁰ La respuesta a las preguntas era opcional y no afectaba a los procesos de aprobación de excepciones.

¹⁴¹ Programa Mundial de Alimentos (PMA), “WFP DPR Korea Country Brief”, diciembre de 2021. Se encuentra en <https://reliefweb.int/sites/reliefweb.int/files/resources/WFP-0000135453.pdf>.

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

¹⁴³ Las organizaciones no gubernamentales (ONG) aprueban la notable mejora de los procedimientos de concesión de exenciones por parte del Comité, de conformidad con la nota orientativa núm. 7 para la aplicación de resoluciones del Comité, y las medidas adoptadas durante la pandemia de COVID-19, especialmente “la ampliación de la validez de las exenciones de seis meses a un año”. Sin embargo, como ha demostrado el análisis anterior, son muchos los que se oponen a la idea de “exenciones permanentes para las organizaciones humanitarias” y la introducción de una “lista blanca” para los equipos médicos y agrícolas.

¹⁴⁴ Una ONG mencionó la recopilación llevada a cabo por el Comité Nacional sobre la República Popular Democrática de Corea (véase www.ncnk.org) de información sobre los efectos no deseados de las sanciones en el trabajo de las organizaciones internacionales y las ONG.

196. El Grupo recomienda que el Consejo de Seguridad siga ocupándose de los problemas y procesos de mitigación de posibles efectos negativos no deseados de las sanciones en la población civil norcoreana y las operaciones de ayuda humanitaria a los sectores vulnerables de esa población y de superación de los efectos de la pandemia de COVID-19.

197. El Grupo toma nota del resultado positivo obtenido por el Comité en sus esfuerzos por agilizar los procesos y procedimientos de solicitud de exenciones humanitarias y recomienda que el Comité continúe con estos esfuerzos, teniendo en cuenta las sugerencias de los agentes humanitarios.

VII. Informes nacionales de aplicación

Situación de la presentación por los Estados Miembros de informes sobre la aplicación de las resoluciones pertinentes

198. Al 28 de enero de 2022, 66 Estados Miembros habían presentado informes sobre la aplicación de lo dispuesto en el párrafo 8 de la resolución [2397 \(2017\)](#) del Consejo de Seguridad; 81, sobre la aplicación de lo dispuesto en el párrafo 17 de la resolución [2397 \(2017\)](#); 95, sobre la aplicación de lo dispuesto en la resolución [2375 \(2017\)](#); 90, sobre la aplicación de lo dispuesto en la resolución [2371 \(2017\)](#); 107, sobre la aplicación de lo dispuesto en la resolución [2321 \(2016\)](#); y 115, sobre la aplicación de lo dispuesto en la resolución [2270 \(2016\)](#). Aunque globalmente se presentaron más informes, el Grupo observa que el número de Estados Miembros que no han presentado informes sobre la resolución [2397 \(2017\)](#) (127, entre ellos un miembro no permanente del Consejo en 2020) sigue siendo importante.

199. Por otra parte, el porcentaje total de Estados Miembros, entidades y particulares que han respondido a las consultas del Grupo en relación con sus investigaciones sigue siendo bajo. El Grupo observa que los Estados Miembros, las entidades y las personas deben acatar las resoluciones pertinentes del Consejo de Seguridad y cooperar plenamente con las indagaciones del Grupo.

VIII. Recomendaciones

200. En el anexo 93 figura una lista consolidada de las recomendaciones.

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

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

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

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

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

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

Source: The Panel.

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

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

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

The report detailed the historic course of masterminding a great revolutionary turn for possessing the completely new nuclear capabilities aimed at attaining the goal of modernization of the nuclear force. Under the direct guidance of the Party Central Committee, intermediate-range and intercontinental ballistic rockets of Hwasongpho series and submarine-launched and ground-based ballistic rockets of Pukguk-song series were manufactured in our own style to meet their unique operational missions. This gave a clearer description of the status of our state as a nuclear weapons state and enabled it to bolster its powerful and reliable strategic deterrent for coping with any threat by providing a perfect nuclear shield.

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

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

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

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

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

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

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

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

National defence scientists and workers in the munitions industry properly set the orientation of developing main tank of our style following the world's development trends and have begun to enter a new

track of development while upgrading production processes. They also achieved such successes as developing world-class anti-air rocket complex, self-propelled gun howitzer and anti-armour weapons. The report also noted that in the period under review the sector of national defence scientific research was conducting research into perfecting the guidance technology for multi-warhead rocket at the final stage, finished research into developing warheads of different combat missions including the hypersonic gliding flight warheads for new-type ballistic rockets and was making preparations for their test manufacture.

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

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

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

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

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

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



Source: Planet Labs Inc.

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



Source: Planet Labs Inc.

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

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



Source: Planet Labs Inc.

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

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

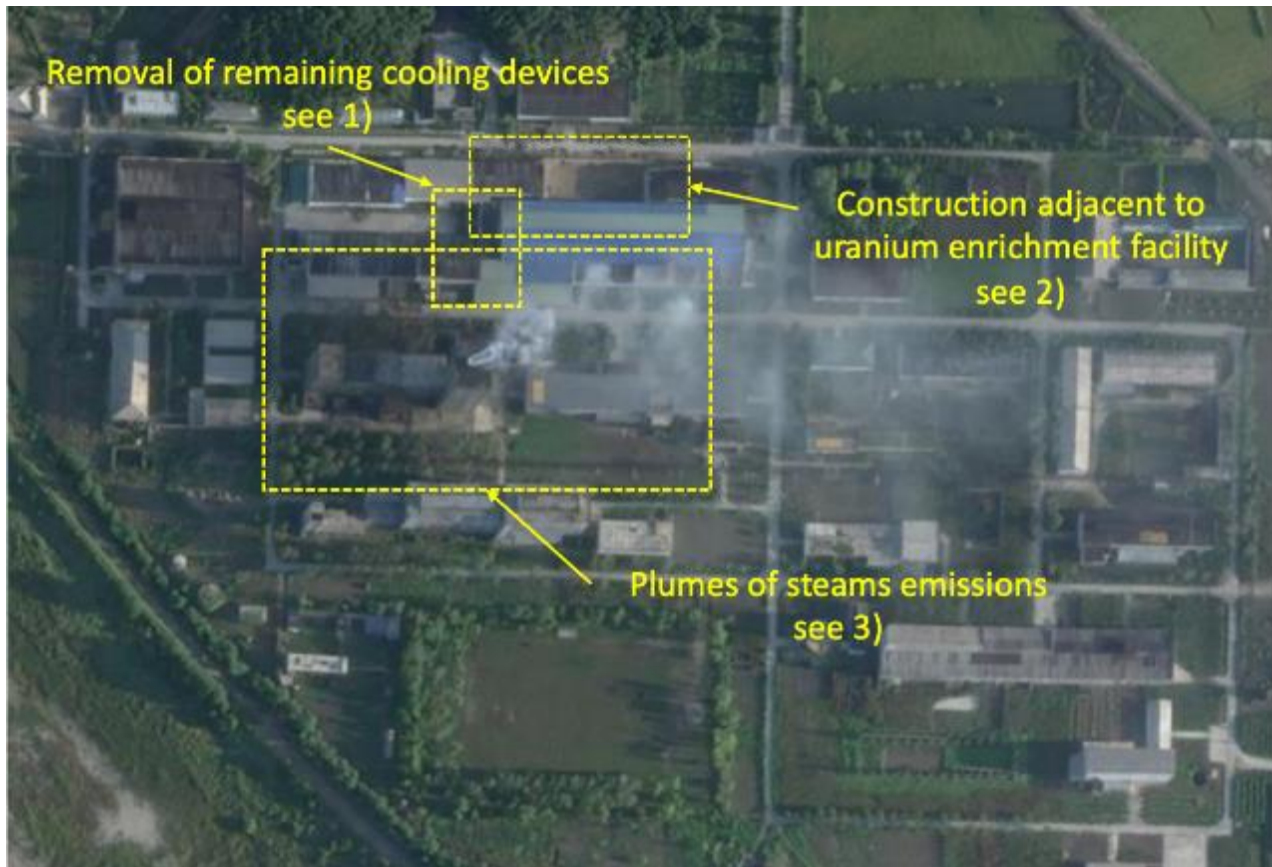
Since my report to the Board and General Conference in August of this year we have continued to monitor the DPRK nuclear programme. There are ongoing indications consistent with the operation of the 5MW(e) reactor at the Yongbyon site. There continue to be no indications of operation of the Radiochemical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

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

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

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

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

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

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

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



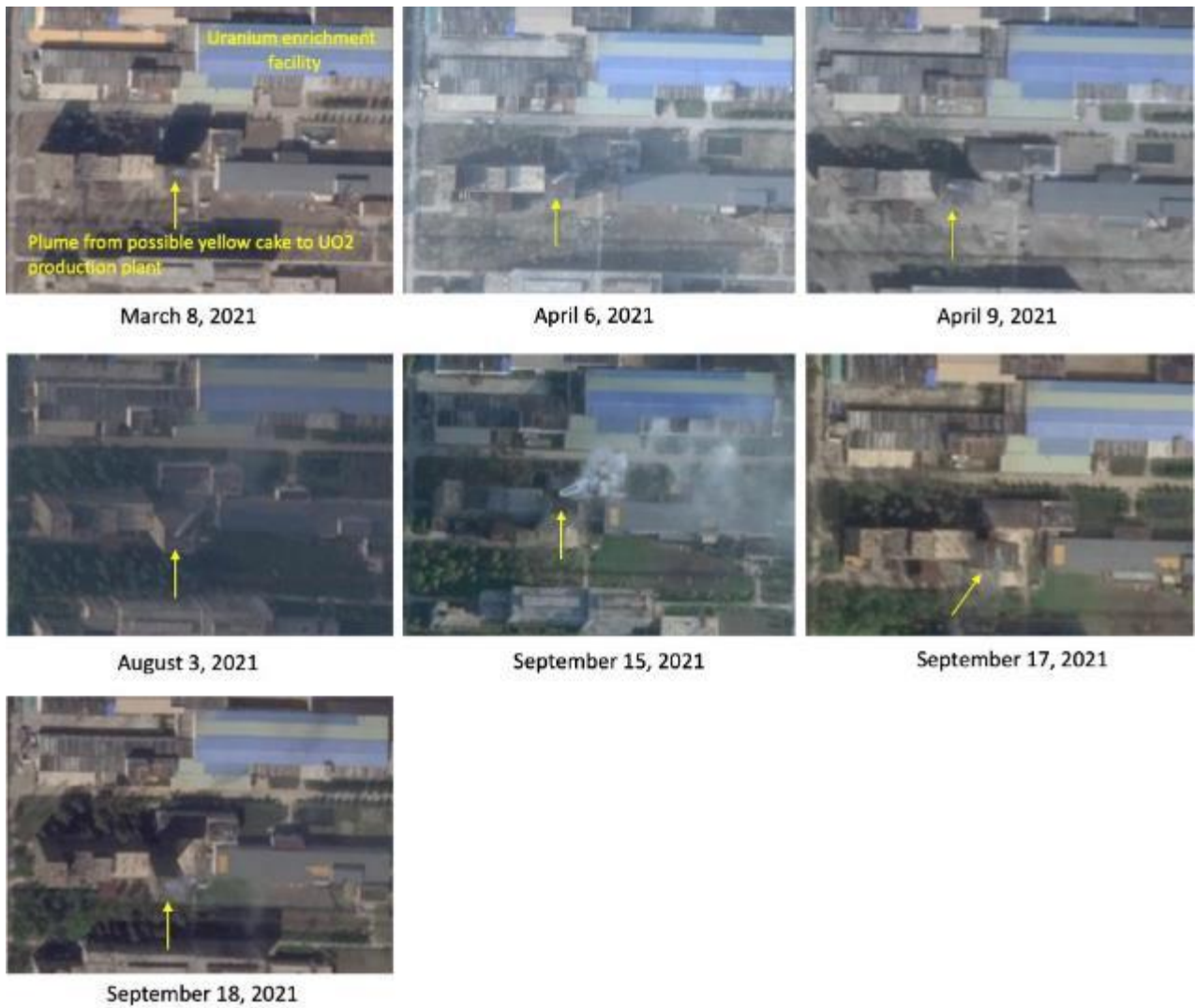
Source: Planet Labs Inc.

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

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

Source: Planet Labs Inc.

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



Source: Planet Labs Inc.

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



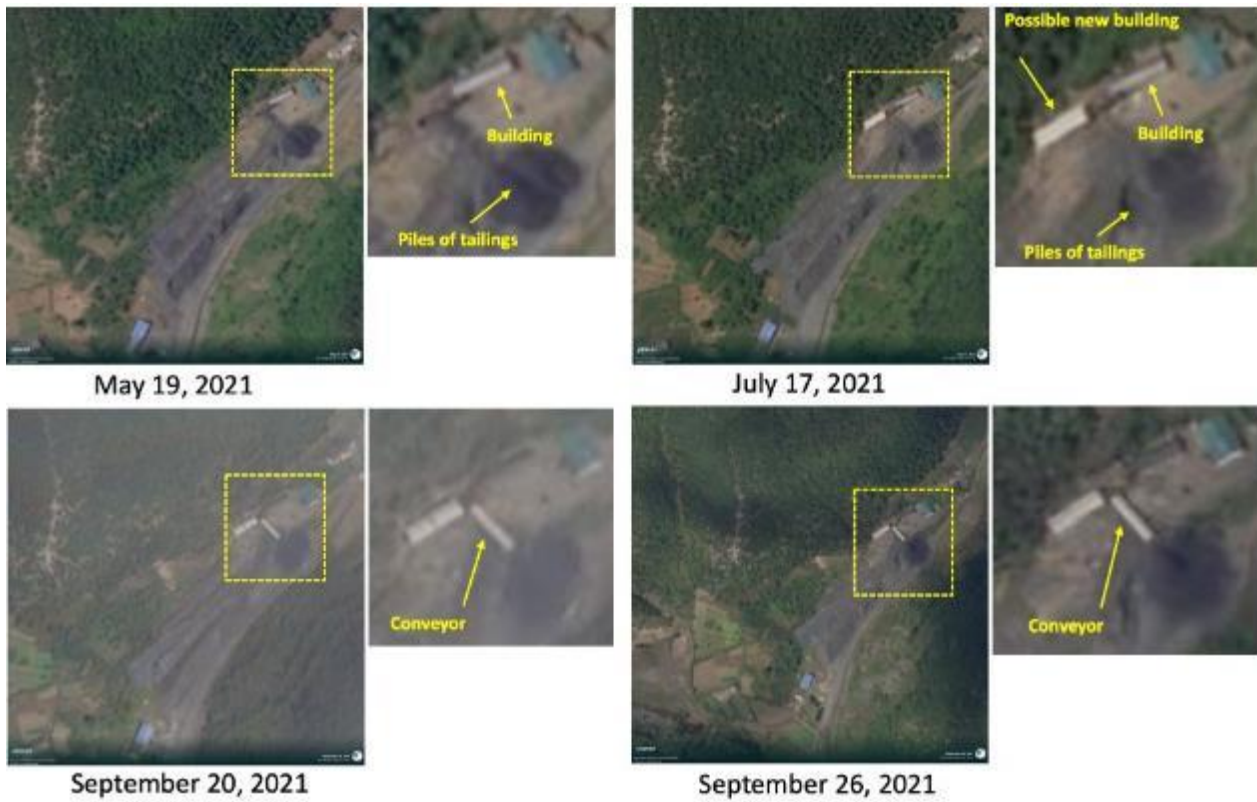
Source: Planet Labs Inc.

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



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

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



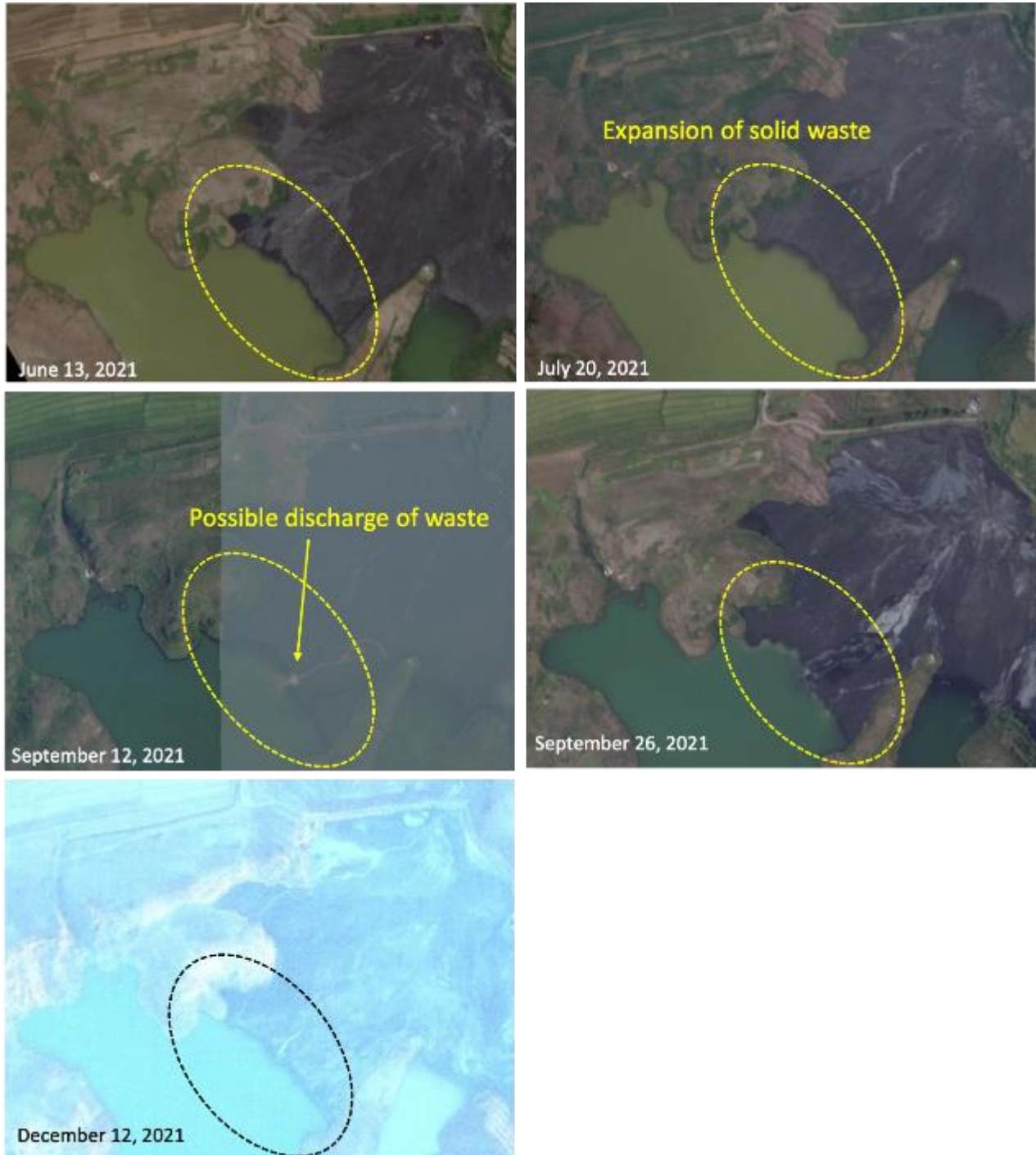
Source: Planet Labs Inc.

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



Source: Planet Labs Inc.

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



Source: Planet Labs Inc.

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



Source: Planet Labs Inc.

Annex 11: Activities at Yongdoktong

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



Source: Planet Labs Inc.

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



Source: Planet Labs Inc.

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

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



September 26, 2021



September 26, 2021

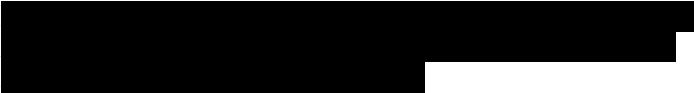
Source: Planet Labs Inc.

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

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

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

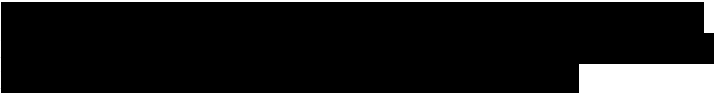
³ About Choe Kwangnam; Ri Kwangchol; Yun Kumchol; S/2021/777, annex 13.

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

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

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

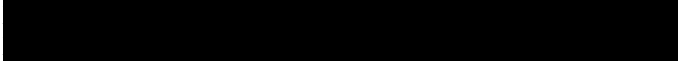
No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
44		Pyongyang University of Architecture	2018	IEEE-Sensors Journal (Institute of electrical and electronics engineers) Volume: 18, Issue: 11, June1, 1 2018).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

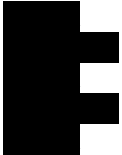
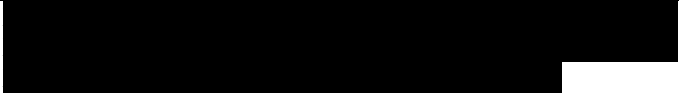
No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
53		Kim Chaek University of Technology & Department of Chemistry, University of Science, Pyongyang	2018	Chemical Physics Letters Volume 699, May 2018, Pages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

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

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

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
77		Kim Il Sung University & Kim Chaek University of Technology	2018	Protection of Metals and Physical Chemistry of Surfaces volume 54, pages 1059–1065 (2018)	Excellent Anti-Corrosive Composite Coating Containing Iron Oxide on AZ31B Mg Alloy https://link.springer.com/article/10.1134/S2070205118060199	<u>Pak Sung-Nam</u> Department of Energy Science, Kim Il Sung University, 999093, Pyongyang, Democratic People's Republic of Korea, and  Ju Kyong-Sik Institute of Advanced Science, Kim Il Sung University, 999093, Pyongyang, Democratic People's Republic of Korea Yun Chol-Yong Kimchaek University of Technology, 950003, Pyongyang, Democratic People's Republic of Korea Kim Man-Ho Department of Energy Science, Kim Il Sung University, 999093, Pyongyang, Democratic People's Republic of Korea Ko Myong-Son idem Ryang Sok-Jin idem Kim Chol-Jin idem U Ju-Hyok Kimchaek University of Technology, 950003, Pyongyang, Democratic People's Republic of Korea Pak Kyong-Song Idem

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

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

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

Annex 13: Reply from China to the Panel**6. ITT (OC.324)**

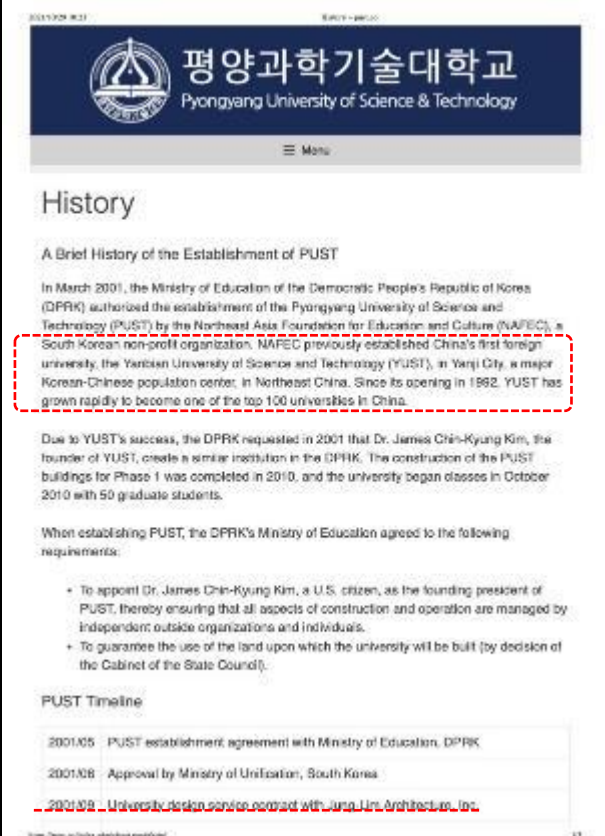
China has always been strictly implementing the relevant provisions of the Security Council resolutions and has stepped up examination over academic exchanges and cooperation. According to the investigation, there are no prohibited academic exchanges or scientific collaborations between Chinese universities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

Source: The Panel.

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

(1) About PUST

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



History

A Brief History of the Establishment of PUST

In March 2001, the Ministry of Education of the Democratic People's Republic of Korea (DPRK) authorized the establishment of the Pyongyang University of Science and Technology (PUST) by the Northeast Asia Foundation for Education and Culture (NAFEC), a South Korean non-profit organization. NAFEC previously established China's first foreign university, the Yanbian University of Science and Technology (YUST), in Yanji City, a major Korean-Chinese population center in Northeast China. Since its opening in 1992, YUST has grown rapidly to become one of the top 100 universities in China.

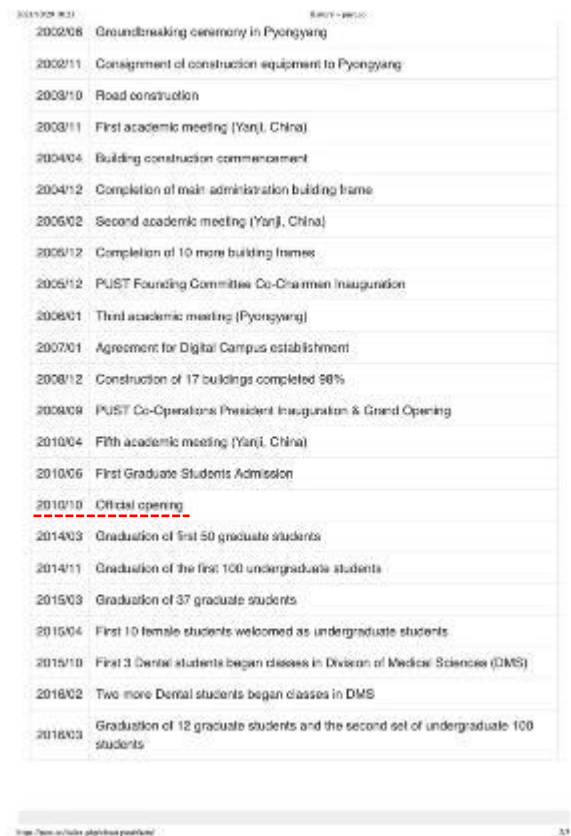
Due to YUST's success, the DPRK requested in 2001 that Dr. James Chin-Kyung Kim, the founder of YUST, create a similar institution in the DPRK. The construction of the PUST buildings for Phase I was completed in 2010, and the university began classes in October 2010 with 50 graduate students.

When establishing PUST, the DPRK's Ministry of Education agreed to the following requirements:

- To appoint Dr. James Chin-Kyung Kim, a U.S. citizen, as the founding president of PUST, thereby ensuring that all aspects of construction and operation are managed by independent outside organizations and individuals.
- To guarantee the use of the land upon which the university will be built (by decision of the Cabinet of the State Council).

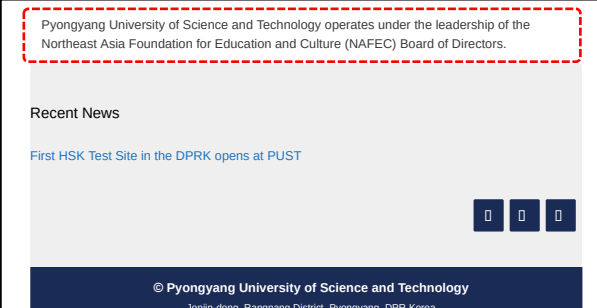
PUST Timeline

2001/05	PUST establishment agreement with Ministry of Education, DPRK
2001/06	Approval by Ministry of Unification, South Korea
2001/09	University design services ordered with USA Inc. Architectural Inc.



2002/06	Groundbreaking ceremony in Pyongyang
2002/11	Consignment of construction equipment to Pyongyang
2003/10	Road construction
2003/11	First academic meeting (Yanji, China)
2004/04	Building construction commencement
2004/12	Completion of main administration building frame
2005/02	Second academic meeting (Yanji, China)
2005/12	Completion of 10 more building frames
2005/12	PUST Founding Committee Co-Chairmen Inauguration
2006/01	Third academic meeting (Pyongyang)
2007/01	Agreement for Digital Campus establishment
2008/12	Construction of 17 buildings completed 98%
2008/09	PUST Co-Operations President Inauguration & Grand Opening
2010/04	Fifth academic meeting (Yanji, China)
2010/06	First Graduate Students Admission
2010/10	Official opening
2014/03	Graduation of first 50 graduate students
2014/11	Graduation of the first 100 undergraduate students
2015/03	Graduation of 37 graduate students
2015/04	First 10 female students welcomed as undergraduate students
2015/10	First 3 Dental students began classes in Division of Medical Sciences (DMS)
2016/02	Two more Dental students began classes in DMS
2016/03	Graduation of 12 graduate students and the second set of undergraduate 100 students

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



Pyongyang University of Science and Technology operates under the leadership of the Northeast Asia Foundation for Education and Culture (NAFEC) Board of Directors.

Recent News

First HSK Test Site in the DPRK opens at PUST

© Pyongyang University of Science and Technology
Jonin-dong, Rangnam District, Pyongyang, DPR Korea

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

(1) Exchange cooperation by “Studying abroad”

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



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

(2) International Conference

The website explains about the 4th International Conference:

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

●제4차 국제학술대회

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




[이용약관] [개인정보처리방침]

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

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

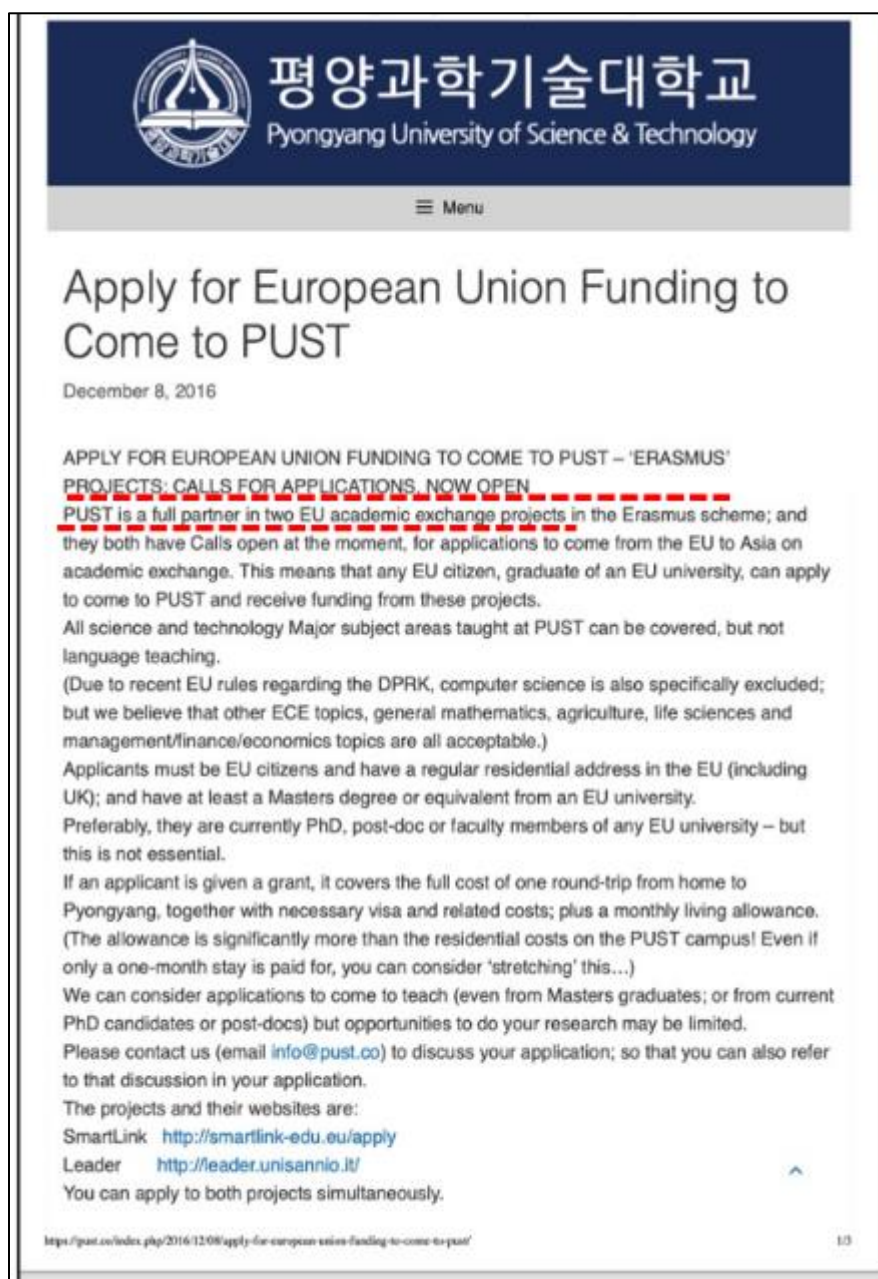
Copyright © 사단법인 동북아교육문화협력재단 2018. All rights reserved.

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

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

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

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



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

Figure 15-2: Erasmus+

The screenshot displays the Erasmus+ Programme Guide website. The header includes the European Commission logo and the text 'Erasmus+ EU programme for education, training, youth and sport'. A navigation bar at the top lists sections: Introduction to the Programme Guide, Part A: General information about the Erasmus+ Programme, Part B: Information about the actions covered by this guide, Part C: Information for applicants, and Part D: Glossary of terms. Below the navigation bar is a search bar with the text 'Search the guide' and a search button. The main content area is titled 'Eligible countries' and includes a table of contents on the left with links to Overview, Eligible countries, Important characteristics of this Erasmus+ Programme, Priorities of the Erasmus+ Programme, What are the objectives and important features of the Erasmus+ Programme?, and What is the budget?. The 'Eligible countries' section lists EU Member States and third countries associated with the programme, categorized by region: Region 6 Asia, Region 7 Central Asia, Region 8 Latin America, Region 9, and Region 10. A 'Download' button is visible on the right side of the page.

Erasmus+
EU programme for education, training, youth and sport

Introduction to the Programme Guide • **Part A: General information about the Erasmus+ Programme** • Part B: Information about the actions covered by this guide • Part C: Information for applicants • Part D: Glossary of terms

You are here: Home / Part A: General information about the Erasmus+ Programme

Search the guide

Eligible countries

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

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

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

Region 6 Asia⁸

Afghanistan, Bangladesh, Bhutan, Cambodia, China, DPR Korea, India, Indonesia, Laos, Malaysia, Maldives, Mongolia, Myanmar, Nepal, Pakistan, Philippines, Sri Lanka, Thailand and Vietnam

Region 7 Central Asia⁹

Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan

Region 8 Latin America¹⁰

Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Venezuela

Region 9¹¹

Iran, Iraq, Yemen

Region 10¹²

South Africa

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

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

1) PUST students studying abroad

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

Table : PUST students studying abroad

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

Source: NAFEC, annotated by the Panel.

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

2) Lecture subjects delivered at the PUST

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

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

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

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

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

Source: NAFEC, annotated by the Panel.

Annex 17: Website of Kim Chaek University of Technology

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

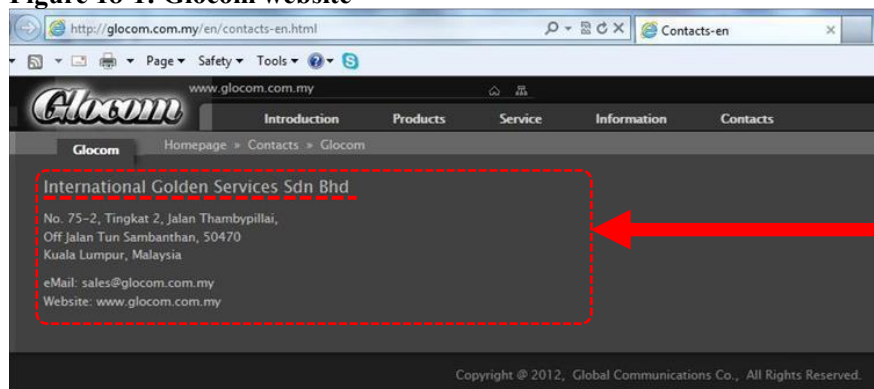


Source: Kim Chaek University of Technology, <http://www.kut.edu.kp/index.php/page/index?si=22> (accessed 30 December 2021).

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

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

Figure 18-1: Glocom website⁴



Same address

Source: The Panel

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

The screenshot shows the corporate information for International Global System Sdn Bhd from the SSM registry. The business address is highlighted with a red dashed box: NO.75-2, TINGKAT 2, JALAN THAMBYPILLAI, OFF JALAN TUN SAMBANTHAN, KUALA LUMPUR, WILAYAH PERSEKUTUAN. A red arrow points from this box to the contact information in Figure 18-1.

CORPORATE INFORMATION	
Name	INTERNATIONAL GLOBAL SYSTEM (M) SDN. BHD.
Last Old Name	: Nil
Date of Change	: Nil
Registration No.	: 20250308178 (716319-E)
Incorporation Date	: 29-11-2005
Registration Date	: Nil
Type	: LIMITED BY SHARES : PRIVATE LIMITED
Status	: DISSOLVED
Registered Address	: NO 4.12, 4TH FLOOR PERTAMA OFFICE TOWER COMPLEX JALAN THAMBY PILLAI, KUALA LUMPUR KUALA LUMPUR WILAYAH PERSEKUTUAN
Postcode	: 50100
Origin	: MALAYSIA
Business Address	: NO.75-2, TINGKAT 2 JALAN THAMBYPILLAI OFF JALAN TUN SAMBANTHAN KUALA LUMPUR WILAYAH PERSEKUTUAN
Postcode	: 50470
Nature of Business	: 1. MULTIMEDIA AND ELECTRONIC COMMERCE 2. GENERAL TRADING

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

Postcode : 50470

Source: Suruhanjaya Syarikat Malaysia (SSM).

⁴ S/2017/150, annex 8-5.

Figure 18-3: The previous Panel's report

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

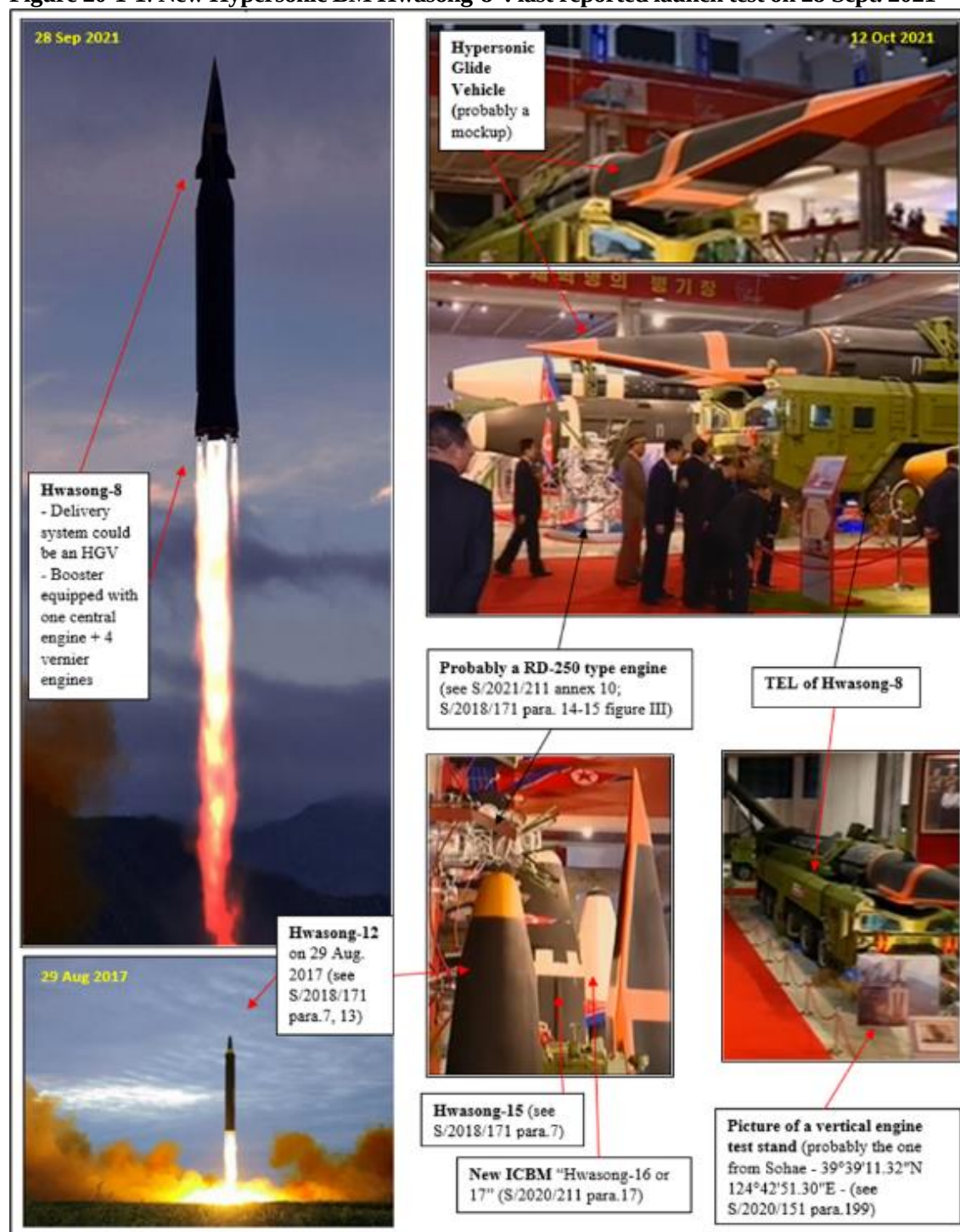
As demonstrated in KCNA pictures of the launch and as emphasized by KCTV coverage of the exhibition, the main missile body appeared to be made from a liquid propellant booster that resembled, but was probably shorter than, the single-stage Intermediary Range Ballistic Missile (IRBM) Hwasong-12⁵.

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

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

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

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



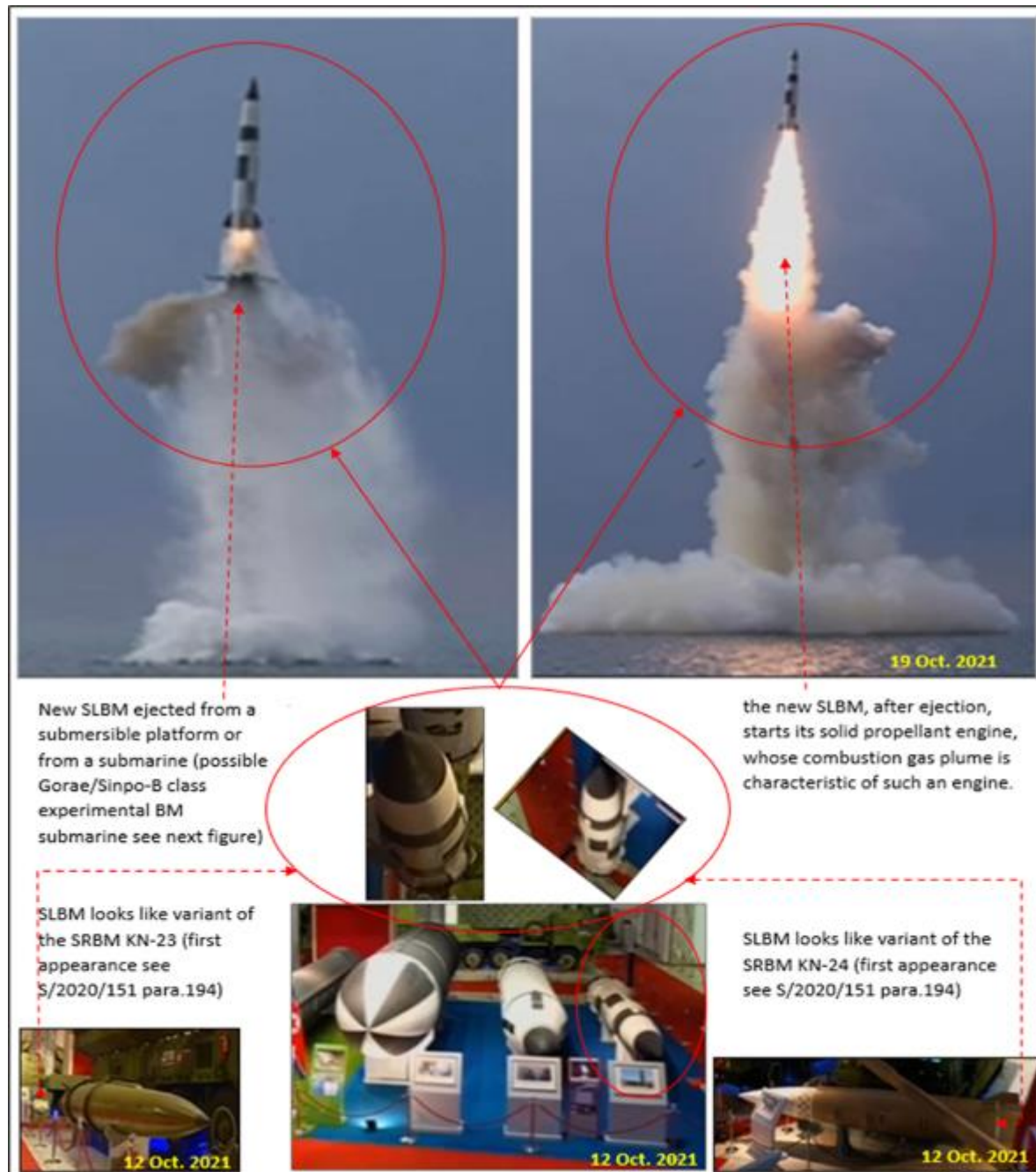
Source: KCTV, 12 October 2021, 8pm, and Rodong Sinmun (En), 29 September Juche 110 (2021)⁶.

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

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

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

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



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

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

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

8

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

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

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

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

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

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

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

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

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

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

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

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



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

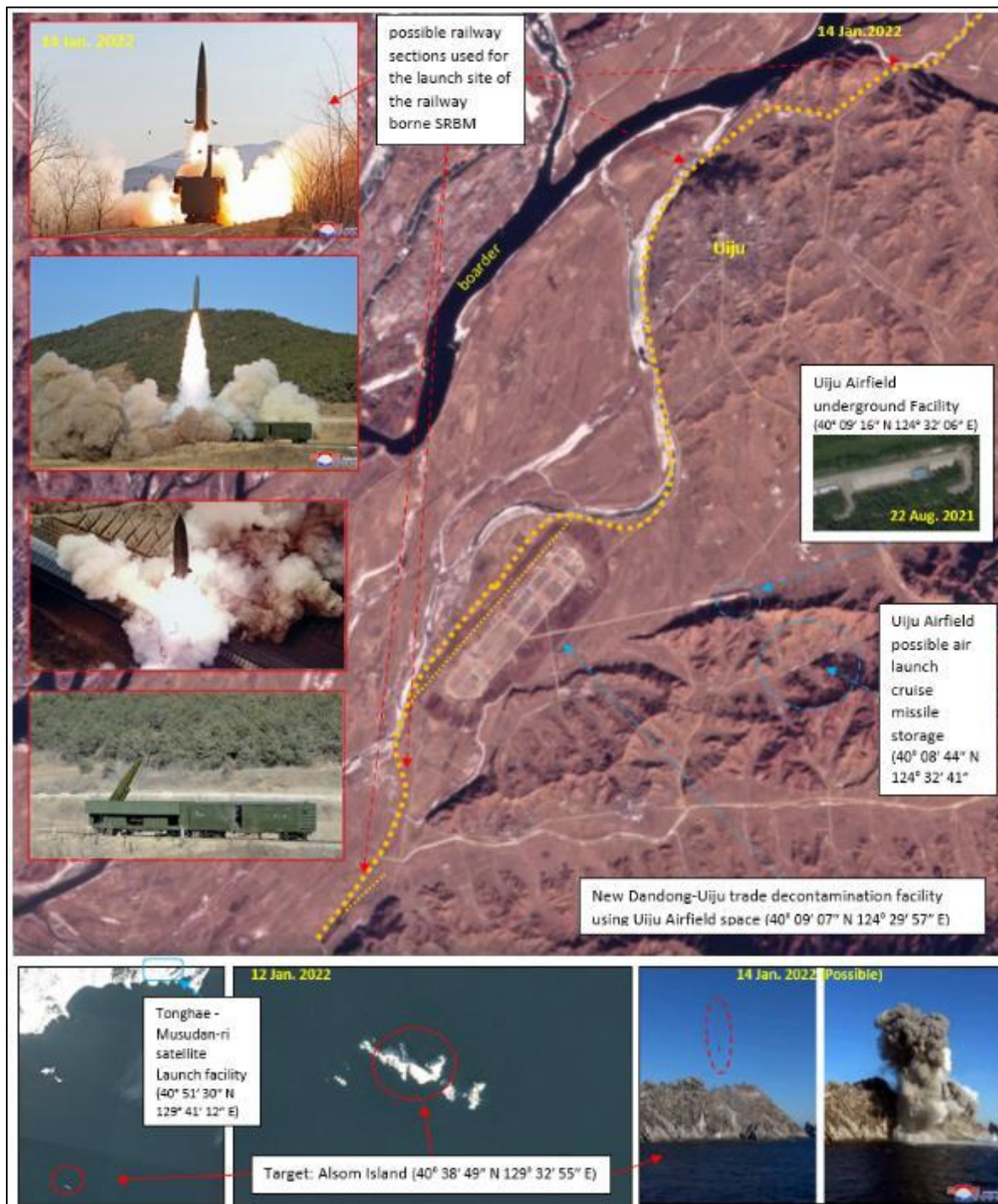
Figure 21-2: The rail network provides another option for concealing and launching DPRK missi-



les

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

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



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

Figure 21-4: 17 January 2022 – Operational launch test of two SRBMs (possible KN-24) from a tracked-TEL



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

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

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

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

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

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



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

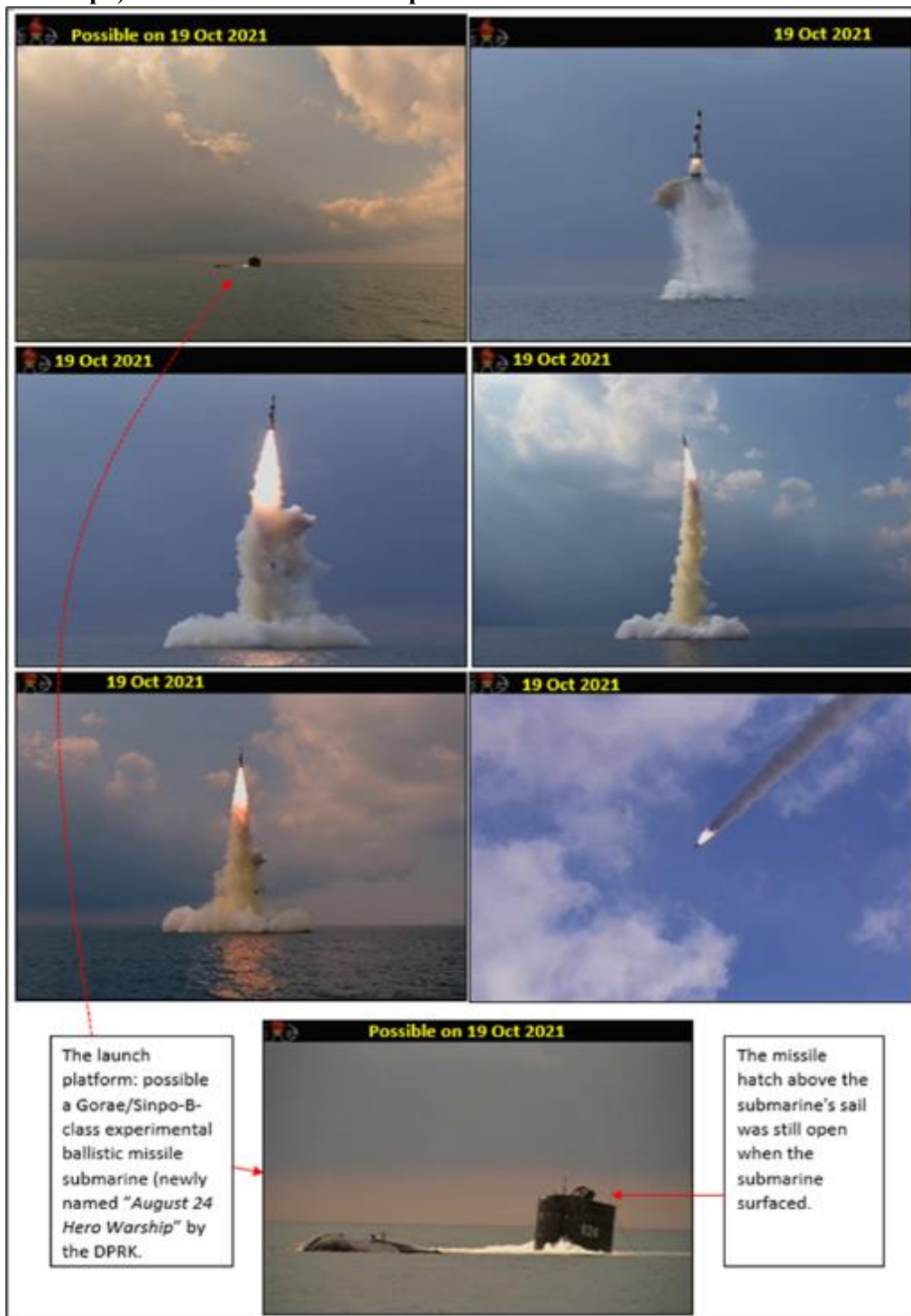
¹⁴ KCTV, 12 October 2021, and KCNA and Rodong Sinmun (En) (original version at source), 29 September, Juche 110 (2021), Article: Hypersonic Missile Newly Developed by Academy of Defence Science Test-fired Date: 29/09/2021 | available at <https://kcnawatch.org/newstream/1632886875-742443353/hypersonic-missile-newly-developed-by-academy-of-defence-science-test-fir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

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

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

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

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



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

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

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



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

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

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

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

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

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

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

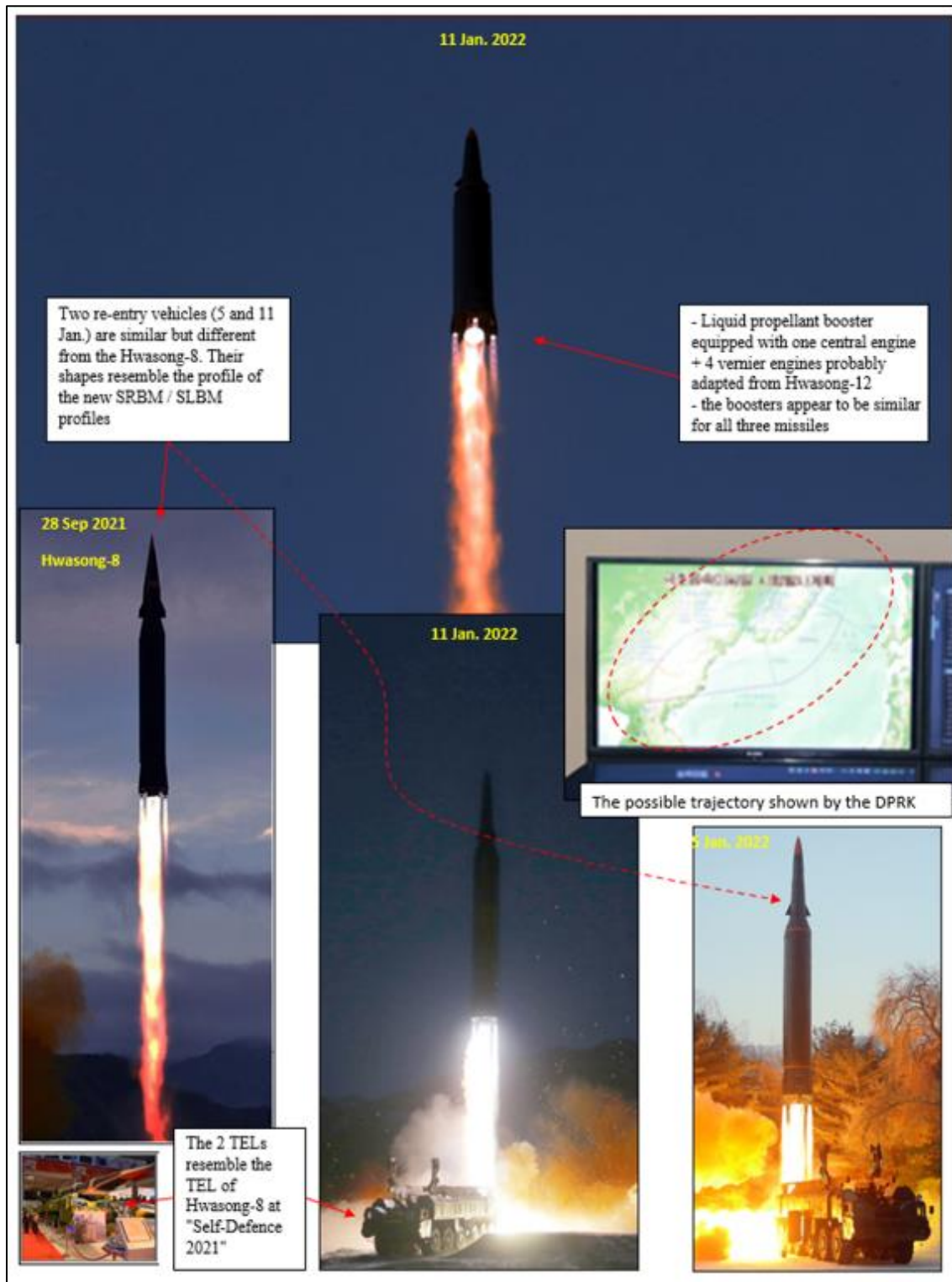
¹⁸ The DPRK claimed to have launched a “hypersonic missile” with a “re-entry vehicle”. “The test fire was aimed at making a final confirmation of the overall specifications of the developed hypersonic weapon system. The hypersonic missile was launched into the sky. The hypersonic gliding warhead was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

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

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

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

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



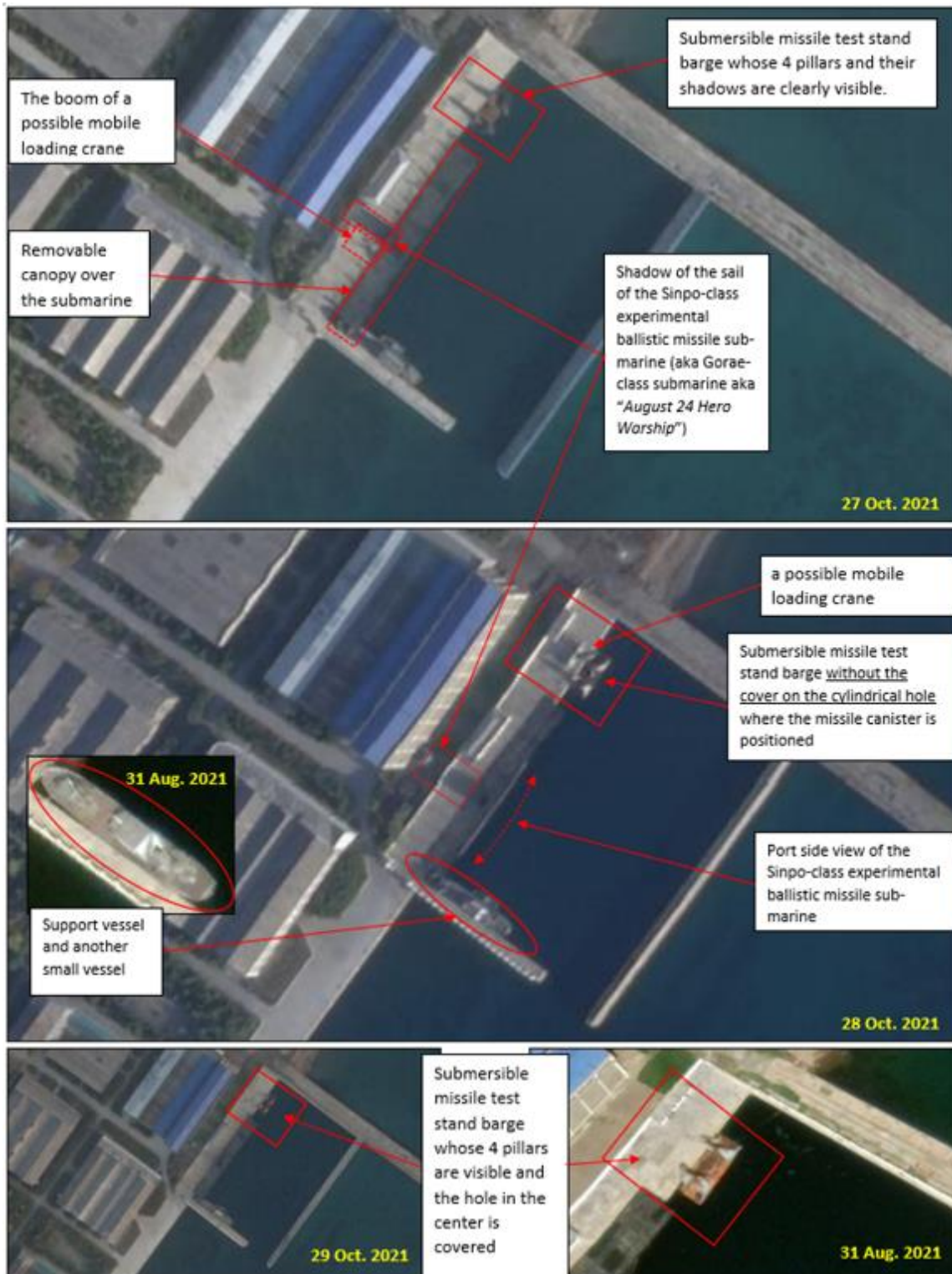
Source: KCNA at https://www.nknews.org/pro/wp-content/uploads/kcna-watch/kcna_kp_en/images/MM00289748.jpg?t=1649371935222 and <https://kcnawatch.org/?t=1649723100702>

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

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

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

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



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

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

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

Infrastructure activity at the Sinpo south shipyard since August 2021

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

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

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



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

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

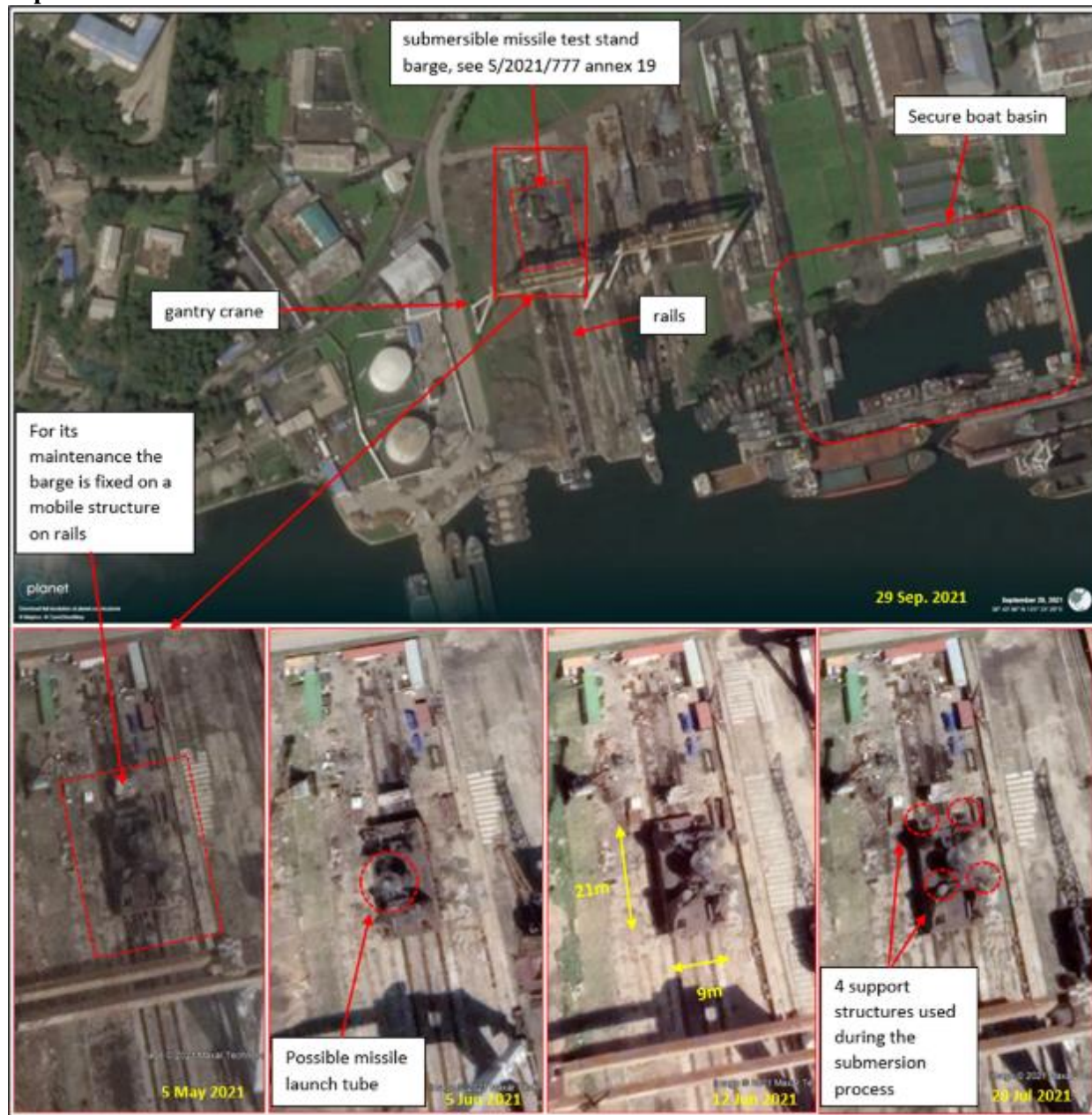


Source: Planet Labs Inc., 11 September 2021, 23 33 UTC, 8 December 2021, 02 10 UTC.

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

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

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



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

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

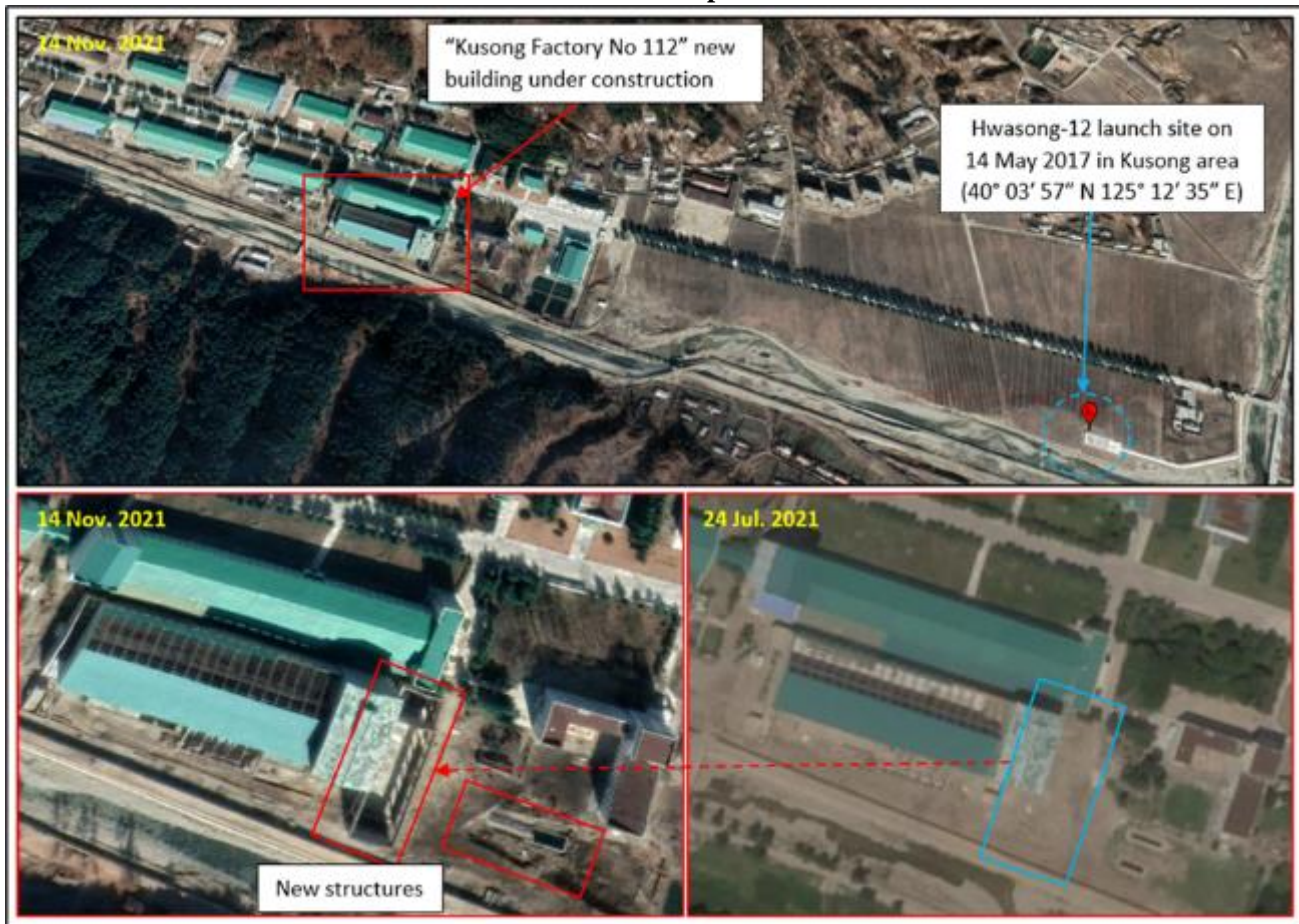
The overall modernization of the infrastructure of the Kusong tank factory (No. 95 Factory, 40° 03' 16" N 125° 13' 16" E) in charge of ballistic missile TEL production has stalled in the second half of 2021, with little changes observed by satellite imagery (see figure 27-1). This is also true of the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

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



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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

³⁷ Артём Михайлович Калинин

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

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

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

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

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

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

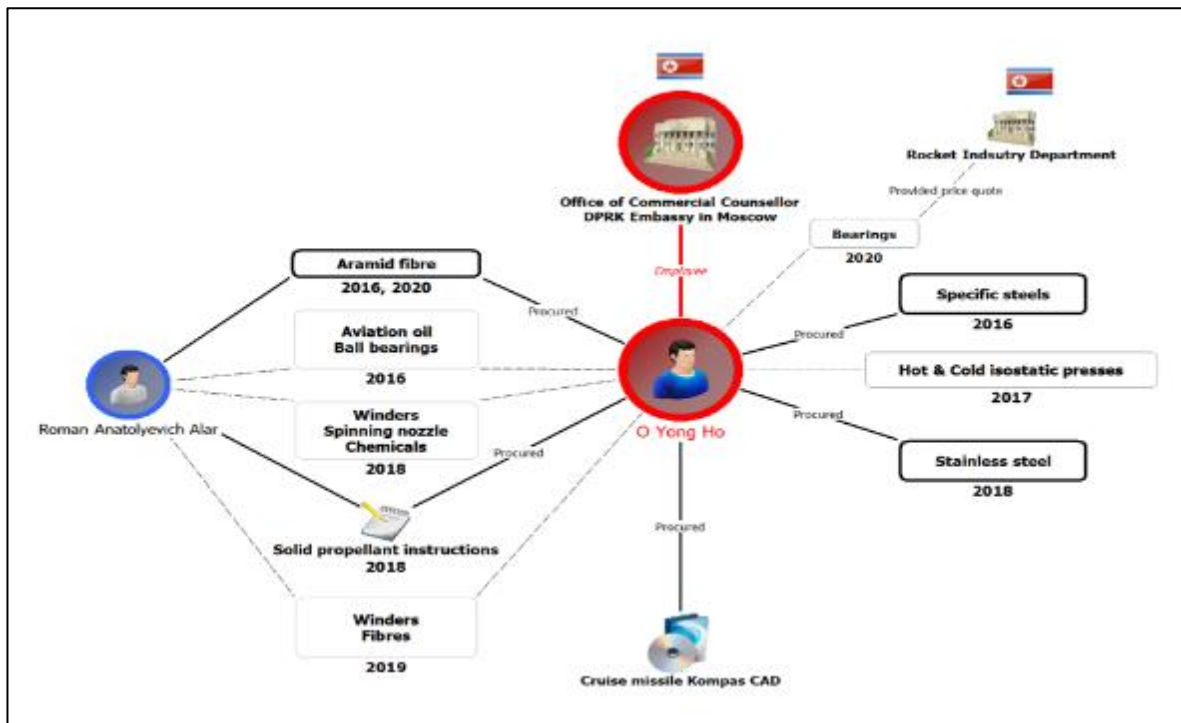
³⁸ Parsek LLC's proposal included more than 500 units of the following bearings, 24-45YU4T (*Deep groove ball bearing*); 4-2000083; 4-6023 or 4-6023E (*Deep groove ball bearings. Magneto type bearings. Complete*); 5-26; 5-6025 (*Angular Contact Ball Bearings dimensions*); 5-640065; 5-6W9YUT; Aviation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

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

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

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

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



Source: The Panel.

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

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

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

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

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

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

Translated from Russian

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

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

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

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

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

Source: The Panel.

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

30-1 Kim Jong Dok

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

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

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

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

⁴² S/2021/777, para. 22 and annex 27.

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

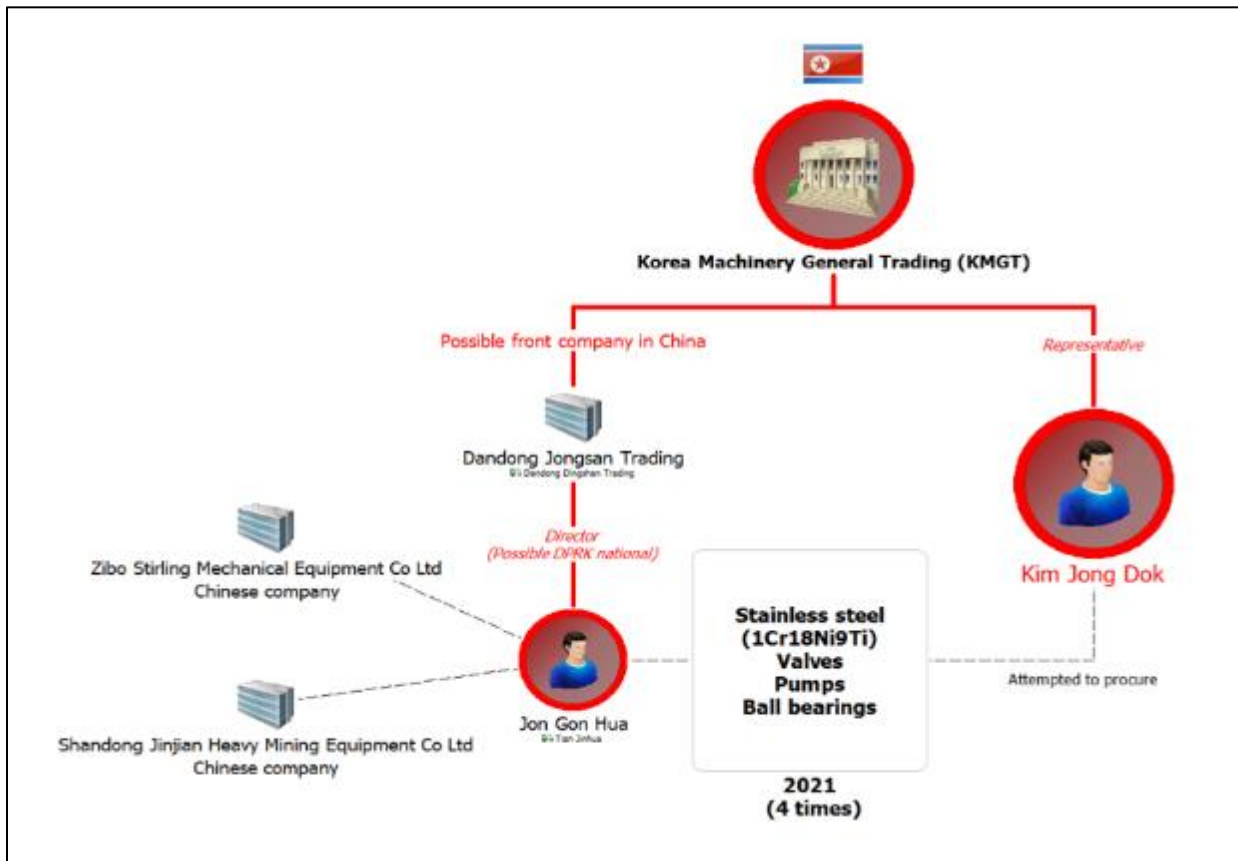
⁴⁴ 丹东鼎山贸易有限公司

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

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

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

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



Source: Member State, illustrated by the Panel.

30-2 Rim Ryong Nam

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

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

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

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

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

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

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

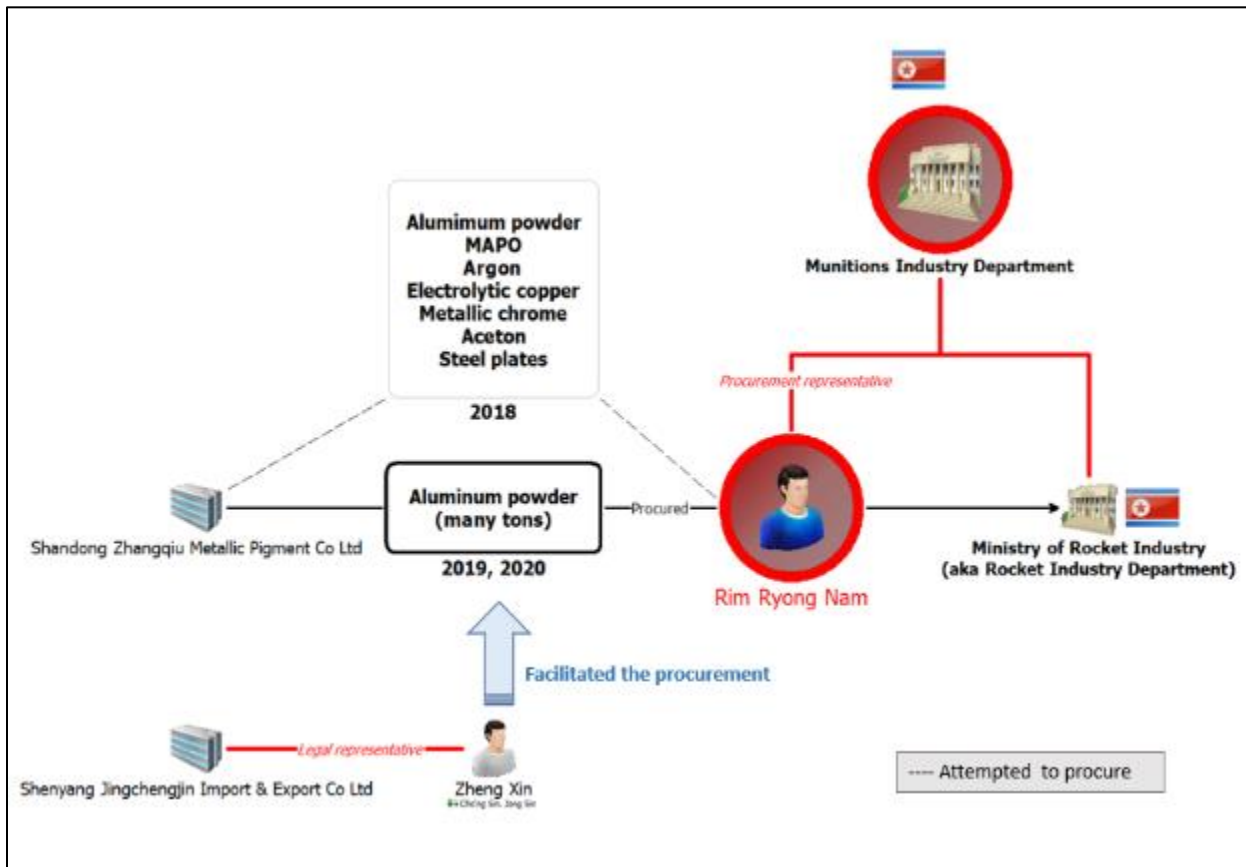
⁵¹ S/2020/840, annex 6-3 (MAPO is a bonding agent used for propellant of solid fuel missiles).

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

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

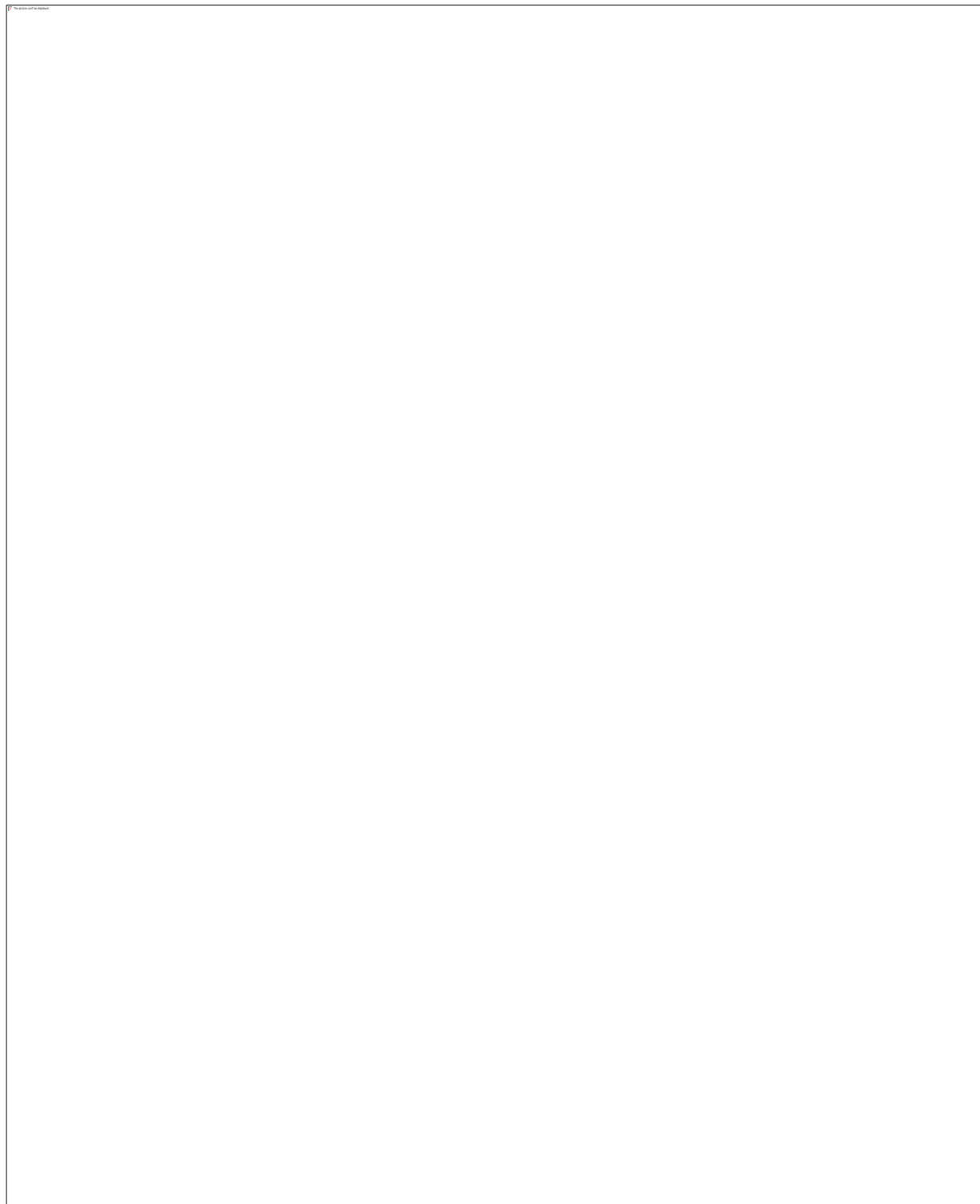
⁵⁴ 章丘市金属颜料有限公司铝粉厂

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



Source: Member State, illustrated by the Panel.

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



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

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

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

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

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

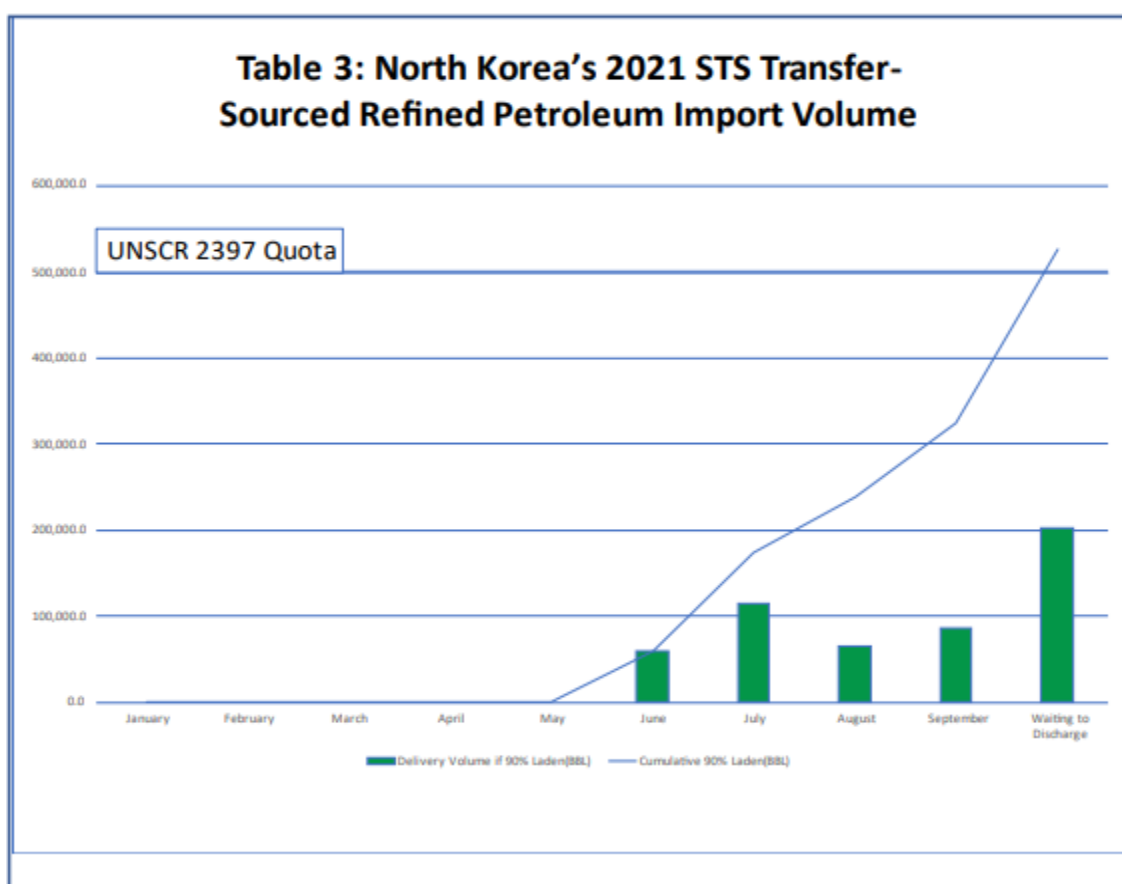
TABLE 1: DPRK-FLAGGED VESSELS THAT HAVE DISCHARGED IN 2021

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

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

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

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



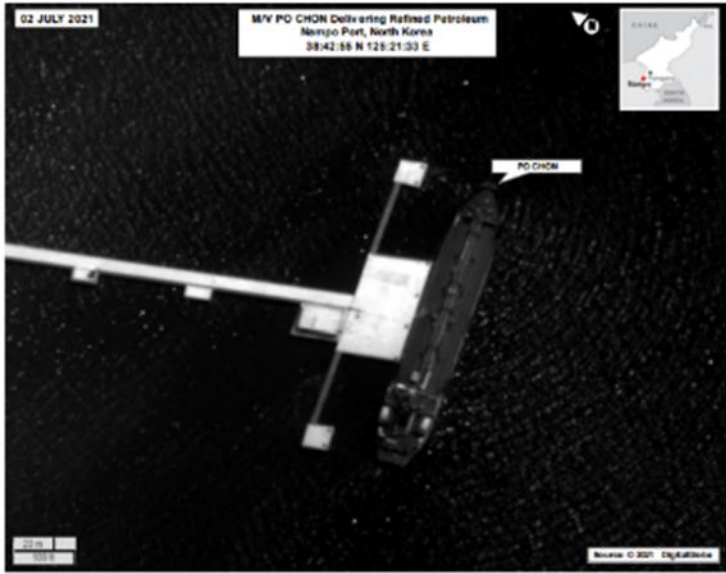
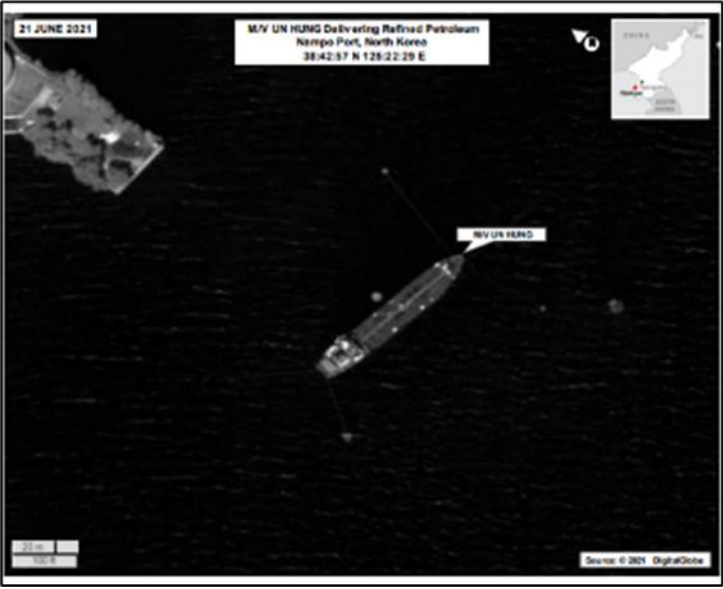
As Table 3 above demonstrates, the DPRK has clearly surpassed the UNSCR 2397 refined petroleum products import cap in 2021. As of the submission of this report, the People's Republic of China (PRC) has additionally reported 38,334 barrels of refined petroleum transfers to the UN 1718 Committee for the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

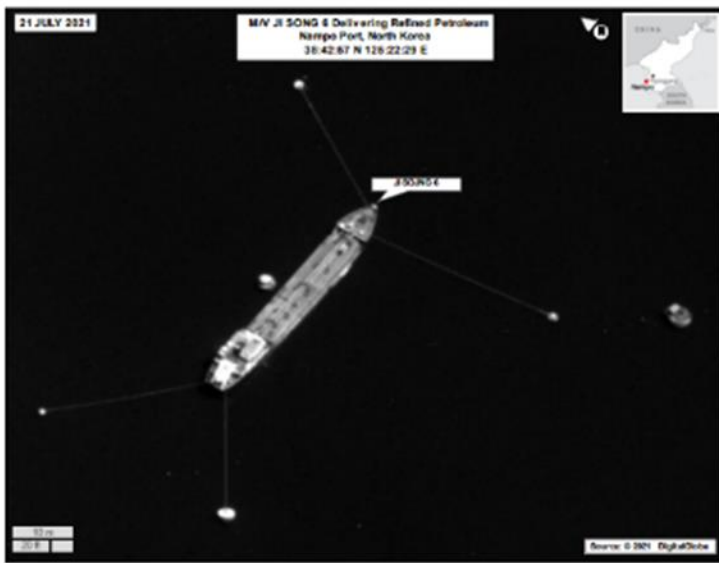
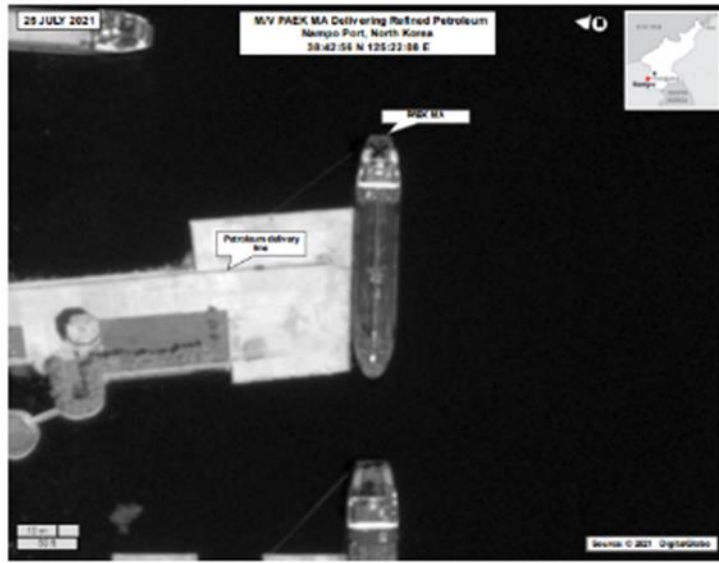
DPRK's overall total of refined petroleum product imports in 2021 to more than 564,301 barrels as of September 30, 2021.

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

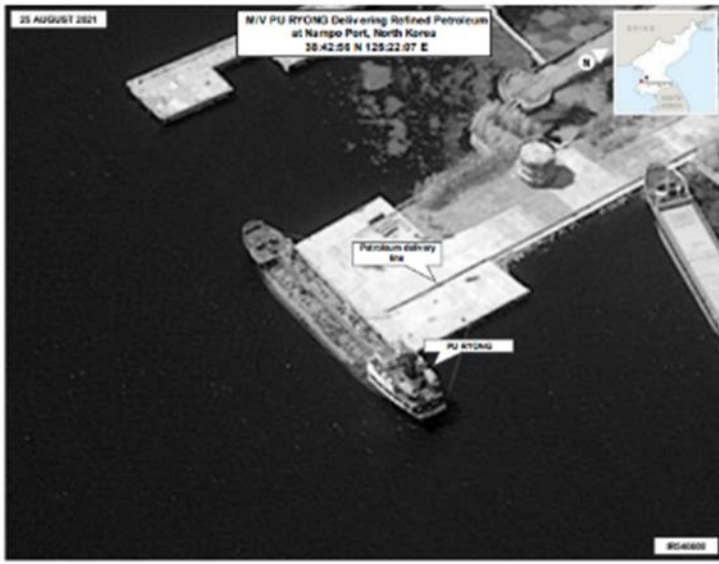
APPENDIX 1: DPRK-FLAGGED VESSELS THAT HAVE DISCHARGED IN 2021







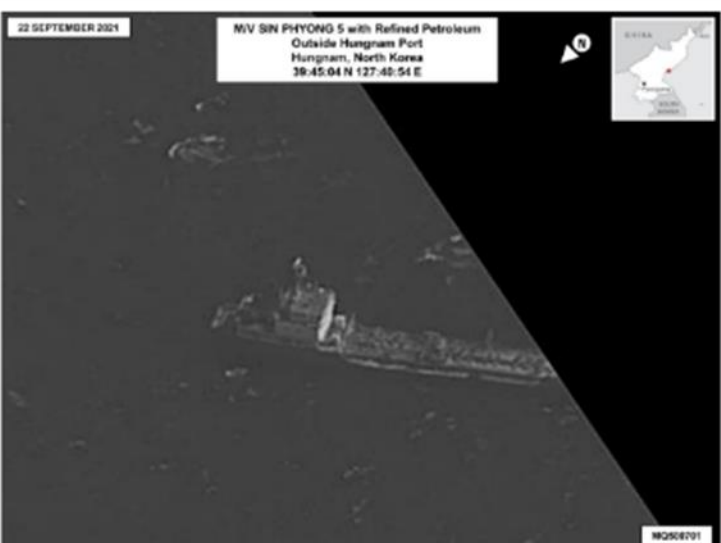






APPENDIX 2: LADEN DPRK-FLAGGED VESSELS CURRENTLY WAITING TO DISCHARGE







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

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

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

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

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

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

Table 1

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

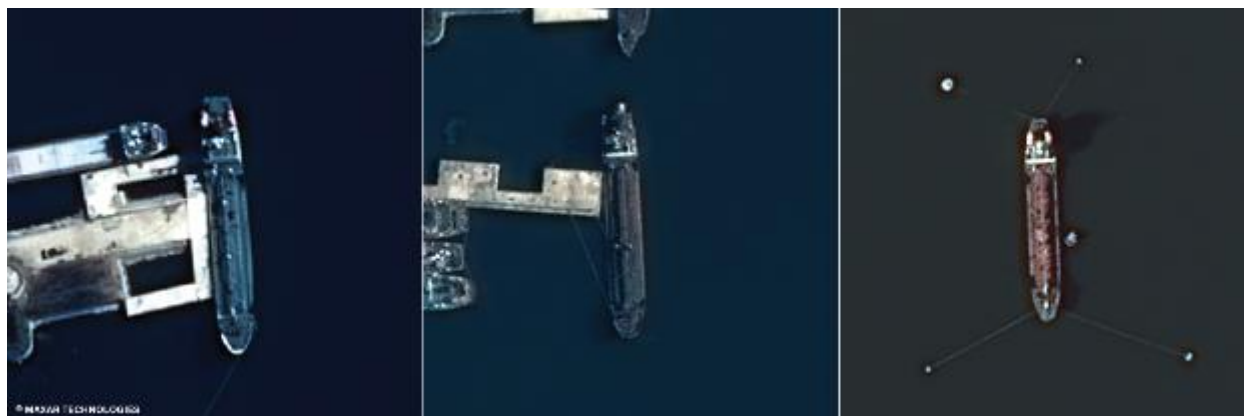
**Table 1:
Delivery Volumes
of Documented
Deliveries**

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

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

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

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



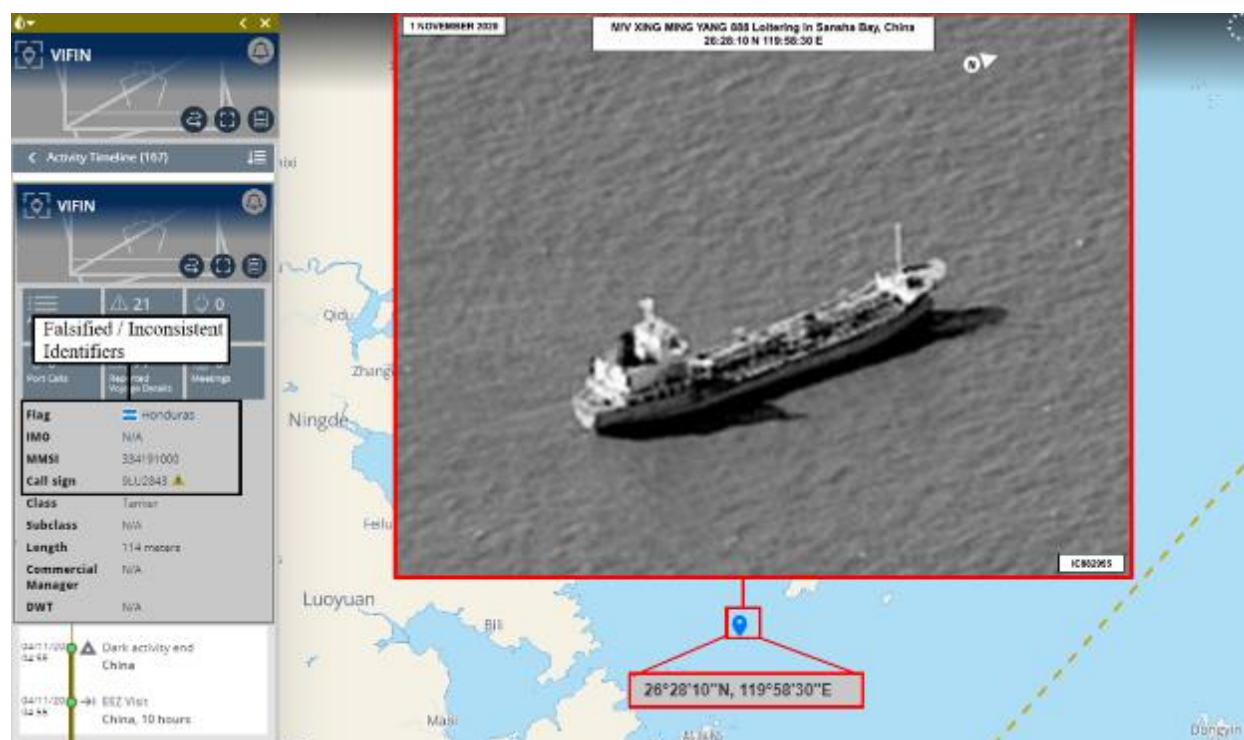
Source: RUSI, Maxar Technologies (left to right: NAM SAM 8 on 17 October 2021, YU SON on 12 November 2021 and PAEK MA on 3 December 2021).

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

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

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

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



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

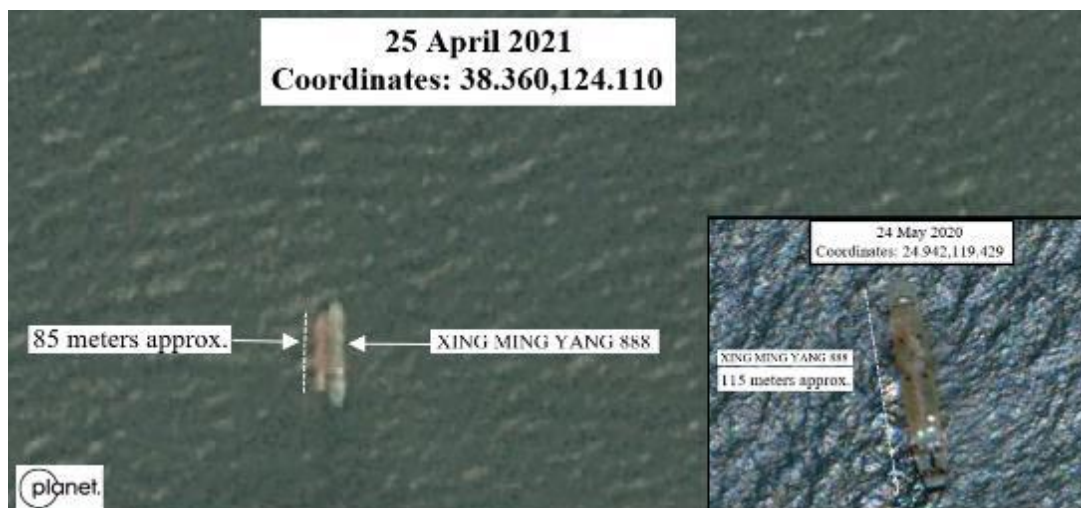
On 24 April 2021, satellite imagery showed three stateless vessels, XING MING YANG 888 (IMO: 8410847), SUBBLIC (IMO: 8126082) and HOKONG (IMO: 9006758) anchored inside of the DPRK's Exclusive Economic Zone (EEZ) (see figure 34-2). These vessels have been proposed by the Panel for designation and repeatedly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

⁵⁶ August 2020.

⁵⁷ 2010-2014.

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

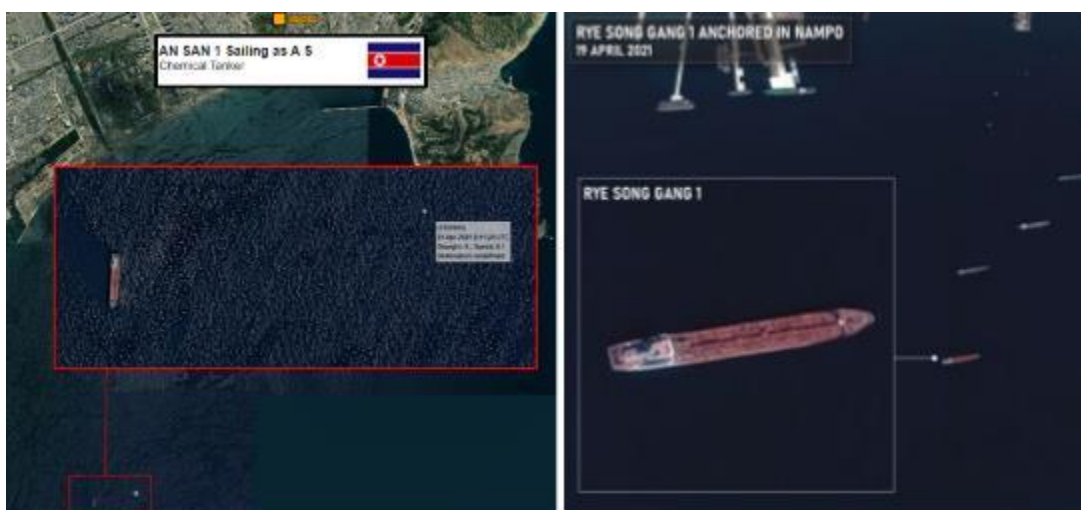
Figure 34-2: Likely XING MING YANG 888, Korea Bay, 25 April 2021



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

The AN SAN 1 was located on the east coast of the DPRK at Chongjin port area on 21 April 2021, with the RYE SONG GANG 1 at a closer location anchored at Nampo port area on 19 April 2021 (see figure 34-3), indicating the RYE SONG GANG 1 as the candidate for the ship-to-ship transfer.

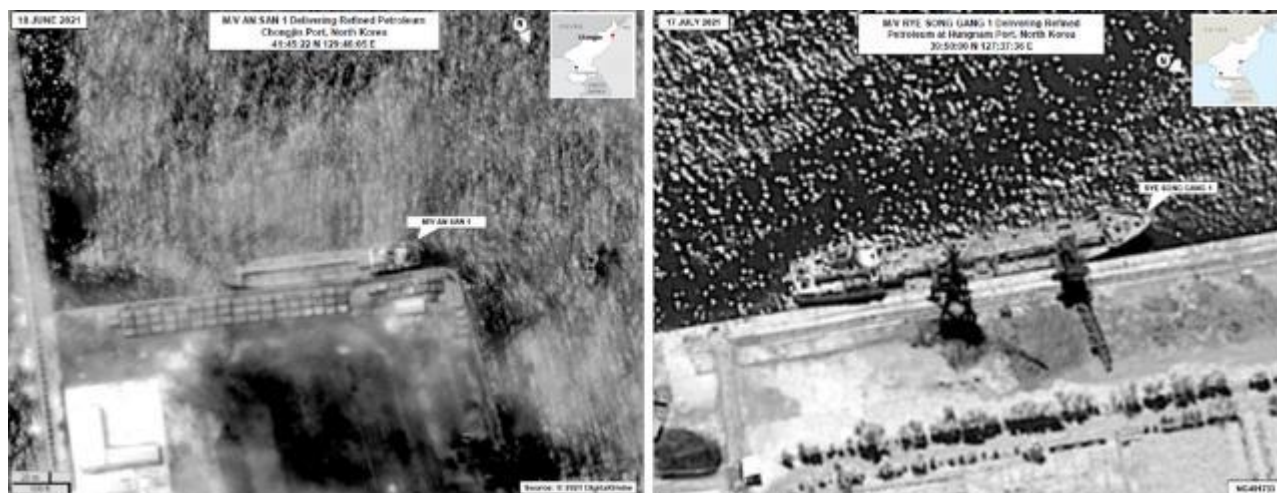
Figure 34-3: AN SAN 1 at the DPRK's eastern port of Chongjin and the RYE SONG GANG 1 at the DPRK's western port of Nampo, April 2021



Source: (left) IHS Markit Seaweb; (right) Planet Labs Inc.

Both the AN SAN 1 and RYE SONG GANG 1 continued to call at DPRK ports to discharge refined petroleum in 2021 (see figure 34-4). Both the AN SAN 1 and the RYE SONG GANG 1 have a combined full (90% laden) capacity of 20,270.3 barrels of refined petroleum.

Figure 34-4: AN SAN 1 and RYE SONG GANG 1 at Chongin and Hungnam ports respectively, in June and July 2021



Source: Member State.

The following table lists the direct delivery vessels observed by the Panel in or near the DPRK's EEZ in 2021. The listed vessels have been previously investigated and recommended by the Panel for designation for the illicit transfer of refined petroleum to the DPRK. Given that the DPRK's COVID-19 restrictions appear to only allow its flagged vessels to enter port, direct delivery vessels have sailed towards the DPRK's EEZ to conduct ship-to-ship transfers with DPRK tankers instead. The table lists the load capacity of each of the vessels (DWT⁵⁸):

Table of direct delivery vessels in DPRK EEZ or engaged in ship-to-ship transfers, 2021

Vessel	DWT	In or around DPRK EEZ or engaged in ship-to-ship transfers in 2021
DIAMOND 8	9,273	Yes
HOKONG* sailing as SHUNKAI	3,995	Yes
NEW KONK	8,057	Yes
SUBBLIC	5,989	Yes
XING MING YANG 888	7,303	Yes
UNICA sailing as HAISHUN 2	4,865	Yes

*Subject to demolition

Source: The Panel.

⁵⁸ DWT or dead-weight tonnage is a measure of a ship's carrying capacity that includes the amount of (oil) cargo, water, crew and provision stores that a ship can carry. The ships' DWT are sourced from the IMO.

Annex 35: Pattern of behavior of direct delivery vessel UNICA (IMO: 8514306)

The Panel first reported on the then Sierra Leone-flagged vessel UNICA in 2020 when it delivered unreported refined petroleum to the DPRK on multiple occasions⁵⁹.

The UNICA shared a similar pattern of behavior as that of the NEW KONK (IMO: 9036387) as well as other direct delivery vessels. In December 2017, the Hong Kong-incorporated Rui He (HK) Marine Co Ltd became the owner and manager of UNICA. The vessel was re-flagged under Niue in the same month. A maritime database platform lists the vessel as flagged unknown shortly thereafter, until the vessel was re-flagged under Sierra Leone in October 2018. During this period, UNICA's intermittent AIS transmissions indicated arrived at the Bama River in Fujian Province by January 2018 and visited at least two shipyards, including at Fujian Yihe Shipbuilding Industry Co., Ltd. / 福建省易和船舶重工有限公司, (hereafter "Fujian Yihe") in October / November 2018 (see figure 35).

Figure 35: UNICA at the Baima River in January 2018, and at Fujian Yihe shipyard, October 2018



Source: Windward, annotated by the Panel.

NOTE: Satellite imagery is presented for location purposes only and not registered on the same date as the AIS signal overlays.

⁵⁹ S/2021/151, para. 20 and annex 2.

In October 2018, the vessel again transferred ownership and management to BVI-registered Prospera Pacific International, with the Hong Kong-incorporated Nuwanni International Ship as its Document of Compliance (DOC) company holder. The vessel was also re-flagged under Sierra Leone. As the Panel had previously reported, the Nuwanni International⁶⁰ also served as DOC holder company to the SUBBLIC (IMO: 8126082), another direct delivery vessel. The company also listed its address⁶¹ that is shared by a corporate service registry provider associated with other entities that owned direct delivery vessels.

The vessel's AIS history showed it was more recently back at Fujian Yihe in April 2021, transmitting as the LITON.

Source: The Panel.

⁶⁰ Dissolved in July 2019.

⁶¹ Room 502C, 5th Floor, Ho King Commercial Building, Fa Yuen Street, Mong Kok, Kowloon, Hong Kong, China.

Annex 36: Table of laundered identifiers used by direct delivery and other suspect vessels

Table 36: **Direct Delivery vessels occasionally transmitting on fraudulent identifiers^a**

<i>Name</i>	<i>IMO No.</i>	<i>Transmitting as</i>	<i>MMSI No.</i>	<i>Last port State control inspected</i>
NEW KONK	9036387	M0USON F. LONLINE	511444000 312162000	July 2018
SUBBLIC	8126082	HAI ZHOU 168	667001397	May 2004
UNICA ^b	8514306	LITON HAISHUN 2	457106000 457400047	No data

Source: Panel.

^a The table is not exhaustive and represents what has been presented in the Panel's reports.

^b See annex 37.

Source: The Panel.

Annex 37: Direct delivery vessel UNICA (IMO: 8514306) transmitting as LITON and HAISHUN 2

The UNICA is a stateless vessel that has been recommended by the Panel for unreported illicit deliveries refined petroleum to the DPRK in 2019 and 2020. It was observed along the Baima River in Fujian Province, China, transmitting intermittently on a Mongolia-associated MMSI: 457106000 that belongs to the LITON (IMO: 8346395) in April and July 2021 (see figure 37-1).

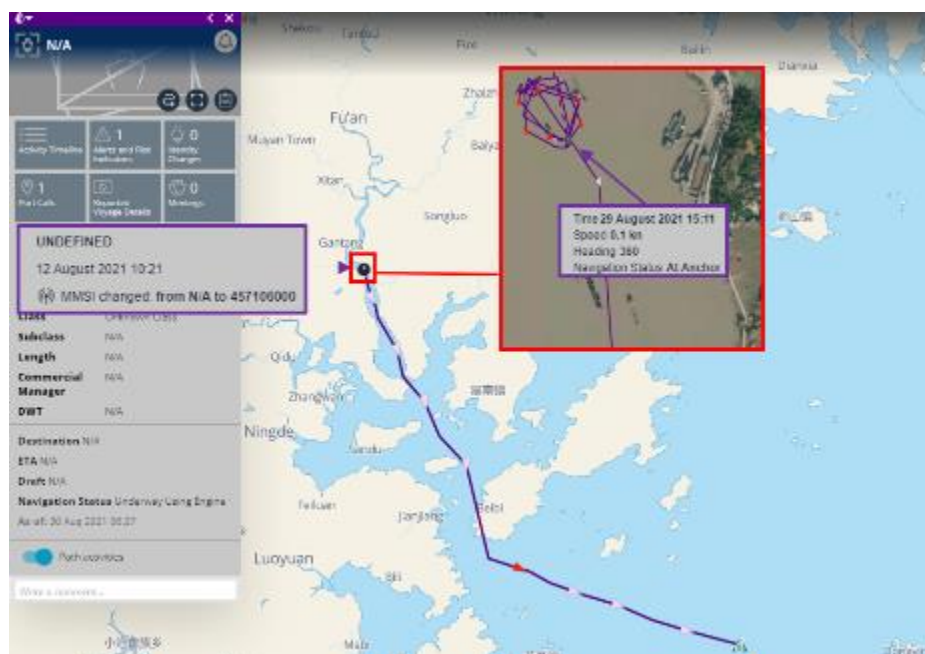
Figure 37-1: UNICA along the Baima River, April and July 2021



Source: (top) Maxar Technologies, annotated by the Panel; (bottom) Member State.

The vessel sailed out of Baima River by 31 August 2021 (see figure 37-2).

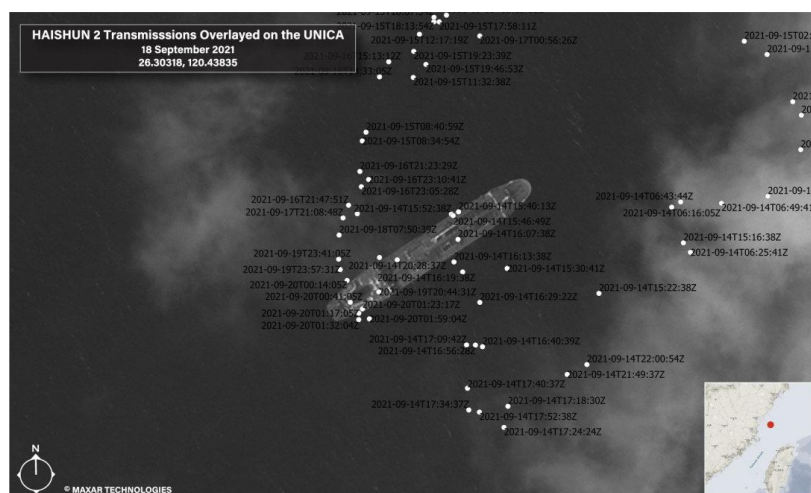
Figure 37-2: UNICA as LITON anchored at Baima River prior to sailing out, 29 August 2021



Source: Windward, annotated by the Panel.

In September 2021, AIS transmissions overlay showed the UNICA transmitting on another fraudulent identity as the HAISHUN 2 (MMSI: 457400047). The vessel was transmitting near Dongyin Island, an area the Panel has previously identified where direct delivery and other suspects vessels have either transited or anchored in (see figure 37-3). Further, the vessel was not transmitting an IMO number and broadcasted the same callsign JVGN7 that the UNICA had used when it broadcasted as the LITON at Baima River two months earlier.

Figure 37-3: UNICA transmitting as HAISHUN 2, Dongyin Island, 18 September 2021

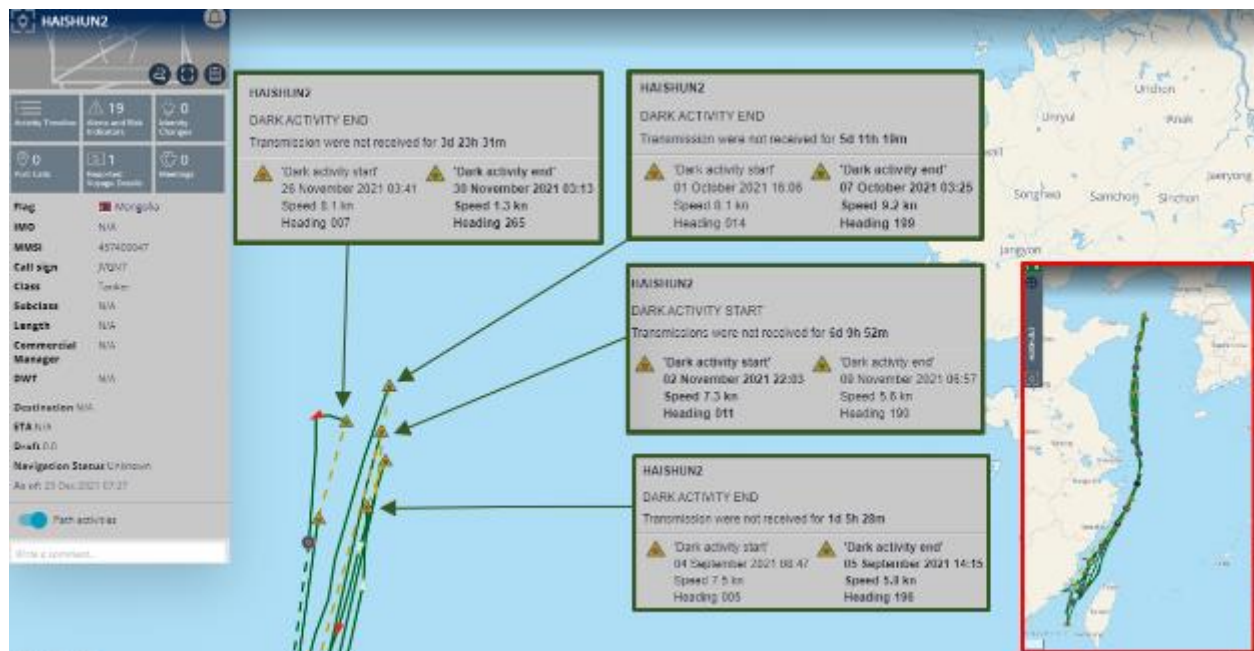


Source: Member State.

The HAISHUN 2 began broadcasting on this MMSI on 1 September 2021 in Chinese territorial waters off Wenling, Zhejiang Province, China.

Its voyage route is consistent with tracks observed of other direct delivery vessels that had illicitly procured refined petroleum for the DPRK, where the vessel sailed up the Yellow Sea in a northerly direction before dropping AIS signal in the high seas after passing Shidao, China, and resumed transmission in the same area days later, sailing back in the opposite direction (see figure 37-4).

Figure 37-4: UNICA sailing as HAISHUN 2 transmitting several trips near the DPRK's EEZ, September to November 2021



Source: Windward, annotated by the Panel.

Source: The Panel.

Annex 38: Network of linked entities associated with direct delivery vessels

The NEW KONK (IMO: 9036387), like other vessels investigated by the Panel that delivered illicit refined petroleum to DPRK ports (termed “direct delivery vessels”), were acquired by new owners in 2018 / 2019 before they began their illicit oil deliveries⁶².

The NEW KONK’s registered owner, New Konk Ocean International Company Limited (新康海洋國際有限公司) and the VIFINE ‘s (now DPRK-flagged UN HUNG) (IMO: 9045962) then registered owner Hongxin International Ship Management Co. Limited (鴻信國際船舶管理有限公司), both listed the same address on Hong Kong corporate registry records⁶³. Both entities, New Konk Ocean International and Hongxin International, were registered in the same month.

The NEW KONK and VIFINE also shared the same historical ship owner, manager and operator, All Sefety Ocean International Trading Co. Limited (全安海洋國際貿易有限公司). All Sefety also owned, managed and operated another direct delivery vessel, the HOKONG (IMO: 9006758) in February 2019, with the vessel conducting direct deliveries to the DPRK.

Prior to its transfer of ownership to All Sefety, the VIFINE was owned and managed by another Hong Kong-incorporated entity, Ha Fa Trade International (海發貿易國際有限公司). Ha Fa Trade also historically managed the direct delivery vessel SUBBLIC (IMO: 8126082) when it was sailing as XIN YUAN 18 before its sale to Milyan R Trade International (邁源紅貿易國際有限公司) in October 2018. Nuwanni International Ship Management Co. Limited (紐縵日國際船舶管理有限公司) served as the vessel’s Document of Compliance holder. Nuwanni was in turn also the Document of Compliance holder to the direct delivery vessel UNICA (IMO: 8514306). Nuwanni also shares the same listed address as All Sefety.

⁶² S/2020/151, paras. 10~27 and 32.

⁶³ IHS Markit. The listed address provided belonged to be entity providing corporate secretary services.

Corporate registry documents for the above Hong Kong-based companies showed different listed company directors and shareholder for each entity. These individuals included nationals from mainland China, Myanmar and the Philippines. Despite being ostensibly being owned by different individuals, All Sefety and Nuwanni were both registered in Hong Kong on the same day⁶⁴. The Panel notes that the listed directors and shareholders on Hong Kong corporate registry documentation may not be the beneficial owners or in certain cases or have a confirmed established association with the vessel.

Nuwanni, the Document of Compliance holder for the SUBBLIC and for the UNICA, was also deleted from the Hong Kong registry the same day⁶⁵ as Milyan.R Trade, the owner of the SUBBLIC.

All Sefety, Ha Fa Trade, Milyan.R Trade International, and Nuwanni have used the same corporate secretary provider with a registered address in Wan Chai, Hong Kong.

Source: The Panel.

⁶⁴ Registered on 25 April 2018.

⁶⁵ Deleted on 26 July 2019.

Annex 39a: Suspect vessel at Fujian Yihe Shipyard – NEW KONK as F.LONLINE

The Panel has over the years reported on sanctions evasion methods used by vessels engaged in the illicit procurement of commodities to the DPRK. This involved various forms of vessel disguises, including: physical alterations of vessels, vessel renovation, transmitting on a different (falsified) identifier, and the falsification of paperwork. In its most recent two reports⁶⁶, the Panel has identified and described sophisticated methods of laundering vessels' identities, which enabled suspect vessels to continue to violate the DPRK sanctions regime. The Panel has deemed such vessel identity laundering measures as sanctions evasion techniques, and accordingly, those involved in these measures considered as facilitators of sanctions evasion. The provision of repair, maintenance and modification services to vessels suspected of evading sanctions enables them to continue to sail, trade and evade sanctions.

Fujian Yihe Shipbuilding Industry Co Ltd (hereafter "Fujian Yihe") (福建省易和船舶重工有限责任公司) is located along the Baima river in Fujian, China. On a Chinese business data website, the shipyard lists its business scope as including ship modification, dismantling, repair, ship building, domestic ship management business, and the import and export of goods or technologies.

A number of vessels that the Panel has investigated for engaging in or enabling sanctions evasion-related activities have docked at the shipyard, likely to receive modification, repair and / or maintenance services. The Panel in its reports has determined that vessel disguise and changing a vessel's appearance to enable sanctioned activities to be conducted, to be a sanctions evasion tactic.

The following examples are provided:

NEW KONK as F.LONLINE (fka SMOOTH SEA 3)

The NEW KONK, which had intermittently transmitted under the MOUSON 328's identity in 2020, began transmitted as F.LONLINE from October 2020⁶⁷. The alleged Belize-flagged F.LONLINE was formerly sailing as the then Thailand-flagged SMOOTH SEA 3 (IMO: 8303616) before it was sold to Rui He (HK) Marine Co Ltd and then transferred to Cheng Xin Shipping Ltd in July 2019, sailing as the then Dominica-flagged RUI HE. In October 2019, the vessel again transferred ownership to the Hong-Kong incorporated Brilliant Trade International and was renamed F.LONLINE⁶⁸.

The Panel's on-going investigations into the SMOOTH SEA 3 indicated another suspected case of DPRK-related vessel identity laundering, which resulted in the creation of a suspected fraudulent identity - that of the F.LONLINE.

⁶⁶ S/2021/777 paras. 29-34 and annex 28, and S/2021/211, paras. 31-36 and annex 22.

⁶⁷ Vessel analysis of AIS transmissions on Windward.

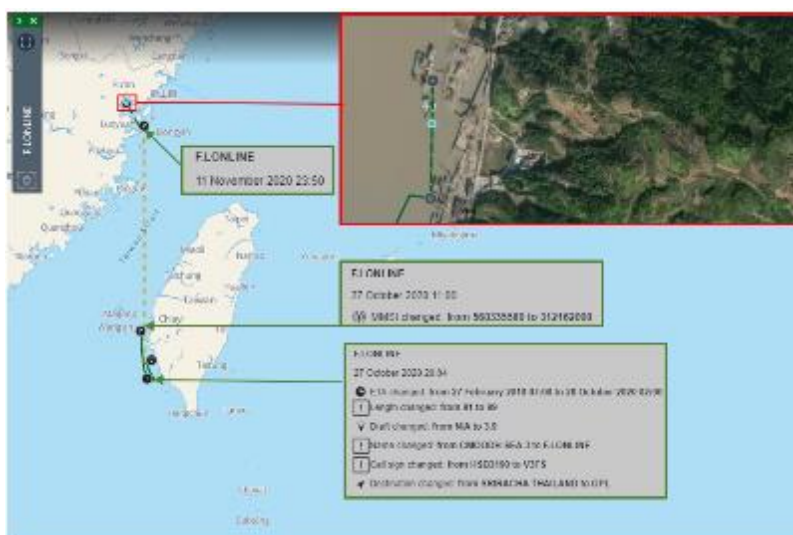
⁶⁸ IMO GISIS.

The F.LONLINE's digital identity was used by the direct delivery vessel NEW KONK (IMO: 9036387) (see timeline below). Investigations into the laundering process of the SMOOTH SEA 3's identity indicated the same entities and ship/dockyards involved as those engaged in the laundering of the vessel identities of the SMOOTH SEA 28 / HAI ZHOU 168 / SMOOTH SEA 22, investigated and reported on in S/2021/777. The actual SMOOTH SEA 3 is suspected to be sailing as the Thailand-flagged SMOOTH SEA 30 (IMO: 9892262), a reportedly newly built vessel that laid keel and was constructed at a shipyard in Ningbo, China in 2018. The SMOOTH SEA 30's IMO number is suspected to have been obtained through fraudulent means. The Panel's investigations are consistent with information obtained from a Member State that assessed the vessel characteristics of the SMOOTH SEA 30 and SMOOTH SEA 3 to be virtually identical, and there was no proof of the existence of the SMOOTH SEA 30 as a newly built vessel that laid keel.

Timeline:

In October 2020, the Panel noted a vessel began transmitting as F.LONLINE off Taiwan Province of China before sailing up the Baima River in November 2020 (see figure 39a-1).

Figure 39a-1: A vessel adopting F.LONLINE's identifiers sailing up to Fujian Yihe shipyard, November 2020



Source: Windward, annotated by the Panel.

Note: Inset satellite imagery as representative of the shipyard location, not by actual date on AIS signal overlay; AIS signal overlay as on 9 December 2020).

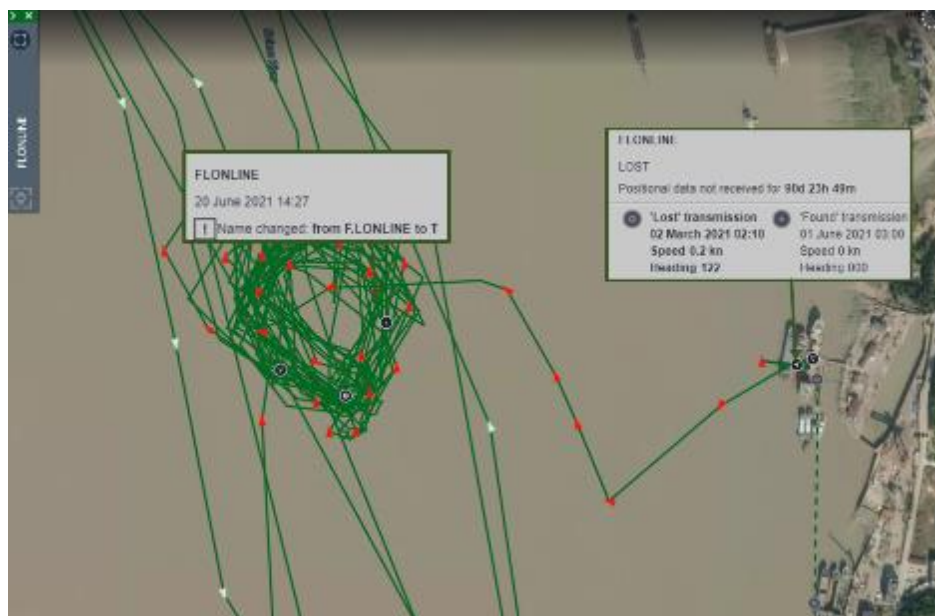
High resolution satellite imagery and vessel AIS transmissions showed the NEW KONK transmitting as the F.LONLINE at Fujian Yihe. The NEW KONK remained moored at Fujian Yihe from December 2020 to June 2021 where it underwent renovation work (see figure 39a-2 and 39a-3).

Figure 39a-2: NEW KONK at Fujian Yihe shipyard, China, 22 April 2021



Source: Maxar Technologies, annotated by the Panel.

Figure 39a-3: NEW KONK transmitting as F.LONLINE in June 2021 at Fujian Yihe, China



Source: Windward, annotated by the Panel.

The NEW KONK departed the shipyard by June 2021 to anchor at Baima River, departing by August 2021 using the F.LONLINE's identity. The vessel was observed on satellite imagery in late August in Sansha Bay, China (see figure 39a-4). It later conducted a ship-to-ship transfer with the DPRK-flagged KUM JIN GANG 3 (IMO: 8791667) in the Korea Bay, see figure 39a-5.

Figure 39a-4: NEW KONK anchored at Sansha Bay, China, 20 August 2020.



Source: Member State.

Figure 39a-5: NEW KONK ship-to-Ship transfer with KUM GIN GANG 3, Korea Bay, 23 September 2021



Source: Member State.

The Panel wrote to Thailand requesting, *inter alia*, a detailed physical inspection and investigation into the SMOOTH SEA 30 that would help establish the vessel's identity, either as a newly-built vessel that laid keel at a shipyard in Ningbo, China, or as a reconstructed vessel, suspected to be the SMOOTH SEA 3 (IMO: 8303616).

Thailand has yet to respond.

The Panel also wrote to the relevant flag registries, shipyards and entities and individuals that owned and managed the vessels. The Panel also wrote to China seeking its assistance on information concerning any refueling or ship-to-ship activity undertaken by the NEW KONK in Chinese territorial waters.

Fujian Yihe has yet to respond.

Cheng Xin Shipping has yet to respond. Ruam Mitr dockyard responded that “...*Chengxin shipping company is our customer, he rented a dockyard for a short period of time.*” The Panel notes that the vessels involved in identity laundering were at the dockyard for significant periods of time. The Panel is in correspondence with the dockyard and continues its investigations.

Belize has yet to respond.

Rui He (HK) Marine Co Ltd has yet to respond.

Dominica has yet to respond.

China responded that “*There is no record of port calls in China for NEW KONK in 2021*”.

Source: The Panel.

Annex 39b: Other suspect vessels at Fujian Yihe Shipyard

RUI HONG 916

Fujian Yihe was identified as having been “in the possession” of the then Sierra Leone-flagged RUI HONG 916 (IMO: 9058866) and carried out repair and maintenance work before it was sold to an end buyer in Fujian, China (see figure 39b-1). The Panel understands that Fujian Yihe also purchases used vessels for repair and resale. The vessel conducted ship-to-ship transfer with the DPRK-flagged KUM UN SAN (IMO: 9720436) on 28 May 2019, two months following its sale⁶⁹.

Figure 39b-1: Bill of Sale of RUI HONG 916

Prescribed by the Commissioners of Customs & Excise with the consent of the Secretary of State for Trade and Industry

Form No.10A

BILL OF SALE (Body Corporate)

IMO Number	Name of Ship	Official Number, year and port of Registry	Whether a sailing, steam or motor ship	Horse power of engine (if any)	
9058866	TAIYO MARU NO.2	133683,1993, Weki-gun, Okayama-Pref., Japan	Motor Ship	735KW	
		Meters	Centimeters	Number of Tons	
Length		60	04	Gross	Net
Breadth		10	00	498.00	286
Depth		4	50		

and as described in more detail in the Certificate of the Surveyor and the Register Book.

I, **RUIS (HK) MARINE CO., LIMITED** (hereinafter called “the Transferors”) having our registered office at **OFFICE 3A 12/F KAISER CENTRE NO.18 CENTRE STREET SAI YING PUN HK** in consideration of the sum of **USD 1.00 (United States Dollars One Only)** paid to us by **WANG** (hereinafter called “the Transferees”) having their registered office at **FUJIAN PROVINCE P.R.CHINA** the receipt whereof is hereby acknowledged transfer all (100%) the shares in the Ship above particularly described, and in her boats and appurtenances, to the said Transferees.

Further, we, the said Transferors for ourselves and our successors covenant with the said Transferees and their assigns, that we have power to transfer in manner aforesaid the premises hereinbefore expressed to be transferred, and that the same are free from all encumbrances, mortgages and maritime liens or any other debts or claims whatsoever.

In witness whereof we have hereunto executed this Bill of Sale on **20 MARCH 2019**.

For **RUIS (HK) MARINE CO., LIMITED**

By: _____

Nat: _____

Note:- A purchaser of a registered British Vessel does not obtain a complete title until the Bill of Sale has been recorded at the Port of Registry of the ship; and neglect of this precaution may entail serious consequences.

Note:- Registered Owners or Mortgagees are reminded of the importance of keeping the Registrar of British Ships informed of any change of residence on their part. Sec. F. 2058 (Oct. 1971)

Source: The Panel.

Previous Panel investigations into vessel identity laundering indicated that Fujian Yihe was associated with at least three vessel identity laundering operations, resulting in the freeing up of the AIS digital profiles of the laundered vessels, thereby allowing the direct delivery vessels NEW KONK (IMO: 9036387) and SUBBLIC (IMO: 8126082) to swap into these vacated AIS profiles. Direct delivery vessels could then sail as ‘clean’ ships.

⁶⁹ S/2020/151, paras. 36-37 and annex 9.

MOUSON 328⁷⁰

In the first case, then Panama-flagged MOUSON 328 was moored at Fujian Yihe in the second half of 2019 where it underwent some modification, including repainting (see figure 39b-2). The vessel then sailed out of the shipyard as a newly built vessel, CHERRY 19, and was subsequently entered under Thailand's ship registry on a fraudulent basis as SMOOTH SEA 29 (IMO: 9896945). Thailand has stated it was re-examining the registration of SMOOTH SEA 29⁷¹ on the basis of suspected fraud.

Figure 39b-2: MOUSON 328 re-painted at Fujian Yihe, September / October 2019



Source: Google Earth, annotated by the Panel. Coordinates: 26°50'28"N, 119°41'20"E.

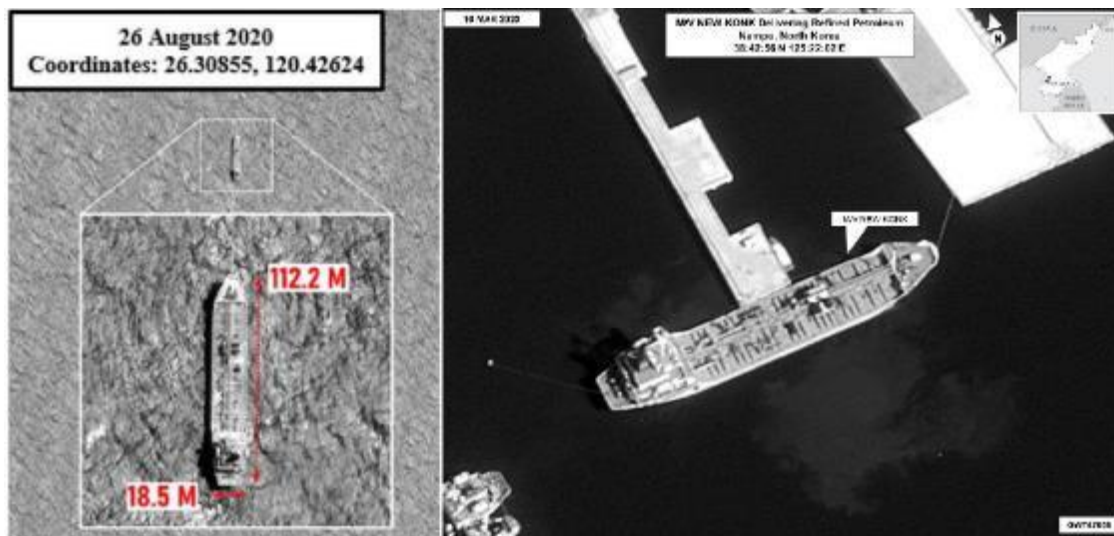
High-resolution satellite imagery showed a vessel on 26 August 2020 transmitting on the MOUSON 328's historical Palau-associated MMSI 511444000, matching the dimensions and features of the NEW KONK (IMO: 9036387) (see figure 39b-3).

Sailing on another identifier as a 'clean' vessel enabled the NEW KONK to obtain refined petroleum through ship-to-ship transfers for delivery of its cargo to the DPRK while sailing under the MOUSON 328's vacated AIS profile in 2020.

⁷⁰ S/2021/211, paras. 31-36 and annex 22.

⁷¹ S/2021/777, para. 34.

Figure 39b-3: Vessel dimensions and physical comparison of the NEW KONK transmitting as M0USON, 26 August 2020



Source: (left) Maxar Technologies, annotated by the Panel; (right) Member State.

SUBBLIC as HAI ZHOU 168⁷²

In the second case, the then Sierra Leone-flagged HAI ZHOU 168 was moored at Fujian Yihe from September 2018 to January 2019 (see figure 39b-4).

Figure 39b-4: HAI ZHOU 168 moored at Fujian Yihe shipyard, September 2018



Source: C4ADS, Maxar Technologies.

⁷² S/2021/777, paras. 30-34 and annex 28.

Like the MOUSON 328, the HAI ZHOU 168 changed its identifiers as it departed the shipyard, updating its vessel profile to the newly built Belize-flagged CHENG XIN 1 (IMO: 9870991), a fraudulent identity. The SUBBLIC began transmitting under HAI ZHOU 168's vacated digital profile in 2020 (see figure 39b-5), where it called at DPRK ports to offload refined petroleum.

Figure 39b-5: SUBBLIC transmitting as HAI ZHOU 168, Sansha Bay, China, 26 November 2020



Source: Imagery: Planet Labs Inc.; AIS coordinates: Windward.

The vessel was subsequently entered under Thailand's ship registry as the new-built SMOOTH SEA 22. To the Panel's various queries, *inter alia*, to establish the validity of the SMOOTH SEA's actual identity (as a newly built vessel that laid keel at Fujian Yihe or as a suspected re-built vessel), Thailand responded by providing the Panel with ship dimensions of the SMOOTH SEA 28 (HAI ZHOU 168) and SMOOTH SEA 22 (see also annex 46b). The Panel has sought additional clarification questions from Thailand and is awaiting a response.

Use of second transponders aboard vessels of interest

The Panel noted an occasion in May 2020 where a vessel departed Fujian Yihe and began transmitting a similar MMSI number associated with the JIYUAN's (aka CHANG LONG) (IMO: 9044140)⁷³. The Panel investigated the JIYUAN's delivery of a luxury vehicle to the DPRK and its use of a second transponder as a sanctions' evasion tactic⁷⁴. The Panel also identified the JIYUAN's first transmission on its second AIS profile in September 2019, following its visit to a shipyard located south of Fujian Yihe⁷⁵ (see figures 39b-6 and 39b-7).

⁷³ This is a different vessel from the JIYUAN / CHANG LONG. This vessel of interest has since been broken up as of December 2021.

⁷⁴ S/2021/777, paras. 68-75 and annex 36.

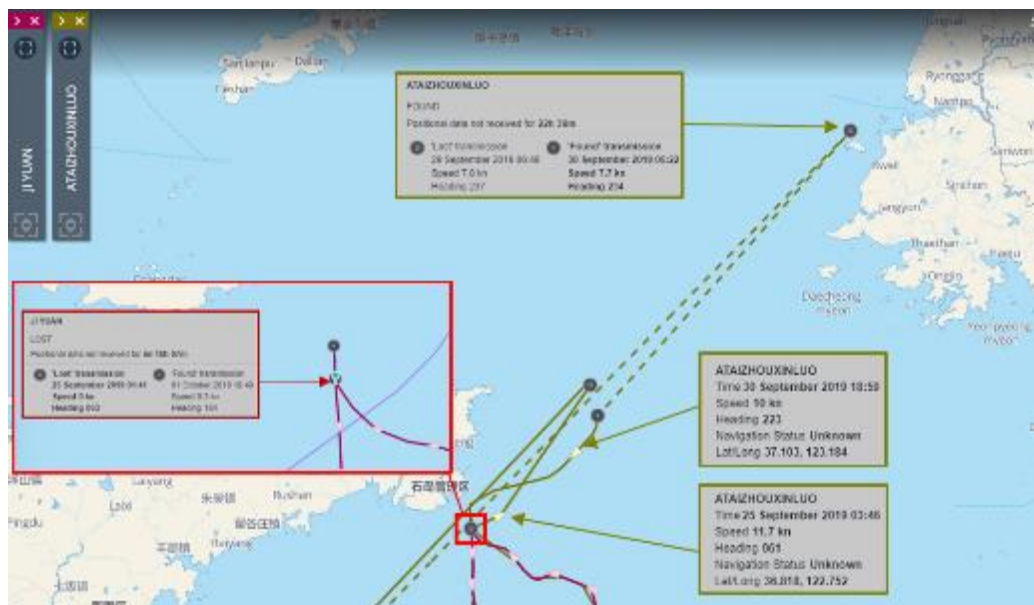
⁷⁵ Both the vessel of interest and the JIYUAN called at the shipyards along the Baima River following an ownership change and transmitted on a second transponder upon departing the shipyards.

Figure 39b-6: JI YUAN transmitting on a second AIS profile as it departed a shipyard in proximity of Fujian Yihe shipyard along the Baima River, 15 August 2019



Source: Windward, annotated by the Panel.

Figure 39b-7: JI YUAN transmitting on its second AIS profile in DPRK waters, September 2019



Source: Windward, annotated by the Panel.

The Panel made an enquiry to Fujian Yihe on the vessel of interest that departed its shipyard in May 2020. Fujian Yihe has yet to respond.

Source: The Panel.

Annex 40: Vessels of interest in Chinese waters, June to August 2021

DATE MM/DD/YYYY	VOI NAME	LAT/LONG	DATE MM/DD/YYYY	VOI NAME	VOI TYPE	POSITION	
						LAT	LONG
06/01/21	JOINT LUCK	2628N 11958E	8/2/2021	LOI HOPE	STS AV	35-49N	120-51E
06/01/21	XIN HAI	2627N 11959E	8/3/2021	HOKONG	NDDV	26-24N	120-11E
06/02/21	SUBBLIC	2456N 11926E	8/4/2021	HAI JUN	STS AV	26-18N	120-25E
06/03/21	HAI ZHOU 168	2456N 11926E	8/4/2021	INFINITE LUCK	STS AV	26-22N	120-53E
06/07/21	JOFFA	2652N 11940E	8/7/2021	OCEAN PORPOISE	STS AV	26-22N	120-10E
06/15/21	HANG YU 8	2936N 12145E	8/9/2021	FLONLINE	NDDV	28-00N	121-43E
06/17/21	XING MING YANG 888	2517N 11950E	8/12/2021	JUNE LUCK	STS AV	26-25N	120-10E
06/24/21	SHUN XIN	2628N 11959E	8/13/2021	HAI JUN	STS AV	26-18N	120-25E
7/1/2021	HANG YU 8	29-36N 121-45E	8/15/2021	HAI JUN	STS AV	26-19N	120-24E
7/1/2021	JEY HOPE	29-43N 122-34E	8/15/2021	SIN PYONG 5	DPRK-T	30-08N	122-41E
7/1/2021	JOINT LUCK	26-28N 119-58E	8/15/2021	CHAN FONG	STS AV	35-17N	120-13E
7/1/2021	SHUN XIN	26-27N 119-59E	8/15/2021	SIN PYONG 5	DPRK-T	30-18N	122-58E
7/2/2021	INFINITE LUCK	26-17N 120-55E	8/15/2021	HAI JUN	STS AV	26-19N	120-24E
7/7/2021	HAI JUN	23-09N 113-41E	8/15/2021	CHAN FONG	STS AV	35-17N	120-13E
7/9/2021	DAWN LUCK	26-19N 120-22E	8/18/2021	CHAN FONG	STS AV	35-16N	120-10E
7/9/2021	SAMBONG ARTEMIS	37-30N 120-36E	8/18/2021	HAI JUN	STS AV	25-17N	119-49E
7/11/2021	SUBBLIC	26-26N 119-56E	8/20/2021	FLONLINE	NDDV	26-25N	120-03E
7/17/2021	PU RYONG	36-49N 122-59E	8/24/2021	CHAN FONG	STS AV	35-60N	120-11E
7/20/2021	JOFFA	26-53N 119-40E	8/24/2021	DIAMOND 8	NDDV	29-37N	122-34E
7/20/2021	PAEK MA	37-05N 123-00E	8/28/2021	JOINT LUCK	STS AV	26-15N	120-40E
7/29/2021	OCEAN PORPOISE	26-50N 119-41E	8/30/2021	CHAN FONG	STS AV	35-24N	119-54E
7/31/2021	HOKONG	26-22N 120-18E	8/30/2021	CHAN FONG	STS AV	35-01N	120-50E

Source: Member State.

Legend:

STS AV: Ship-to-ship Transfer Associated Vessel

DPRK-T: DPRK-flagged Tanker

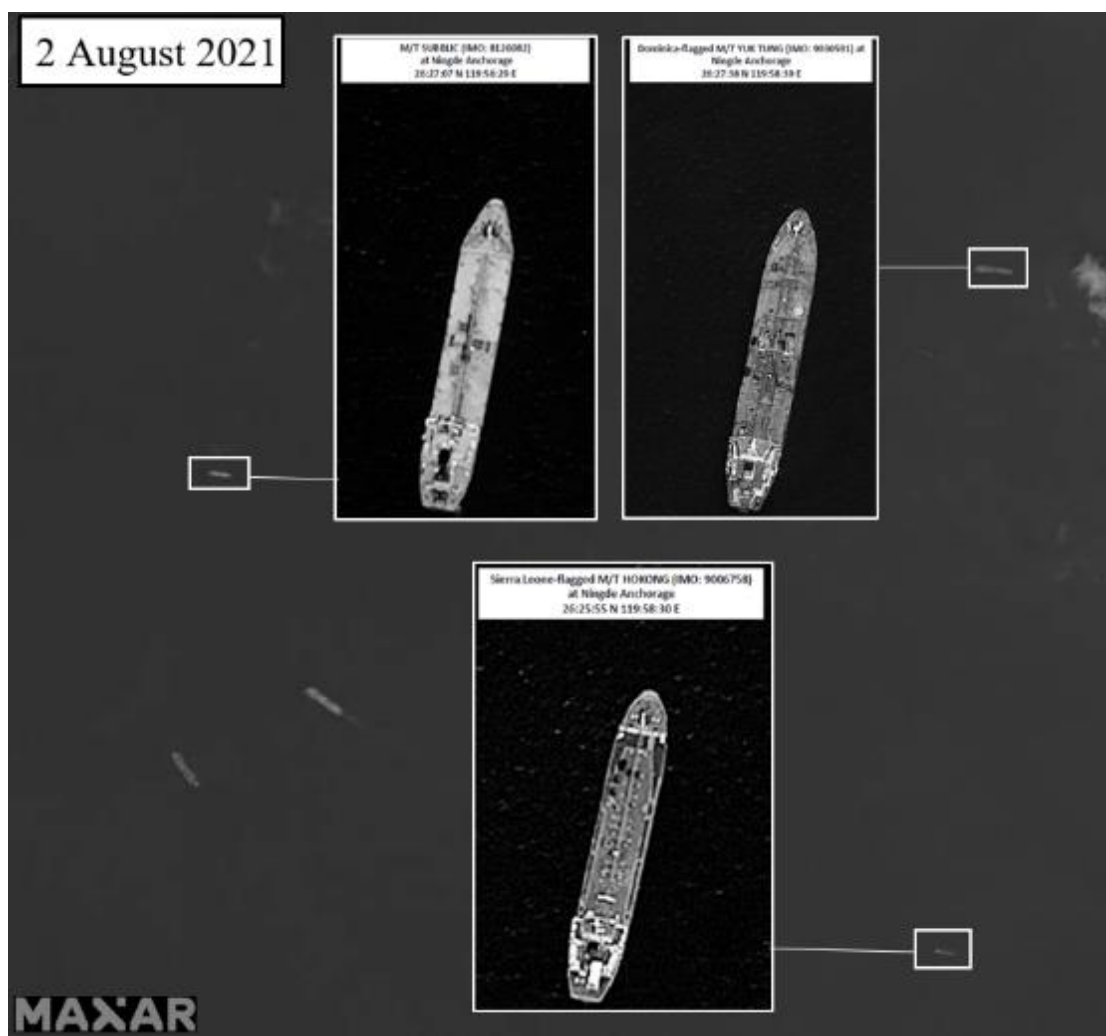
NDDV: Non-DPRK Flagged Delivery Vessel – (vessels named frequently in the Panel of Expert's reports)

The Panel shared the above list of vessels of interest with China and sought China's assistance on information it may have on the vessels' activities that would be of relevance to the Panel. China responded that "Record of port calls in China for 44 vessels including JOINT LUCK and XIN HAI is not accessible, as no IMO information was provided."

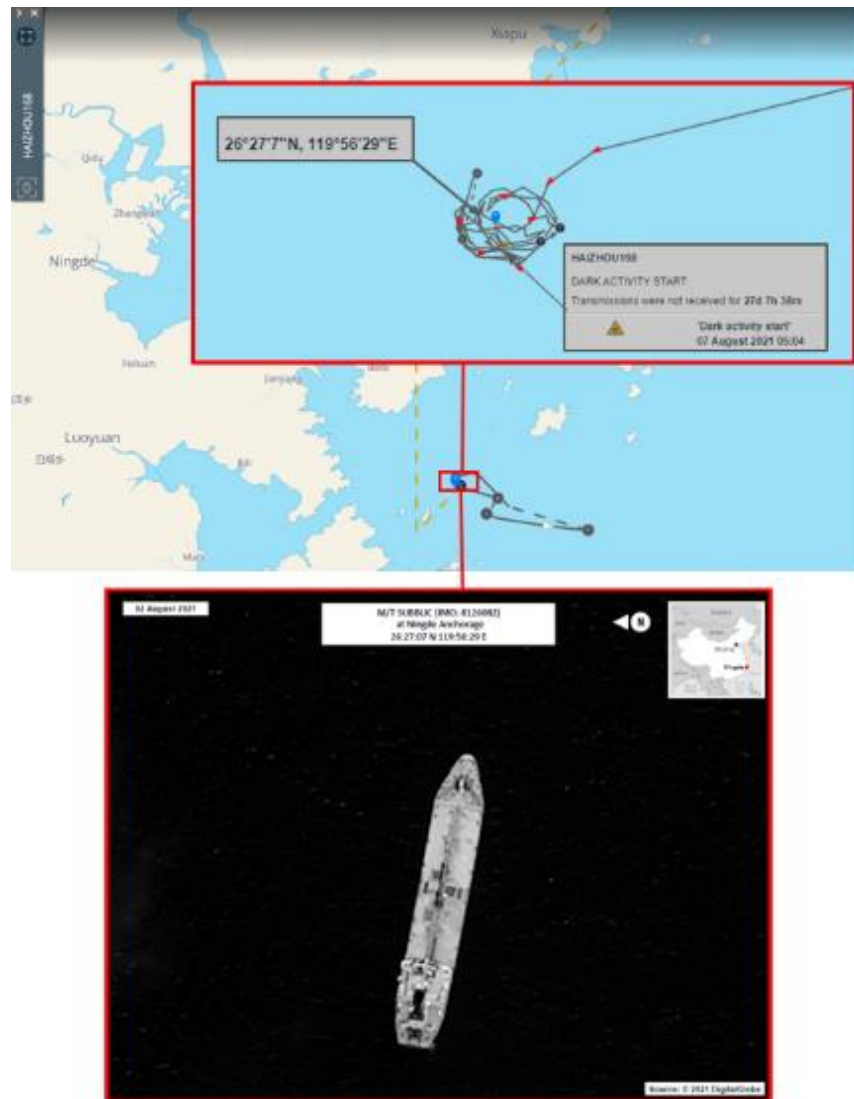
Source: The Panel.

Annex 41: Direct delivery and sanctioned vessels at Ningde anchorage, China, 30 July and 2 August 2021

The Panel's reports continue to document the activities of vessels previously recommended by the Panel for designation for sanctions violation, as well as those of designated vessels that continue to operate. Such vessels have continued to transit or anchor in Chinese territorial waters, particularly in the Sansha Bay area in Ningde. Satellite imagery showed the following vessels operating in Ningde waters: SUBBLIC (IMO: 8126082), HOKONG (IMO: 9006758) and YUK TUNG (IMO: 9030591). The SUBBLIC and HOKONG have been investigated by the Panel for sanctions violation and recommended for designation, while the YUK TUNG was earlier designated. All three vessels additionally exhibited suspicious indicators. For instance, the YUK TUNG did not appear to be transmitting on commercial maritime databases since May 2018; the HOKONG last transmitted on its registered AIS profile in September 2019 and tampered with its MMSI transmission; and the SUBBLIC transmitted on at least one laundered vessel identity profile as HAI ZHOU 168, a known laundered vessel identity profile reported by the Panel.



Source: Maxar Technologies, annotated by the Panel.

SUBBLIC transmitting as HAIZHOU 168, 2 August 2021

Source: (top) Windward, annotated by the Panel, (bottom) Member State.

HOKONGSUBBLICYUK TUNG

Source: Member State.

The Panel sought China's assistance to detain the vessels in its territorial waters to obtain the requisite vessel information that would provide information on the individuals and entities behind these vessels. China responded that "*There is no record of port calls in China for SUBBLIC, HOKONG, and YUK TUNG in 2021*".

Source: The Panel.

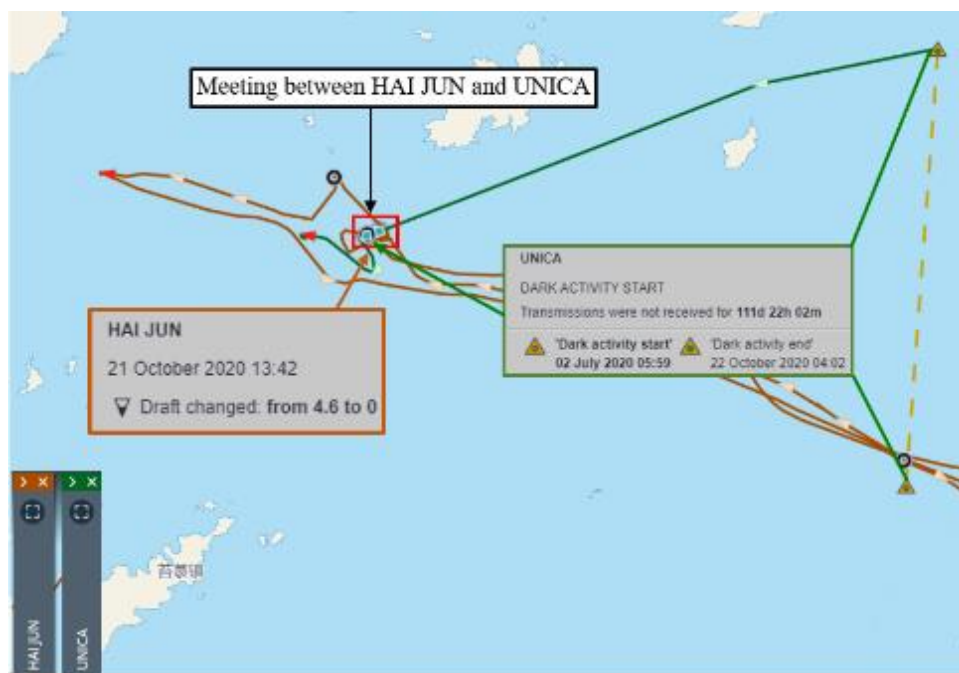
Annex 42a: HAI JUN and UNICA ship-to-ship transfers, 2020 and 2021

The HAI JUN (IMO: 9054896) is suspected to have engaged in ship-to-ship transfers from 2020 to date with vessels that transferred illicit refined petroleum to the DPRK. The HAI JUN also served as the feeder or intermediate vessel that took some of its oil from SKY VENUS and transferred them on to direct delivery vessels (see also annex 48 on SKY VENUS).

The direct delivery vessels that also conducted suspected ship-to-ship transfers with the HAI JUN included the NEW KONK (IMO: 9036387) and UNICA (IMO: 8514306). Both the NEW KONK and UNICA have been the subject of multiple reports by the Panel for transporting illicit refined petroleum to the DPRK, as well as for using fraudulent identifiers. The Panel further noted long periods of unaccounted gaps in the HAI JUN's AIS transmissions. The Panel is investigating the following⁷⁶:

- (i) HAI JUN and NEW KONK (IMO: 9036387), around 19 June 2020;
- (ii) HAI JUN and UNICA (IMO: 8514306) around 22 October 2020;
- (iii) HAI JUN and UNICA (sailing as LITON), around 30-31 August 2021;
- (iv) HAI JUN and SKY VENUS (IMO: 9168257) in August and September 2021;
- (v) HAI JUN and UNICA (sailing as HAISHUN 2), around 24-25 September 2021

HAI JUN with UNICA, Sansha Bay area, October 2020



Source: Windward, annotated by the Panel.

⁷⁶ AIS transmissions or satellite imagery.

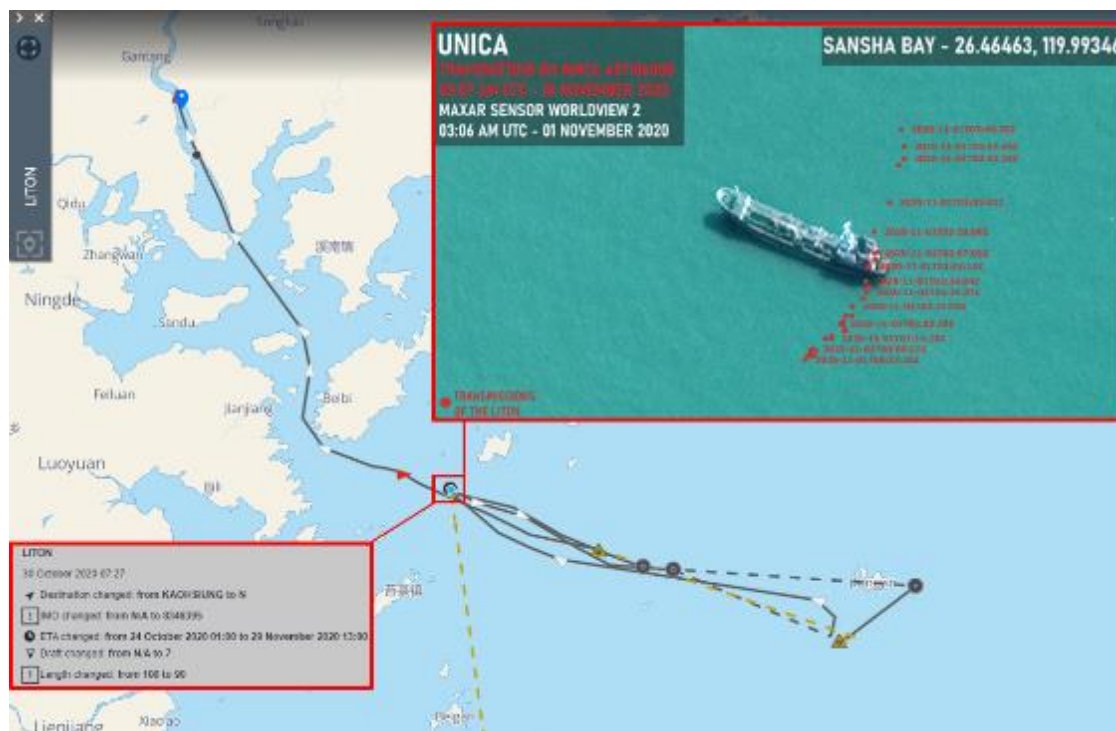
HAI JUN registered draft changes during this period, indicating its oil cargo was offloaded with the UNICA (transmitting as LITON), August 2021



Source: Windward, annotated by the Panel.

AIS transmission capture showed the UNICA stopped transmitting on its AIS identity (MMIS: 667001252) on 30 October 2020 following some digital manipulation. High-resolution imagery captured on 1 November 2020 showed the LITON transmitting where the UNICA was located (see figure 42a).

Figure 42a: UNICA transmitting as LITON, 30 October – 1 November 2020



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

HAI JUN ship-to-ship transfers with UNICA (transmitting as HAISHUN 2)



Source: Windward, annotated by the Panel.

The HAI JUN is suspected to have conducted more ship-to-ship transfers with direct delivery vessels transmitting under fraudulent identifiers. Investigations remain on-going.

Fraudulent transmissions

Both the LITON and HAISHUN 2's MMSI numbers utilized by the UNICA were Mongolia-associated during the periods of investigative interest where suspect ship-to-ship transfers were conducted with the HAI JUN. While the UNICA was transmitting as the HAISHUN 2, it was also using the call sign assigned to the LITON.

The Panel had written on the exploitation by DPRK and other suspect vessels transmitting on MMSI numbers associated with third countries that affect many flag registries⁷⁷. To ensure that flag registries' MMSI numbers are not fraudulently used, the Panel encourages all flag registries possess the requisite tools available to identify and investigate suspected fraudulent use of MMSI numbers, and where it is detected, to share the results of its investigation including with the Panel.

⁷⁷ S/2021/777, paras. 42-47 and 53-54 and annex 34.

The Panel sought Mongolia's assistance on its investigations into the MMSIs fraudulently used by the UNICA. Mongolia has yet to respond.

Owners and entities

The Hong Kong-incorporated Ruicheng (HK) Shipping Co Ltd (瑞程(香港)海運有限公司) (hereafter "Ruicheng Shipping") is registered as the owner and ship manager of the HAI JUN, with another Hong Kong-incorporated entity Guifeng International Trade Co Ltd (貴豐國際貿易有限公司) (hereafter "Guifeng International") as the vessel's Document of Compliance company / operator. Ruicheng Shipping bought the vessel in April 2018 (see annex 42b)

The Panel further notes that the LITON's owner and operator, Hong Kong incorporated Li Tong International Trade Co, lists the same address⁷⁸ belonging to Hong Kong-incorporated Guifeng International, the Document of Compliance company holder of HAI JUN since December 2019⁷⁹. This same address is also used by a Corporate Secretary entity that also served as agent for New Konk International Company Limited (新康海洋國際有限公司), the registered owner of the direct delivery vessel NEW KONK, as well as for Hongxin International Ship Management Co., Limited (鴻信國際船舶管理有限公司), the registered owner of the direct delivery vessel VIFINE (IMO: 9045962), now sailing as DPRK-flagged UN HUNG. Hongxin International and New Konk Ocean International also shared the same previous registered owner, ship manager and operator, All Sefety International Trading Co Ltd (全安海洋國際貿易有限公司), before their respective new ownerships in May 2019 (see also annex 38).

Responses:

The Panel wrote to Mongolia, Cook Islands as well as the relevant entities that own and operated the vessels.

Mongolia has yet to respond.

Cook Islands provided the requested documentation and assisted the Panel in its further enquiries. It also confirmed the HAI JUN's deletion from its ship registry on 1 December 2021 due to the vessel's onward sale (see annex 42c).

The Panel wrote to the HAI JUN's registered owning company, Ruicheng Shipping, via its Document of Compliance holder entity, Guifeng International, seeking information, *inter alia*, on the nature of the company's business(es), details of the ship-to-ship transfers conducted with the direct delivery vessels identified by the Panel, the full chain of custody of the oil cargo transfers, the identifiers of the vessels, along with information, financial transactions and payments of the concerned counterparties. The owner of Ruicheng Shipping instead chose to address the Panel via the ship registry, stating that the HAI JUN "*... has not engaged in any illegal operation or had any dealings with all the ships involved in the*

⁷⁸ Room 502C, 5th Floor, Ho King Commercial Building, Fa Yuen Street, Mong Kok, Kowloon, Hong Kong, China.

⁷⁹ IHS Markit.

DPRK”. Ruicheng Shipping also stated that the vessel’s “GMDSS-related equipment ... is poor and often malfunctioned”, but due to the COVID-19 pandemic, “... the company was unable to arrange for maintenance personnel to board the ship in time to assist with repairs, resulting in intermittent signals.” “... in order to save operating costs, the vessel often stops supplying power during non-operating conditions.” (see annex 42d)

The Panel has assessed that vessel tracking information would have indicated that HAI JUN would have stopped transmissions including the times it was sailing, including in open waters. The Panel further notes that the ‘GMDSS-related equipment’ malfunction or shut down the ship’s power supply, according to Ruicheng Shipping’s explanations coincided with the material times of investigative interests to the Panel.

In response to the Panel’s request for the HAI JUN’s Protection and Indemnity insurance coverage, the Panel was informed that “The insurance expired on the 04th December 2020 and the vessel has had no work since due to the COVID pandemic. The vessel has been out of work since the pandemic and the owners did not renew the insurance due to this” (see annex 42e). The Panel notes that commercially available AIS tracking data however showed the HAI JUN continued to sail and trade. Documentation also indicated the HAI JUN’s certificate of Classification and Document of Compliance holder certificate were both stamped as ‘overdue’.

Source: The Panel.

Annex 42b: Bill of Sale for HAI JUN (IMO: 9054896)

Transferred to the Transferee
at the time of the Bill of Sale
by the Transferor

Form No. 101

X.B. 79.4

BILL OF SALE (Body Corporate)

IMO Number / Official Number	Name of Ship	built year and port of registry	Whether a sailing, steam or motor ship	Horse power of engines (if any)
9054896 / 132924	MITOYO MARU	1992 Matsuyama, Ehime	MOTOR SHIP	2,941 KW
Length (Article 200)		Meters	Teeth	Number of Tons
		98	03	
Breadth (Regulation 200)		15	20	Gross
				Net
Depth (Regulation 200)		7	59	2,871.00
				N/A

had as described in more detail in the Register Book.

We, (a) MITSUHAM KISEN KABUSHIKI KAISHA of Japan (hereinafter called "the Transferors") having its registered address at 7-10, Harakawa 2-chome, Matsuyama City, Ehime Pref., Japan, in consideration of the sum of USD [REDACTED] paid to us by (b) RUICHENG (HK) SHIPPING CO., LTD. of Flat 01A1, 10F Carnival Commercial Building, 18 Java Road, North Point, Hong Kong (hereinafter called "the Transferee(s)") the receipt whereof is hereby acknowledged, transfer all (100%) shares in the Ship above particularly described, and in her boats and appurtenances, to the said Transferee(s).

Further, we, the Transferors for ourselves and our successors covenant with the said Transferee(s) and (c) their assigns, that we have power to transfer in manner aforesaid the premises hereinbefore expressed to be transferred, and that the same are free from (d) all encumbrances, mortgages, maritime liens, taxes or any other debts or claims whatsoever.

In witness whereof we have executed and delivered this Bill of Sale as a deed on the 2nd day of April in 2018.

MITSUHAM KISEN KABUSHIKI KAISHA

Source: The Panel.

Annex 42c: Deletion certificate of HAI JUN from Cook Islands Ship Registry

	COOK ISLANDS SHIPS REGISTRY	
Deletion Certificate		
Issued under the provisions of the Cook Islands Ship Registration Act 2007 under the authority of the Government of COOK ISLANDS By THE REGISTRAR OF SHIPS		
Certificate Number	C-DEL-139	
Ship Particulars		
Name of Ship	HAI JUN	
Type of Ship	Tanker: Product	
Official number	2822	
Distinctive Numbers or Letters	ESU3713	
IMO number	9054896	
Gross Tonnage	2871	
Port of Registry	Avatiu	
Details of Owners (at Time of Deletion)		
Full name of owner	RUICHENG(HK) SHIPPING CO. LIMITED	
Address	Flat 01A1, 10F Carnival Comm Bldg, 18 Java Rd North Point, , Hong Kong	
Registered Owner IMO Number	6041531	
% of Shares	100	
Details of Charterers (at Time of Deletion)		
THIS IS TO CERTIFY THAT REGISTRATION OF THE ABOVE NAMED SHIP WAS CLOSED FREE OF ANY REGISTERED ENCUMBRANCES ON		
	COOK ISLANDS SHIPS REGISTRY	
Date of issue of Certificate		
1 Dec 2021		
Place of Issue of Certificate		
Singapore		
		
SIGNATURE		
		

Source: The Panel.

Annex 42d: Responses provided by Ruicheng Shipping

About the Operation of MV "HAI JUN" Vessel

Deer COOK ISLANDS&THE UNITED NATIONS:

The MV "HAI JUN" vessel belonging to our company has been operating in the Taiwan Strait since July-October 2020, when it finished anchoring at Dongyin Island off Ningde, and has not engaged in any illegal operation or had any dealings with all the ships involved in the DPRK. Regarding the situation that the signal of GMDSS related equipment of "HAI JUN" vessel appeared in Malaysia for a short period of time, we believe that it may be caused by other vessels using the GMDSS related equipment of the vessel or the signal jumping to Malaysia for a short period of time due to equipment failure, and we attach the relevant pictures and recent photos of the vessel as a basis for reference.

Hereby certified!


RUICHENG (H K) SHIPPING CO., LIMITED

December 06, 2021

About the MV "HAIJUN" Vessel GMDSS Related Equipment**Signal Instability****Dear COOK ISLANDS&THE UNITED NATIONS:**

The MV "HAI JUN", which belongs to our company, has not been maintained for a long time since June 2020, and the GMDSS-related equipment of the vessel is poor and often malfunctioned. Affected by the COVID-19 epidemic, the company was unable to arrange for maintenance personnel to board the ship in time to assist with repairs, resulting in intermittent signals from GMDSS-related equipment. Due to the COVID-19 epidemic, the business can only be maintained with difficulty, and it is difficult to create profit. In this context, in order to save operating costs, the vessel often stops supplying power during non-operating conditions. Due to the combined effect of these two reasons, the signal of the GMDSS-related equipment of the ship often disappears for a long time or intermittently.

Hereby certified!

RUICHENG (H K) SHIPPING CO., LIMITED

December 06, 2021

Source: The Panel.

Annex 42e: Excerpt of HAI JUN's Protection and Indemnity Insurance expiration, 4 December 2020

7) Copy of the vessel's Protection and Indemnity Insurance

The insurance expired on the 04th December 2020 and the vessel has had no work since due to the COVID pandemic. The vessel has been out of work since the pandemic and the owners did not renew the insurance due to this.



Blue Card

NOT TRANSFERABLE BC Certificate No.: AE-OW-19-02-010196

To: Administrative Officer
Maritime Cook Islands P.O. Box 882, Avarua, Rarotonga, Cook Islands.
[REDACTED]

**CERTIFICATE FURNISHED AS EVIDENCE OF INSURANCE PURSUANT TO ARTICLE 7
 OF THE INTERNATIONAL CONVENTION ON CIVIL LIABILITY
 FOR BUNKER OIL POLLUTION DAMAGE, 2001**

THIS IS TO CERTIFY that there is in force in respect of the above-named ship while in the above ownership a policy of insurance satisfying the requirements of Article 7 of the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001.

Assured Name and Address: RUICHENG (HK) SHIPPING CO., LIMITED as the Owner
 FLAT 01A1, 10/F CARNIVAL COMM BLDG, 18 JAVA RD NORTH POINT, HONG KONG

Insurer Name and Address: THE ANGLO & EASTERN SHIP OWNERS P&I CLUB LIMITED
 SEA MEADOW HOUSE, BLACKBURNE HIGHWAY, (P.O.BOX 116), ROAD TOWN,
 TORTOLA, BRITISH VIRGIN ISLANDS

Object Details:

Ship Name:	HAI JUN	IMO No.:	9054896
Ship Flag:	COOK ISLANDS	Port of Registry:	AVATIU
Distinctive Number or Letters:	E5U3713		

Period of Insurance: From 12 hrs. GMT 04th December, 2019 to 12 hrs. GMT 04th December, 2020

Provided always that the insurer may cancel this Certificate by giving three months written notice to the above Authority whereupon the liability of the insurer hereunder shall cease as from the date of expiry of the said period of notice but only as regards incidents arising thereafter

The Anglo & Eastern Club Management Limited
 Signature Authorized by The Anglo & Eastern Ship Owners P&I Club Limited:

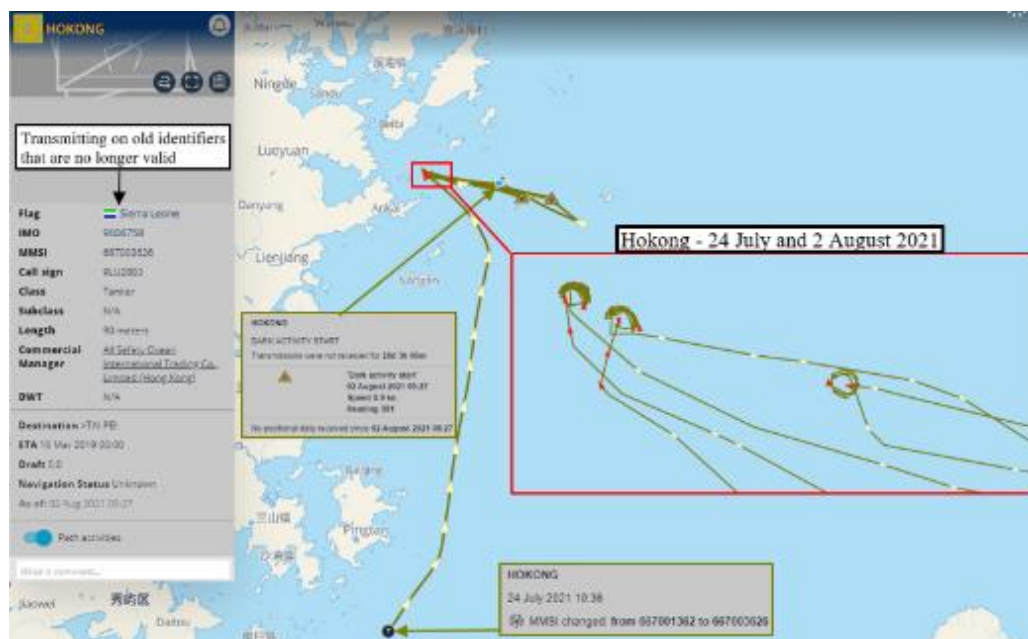


Source: The Panel.

Annex 43: Direct delivery vessel HOKONG (IMO: 9006758)

The Panel tracked the direct delivery vessel HOKONG when it retransmitted on its AIS identity in late July 2021 in Ningde waters (see figure 43):

Figure 43: HOKONG retransmitting on its old identifiers, July-August 2021, China



Source: Windward, annotated by the Panel.

While the HOKONG was last observed in the same waters on 2 August 2021, a Chinese media article dated 3 November 2021⁸⁰ reported that the HOKONG was at a Chinese shipyard being demolished by November. Maritime authorities in Fujian Province were reported to be investigating the HOKONG based on domestic law concerning the scrap of a foreign vessel as constituting an importation of solid waste. A smuggling group headed by an individual named ‘Wang’ was alleged to have been involved in the smuggling of foreign ships of unknown origin for scrap. Satellite imagery of the vessel obtained by the Panel indicated the vessel was docked at a shipyard in Lianjiang County, Fujian Province, China, where the HOKONG was observed still in a partial stage of demolition.

In view of the vessel’s seizure, the Panel asked China for information on individuals and entities operating the HOKONG as well any material obtained from its authorities’ investigations relevant to the Panel’s mandate.

China responded that “*There is no record of port calls in China for ... HOKONG ... in 2021*”.

Source: The Panel.

⁸⁰ <https://cn.chinadaily.com.cn/a/202111/03/WS618221afa3107be49791641c.html>

Annex 44: Evasion methods⁸¹

Identifier and AIS manipulation

1. The Panel continues to observe suspect vessels displaying suspicious behaviour such as transmitting falsified or inconsistent identifiers on Automatic Identification Systems (AIS) and reporting false destinations⁸². It also observes vessels trading in restricted or banned commodities and exhibiting AIS transmission gaps while sailing in and around waters where illicit ship-to-ship activities typically occur. Such practices may provide grounds for further investigations by the relevant public and private sector parties of the vessels they flag, charter, operate, insure, class or finance.
2. Few, if any, non-DPRK vessels appear to transmit AIS signal in DPRK waters based on commercial maritime database platforms. Suspect vessels instead have been observed to lose their AIS signal while sailing towards the DPRK's waters and re-transmit once back in external waters. To obscure the DPRK connection, complicit actors also falsify shipping documentation to conceal the cargo's origin or destination.

Flagging

3. A number of foreign-flagged vessels that conduct sanctionable activities have been recorded as falsely flagged, as having changed flag registries in quick succession (so called "flag-hopping"), continued to use a country's flag following removal from a registry, or flown a flag without proper authorization, seeking to mask their illicit activity⁸³. Some formerly foreign-flagged vessels have been reported to join the DPRK's fleet. In a number of cases, a vessel that was sold on and deleted from a flag registry transmitted as a DPRK vessel shortly thereafter.

Fuel supply chain

4. Suspect foreign-flagged tankers associated with illicit shipments to the DPRK have also been observed⁸⁴ operating outside of identified affected waters exhibiting uneconomical sailing behavior and AIS transmission gaps that suggest possible illicit ship-to-ship transfers or loading at ports.

⁸¹ S/2020/840, annex 17, with updates.

⁸² Panel investigations and data on commercial maritime platforms.

⁸³ Ibid.

⁸⁴ Ibid.

Owners, operators and managers

5. The Panel's investigations demonstrate the DPRK continues to deceive and leverage shipping companies, corporate registration services, entities and individuals across multiple jurisdictions to facilitate its activities.
6. Complicit actors have been known not to submit owner and management information on commercial maritime platforms or may be listed as undisclosed interests in the vessel's onward sale, likely to disguise the ultimate beneficial owner and to evade sanctions. Other characteristics include layered ownership and management structures, use of front companies and shell companies, and engaging multiple intermediaries removed from the actual owner.
7. In tracing the ownership and management history of suspect vessels, some vessels appear to show commercial relationships, linkages, or shared corporate secretary addresses between a vessel's historical and current owners and / or managers. In some cases, previous managers have linkages with DPRK-related shipping networks.
8. In a number of cases, the vessels' management companies manage(d) other vessels with similar risk profiles. Vessels' registered owners may be incorporated in a variety of jurisdictions but typically list operational or businesses addresses in East Asia and in Southeast Asia.

Source: The Panel.

Annex 45a: Examples of physical tampering of identity by DPRK vessels, September 2021

The Panel has documented over consecutive reports⁸⁵ the various techniques used by DPRK as well as suspect vessels to obscure their physical identity. Such physical obfuscation that are easily observable for those engaged in ship-to-ship transfers with such vessels, should serve as red-flag indicators and indicate the complicity of those engaged in such transfers.



⁸⁵ S/2019/171, annex 13, S/2019/691, para. 13, and S/2021/211, paras. 37-39.



Source: Member State.

Annex 45b: Fraudulent AIS transmissions of DPRK, direct delivery and suspect vessels

June – September 2021

Vessel	Technical measures - AIS name	Technical measures - Other	Physical measures	Attempt to conceal or deceive
AN SAN 1	AS	Almost certainly disables AIS for portions of transit	Only AIS on bow, stern and bridge	Almost certain
CHUN FONG	BEYOND	Almost certainly disables AIS for portions of transit		Almost certain
DAWN LUCK	DAWN LUCK@09003090@0904			Unlikely
DAMONG 8	JINSHIANG	Almost certainly disables AIS for portions of transit		Almost certain
HONGMO		Almost certainly disables AIS for portions of transit		Almost certain
HONGSON LUCK		Almost certainly disables AIS for portions of transit		Almost certain
JOTTA	JOTTA			Unlikely
JOINT LUCK	JOINT LUCK, UNOST	Identifying as "fishing" vessel, not "tanker"		Almost certain
LA HOPE	P HOPE			Unlikely
MEGA PRINCESS	PRINCESS			Unlikely
POWER EASY	330029942 (using second AIS identifier)	Simultaneous use of two AIS identifiers. One "tanker" and one "fishing"		Unlikely
RI RIN	HEBRI			Unlikely
SAUK MA		Almost certainly disables AIS for portions of transit		Almost certain
RU RYONG		Almost certainly disables AIS for portions of transit		Almost certain
RYE SONG GANG 1		Almost certainly disables AIS for portions of transit	AIS on bridge, no identifiers on bow or stern	Almost certain
SHUN RIN		Almost certainly disables AIS for portions of transit		Almost certain
SH PYONG 2	JINSHIANG, SOMBAYINOST	Almost certainly disables AIS for portions of transit		Almost certain
SH PYONG 5	SUNSHIYONG	Almost certainly disables AIS for portions of transit	AIS identifiers painted on vessel	Almost certain
SONG WON	SW	Almost certainly disables AIS for portions of transit	SW on funnel, SONG WON on bridge, no identifiers on bow or stern	Almost certain
SUREBUC	HAI ZHOU 188	Almost certainly disables AIS for portions of transit		Almost certain
UNICA	UTON	Almost certainly disables AIS for portions of transit		Almost certain
WANG MING WANG 585	WANG, HAI ZHOU 188	Almost certainly disables AIS for portions of transit		Almost certain
RU JONG 2		Almost certainly disables AIS for portions of transit	Painted deck and top of bridge	Almost certain
RU SON		Almost certainly disables AIS for portions of transit		Almost certain

Source: Member State.

Annex 46a: Vessel identity laundering of SMOOTH SEA 3 (IMO:9892262)

On-going investigations indicate the former Thailand-flagged SMOOTH SEA 3's identity was laundered, which resulted in the creation of a suspected fraudulent identity - that of the F.LONLINE. The Thailand-flagged SMOOTH SEA 30 (IMO: 9892262), a reportedly newly built vessel that was constructed at a shipyard in Ningbo, China, is suspected to be the former SMOOTH SEA 3.

Mongolia has yet to respond.

Belize has yet to respond.

Dominica has yet to respond.

Brilliant Trade has yet to respond.

Cheng Xin Shipping has yet to respond.

Source: The Panel.

Annex 46b: Thailand's response on the vessel identity laundering of SMOOTH SEA 28 / HAI ZHOU 168 / SMOOTH SEA 22

The Panel sought Thailand's assistance concerning the identity laundering of the SMOOTH SEA 28 / HAI ZHOU 168, and the SMOOTH SEA 22, the latter as suspected to be re-constructed from the SMOOTH SEA 28 and not a newly-built ship⁸⁶. The SMOOTH SEA 22's IMO number was suspected to have been obtained through fraudulent means. The Panel's investigations drew from a range of sources, including: maritime data, satellite imagery over time, primary source information and photographic comparisons. The Panel also identified entities and locations in this investigation that were similarly involved in another case of vessel identity laundering prior investigated by the Panel. The Panel assesses that the SMOOTH SEA 22 was unlikely to be a newly-built ship that laid keel at the listed shipyard in China but as a reconstructed ship from the SMOOTH SEA 28. The Panel's previous reporting and on-going investigations showed that the vacated digital profile of the SMOOTH SEA 28 / HAI ZHOU 168 had since been used by direct delivery vessels to facilitate illicit refined petroleum transfers to the DPRK.

The Panel provided information and sought a determination from the relevant authorities in Thailand to help establish the SMOOTH SEA 22's bona fide identity. Thailand responded that "The validity of the *Smooth Sea 22*'s identity was determined by a marine surveyor whose expertise and responsibilities include issuing Certificates of Survey for Thai ship registration", and it attached the "... vessel(s) *Smooth Sea 22* and *Smooth Sea 28*" dimensions (see following enclosure). The Panel continues to seek Thailand's assistance on this matter, including clarifying inconsistencies as well as pending responses to the Panel's list of queries.

The dockyard in Thailand that was involved the SMOOTH SEA 28's suspected reconstruction as the SMOOTH SEA 22, responded to the Panel that Cheng Xin Shipping was its customer that "... rented a dockyard for a short period of time". If you have any questions, please contact him directly ...". The Panel had documented the SMOOTH SEA 28's presence in the shipyard over a long period of time. The Panel further notes the dockyard was also used for the vessel identity laundering case involving the SMOOTH SEA 3 / SMOOTH SEA 30 currently investigated by the Panel. The Panel is awaiting a response to further queries from the dockyard.

The Panel continued to follow up with Cheng Xin Shipping Limited, a Hong Kong-incorporated entity with a physical 'care of' address of a dockyard in Thailand. Cheng Xin Shipping has yet to respond the Panel's letters.

Investigations continue.

Source: The Panel.

⁸⁶ S/2021/777, paras. 30-34 and annex 28.

Note Verbale from Thailand, 15 October 2021

No. 56101/640

The Permanent Mission of the Kingdom of Thailand to the United Nations presents its compliments to the Panel of Experts established pursuant to Security Council Resolution 1874 (2009) and, with reference to the communication from Mr. Eric Penton-Voak, Coordinator of the Panel of Experts dated 4 June 2021, requesting information regarding the vessel currently sailing as the Smooth Sea 22 and Smooth Sea 28, has the honour to transmit the said information herewith for the latter's kind perusal.

The Permanent Mission of Thailand to the United Nations avails itself of this opportunity to renew to the Panel of Experts established pursuant to Security Council Resolution 1874 (2009) the assurances of its highest consideration.

Permanent Mission of the Kingdom of Thailand
to the United Nations, New York
15 October B.E. 2564 (2021)



Panel of Experts established pursuant to Security Council Resolution 1874 (2009),
NEW YORK.

Excerpts of attachments:

**Information requested by
the Panel of Experts established pursuant to UNSC resolution 1874 (2009)
as per the Panel of Experts' Note No. S/AC.49/2021/PE/OC.183
dated 4 June 2021**

The Royal Thai Government investigated the activities involving the vessel(s) *Smooth Sea 22* and *Smooth Sea 28* and wishes to inform the Panel of Experts (POE) as follows:

1. The validity of the *Smooth Sea 22*'s identity was determined by a marine surveyor whose expertise and responsibilities include issuing Certificates of Survey for Thai ship registration.

1.1 *Smooth Sea 22*'s details are as follows:

Length Over All (L.O.A)	113.00	metres
Length Between Perpendiculars (L.B.P.)	104.00	metres
Breadth	18.00	metres
Depth	9.00	metres
Gross tonnage	2998	
Net tonnage	1920	
License number	620000791	
IMO number	9870991	
Call sign	HSB7005	
Hull material	steel	
Type of engine	Hitachi B&W	
Size	2994 kilowatt	
Type of engagement	local trade vessel	
Type of vessel	oil tanker	
Shipyard	Fujian Yihe Shipbuilding Heavy Industry Co., Ltd, China	

1.2 *Smooth Sea 28*'s details are as follows:

Length Over All (L.O.A)	113.32	metres
Length Between Perpendiculars (L.B.P.)	104.10	metres
Breadth	18.00	metres
Depth	8.00	metres
Gross Tonnage	4481	
Net Tonnage	2171	
License number	520085431	
IMO number	8514045	
Call sign	HSB4352	
Hull Material	steel	
Type of engine	Hitachi B&W	
Size	2992 kilowatt	
Type of engagement	local trade vessel	
Type of vessel	oil tanker	
Shipyard	Kurushima Dockyard, Japan	

2. In addition, relevant information from 2018 suggests that *Smooth Sea 28's* ownership was transferred to Cheng Xin Shipping Ltd. and withdrew from the Thai ship registry on 28 September 2018.

An account of *Smooth Sea 28's* presence from 2016-2018 :

Timeline	Activities
2016	- received an annual survey on 24 August 2016 and had the ship's license renewed to 23 August 2017 - 44 domestic trips between Sriracha, Chonburi - Bangkok
2017	- no information on the ship survey and the ship's license expired since 24 August 2017 - no information on the vessel's presence
2018	- received an annual survey on 28 August 2018 and had a ship's license renewed to 27 August 2018 - departed Thailand for Fujian, China on 5 September 2018 - transferred the ownership to Cheng Xin Shipping Ltd. (Address: 50 Bonham Strand, No. 5, 17/F Bonham Strand Trade Center Sheung Wan, Hong Kong) and withdrew from the Thai ship registry on 28 September 2018

3. Concerned authorities investigated the companies and found that *Smooth Sea Co., Ltd* transferred the ownership of *Smooth Sea 28* and *Smooth Sea 3* to Cheng Xin Shipping Ltd. on 28 September 2018 and 18 July 2019 respectively.

4. Relevant documentation with regards *Smooth Sea 22's* acquisition includes (1) Memorandum of Agreement between Cheng Xin Shipping Ltd. and *Smooth Sea Co., Ltd*, (2) Bill of Sale, and (3) Deletion Certificate are as attached.

BILL OF SALE (Body Corporate)

IMO Number / Official Number	Name of Ship	Year Built / Builder / Port of Registry	Whether a sailing, steam or motor ship	Horse power of engine (if any)
9870991 / 161820930 -S	CHENG XIN 1	2018 / Fujian Yihe Shipbuilding HI Co., Ltd, China / Belize City	Oil tanker	4068HP
		Meters	Centimeters	Number of Tons
Length Over All (LOA)		113	00	Gross
Breadth		18	00	Net
Depth		9	00	2998
				1920

and as described in more detail in the Certificate of the Surveyor and the Register Book.

We, CHENG XIN SHIPPING LIMITED (hereinafter called "the Transferors") having our registered office at NO.5,17/F BONHAM TRADE CENTRE,50 BONHAM STRAND,SHEUNG WAN,HONGKONG, in consideration of the sum of USD 5,450,000/- (United States Dollars Five Million Forty Five Hundred Thousand Only) paid to us by SMOOTH SEA COMPANY LIMITED having their registered office at 924 TALOMSIN BUILDING RAMA 3 ROAD, BANGPONGPANG, YANNAWA, BANGKOK, THAILAND, (hereinafter called "the Transferees") the receipt whereof is hereby acknowledged transfer all (100%) the shares in the Ship above particularly described, and in her boats and appurtenances, to the said Transferees.

Further, we, the said Transferors for ourselves and our successors covenant with the said Transferees and their assigns, that we have power to transfir in manner aforesaid the premises hereinbefore expressed to be transferred, and that the same are free from all encumbrances, mortgages and maritime lier or any other debts or claims whatsoever.

In witness whereof we have hereunto executed this Bill of Sale on 20TH DECEMBER 2018.

NOTARY PUBLIC
HONGKONG

By: [Signature]
Name: [Redacted]
Title: Managing Director

Source: Member State.

Annex 47: Oil supply

Direct delivery and DPRK tankers source their refined petroleum from motherships at sea as they do not enter port. The modus operandi starts with the motherships that obtain their fuel at port. The motherships then take their petroleum cargo out to sea where it is either transferred onto DPRK tankers, or onto feeder vessels that in turn transfer the oil cargo to DPRK tankers or DPRK-linked direct delivery vessels.

Shipping documentation showed that on 16/17 March 2021 and on 2/3 April 2021, the SUNWARD purchased and loaded its oil cargo (gas oil) in two shipments at Taichung port. Taichung Port is a Free Trade Zone where oil is stored by local and foreign traders. The SUNWARD loaded two shipments, each approximated 5,000 metric tons (MT) or a total of 10,000 MT that were, according to a Member State, then transferred to DPRK tankers at sea. Both bills of lading showed that the consignee of the oil cargo loaded onto the SUNWARD was Everway Global Ltd. A Member State has assessed that Everway Global Ltd (hereafter “Everway Global”) is an entity established by Cheng Chiun Shipping Agency Co., Ltd (hereafter Cheng Chiun Shipping). Cheng Chiun Shipping in its response letter to the Panel acknowledged its association with Everway Global.

The SKY VENUS (IMO: 9168257), another vessel operated by Cheng Chiun Shipping being investigated by the Panel, also loaded refined petroleum at Taichung Port on a number of occasions. Everway Global was also listed as the consignee.

All the gas oil was sold under Free On Board (FOB) transaction from the oil terminals at port to the aforementioned vessels. In late 2020, “High Sea” was a permitted destination on bills of lading for vessels operating out of ports at Taiwan Province of China.

SK Energy assisted the Panel with documentation requested.

Source: The Panel.

Bills of Lading of refined petroleum cargo aboard the SUNWARD (IMO: 892011)

17 March 2021

CODE NAME: "CONGENBILL", EDITION 1994		BILL OF LADING B/L NO: SW/2104/001	
Shipper SK ENERGY CO., LTD.		TO BE USED WITH CHARTER PARTIES	
Consignee TO ORDER OF EVERWAY GLOBAL LTD.		COPY	
Notify address SAME AS CONSIGNEE			
Vessel SUNWARD V2104	Port loading TAICHUNG TAIWAN		
Port of discharge HIGHSEA			
Shipper's description of goods		Gross weight	
N/M		GASOIL	
		5,919.151 KL @ 15 C	
		37,250 BBL @ 60 DEG F	
		4,989.252 METRIC TON	
		4,910.452 LONG TON	
FREIGHT PAYABLE AS PER CHARTER PARTY			
CLEAN ON BOARD			
17 TH MAR., 2021			
(of which on deck at Shipper's risk; the Carrier not being responsible for loss or damage however arising)			
Freight payable as per CHARTER PARTY dated FREIGHT ADVANCE Received on account of freight Time used for loading days hours.		SHIPPED at the Port of Loading in apparent good order and condition on board the Vessel for carriage to the Port of Discharge or so near thereto as she may safely get the goods specified above. Weight, measure, quality, quantity, condition, contents and value unknown. IN WITNESS whereof the Master or Agent of the said Vessel has signed the number of Bills of Lading indicated below all of this tenor and date, any one of which being accomplished the others shall be void. FOR CONDITIONS OF CARRIAGE SEE OVERLEAF	
Freight payable at Number of original B/L THREE(3)		Place and date of issue TAICHUNG TAIWAN 17TH MAR 2021 Signature  NAUTICAL SEA SHIPPING CO. LTD. ON BEHALF OF MASTER OF MV SUNWARD CAPTAIN MING CHEN	

3 April 2021

CODE NAME: "CONGENBILL", EDITION 1994		BILL OF LADING B/L NO: SW2105001	
Shipper SK ENERGY CO., LTD.		TO BE USED WITH CHARTER PARTIES	
Consignee TO ORDER OF EVERWAY GLOBAL LTD.			
Notify address SAME AS CONSIGNEE			
Vessel SUNWARD V2105	Port loading TAICHUNG, TAIWAN		
Port of discharge HIGHSEA			
Shipper's description of goods		Gross weight	
N/M		GASOIL	
		5,410.412 KL @ 15 C	
		34,048 BBL @ 60 DEG F	
		4,553.403 METRIC TON	
		4,481.487 LONG TON	
FREIGHT PAYABLE AS PER CHARTER PARTY CLEAN ON BOARD 3 TH APR., 2021			
ORIGINAL			
(if which on date of Shipper's bill, the Carrier not being responsible for loss or damage to goods or loading)			
Freight payable as per CHARTER PARTY dated FREIGHT ADVANCE Received on account of freight Time used for loading days hours		SHIPPED at the Port of Loading in apparent good order and condition on board the Vessel for carriage to the Port of Discharge or so near thereto as they may safely get the goods specified above. Weight, measure, quality, quantity, condition, contents and value unknown. IN WITNESS whereof the Master or Agent of the said Vessel has signed the number of Bills of Lading indicated below all of this tenor and date, any one of which being accomplished the others shall be void. FOR CONDITIONS OF CARRIAGE SEE OVERLEAF	
Freight payable at Number of original B/L THREE(3)		Place and date of issue TAICHUNG TAIWAN 3TH APR 2021 Signature  NAUTICAL SEASHIPING CO., LTD. ON BEHALF OF MASTER OF M/V SUNWARD CAPT. YIN MAUNG THEIN	

Source: Member State.

Annex 48: Facilitators

Investigations into Cheng Chiun Shipping Agency Co., Ltd (程群船務代理有限公司) (hereafter “Cheng Chiun Shipping”) showed the use of motherships, direct delivery vessels, and feeder vessels that also typify other suspect refined petroleum transfers the Panel previously investigated. The motherships are typically larger tankers that load refined petroleum cargo at port or port areas. These ships take their cargo out where fuel is ultimately offloaded at ports in the DPRK. This happens in a number of ways: the mothership transfers its oil cargo to direct delivery vessels who transmit under fraudulent identifiers, given their known history of sanctions violation. The direct delivery vessels in turn then conduct ship-to-ship transfers with DPRK tankers in other waters. Alternatively, the mothership transfers to a feeder or intermediary vessel, which in turn transfers its oil cargo to smaller unidentified tankers that then conduct ship-to-ship transfers with DPRK tankers or with direct delivery vessels. The latter then transfers the oil to DPRK tankers that offload the refined petroleum at its home ports. In other words, illicit refined petroleum procured by the DPRK is transferred in a multi-staged and layered manner that seeks to evade easy detection. A Member State has assessed that Cheng Chiun Shipping was aware of the sanctions’ evasion activity conducted and attempted to cover up their activities.

Case examples

SUNWARD⁸⁷:

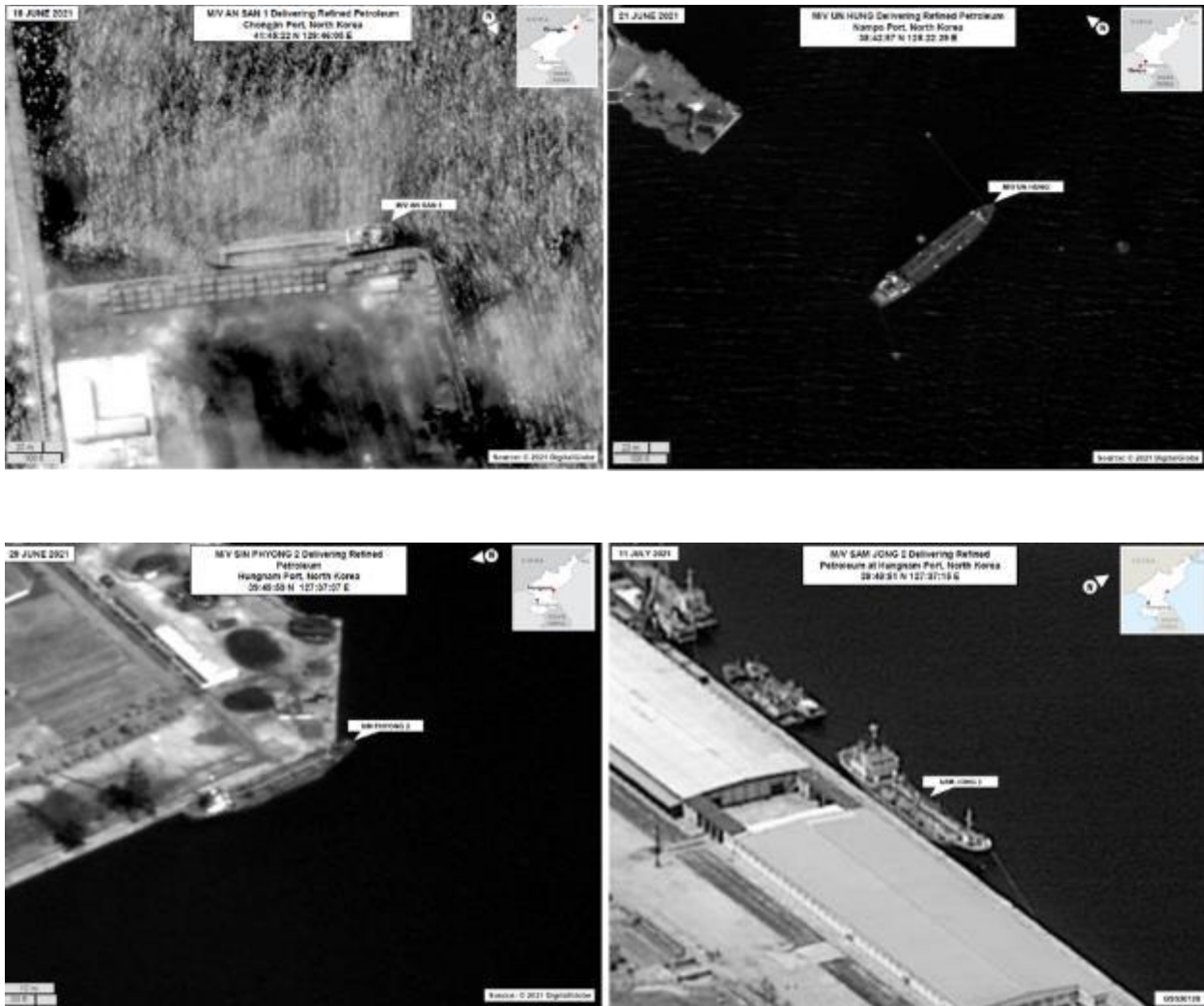
The then Panama-flagged tanker SUNWARD delivered refined petroleum in at least four transfers to DPRK-flagged tankers in March and in April 2021 (the material time), based on Member State information. The SUNWARD’s oil cargo transfers included:

- (i) Ship-to-ship transfer on or around 30 and 31 March 2021 to DPRK-flagged SIN PHYONG 2 (IMO: 8817007);
- (ii) Ship-to-ship transfer on or around 31 March and 1 April 2021 to DPRK-flagged AN SAN 1 (IMO: 7303803);
- (iii) Ship-to-ship transfer on or around 6 and 7 April 2021 to DPRK-flagged UN HUNG (IMO: 9045962);
- (iv) Ship-to-ship transfer on or around 7 and 8 April 2021 to the DPRK-flagged SAM JONG 2 (IMO: 7408873).

The SIN PHYONG 2, AN SAN, UN HUNG and SAM JONG 2 have all been featured in previous Panel reports for illicitly delivering refined petroleum to the DPRK. After receiving refined petroleum from the SUNWARD, the three tankers were all observed offloading their cargo at various DPRK ports (see figure 48-1):

⁸⁷ Maritime database tracking showed the SUNWARD traveled to Chittagong, Bangladesh by early June 2021. The vessel is presently listed as broken up.

Figure 48-1: DPRK vessels involved in ship-to-ship transfers with the SUNWARD delivering refined petroleum, DPRK



Source: Member State.

SKY VENUS

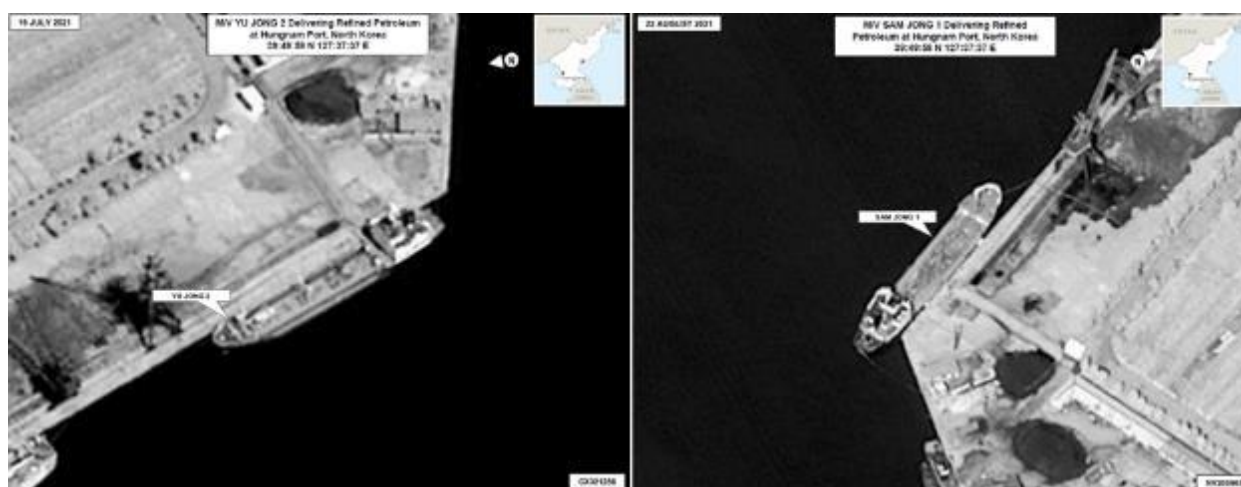
The Palau-flagged tanker SKY VENUS (IMO: 9168257) is suspected to have delivered refined petroleum in at least six transfers to DPRK-flagged tankers via multiple ship transfers in May and in August 2021 (the material time). The SKY VENUS' oil cargo transfers included:

- (i) Ship-to-ship transfer on or around 14 May 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged YU JONG 2 (IMO: 8604917);
- (ii) Ship-to-ship transfer on or around 17 May 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged SAM JONG 1 (IMO: 8405311);
- (iii) Ship-to-ship transfer on or around 28 May 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged SAM JONG 1;
- (iv) Ship-to-ship transfer on or around 8 August 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged SIN PHYONG 5 (IMO: 8865121);
- (v) Ship-to-ship transfer on or around 9 August 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged SIN PHYONG 5;
- (vi) Ship-to-ship transfer on or around 10 August 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged SIN PHYONG 5.

Commercial AIS data showed the SKY VENUS was at Taichung port / port waiting area during the material time, a location where the SUNWARD had also loaded oil.

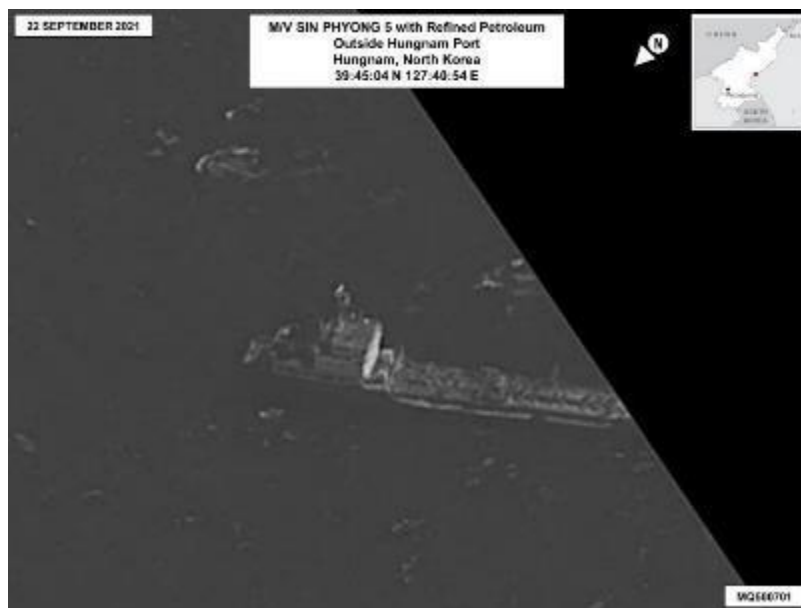
YU JONG 2, SAM JONG 1 and SIN PHYONG 5 have all been featured in previous Panel reports illicit delivering refined petroleum to the DPRK. The SIN PHYONG 5 loaded refined petroleum over three consecutive days in August. The three tankers were all observed in the DPRK offloading refined petroleum (see figure 48-2 and 48-3):

Figure 48-2: YU JONG 2 and SAM JONG 1 involved in ship-to-ship transfers with SKY VENUS delivering refined petroleum, DPRK



Source: Member State.

Figure 48-3: SIN PHYONG 5, involved in ship-to-ship transfers with SKY VENUS, delivering refined petroleum, DPRK



Source: Member State.

The Panel's investigations indicated the following shell companies established in various jurisdictions either: shared a similar address and contact number with Cheng Chiun Shipping, Director, or have been listed in the care of a company associated with Cheng Chiun Shipping's address:

- (i) Ocean Energy International Corp.
- (ii) Everway Global Ltd
- (iii) Wills International Co., Ltd
- (iv) Wisteria
- (v) Sunward Marine S.A.
- (vi) Energy Star Marine S.A.
- (vii) Trump Marine S.A
- (viii) Gemmy Marine S.A.

Ocean Energy International Corp (hereafter "Ocean Energy"), the registered owner and manager of SKY VENUS, registered an address in the Seychelles with no contact information⁸⁸. However, documentation of the vessel's classification society indicated that Ocean Energy was managed by Wills International Co. Ltd (hereafter "Wills International"). Wills International, an entity incorporated in Samoa with a physical office in Kaohsiung, shares the same address as Cheng Chiun Shipping. Cheng Chiun Shipping has acknowledged the listed entities as its subsidiary companies.

⁸⁸ IMO records.

The Panel separately notes that Wise Million Ltd, a company with a physical address in Kaohsiung, served as the ship operator and Document of Compliance holding company for the CHAN FONG (IMO: 7350260). The CHAN FONG was investigated by the Panel for conducting a ship-to-ship transfer with the DPRK tanker CHON MA SAN (IMO: 8660313) in March 2018, as well as in connection to T Energy International Co., Ltd.⁸⁹ Wills International is listed as an associated subsidiary company with Wise Million Ltd.⁹⁰ Wills International managed and operated the SUNWARD from January 2013 until June 2021 when the vessel was scrapped. The SUNWARD was registered under the Panama-incorporated entity Sunward Marine S.A.

Responses

The Panel wrote to Cheng Chiun Shipping, the various jurisdictions where other offshore companies were established, and the relevant flag State.

Cheng Chiun Shipping, through a legal firm, acknowledged that SUNWARD and SKY VENUS “..belong to me and my shareholders.” The company denied “...ever transported refined petroleum product(s) to DPRK-related vessels through my oil tankers SUNWARD and SKY VENUS...”, and that the company served as purchasing agent and shipping agent for gasoil customers near Fujian Province, China. According to the company, a Mr Liu from a Hong Kong-incorporated company was the only person to whom it sold gasoil during the periods of interests requested by the Panel. The oil was transferred to “inland ships” and “fishing boats” nominated by Mr Liu. No ship identifiers were provided to receive the gasoil. According to Cheng Chiu Shipping, “...Mr Liu always sends his ships which had the signs and numbers shown on the ships covered”. These receiving ships were instead recognized with a “CNY paper bill” they would present, whose serial numbers would match against those provided by Mr Liu to Cheng Chiun Shipping. The Panel continues to review the information provided by the company.

The Panel is awaiting a response from Samoa on the relevant incorporated entity(s) associated with Cheng Chiun Shipping.

Seychelles provided the requested information to assist the Panel’s ongoing investigations.

Panama provided the requested documentation for the SUNWARD. The screening report for the vessel confirmed the SUNWARD dropped AIS signal during the investigative periods of interest when the vessel conducted ship-to-ship transfers with the DPRK tankers. The Panel is awaiting a response from Panama on the relevant incorporated entity(s) associated with Cheng Chiun Shipping.

Palau has yet to respond on the SKY VENUS.

The Panel separately continues its investigations into the facilitators of other vessels mentioned in the Panel reported alleged to have conducted ship-to-ship transfers with DPRK vessels and direct delivery vessels.⁹¹

Source: The Panel.

⁸⁹ S/2021/211, paras. 52-53 and annex 31.

⁹⁰ IHS Markit.

⁹¹ S/2021/777, para. 45, and S/2021/211, paras. 52-53 and annex 31.

Annex 49a: Vessel's onward sale: RUI HONG 916 (IMO: 9058866)

The Panel investigated the RUI HONG 916 (IMO: 9058866) for ship-to-ship transfer with the DPRK-flagged tanker KUM UN SAN (IMO: 8720436) on 28 May 2019 in the East China Sea (see figure 49a). The Panel recommended the RUI HONG 916 for designation pursuant to paragraph 11 of resolution 2375 (2017). No commercial AIS data exist following the vessel's sale in January 2019, with the RUI HONG 916 last showing AIS signal in early January 2019 when the vessel was at Hinase port, Japan. In March 2019, the vessel was flagged under Sierra Leone for a single delivery voyage from "Onomichi, Japan to Ningde, Fujian Province, China"⁹².

Figure 49a: Ship-to-ship transfer between RUI HONG 916 and DPRK-flagged KUM UN SAN, 28 May 2019



Source: Member State.

The vessel was brokered by the Japan-registered Toei Shipping Co., Ltd (hereafter "Toei"), for the Hong Kong-incorporated Ruis (HK) Marine Co., Limited, for sale in January 2019, with the vessel's Protocol of Delivery and Acceptance dated 9 January 2019. In the Panel's correspondence with Toei, the company clarified that it acted as a non-exclusive agent on behalf of Ruis (HK) Marine Co., Limited when entering into the vessel's sale and purchase agreement.⁹³

⁹² Sierra Leone Maritime Administration.

⁹³ According to Toei, the company usually represents offshore buyers seeking to purchase vessels from Japanese owners.

According to Toei, while it understood Fujian Yihe (see also paras. 47-51) to be the actual buyer of the RUI HONG 916, it was unaware of the vessel's onward sale between Fujian Yihe and the ultimate end buyer 'Wang' that subsequently took place. Toei also engaged a third-party committee of lawyers to review the case. Excerpts of a submitted report of 25 May 2021 is at annex 49b. Toei further indicated it had accepted the third-party committee's recommendations and *"In this respect, we have included the languages in our form of vessel sale and purchase agreement to the effected that we will not be involved in North Korea-related transactions"* (see addendum at annex 49b).

The Panel separately notes affiliations between Ruis Marine and Fujian Yihe.

Investigations continue.

Source: The Panel.

Annex 49b: Proposed recommendations – Excerpts as provided in the original and translated version

Translation / For Reference Purpose Only

To: Toei Shipping Co., Ltd

**Investigation Report of the
Third Party Committee**

May25, 2021

The Third Party Committee of Toei Shipping Co., Ltd.,

Members of the committee:

[REDACTED] chair of the committee
Attorney-at-Law

[REDACTED]

[REDACTED]
Attorney-at-Law

[REDACTED]

[REDACTED]
Attorney-at-Law

[REDACTED]

X X X X X

III. Measures to avoid any connection with North Korea-related transactions

1 It is truly regrettable that the Vessel in Question was unfortunately used for a North Korea-related transaction that is prohibited or restricted by UNSCR. Even though the Company did not know or could not have known such a situation at all at the time of the transaction, it is undoubtedly necessary for the Company as an entity dealing with ship trading transactions to take measures to prevent such an incident from occurring again in the future.

Nonetheless, at the time of the transaction in question, there is no evidence that measures were generally taken in the ship trading industry to prevent the use of vessels in North Korea-related transactions prohibited or restricted by the UNSCR. The Japanese version of the ship purchase agreement used in this transaction is a standard form (the latest translation of the English version of the ship purchase agreement, revised on November 2, 1999) prepared by the Formalities Committee of the Japan Shipping Exchange, Inc. There is no clause in the form that includes measures to prevent its use in North Korea-related transactions and the form has not been revised to include such measures to this day. From this point of view, we would understand that it would be hard to say that the issues involved is not penetrated sufficiently in the Japanese ship trade industry.

2 Needless to say, it is not permissible to continue a transaction when it is known that the counterparty to a transaction is trying to use the goods to be sold in an illegal transaction. However, this case was not a case where such a circumstance could be detected at the time of the transaction, but rather this was a case where a subsequent buyer from a counterparty to the transaction in question committed illegal activity and it was an unexpected situation for the contracting parties.

Nevertheless, the fact that the Vessel in Question was actually used for the purpose violating the prohibition of transactions related to North Korea, which is prohibited or restricted by the UNSCR that the Japanese government takes the lead in expressing its compliance with, should be solemnly accepted. In order to eliminate involvement in such transactions as much as possible in the future, in light of the purpose of such prohibition, it is necessary to require all parties involved in sales contracts of vessels to take a pledge not to be involved in such transactions, both in concluding contracts and being involved in such contracts. Also, it is necessary to be determined to refrain from transactions with counterparties who cannot be expected to fulfill their pledge. In order to reveal the existence of such pledges, it is necessary to add

Translation / For Reference Purpose Only

a clause to that effect in the contract, which would also be meaningful to remind the parties involved in the contract of such duties. In addition, depending on the situations, there may be room for consideration to add a provision to the effect that if a contracting party violates its covenant and engages in such a transaction on its own and causes damage to the other party, it will be liable for compensation to the other party. In the standard form used in this case, there are also individual agreements outside the form as additional clauses and therefore, there would be no obstacle to adding the above clause as part of such clauses.

On the other hand, if a sale and purchase contract of vessel further includes a clause which prohibits the subsequent purchaser from the contracting party from engaging in such transactions and makes the contracting party itself liable for damages in the event that the subsequent purchaser violates such prohibition, there is a risk of placing excessive obligations and burdens on the contracting party that engages in a wide range of transactions. This may even possibly lead to a situation where a sales transaction fails to conclude even though all other terms and conditions of the transaction have been agreed upon. In commercial transactions, it is very exceptional to make the other party responsible for the actions of the subsequent purchaser and, except in cases where the result of the transaction is understood to have the possibility to support illegal activities, it would be generally understood that parties would trust the good sense of the counterparty and refrain from imposing such restrictions.

IV. Conclusion

1 Based on the above investigation and examination, although it is apparent that the Vessel in Question which is the subject of the sales transaction by the Company, being subsequently resold and used for purposes that violated the prohibition of transactions related to North Korea which is prohibited or restricted by the UNSCR, the Company was merely involved in the sale and purchase of the Vessel in Question as part of its ordinary course of business activities. The Company has never been actively involved in any act in violation of the prohibition of North Korea-related transactions, and at the time of the sales transaction of the Vessel in Question, there were absolutely no circumstances in which the Company knew or could have known that the Vessel in Question would be used for the above-mentioned purpose in the future.

2 In the event where the Company is involved in vessel purchase transactions in the future, in order to ensure that the vessel will not be used for any purpose that is in conflict with the prohibition of North Korea-related transactions, prohibited or restricted by the UNSCR, it is vital for the Company to confirm with counterparty in this point and request for a pledge, and to be determined not to carry out transaction with the counterparty who is not expected to comply with the pledge. On top of that, we believe that one of the best measures that can be taken under the current circumstances is, when concluding a vessel transaction contract, in addition to the standard form used in the past, the Company should include a special provision declaring that "the buyer pledges not to use the vessel which is the subject of this sales transaction for North Korea-related transactions prohibited or restricted by UNSCR" and further include a provision stipulating that the counterparty of the transaction is expected to make independent and voluntary efforts with use of good common sense in fulfilling this pledge, while stipulating liability for damages in the event of non-fulfilment, as the circumstances may be.

X X X X X

東栄汽船株式会社 御中

調 査 報 告 書

2021年5月25日

- 1 -

東榮汽船株式会社第三者委員会

委員長 弁護士

[Redacted signature]

委員 弁護士

[Redacted signature]

委員 弁護士

[Redacted signature]

第3 北朝鮮関連の取引と一切の関りを持たないための方策

- 1 本件船舶が不幸にして国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引に使用されたことは誠に遺憾なことである。東栄汽船がそうした事情を取引当時全く知らず、また知り得なかったとはいえ、船舶売買取引に関与する者として、今後こうしたことが二度と生じないように注意するための対策を講じることが必要であることは多言を要しない。

もっとも、本件取引当時、国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引に使用されることのないようにするための対策が船舶取引業界において一般的に執り行われていた事情は認められない。本件取引に使用された和文の船舶売買契約書は社団法人日本海運集会所書式制定委員会の作成した定型書式（1999年11月2日改定の英文船舶売買契約書訳文で最新のもの）を用いているところ、その書式には、国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引に使用されることのないようにするための対策を盛り込んだ条項はなく、これを盛り込んだ改定も行われることなく現在に至っている。このことからみても、わが国の船舶売買取引業界において、その点に関する問題意識が十分浸透しているとまでは言い難いように思われるところである。

- 2 取引の相手方が違法な取引に売買対象物品を使用利用しようとしていること

が判明している場合に、なおその取引を継続することが許されないことは言うまでもない。本件は、取引の相手方からの転売先が違法行為に及んだものであって、本件船舶の取引当時にそうした事情が窺われるという事例ではなく、契約当事者間においては想定外の事態であった。

とはいえ、日本政府が率先して遵守を表明する国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引の禁止等に抵触する目的に本件船舶が現実使用されたという事実は厳粛に受け止めるべきものである。そして、その禁止等の趣旨に照らして、今後そうした取引への関与を可能な限り排除するためには、船舶の売買契約を締結し、またその契約に関与するに当たっては関係者間において、そうした取引に関与しないことの誓約を求め、その履行を期待できないような相手方との取引は差し控える決意が必要である。そして、その誓約の存在を明らかにするため、契約書にもその旨の条項を加えることが必要であるとともに、契約関係者にあらためてその注意を喚起する上でも有意義なことであろうと考える。また、場合によっては、契約当事者がその誓約に違反して自らそうした取引に関与し相手方に損害が生じた場合には、相手方に対して賠償責任を負う旨の規定を設けることも、考慮の余地はあろう。本件で用いられた定型書式においても、追加条項として書式外の個別の取決めがされており、そうした条項の一環として、上記のような条項を付加することに妨げはないと思われる。

他方で、それ以上に、契約当事者からの転売先がそうした取引に関与することまで禁じ、転売先が違反した場合にまで契約当事者自身が損害賠償責任を負うとの取決めをするということになると、広く取引を行う契約当事者に過大な義務と負担を負わせるおそれがあり、それによって、他の全ての取引条件が折り合ったにもかかわらず売買取引が成立しないという事態となることも危惧されるところといえよう。商取引において、取引の相手方に対し、その転売先の行動についてまで責任を負担させようとするのは極めて例外的なことであって、

その取引の結果が違法な行為に加担するおそれがあると判断される場合は別として、通常は、取引の相手方の良識を信頼してこれを差し控えるのが一般であろうと思われる。

第4 結語

- 1 以上の調査及び検討を踏まえると、東栄汽船の関与する取引の対象となった本件船舶がその後転売された結果、国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引の禁止等に抵触する目的に使用されたことは明らかであるが、東栄汽船は、単なる商行為の一環として本件船舶の売買取引に関与したに過ぎない。東栄汽船は、国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引の禁止等に抵触する行為に積極的に加担したことは全くなく、本件船舶の売買取引当時、将来本件船舶が上記のような目的で使用されることを知り、又は知り得るような事情は全くなかった。
- 2 東栄汽船が今後船舶売買取引に関与する場合には、その船舶が国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引の禁止等に抵触する目的に使用されることのないようにするために、取引の相手方に対してその点の確認と誓約を求め、その誓約の遵守が期待できない相手との取引は行わないとの厳格な決意を持って臨むことが肝要である。そして、その上で、船舶取引契約を締結するに当たり、従来から使用する定型書式に加えて、「買主は、国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引に取引物件を使用しないことを誓約する。」旨宣明する特約規定を設けることとし、その履行については、取引の相手方の自主的主体的努力と良識に期待することとしつつ、状況に応じて、その不履行の場合の損害賠償責任を定めるのが、現今の状況のもとで採りうる最善の方策の一つであると考えます。

以 上

Annex 49c: Addendum as provided by Toei Shipping Co. Ltd

ADDENDUM NO. 1

to a Memorandum of Agreement dated [Date] as amended and supplemented from time to time together with any addenda thereto (the "Memorandum") for the sale and purchase of the motor vessel XXXX (the "Vessel") entered by and between:

a) TOEI SHIPPING CO., LTD, 5F TOKYO BAYSIDE BUILDING, 3-33-17 KAIGAN, MINATO-KU, TOKYO, JAPAN (the "Sellers"); and

b) XXX (the "Buyers").

With the Buyers and the Sellers hereinafter called the Parties and each of them indistinctively a Party

THE PARTIES HEREBY AGREE AND CONFIRM as follows:

the buyer pledges not to use the vessel which is the subject of this sales transaction for North Korea-related transactions prohibited or restricted by United Nations Security Council resolutions.

IN WITNESS WHEREOF, the both parties hereto executed this Agreement on this [Date]

THE SELLERS
TOEI SHIPPING CO., LTD

THE BUYERS
XXXX

By: _____
Title: PRESIDENT

By: _____
Title: PRESIDENT

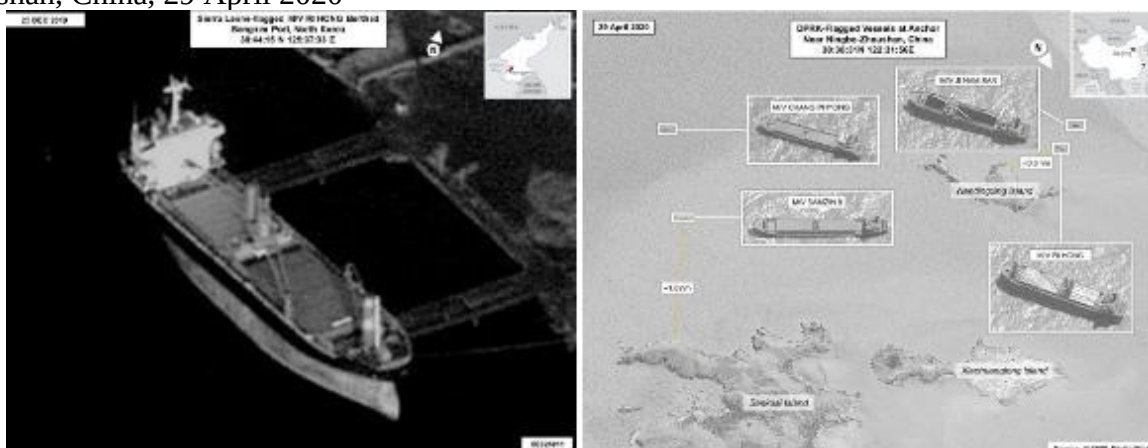
Source: The Panel.

Annex 50a: Vessel's onward sale: RI HONG nka DPRK-flagged TO MYONG (IMO: 9162318)

The Panel recommended the then Sierra Leone-flagged RI HONG (IMO: 9162318) for designation when it was recorded on satellite imagery alongside other DPRK cargo vessels exporting coal in Ningbo-Zhoushan waters on 29 April 2020.⁹⁴ The vessel is currently DPRK-flagged, re-named TO MYONG.⁹⁵ Prior to that, the vessel was berthed at Songnim port, DPRK, on 23 December 2019 (see figure 50a-1). The vessel last transmitted less than a week earlier in Shidao waters, China. Both vessels, suspected to have been operating under DPRK control, have since officially transitioned under the DPRK fleet sailing as TO MYONG and SAM JIN 8 respectively. The Panel had recommended the RI HONG for designation pursuant to paragraph 11 of resolution 2375 (2017)⁹⁶. The vessel has since continued to export DPRK-origin coal to Ningbo-Zhoushan waters.

Panama confirmed that the RI HONG was deregistered from its ship registry on 20 December 2019 on the basis of the transfer of the vessel under another flag (see figure 50a-2). The Panel wrote to the latter ship registry and did not receive a response. IMO records showed the vessel was next re-named KLAUSEN, sailing under the Sierra Leone flag in May 2020⁹⁷, with its registered owner and ship operator as the Hong Kong-incorporated Converse Trading Limited⁹⁸. The Sierra Leone Maritime Administration confirmed to the Panel that it de-registered the KLAUSEN on 17 November 2020 with the reason of the vessel's expiration of its issued provisional registration certificate. The RI HONG was subsequently listed to have come under the DPRK's fleet as on October 2020, sailing as the TO MYONG⁹⁹. There has been no commercial AIS transmissions of the vessel since mid-December 2019.

Figure 50a-1: RI HONG at Songnim port, DPRK, 23 December 2019, and anchored near Ningbo-Zhoushan, China, 29 April 2020



Source: Member State.

⁹⁴ S/2020/840, paras. 57-59 and S/2021/211, para. 79 and annex 38(b).

⁹⁵ IMO GISIS. Flagged on October 2020 but updated only subsequently from information provided by flag state (backdated).

⁹⁶ IMO GISIS. Flagged in October 2020 but updated only subsequently from information provided by flag state (backdated).

⁹⁷ Information then available as dated on IMO GISIS.

⁹⁸ This entity has no online or commercial footprint.

⁹⁹ IMO GISIS. Flagged in October 2020 but updated only subsequently from information provided by flag state (backdated).

Figure 50a-2: Flag deletion certificate of RI HONG, December 2019

IMO No. IMO NUMBER 9162318	NÚMERO OFICIAL REGISTRATION No. 23921-97-0	DISTINTIVO DE LLAMADA CALL / GROSS 3FJH7
---	---	---

CANCELACIÓN DE REGISTRO / DELETION CERTIFICATE		
Nombre del Buque: RI HONG		
Nombre n/Navio:		
Tipo de Buque: OTRAS CARGAS / CARGA GENERAL - OTHER CARGO / GENERAL CARGO SHIP		
Tipo of Vessel:		
Año de Construcción: Year of Build:	Tonelaje Bruto: Gross Tonnage:	Tonelaje Neto: Net Tonnage:
1997	6448.00	3114.00
Eslora: Length:	Manga: Breadth:	Puntal: Depth:
94.79 mts	19.60 mts	13.00 mts
Propietario: Owner:		
LI HONG SHIPPING CO., LTD. (100%)		
Solicitante y Fecha: Applicant and Date:		
COPIA DEL EXPEDIENTE DE LA NAVE [Redacted] 18-12-2019		
Resolución/Fecha de Cancelación: Resolution/Registration Close:		
C-46215-19 20-12-2019		
Datos de inscripción del Buque: Information of the Registered Ship:		
Que el título de propiedad del buque consta inscrito en la FICHA 20270 ROLLO 55298 IMAGEN 14 de la Dirección General de Registro Público de Propiedad de Naves; si actual cambio de Propietario consta inscrito en el DOCUMENTO 1922205.		

Este certificado muestra que el buque antes identificado se encuentra libre de gravámenes según confirmación del
 This certificate shows that the above mentioned vessel is free from any registered mortgage and a new mortgage is information issued by
 Registro Público expedido el 18-12-2019, y se cancela por tanto el monto del Registro Público debido a:
 This Public Registry dated and Part is previously cancelled/Null the Previous registry due to:
 Transferring to a New Register, TRANSFERENCIA A OTRO REGISTRO [Redacted]


 Director General de Registro Público de Naves

Derechos:
Fees:
AMP

RD No. 10163588A del 20 de diciembre de 2019
 000848903



Source: Member State.

In 2020, the Panel wrote to **Li Hong Shipping Co Ltd** (hereafter “Li Hong Shipping”), the then known last listed registered owner of RI HONG, and (listed in the care of) **Hong He Shipping Co Ltd** (hereafter “Hong He Shipping”), the latter serving as the vessel’s ship manager, operator, technical manager and Document of Compliance company holder. The Panel sought information on the vessel, its cargo, its ownership, all associated counterparties involved, along with relevant documentation and financial transactions. The Panel received a response from Li Hong Shipping’s owners via its lawyers on 24 August 2021 providing documentation, including of the vessel’s onward sale by 16 December 2019 to a Chinese entity, China Nuclear Aviation Technology (Ningbo) Company Limited (中核航空科技(宁波)有限公司) (hereafter “CNAT”) (see annex 50b). The Panel informed Li Hong Shipping that the information on the IMO website had continued to list the company as the vessel’s registered owner and recommended that vessel owners should ensure they do not remain liable by ensuring vessel onward sale information is updated with the IMO in a timely manner with the requisite documentation.

As regards information on whether Li Hong had reached out to the buyer (its representatives) for an explanation, Li Hong Shipping responded “Our clients have sought answers from the Buyer via the broker regarding the allegations, but have been unsuccessful. Our clients stress that they had no knowledge that the Buyer intended to carry out any alleged illicit activities.” The Panel separately was able to obtain a contact detail of CNAT sourcing publicly available information and corresponded with the company. The Panel continues to await the company’s response.

Li Hong Shipping¹⁰⁰ also indicated that it failed to receive the Panel's earlier emails requesting information on RI HONG as it was sent to a personal email possibly belonging to an individual of a similar sounding name (with a word mis-spelt) at Hong He Shipping (its management and 'care of company') that was no longer under its employ. The Panel notes that the individual's name continued to be officially listed with the IMO as recent as December 2021.

On the Panel's request on due diligence information, Li Hong responded "As the arrangement was through a broker and between two Chinese entities, our clients did not undertake additional due diligence to that which was undertaken by the broker. There was nothing to suggest to our clients that further due diligence was required. That said, our clients have updated their internal procedures to ensure that, in the future, additional due diligence checks are carried out."

On the Panel's query on steps undertaken by Li Hong to reduce the risk of such transactions, Li Hong responded:

"..... our clients had an in-house meeting with all their employees to discuss the lessons learned from the allegations concerning Ri Hong [Enclosure 9]. Those lessons included:

- 1) prudent investigations/due diligence on business counterparties;
- 2) enhanced due diligence when high-risk jurisdictions are involved;
- 3) better contract management;
- 4) conducting due diligence on cargo;
- 5) improved collection of information, including utilising brokers and insurers; and
- 6) penalties for non-compliance.

Our clients are also working with us to implement a sanctions compliance program that the companies and their employees may refer to for training and guidance purposes." See annex 50c. The Panel notes these efforts undertaken.

The TO MYONG has continued to transit in Ningbo-Zhoushan waters as well as at a Chinese port in 2021¹⁰¹ (see annex 58).

Source: The Panel.

¹⁰⁰ All information in this report that states a correspondence and corresponding responses from Li Hong Shipping's owners was conducted via its lawyers, a legal firm registered in the United Kingdom.

¹⁰¹ Pursuant to paragraph 5, resolution 2397 (2017).

Excerpt of the sale and purchase contract for RI HONG

船 舶 买 卖 合 同		Norwegian Shipowners' Association's Motto-random of Agreement for sale and purchase of ships. Adopted by The Baltic and International Maritime Council (BIMCO) IN 1956. SALEFORM 1993 Revised 1966, 1983 and 1986/87
日期: 2019 年 11 月 23 日		
LIHONG SHIPPING CO., LTD 作为该船的注册所有人		1
注册地址: 马绍尔公司注册号: 66359. Trust Company Complex, Ajeltake Take Road, Ajeltake Island, Majuro, Marshall Islands MH96960.		2
下称“共同卖方”, 同意出售		
中核航空科技(宁波)有限公司 (下称“买方”), 同意购买		3
地址: 浙江省象山县鹤浦镇浦港西路 2 号 05 幢		
船名: RI HONG		6
船级社: ICS (INTERNATIONAL CERTIFICATION SERVICES)		7
建造: 1977 建造厂: Higaki Shipbuilding Co., LTD. 日本		8
船旗: 巴拿马		9
注册地: 巴拿马		10
船舶呼号: 3FJM7 总吨/净吨 GRT/NRT: 6448/3144		11
国际海事组织编号: 9162318		12
下称船舶, 基于以下条款签订本合同		13
定义		14
“书面”是指买卖双方互相递交的挂号信件、电传或其他现代通讯方式。		16
“船级社”或者“船级”是指第 7 行规定的 ICS 船级社		17
1. 购买价格: [REDACTED]		18
2. 保证金		19
作为本合同顺利履行的保证, 买方须在双方签署(传真或者电子邮件)本合同后的五个银行工作日内支付 10%保证金。该保证金须按照买方的意愿, 以银行转账的方式或者现金支付到卖方书面指定的账户和地点。		20 21
3. 付款		22
船舶交接时, 买方须将剩余的 90%的尾款以及剩余燃油、润滑油及其它根据合同约定的应支付的款项(如果有的话), 以银行转账或者现金的方式支付到卖方书面指定的账户和地点。		23 24
上述款项的支付时间不超过“准备交船通知书”递交后的三个银行工作日。		25
准备交船通知书, 至少早于合同预约日之前的三个银行工作日内提供。		26
4. 船舶检验		30
买家已于 2019 年 9 月 3 日在越南富美港对该船进行检验, 并且接受该船。本合同买卖是完全的、肯定的, 将仅以本合同规定的条款为准。		31 32
5. 交船通知, 交船时间和地点		31
A) 卖方应就船舶动态及时通知买方, 并在递交“交船准备就绪通知书”之前, 发出 15、10、7 天的大约通知, 和 5、3、1 天的准确通知。“交船准备就绪通知书(NOR)”只有在该船舶按照合同规定在各方面都准备好交接时递交才被认为有效。买方必须在收到卖方的通知时做出书面回复, 否则视为买方接受该通知。		32 33 34
B) 该船须安全停泊在中国的山东石岛港的外锚地进行交接。		37
交船时间: 2019 年 12 月 10 日至 2019 年 12 月 20 日, 由卖方选择。		60
解约时间(参考第 5C 条款, 6B (III) 和 14 条款): 2019 年 12 月 30 日 由买方选择		61
C) 如果买方认为虽然其所提仍不能在解约时间之前准备好交船, 则卖方须书面通知买方新的交船时间并确定一个新的解约时间。在收到该书面通知后的 7 个连续自然日之内, 根据本合同第 14 条的规定买方有权选择		62 63

X X X X X

X X X X X



Business Licence of China Nuclear Aviation Technology (Ningbo) Company Limited



Source: The Panel.

Annex 50c: Proposed due diligence measures --- Meeting minutes as provided in the original and translated version

鸿和船务有限公司
HONG HE SHIPPING CO., LIMITED

关于总结 RIHONG 轮事件经验教训的会议记录

2021 年 8 月 5 日, Hong He Shipping Co, Ltd 全体人员召开会议, 主题是总结 Ri Hong 轮销售后买方利用该轮违法营运给我司代理损失的经验教训, 敦促所有人员在业务交往中提高警惕, 不要违反国家法律, 国际公约和相关的国际组织的法令。为此, 特将本会议记录发给各部门遵守执行。

我司 2019 年 12 月, 我司管理的 RIHONG 轮在正常程序中销售给了买方中核航空科技(宁波)有限公司。今年 7 月初我司在香港的账户被中国银行(香港)有限公司关停。事后经过调查, 得知买方中核航空科技(宁波)有限公司买入该轮后去做了涉及联合国制裁地的非法贸易。因此我司推测银行关停我司业务的原因即可能与此事有关。虽然我司聘请香港律师与银行做出了交涉和说明, 但是银行至今没有回复我司的银行服务, 也没有对关停业务的依据和理由给予说明或澄清。此事件给我司造成了很大的损失, 除了抗辩澄清的花费, 我司管理的船舶发生的正常交易没有了资金支持, 部分业务停摆和延误。现将就此事对我们造成的不良影响与经验教训总结如下, 请各位同事汲取教训, 在今后的工作中时刻保持高度警觉, 避免留下隐藏隐患。

1、 业务关系人的审查

鸿和船务有限公司

HONG HE SHIPPING CO., LIMITED

从今往后，不论是在哪一环节哪一方面需要和新的客户，尤其是外国当事人发生业务关系时，负责该业务的员工必须上报公司，由公司做好尽职调查。调查的内容为该客户的信誉，经济实力和是否有过违法记录和违法了国际制裁令的行为。

2、 合同管理

在各类合同的拟定过程中，要多方查阅相关法律条文，确保语言得当严谨，叙事清楚明晰，责任归属表达准确，没有歧义。执行完结的合同要每个季度编订入卷。在季度末上交公司行政部登记存放。凡是在执行中发生过争议和纠纷的合同，当事人要在季度总结会上做出总结汇报并提出合同的改善意见和防损建议。

3、 交易标的物的审查

管理的船舶虽然在租船人的指令下营运，承载租船人提供的货物。但是我司各业务人员要尽量核实具体的货物是否涉嫌违法违规。目前已经听说有租船人安排船舶运载制裁地为原产地的货物。虽然中间经过伪装，但是已经给其他船公司造成了伤害。我司要以他人公司的案例作为教训，谨慎操作，切勿中招。

4、 信息收集和查证渠道

对于我司没有条件确定的疑问，应该立即联系船舶的租船经纪人，保险经纪公司，保险人或保赔协会询问情况和请求帮助查证。联系业务时不得使用个人邮箱。但个人邮箱也要告知公司登记管理。收到不属于本部门业务的邮件时要及时转发相关部门，不得不予理睬或忽视。

鸿和船务有限公司
HONG HE SHIPPING CO., LIMITED

5 处罚

Ri Hong 轮事件的经验教训请各位同事时刻谨记。如果有员工没有遵守上述规定给公司造成损失，公司将给予经济惩罚，严重者赔偿损失并解除合同。

请全体同事在今后的日常工作中严谨对待，时刻保持警觉状态，确保公司业务健康发展。

此致 全体员工

鸿和船务有限公司

For and on behalf of
HONG HE SHIPPING CO., LIMITED
鸿和船务有限公司
.....
Authorized Signature(s)

2021年8月6日

Meeting Minutes on Lessons Drawn From “Ri Hong” Sale Incident

Aug 6th, 2021

All the employees of Hong He Shipping Co, Ltd had a meeting on Aug 5th, 2021 to conduct a reflection session on lessons learned in respect of the incident of the sale of the ship “Ri Hong”, the buyer of which has utilized the ship to conducted illegal trade and indirectly brought damage and loss to our company. Therefore, the company hereby reminds all employees to be alert and cautious of the potential risks in the course of business and to avoid breaching domestic and international laws and Acts. The minutes of this meeting are handed out to all the departments for compliance.

The ship “ Ri Hong” managed by our company was sold to the buyer ZhongHe Aviation Technology (Ningbo) Company (the “Buyer”) through normal purchase & sale formalities under a contract in Dec 2019. In early July 2021, our company’s bank account with the Bank of China (Hong Kong) Branch was canceled without prior notification and post-explanation. Our company afterwards conducted an investigation and learnt that the Buyer, after purchasing the vessel “Ri Hong”, used her to trade in North Korea, which is a state under UN sanction. Though our company has retained Hong Kong lawyers to deal with the Bank of China with full evidence proving our innocence and genuine ignorance towards buyer’s illegal activities, the Bank refused to restore their services, and furthermore, the Bank refused to give any further appropriate explanation. Therefore, this incident has resulted in a great loss to our company. Besides the costs in defending our position, our company has now suffered frustration of business due to loss of cash flow support. Now, we are having this meeting for the purpose of having the lessons summarized with an expectation that all colleagues should be well alert and be cautious of similar risks in future work .

1. Check on Business Counterparties

From now on, when dealing with new clients, no matter at which levels and in what respect, everybody should report all details to the company and the company shall conduct a prudent investigation on the legality of new clients. The investigation will cover the creditworthiness, the financial ability and default/criminal record inclusive of whether the client has been suspected of having breached international sanctions.

2 Contract Management

When drafting contracts, all employees should refer and rely on relevant laws and use proper terms with explicit and unambiguous wordings. The fulfilled contracts should be structured into volumes with codes and be submitted to the company for record keeping. Every dispute that took place during the execution of the contract should be summarized and reported to the company at the end of season meeting. Relevant moments for reflection and loss prevention suggestions should be raised by the relevant persons.

3 Checking Information on Cargo

All people should be on alert and exercise due diligence when checking the information on cargo such as the source, origin and the legality thereof, even though ships are trading under charterers' instructions and cargo are provided by charterers. It has been previously reported that other ship owners have suffered a lot for being wrongly and unknowingly involved in illegal cargo carriage arranged by their charterers. We should take it as a lesson and do our best to avoid such risks so as to ensure the company's business stays on a right and lawful track.

4 Collection of Information

It has been decided that it is now required where there are uncertainties and inquiries, or when there are no channels to satisfy anti-loss investigations, employees should immediately consult our charter broker, insurance broker or H&M insurer and P&I insurers for assistance on accurate information. However, it is strictly forbidden for private emails to be used in business contacts and every private email, despite not being allowed to be used, should be registered with the company for safety management protocols. Every person, after receiving emails unconnected with his own business, is obliged to re-deliver these emails to the right person who is in charge of that business so as to eliminate any omission of the work.

5 Penalty

Everybody is to take the incident of "Ri Hong" as a lesson and reflect especially in respect of observing international regulations and to be on guard against violation of international sanctions. People who cause damage or loss to the company due to his ignorance and negligence on this requirement will incur economic punishment imposed by the company. Those who violates these regulations to a serious extent shall be fired without excuse.

All employees are hereby demanded to follow and observe the above rules and stay alert to potential risks. These rules are stipulated for the purpose of making ship trading safe in the common interests of the company and all our employees.

Hong He Shipping Co, Ltd

Source: The Panel.

Annex 51: Vessel Acquisition by the DPRK - SU RYONG SAN (IMO: 9016430)

The Panel began tracking the DPRK cargo vessel SU RYONG SAN (IMO: 9016430) post-transition, based on anomalous AIS transmissions. While the vessel was flagged under the DPRK in October 2020¹⁰², no vessel tracks were available for ten months after August 2020. The vessel began transmitting intermittently on multiple identifiers as it departed Nampo 6 July 2021. It arrived at Ningbo-Zhoushan waters later the same month. By 25 August 2021, the vessel was at Longkou port area where it remained for over two weeks, where it was suspected to have engaged in ship-to-ship transfers based on transmitted draft changes, before berthing at Longkou's bulk cargo terminal by 11 September 2021. It was observed outside of Nampo Lockgate by mid-September 2021 (see figures 51-1~51-2).

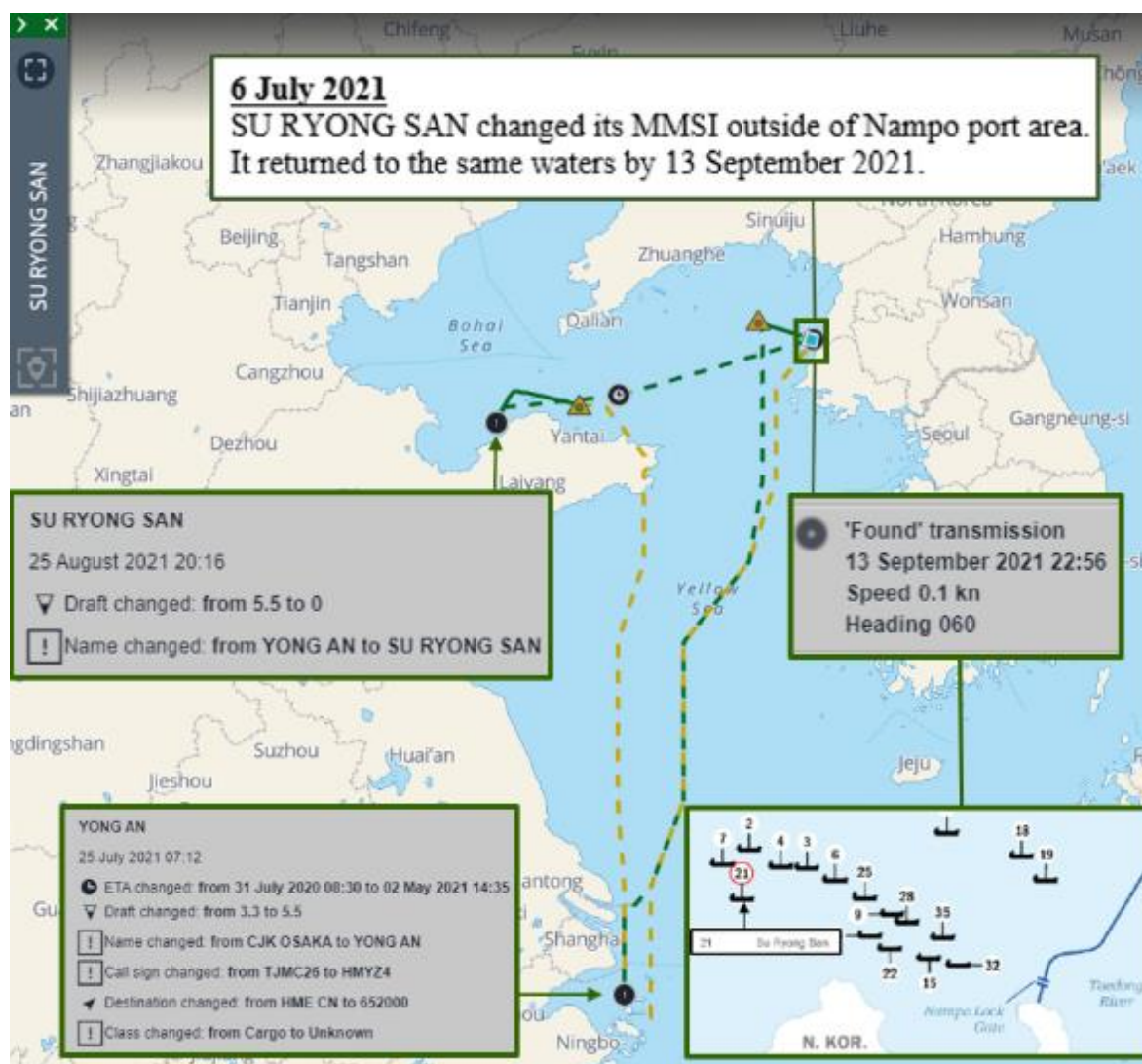
Prior to it being flagged under the DPRK, the vessel sailed under the Dominican flag for three months, indicating the vessel was issued a single delivery voyage permit for delivery to its new owners, HongKong Great Fortune Development Co. Limited (香港吉運(运)發(发)展有限公司) (hereafter "HKGf"). HKGF was the last registered owner when it was sailing as the CJK OSAKA in 2020, before the vessel joined the DPRK's fleet¹⁰³. The company neither has an online footprint nor have kept the email it was registered against on corporate documentation.

¹⁰² Ibid.

¹⁰³ IMO GISIS.

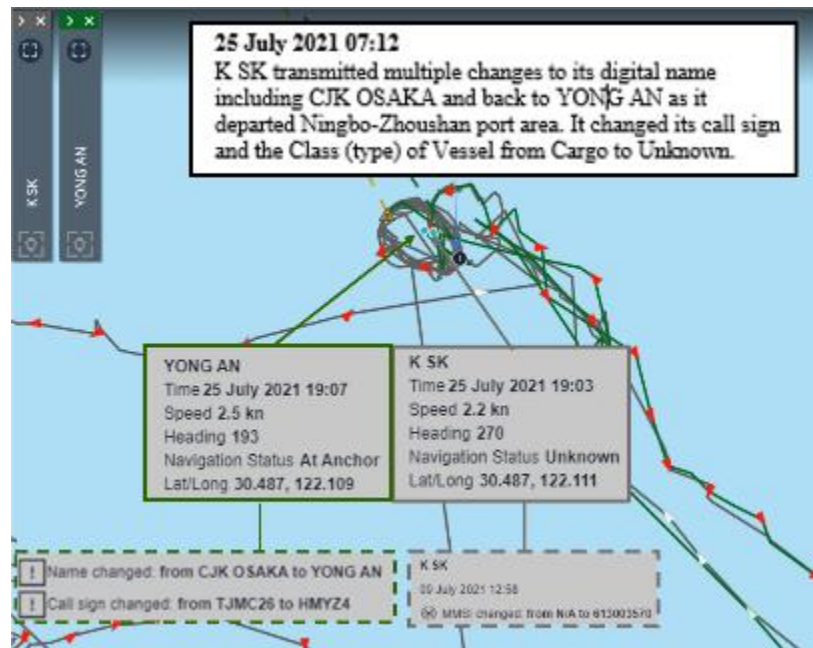
Figure 51-1: Storyboard of DPRK-flagged vessel *SU RYONG SAN* transmitting false identifiers

July to September 2021



July 2021 – Ningbo Zhoushan, *SU RYONG SAN* spoofing as *YONG AN* and *K SK*¹⁰⁴. *CJK OSAKA* is the historical name of *SU RYONG SAN*

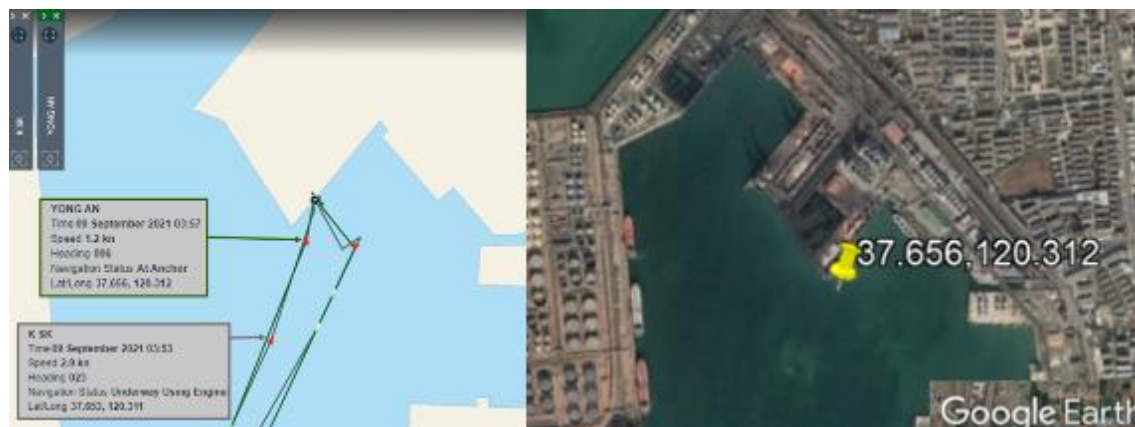
¹⁰⁴ The *K SK*'s spoofed MMSI and calls sign belongs to a Cameroon-flagged cargo vessel operating solely in the Mediterranean.



August 2021 - Longkou

On 25 August 2021 (see figure 51-1), the vessel sailing as YONG AN briefly transmitted on its original identity SU RYONG SAN outside of Longkou port before changing its digital profile to K SK while at Longkou Bulk Cargo Terminal.

September 2021 – Longkou



Source: The Panel.

The Panel is further investigating suspected sanctions evasion and violation activities across multiple fronts by HKGF since 2019.

The Panel asked China, on the SU RYONG SAN's identifiers under which it was transmitting, its cargo offloaded in Ningbo-Zhoushan waters and at other Chinese ports, any ship-to-ship transfers conducted

in Chinese waters with the type and amount of cargo offloaded and loaded, along with shipping documentation and financial transactions.

Based on information obtained from various sources, HKGF is alleged to have imported into China between 100,000 to 200,000 metric tons of DPRK-origin coal from the DPRK entity Yonggwang Furniture and Building Materials Corporation 영광가구건설회사 aka 영광가구합영회사 (Yonggwang Furniture Joint Venture Company) – hereafter “Yonggwang”. Yonggwang agreed to ship the following to HKGF:

- DPRK-origin coal aboard the DPRK-flagged JANG UN (IMO: 8822260);
- DPRK-origin coal aboard the DPRK-flagged KUM SONG 7 (IMO:8739396); and
- DPRK-origin coal aboard the DPRK-flagged RYON HWA 3 (IMO: 8312227).

This information is consistent with an earlier investigation undertaken by the Panel concerning the suspected transfer of DPRK-origin coal from the DPRK-flagged JANG UN and KUM SONG 7 to the QUN RONG XIANG, a Chinese cargo ship, the latter as currently investigated by Chinese authorities¹⁰⁵. See annex 55 for details. The RYON HWA 3 was back in Chinese waters in August 2021 and was observed grounded a month later in Ningbo-Zhoushan, China (figure 51-2).

¹⁰⁵ S/2021/777, paras. 96-98.

Figure 51-2: Vessel aground, Ningbo-Zhoushan, 18 September 2021



Source: (top) Member State, (bottom) Maxar Technologies and Windward.

The Panel sought information from China on the DPRK vessels, their identities transmitted in Chinese territorial waters, Chinese-entities owning and operating the receiving vessels, those that procured the cargo from DPRK cargo vessels-imported the coal, and the relevant shipping and financial documentation.

China responded that “SU RYONG SAN entered Longkou Port in August 2021, offloaded watch movements, and left the port after loading stationary in September 2021”. On the QUN RONG XIANG, China responded: “*The investigations into ... QUN RONG XIANG are still underway, and we do not have information to share at the current stage.*” On RYON HWA 3, China responded the vessel entered Yantai port “empty-loaded” in March 2021 and departed “*...by loading pesticide, fertilizer and other agricultural supplies in the same month.*” China had no information on HongKong Great Fortune Development Co., Ltd.

Source: The Panel.

Annex 52a: SUSPECTED VESSEL ACQUISITION BY THE DPRK - OCEAN SKY (IMO: 9125308)

The Panel is investigating the suspected DPRK acquisition of the Sierra Leone-flagged OCEAN SKY (IMO: 9125308). A Member State reported that the vessel was delivered at sea by Asia Ocean Shipping Limited (亞洲遠洋運輸有限公司) to the DPRK entity, Ryongsung Trading Corporation, between 24 and 30 May 2021. Panel investigations also showed that another China-based intermediary associated with Asia Ocean Shipping was associated with the vessel PU ZHOU, prior to the latter becoming the DPRK-flagged SU RI BONG (IMO: 8605727).

Commercial maritime AIS data show that OCEAN SKY has not transmitted verified AIS signal following the vessel's onward sale as the vessel departed Busan, Republic of Korea on 11 May 2021. The vessel was previously sailing as the Republic of Korea-flagged DAEHO SUNRISE. The Hong Kong-incorporated entities China Tianchuan International Group Shipping Limited and Asia Ocean Shipping were listed as the vessel's new registered owner and ship manager¹⁰⁶.

Asia Ocean Shipping allegedly used an SDV permit issued by the Sierra Leone Maritime Administration for the said transfer. Such permits typically require less scrutiny. The PU ZHOU (IMO: 8605727) and RUI JI STAR (IMO: 9010058)¹⁰⁷ were also flagged under Sierra Leone for a short period of time before being re-flagged under the DPRK.

The Panel sought relevant information from Sierra Leone including, *inter alia*, whether the OCEAN SKY was issued a single delivery voyage permit (SDV) for its transit to its new owners. Sierra Leone has yet to respond.

To trace the OCEAN SKY, the Panel wrote to the vessel's previous ROK-registered owner, Daeho Shipping Co., Ltd (hereafter "Daeho Shipping"). According to Daeho Shipping, the vessel was under its ownership and management from 28 February 2011 to 17 May 2021. The vessel was cancelled from the Republic of Korea's ship registry on 17 May 2021 (seen annex 52b). According to Daeho Shipping, a mainland China and Hong Kong broker sought out a Seoul-based broker, a Mr. Chang, in March 2021 to purchase the specified vessel. A Bill of Sale was concluded the same month, with the final closing of the deal's Protocol of Delivery and Acceptance on 4 May 2021, when the vessel was handed over. A buyer inspection of the vessel in April was cancelled "due to COVID-19" when the vessel was at port in Nantong, China. No follow up inspection was scheduled.

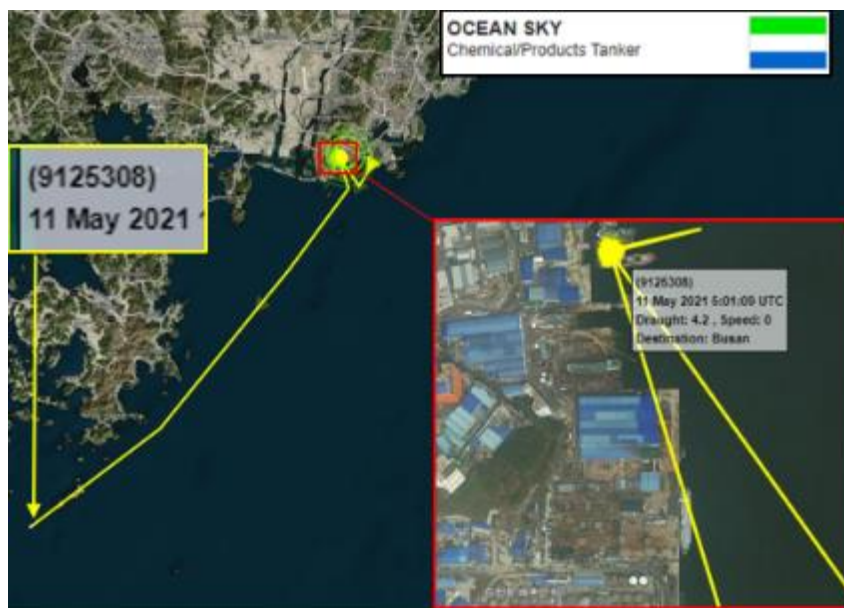
Daeho Shipping stated it delivered the vessel to the ROK broker during the handover with no buyer's representatives present. Thereafter, the vessel departed Busan, ROK, on 11 May 2021 for delivery to Zhoushan by tug. Commercial maritime tracking showed AIS transmission was lost the same day (see figure52a-1).

¹⁰⁶ IMO GISIS.

¹⁰⁷ Now sailing as DPRK-flagged MYONG SA SIM NI. The vessel has since been observed on satellite imagery in Ning-Zhoushan waters exporting DPRK-origin coal (S/2021/777, paras. 89-92).

Intermittent spot AIS transmissions of the OCEAN SKY were captured on commercial maritime databases between August and November 2021¹⁰⁸ (see figure 52a-2). The vessel was observed on satellite imagery at a Chinese shipyard on 1 October 2021 (see figure 52a-3). The OCEAN SKY last transmitted AIS signal on 13 November 2021 in waters outside the shipyard (inset imagery at figure 52a-2).

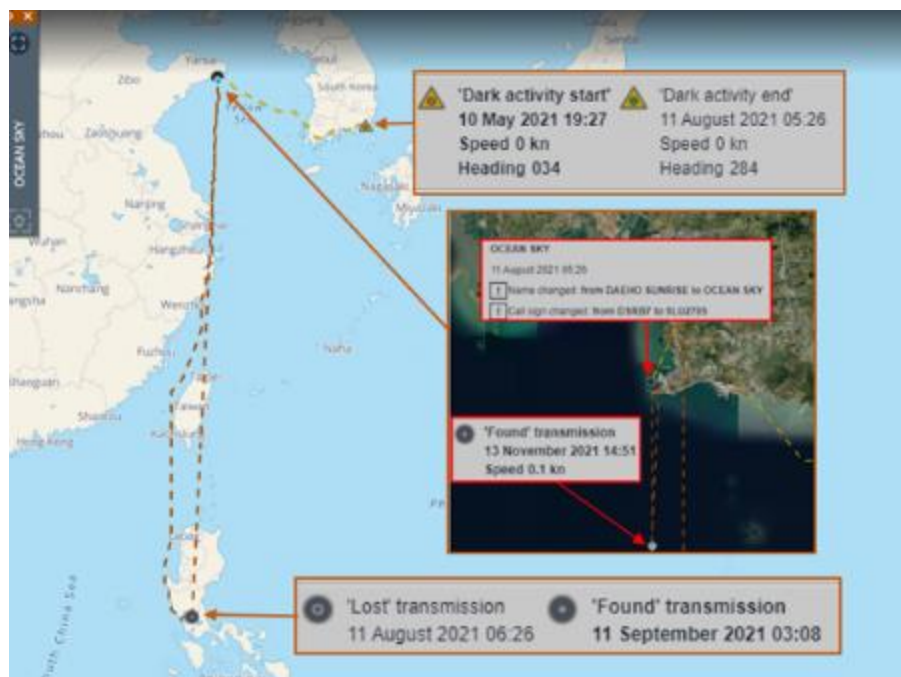
Figure 52a-1: OCEAN SKY stopped transmission, Busan, ROK, 11 May 2021



Source: IHS Markit Seaweb, annotated by the Panel.

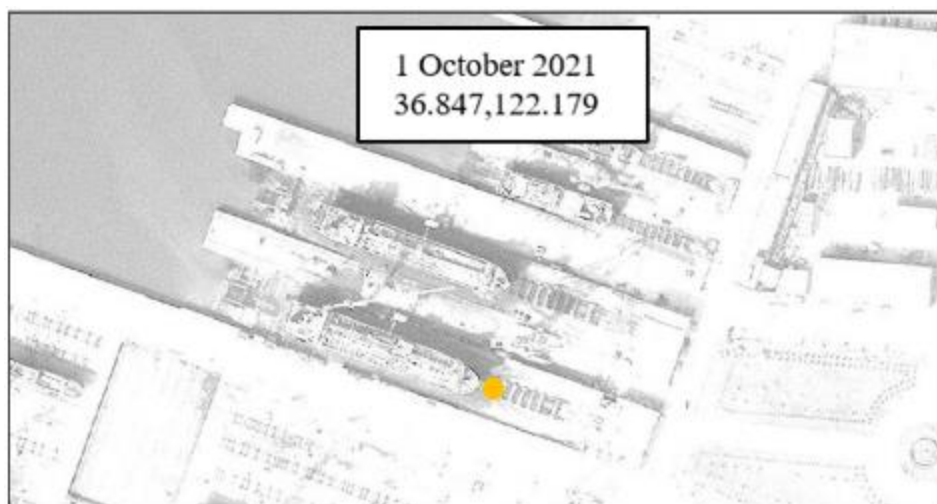
¹⁰⁸ The OCEAN SKY's last AIS transmission was on 13 November 2021, as on 31 December 2021.

Figure 52a-2: Spot AIS transmissions of the OCEAN SKY that show possible spoofing, August to November 2021



Source: Windward, annotated by the Panel.

Figure 52a-3: OCEAN SKY berthed at a shipyard, Shidao, China, 1 October 2021



Source: Maxar Technologies, annotated by the Panel.

The Panel continues to investigate the OCEAN SKY's suspected entry under DPRK control.

The Panel notes that another vessel investigated by the Panel, the WOO JEONG (nka SIN PHYONG 5) (IMO: 8865151)¹⁰⁹ was also delivered at Shidao in July 2019 before the vessel came under the DPRK flag (see figure 52a-4).

Figure 52a-4: AIS transmissions showing the OCEAN SKY in October 2021, and the WOO JEONG (nka SIN PHYONG 5) in July 2021, Shidao, China



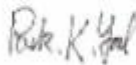
Source: Google Earth, annotated by the Panel.

Investigations continue into the entities that facilitated the transfer of the OCEAN SKY.

Source: The Panel.

¹⁰⁹ S/2021/777, paras. 78-79 and annex 38.

Annex 52b: Ship registry cancellation notice of OCEAN SKY, 17 May 2021

CONFIRMATION OF CANCELLATION OF VESSEL'S NATIONALITY				
Confirmation Number : 2021-12				
Owner	Name (Company)	DAEHO SHIPPING CO., LTD.		
	Address	19, DAEPYEONG-RO 38BEON-GIL, YEONGDO-GU, BUSAN, REPUBLIC OF KOREA		
Official Number		JJR-111011	Gross Tonnage	3,654 tons
IMO Number		9125308	Signal Letters	DSRB7
Kind of Vessel		MOTOR VESSEL	Name of Vessel	DAEHO SUNRISE
Port of Registry		JEJU	Material of Hull	STEEL
Rigging (if a Sailing Vessel)			Type and Number of Engines	DIESEL 1
Kind and Number of Propellers		SCREW 1	Where Built	JAPAN
Name of Builders		FUKUOKA SHIPBUILDING CO., LTD.	Date of Launch	1996-01-09
Main Dimensions		Length 93.97 m	Breadth 16.50 m	Depth 8.50 m
Date of Cancellation of Registration		2021-05-17		
Reason of Cancellation of Registration		EXPORT		
It is hereby confirmed that the above described vessel was canceled from Nationality of the Republic of Korea in accordance with Ship Act Enforcement Regulations, Article 23. The 17 th day of 05 2021 (Signature)  Director General of BUSAN Regional Oceans & Fisheries Administration				

Source: The Panel.

Annex 53: Fishing Rights Transfer

Annex 53a : Monitoring and Inspection of Fishing Vessels

(1) MMSI signals detected by Member State in 2021

A Member State identified at least 428 vessels which had entered DPRK waters between 22 April and 22 June 2021. In addition, the Member State identified 9 MMSI numbers associated with these fishing fleets. According to the Member State's analysis, those nine vessels had taken the route illustrated below. The Panel notes that the vessels apparently departed from Shandong Province (山东省) and Liaoning Province (辽宁省) of China.

MMSI numbers identified:

300807023
300820047
412329999
412445566
412556677
412599899
412631558
412900023
517518888

(2) List of three fishing vessels inspected by a Member State in 2021¹¹⁰

A Member State has informed the Panel that in May 2021 its authorities inspected the following three fishing vessels which were moving southwards from DPRK waters.

1. Fuyuanyu (福遠漁) 189
2. Liaodanyu (遼丹漁) 36005
3. Liaodanyu (遼丹漁) 36006

According to the inspections of *Fuyuanyu 189* on 1 May, the vessel had departed from the port of Shidao (石島) on 30 April and headed towards DPRK waters. The fishing rights in DPRK waters had been priced at 300,000 RMB, which would allow the right to fish from 1 May to 1 September.

According to the inspections of *Liaodanyu 36005* and *Liaodanyu 36006* on 6 June, the vessels had departed from the port of Dandong (丹東) on 1 May, entering DPRK waters on 15 May. The vessels conducted squid fishing until June. The cost of the fishing rights had been 200,000 RMB, allowing fishing until 1 October.

¹¹⁰ S/2020/777, para. 82.

Annex 53b: Reply from China**3. Fishing rights (OC.302)**

China's position on illegally acquiring fishing rights is crystal clear. Such activities, once verified, will be dealt with in accordance with laws and regulations. China's fishing authority and relevant coastal provinces have taken measures to strengthen management and demanded the fishing companies and fishermen to strictly follow the requirement of Security Council resolutions.

According to China's investigation, Fu Yuan Yu 189 has been anchored on the tidal flat since July 2017, and too eroded to sail. It is impossible for it to appear in relevant waters from May to June 2021. As for Liao Dan Yu 36005 and Liao Dan Yu 36006, we find no information of those two vessels. The license issued by the fishing authority in Dandong, Liaoning Province starts with number 2. The two vessels mentioned in the Panel's letter must have used fake licenses. The fishing vessel with MMSI number 412445566 mentioned in the Panel's letter has been operating in waters close to Fujian since 2021. China finds no activities of this vessel towards the DPRK's waters. In addition, we cannot find any information of HengXing Fisheries Limited, Dalian, JinHai Fisheries Limited, Tianjin, etc in China's business registration system.

Viewing and analyzing from the above, we believe the information

5

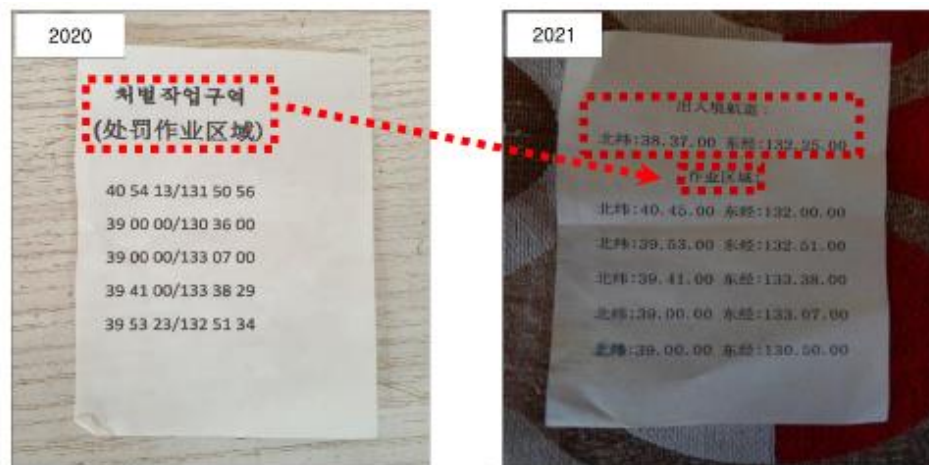
provided by some member states are seriously inaccurate and cannot serve as basis for China to carry out investigations. The information source is unreliable, and its truthfulness and accuracy cannot be verified. The Panel should not include the above-mentioned information into the report. Otherwise, it will seriously damage the authority and objectivity of the report.

Source: Member State.

Annex 53c: Permitted fishing areas in DPRK waters 2020-2021

According to Member State information, the size of the permitted fishing areas¹¹¹ in DPRK waters was reduced in 2021 (figures 53c-1 and 53c-2).

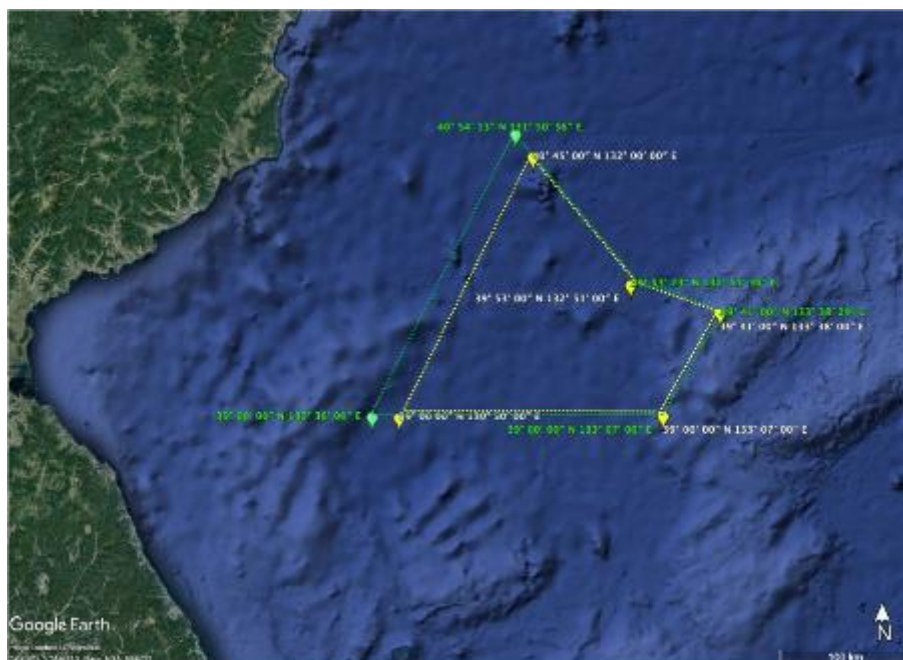
Figure 53c-1



Source: Member State.

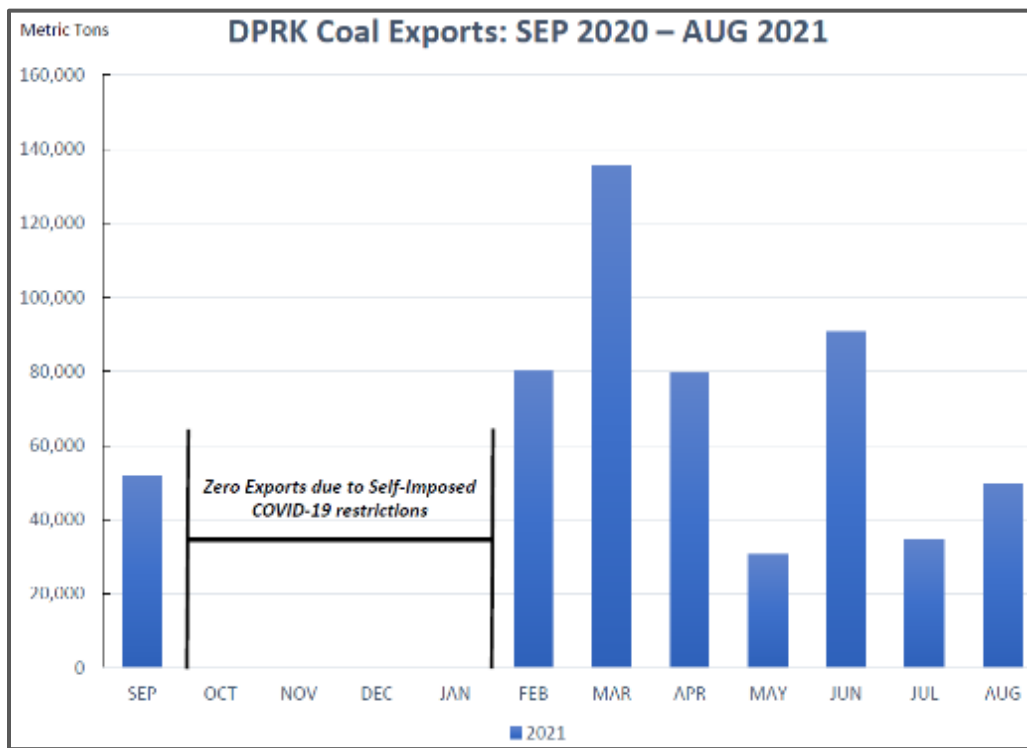
Figure 53c-2

Below is the image of abovementioned fishing areas annotated by the Panel. The area surrounded by the green dotted line was in 2020 and yellow dotted line is in 2021.



Source: Google Earth, annotated by the Panel.

¹¹¹ S/2021/777, para. 82 and annex 41.

Annex 54: Table of maritime coal exports by the DPRK

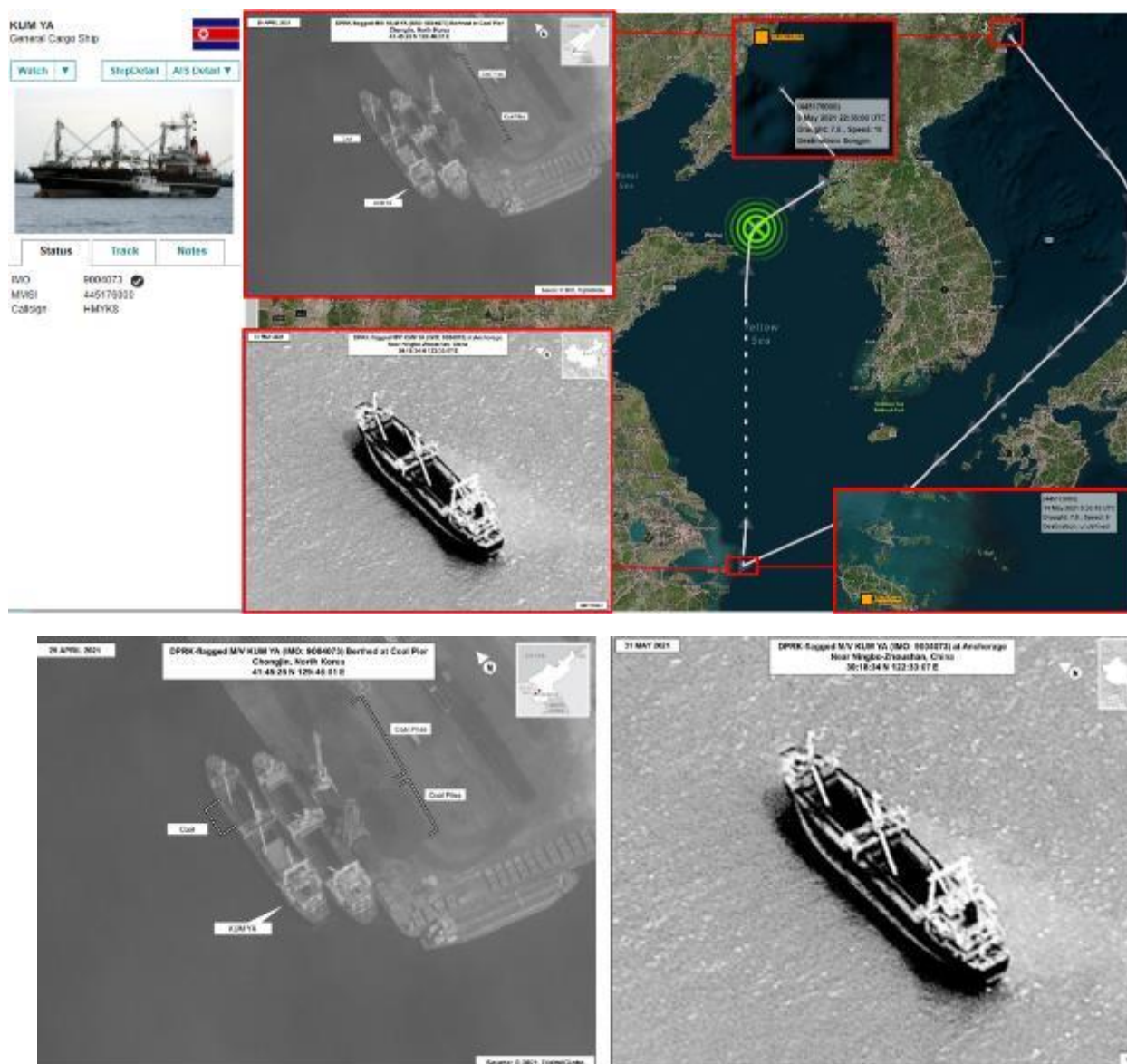
Source: Member State.

Annex 55: Examples of DPRK-flagged vessels in Ningbo-Zhoushan area to export coal between May and September 2021

DPRK-flagged KUM YA (IMO: 9004073)

According to commercial AIS maritime tracking data, the KUM YA departed Chongjin, DPRK, by 9 May 2021. It arrived in Ningbo-Zhoushan waters by 14 May 2021 where it remained. The vessel, which departed the DPRK laden with coal, was observed to be riding high in Ningbo-Zhoushan waters on 31 May 2021, indicating it had offloaded DPRK-origin coal during that period of time. KUM YA was back in DPRK waters in the West Sea Barrage by 27 June 2021.

Storyboard of KUM YA April – May 2021



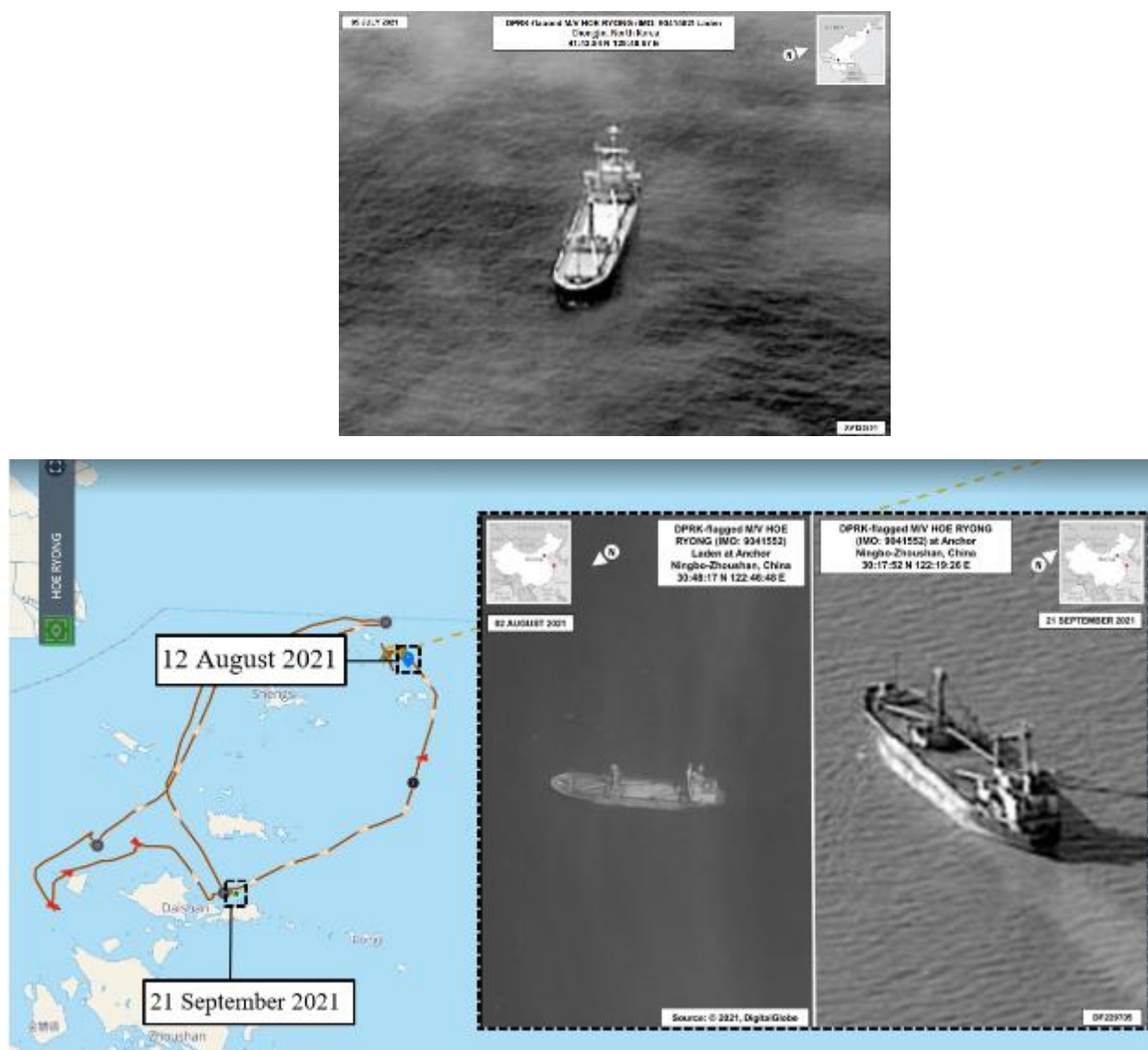
Source: IHS Markit Seaweb, annotated by the Panel, (satellite imagery) Member State.

DPRK-flagged HOE RYONG (IMO: 9041552)

Another DPRK cargo vessel, HOE RYON, was observed on satellite imagery departing Chongjin, DPRK, in July 2021 for Ningbo-Zhoushan, China, transmitting AIS only during a part of its journey. The vessel was observed in August 2021 riding low in water when it arrived in Ningbo-Zhoushan. By 21 September 2021, HOE RYON, still in the same waters, was observed riding high in water, indicating it had offloaded DPRK-origin coal during that period of time.

AIS data showed the HOE RYON departed Ningbo-Zhoushan waters by 25 September 2021 where it sailed towards the west coast of the DPRK, stopping transmission by 30 September 2021¹¹².

Storyboard of HOE RYON, July to September 2021



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

¹¹² As on 30 December 2021.

DPRK-flagged FLOURISHING (IMO: 8421315)

The DPRK cargo vessel FLOURISHING was observed departing Wonsan laden with DPRK-origin coal on 1 August 2021, for Ningbo-Zhoushan, China, transmitting AIS only during a part of its journey. The vessel was observed on 17 August 2021 riding low in water when it arrived in Ningbo-Zhoushan. By 21 September 2021, FLOURISHING, still in the same waters, was observed riding high in water, indicating it had offloaded DPRK-origin coal during that period of time (see storyboard). Both the HOE RYON and FLOURISHING were in Ningbo-Zhoushan waters around the same time exporting coal. FLOURISHING stopped AIS transmission while still in Chinese territorial waters.

The Panel also tracked the vessel's ownership and management history. The FLOURISHING was flagged under the DPRK in November 2018¹¹³. Prior to this, the vessel was managed and operated by Hongxiang Marine Hong Kong Ltd (鴻祥海運(香港)有限公司) (hereafter "Hongxiang Marine")¹¹⁴, an entity sanctioned by the United States' Treasury Department in February 2018¹¹⁵ that also managed then Comoros-flagged ORIENTAL TREASURE (IMO: 9115028). The ORIENTAL TREASURE¹¹⁶, flagged under the DPRK's fleet the same time as FLOURISHING, was reported by the Panel on multiple occasions for exporting DPRK-origin coal. Other vessels managed by Hongxiang Marine before transitioning under the DPRK flag, some of which around the same time included: ASIA HONOR (IMO: 8405220), HORIZON STAR (IMO: 9017123), NEW DAWN (IMO: 9135494)¹¹⁷, and PAEK MA (IMO: 9066978)¹¹⁸ – all of which have exported coal in Ningbo-Zhoushan waters.

Since coming under the DPRK fleet, FLOURISHING had been transmitting on fraudulent identifiers and sailing as 'FS'. The vessel had also transmitted in Ningbo-Zhoushan waters in February 2020, a known area where DPRK cargo vessels have and continue to export their illicit coal (see storyboard).

¹¹³ IMO GISIS.

¹¹⁴ Room 1502, 15th Floor, Keen Hung Commercial Building, 80, Queen's Road East, Wan Chai, Hong Kong, China. Entity was dissolved in June 2018.

¹¹⁵ <https://home.treasury.gov/news/press-releases/sm0297>

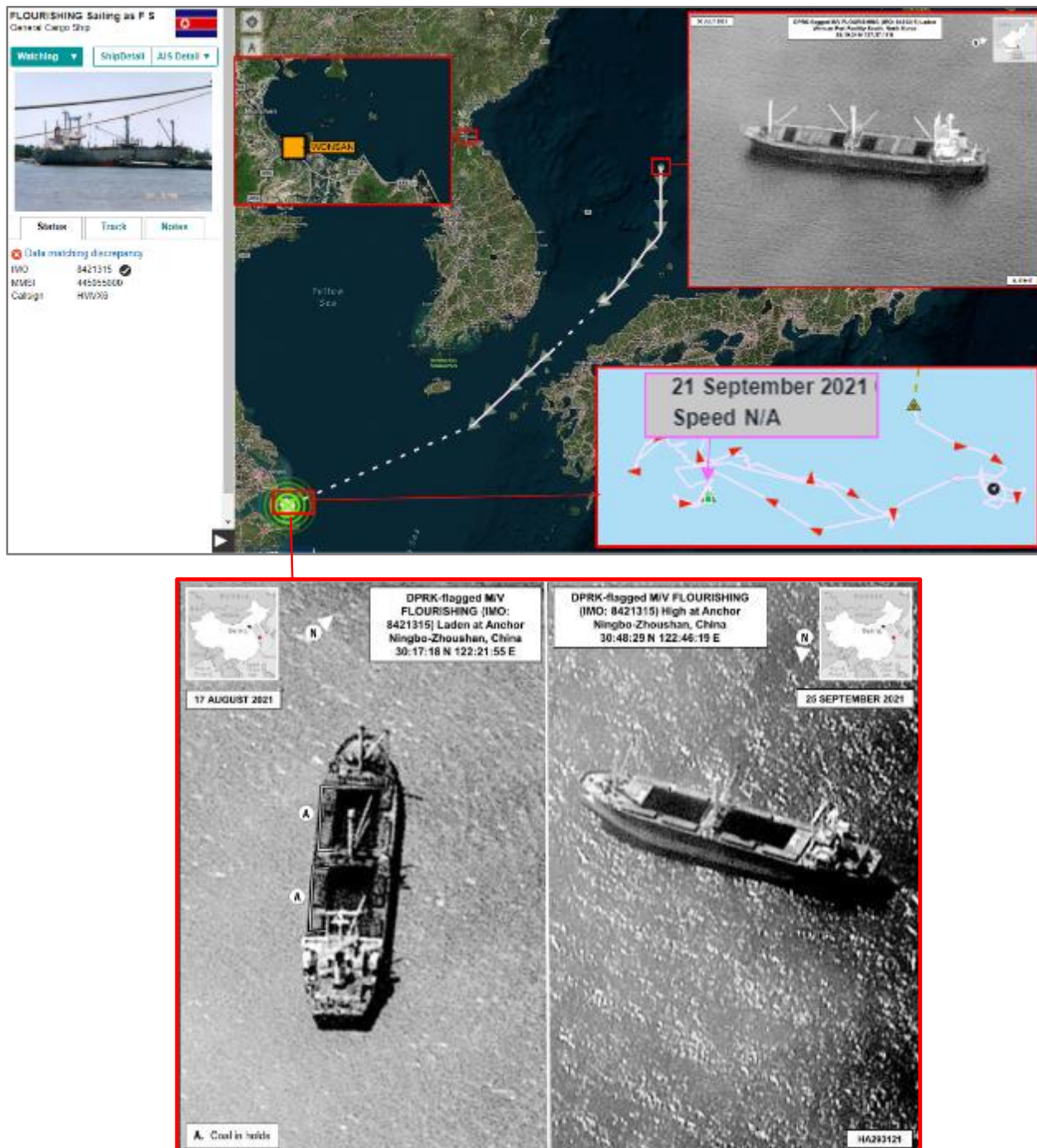
¹¹⁶ Flagged under the DPRK in November 2018.

¹¹⁷ Flagged under the DPRK in April 2017.

¹¹⁸ Flagged under the DPRK in December 2016.

Storyboard of FLOURISHING

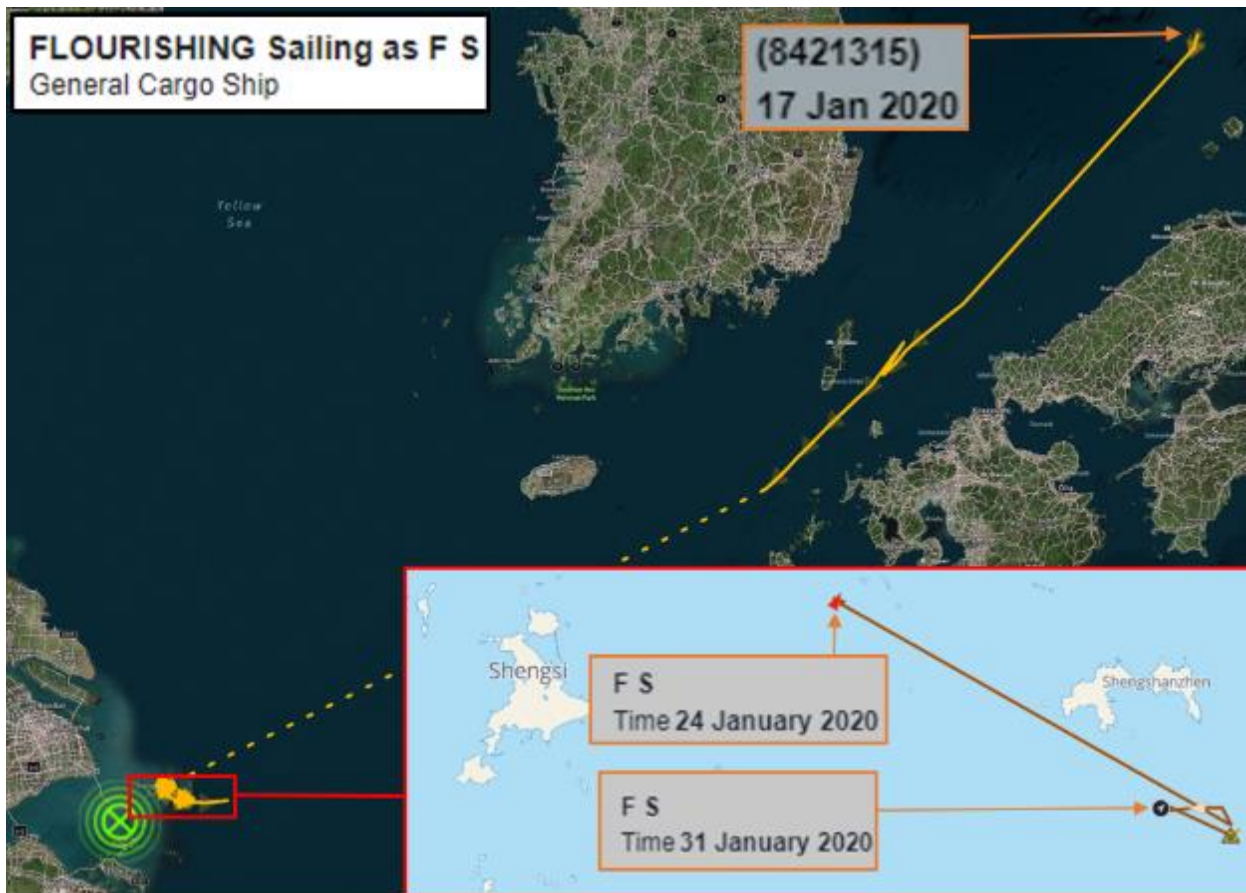
July – September 2021



Source: IHS Seaweb, (inset AIS transmissions) Windward, annotated by the Panel, (satellite imagery) Member State.

January – February 2020

The FLOURISHING transmitted as FS in Ningbo-Zhoushan waters from late January to early February 2020. During the period, the vessel updating its draught status indicating an offload of cargo.



Source: Source: IHS Seaweb, (inset AIS transmissions) Windward, annotated by the Panel.

The Panel continued to seek China's assistance on the recurring presence of multiple DPRK vessels in Ningbo-Zhoushan waters to export coal via ship-to-ship transfers, including information on any cargo offloaded by the DPRK vessels via ship-to-ship transfer in those waters, the receiving vessels' identifiers, and entities and individuals that own, operate and procured any of the cargo from the DPRK vessels.

China responded that "There is no record of port calls in China for vessels KUM YA, HOE RYONG, FLOURISHING in 2021"

Source: The Panel.

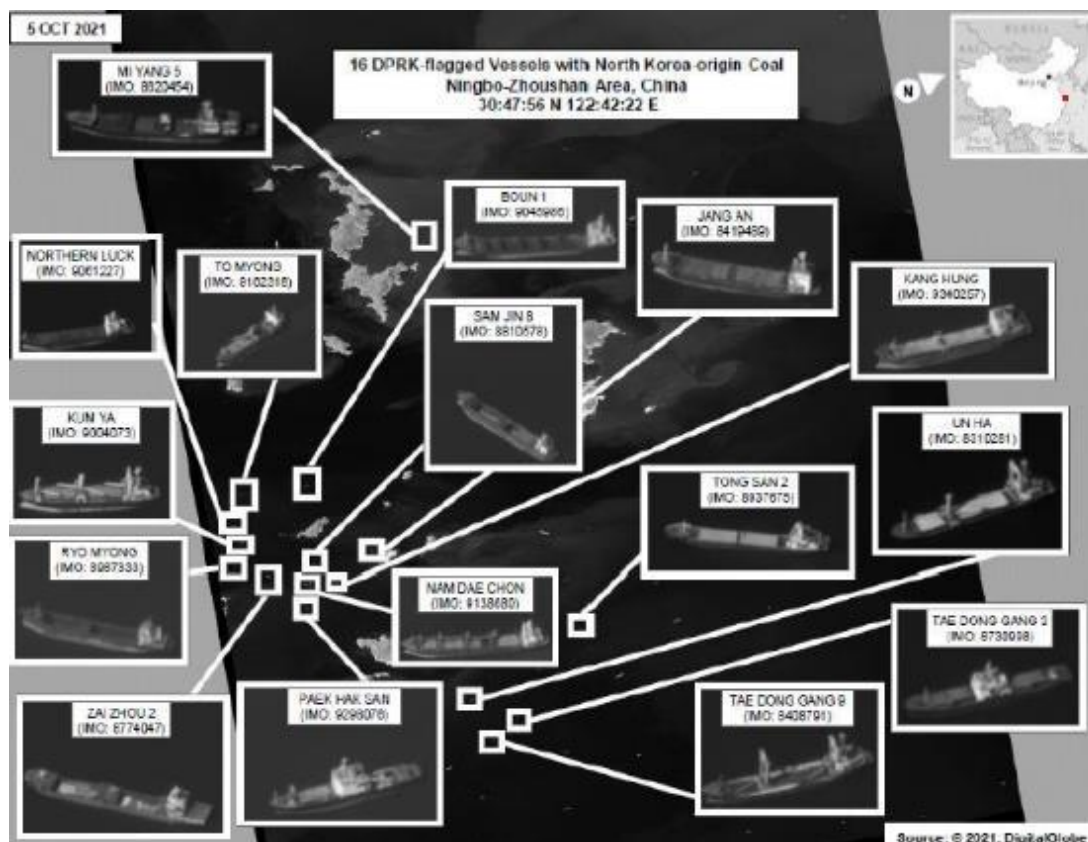
Annex 56: DPRK Coal Vessels at Ningbo-Zhoushan, China

Example: TAE DONG GANG 3 (IMO: 8730998) in Ningbo-Zhoushan waters, China, October to November 2021



Source: (top) Member State, (bottom) Windward annotated by the Panel.

Figure 56: DPRK-flagged vessels laden with coal, Ningbo-Zhoushan, 5 October 2021



Source: Member State.

The Panel sought China's assistance in providing information concerning each of the above-mentioned vessels' presence in Chinese waters, the identifiers under which they were transmitting, their cargo, any ship-to-ship transfers conducted in Chinese waters with the type and amount of cargo offloaded, the identities of the receiving vessels along with the entities and individuals that owned and operated the receiving vessels, the end destinations of the offloaded coal cargo, along with shipping documentation and financial transactions.

China responded: "There is no record of port calls in China for vessels KUM YA, HOE RYONG, FLOURISHING, MI YANG 5, NORTHERN LUCK, RYO MYONG, PEAK HAK SAN, BOUN 1, JANG AN, TONG SAN 2, TAE DONG GANG 9 and TAE DONG GANG 3 in 2021. For vessels ZAI ZHOU 2, TO MYONG, SAM JIN 8, NAM DAE CHON, KANG HUNG and UN HA, they entered Yantai port empty-loaded, and left the port after loading chemical fertilizer, pesticide and other agricultural supplies."

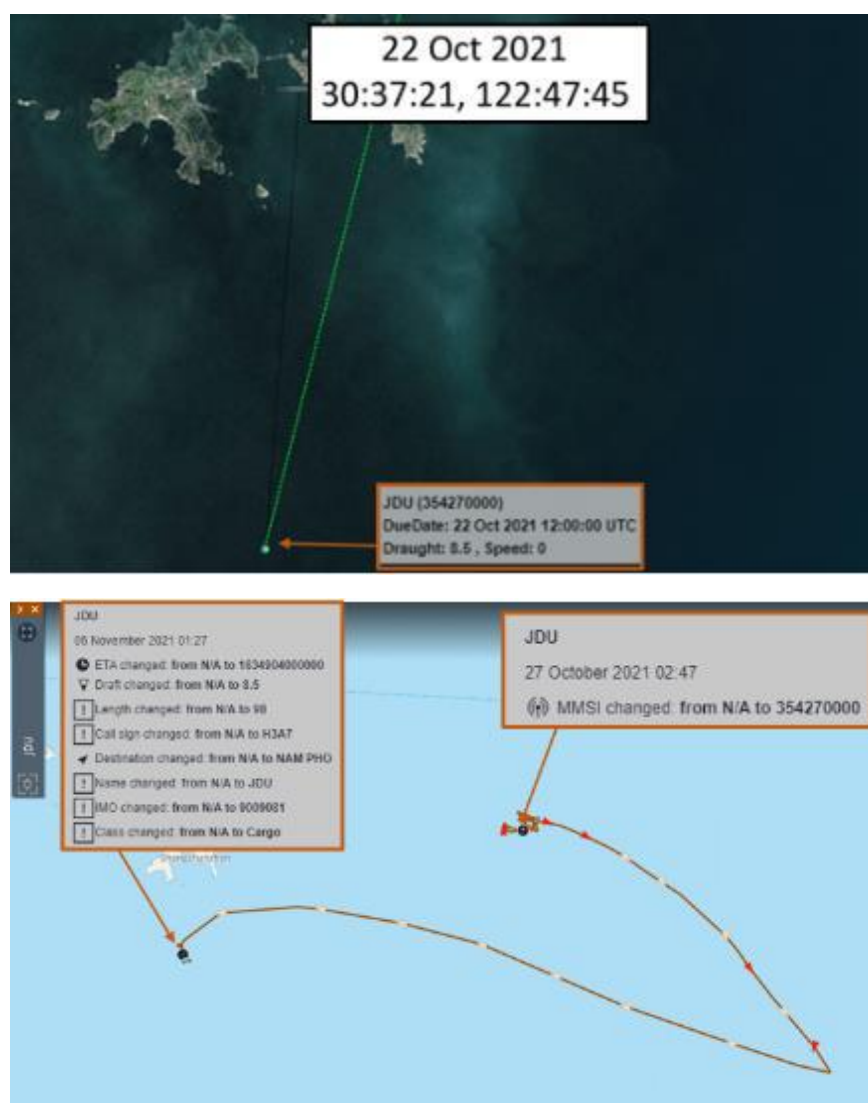
Source: The Panel.

Annex 57: DPRK coal vessels spoofing

DPRK vessels have continued to broadcast falsified identifiers while in Chinese territorial waters where they export coal. The transmission of falsified identifiers is a documented evasion method used by the DPRK and suspect vessels to conduct sanctions evasion activities.

For example, the Panel tracked a suspect vessel JDU (MMSI: 354270000) spoofing a fraudulent identifier in Ningbo-Zhoushan, October-November 2021 (see figure 57). The vessel transmitted briefly in the DPRK before appearing in Chinese territorial waters. While there, the vessel spoofed a Panama-associated MMSI that was operating in South America, along with other AIS manipulations, while reporting a destination of ‘NAM PHO’.

Figure 57: Suspect vessel transmitting as “JDU” transmitting in Ningbo-Zhoushan waters in October-November 2021.



Source: (top) IHS Seaweb; (bottom) Windward, annotated by the Panel.

*Times and dates reflected on Windward are in EST.

The Panel asked China if it had more information on the JDU, whose location, lengthy AIS gaps and fraudulent transmission of false identifiers appear as very similar signatures used by DPRK-flagged vessels to obfuscate their illicit maritime trade. China replied that “There is no record of port calls in China for *JDU* in 2021”.

The following DPRK-flagged vessels transporting coal likewise fraudulently transmitted on other identifiers while in Ningbo-Zhoushan waters:

- SU RYONG SAN (IMO: 9016430) (see annex 51);
- ASIA HONOR (IMO: 8405120);
- CHANG PHYONG (IMO: 9338981); and
- PU HAE (IMO: 9020601)

ASIA HONOR, CHANG PYONG and PU HAE are repeat offenders that had previously falsified their transmissions in Ningbo-Zhoushan waters, as illustrated in previous Panel reports. They have continued to broadcast on the same false identities in the same waters.

Storyboard of DPRK-flagged ASIA HONOR transmitting false identifiers

May 2021



June 2021



July 2021

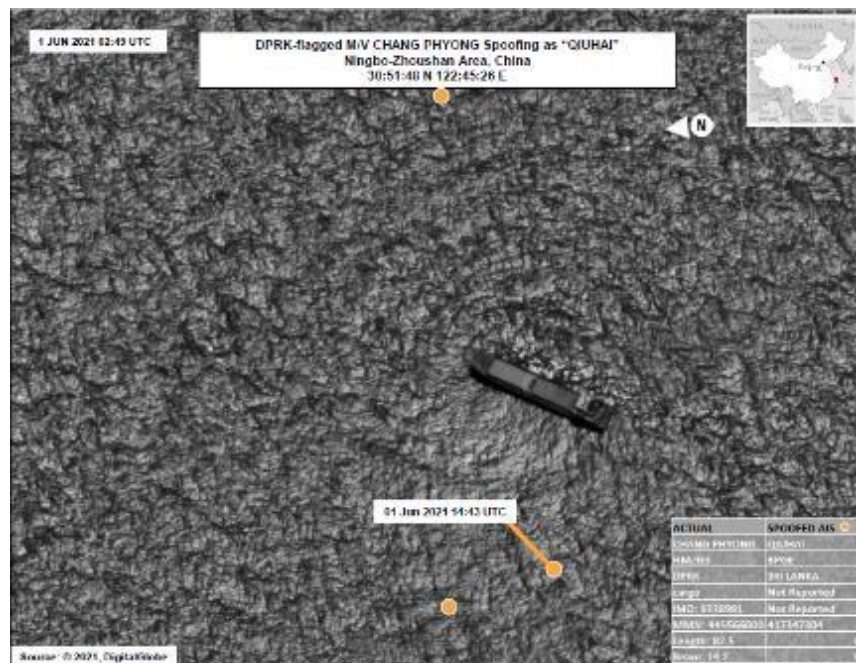
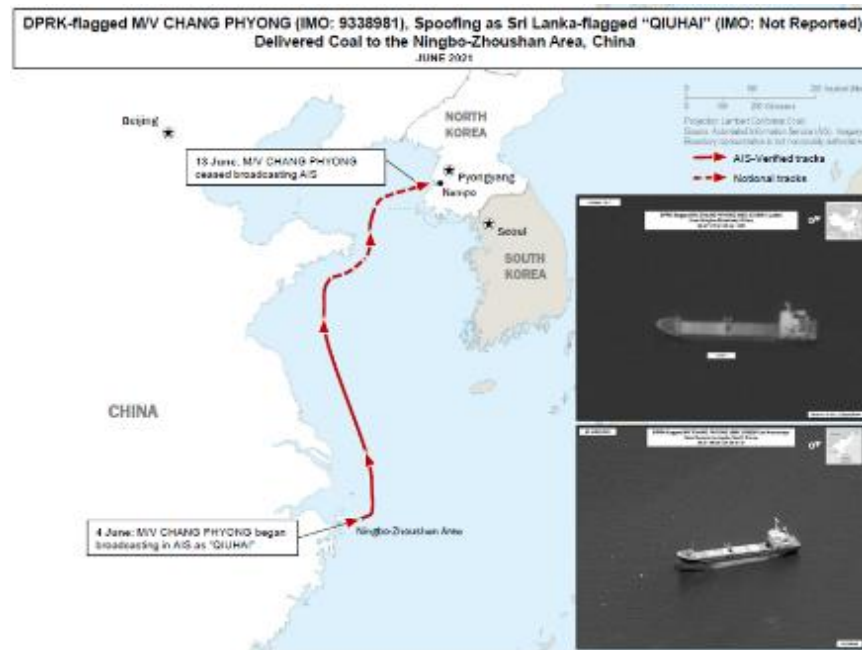


Source: Member State.

Storyboard of DPRK-flagged vessel CHANG PHYONG transmitting false identifiers

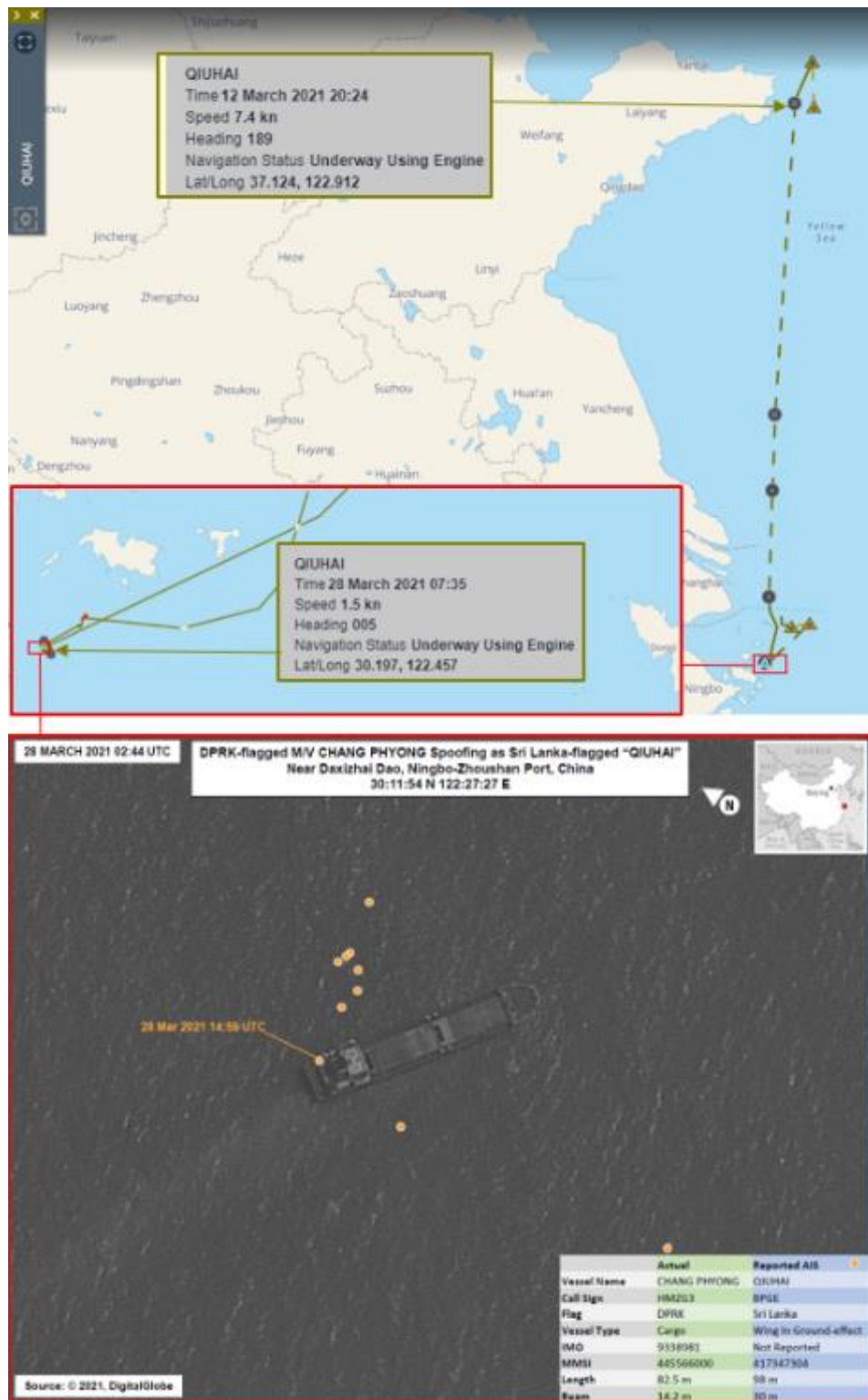
The CHANG PHYONG was reported by the Panel spoofing as the Sri Lanka-flagged QIUHAI in Ningbo-Zhoushan waters in March 2021¹¹⁹. The vessel returned to the same waters by June 2021, transmitting on the same falsified identifiers.

June 2021



¹¹⁹ S/2021/777, Annex 34.

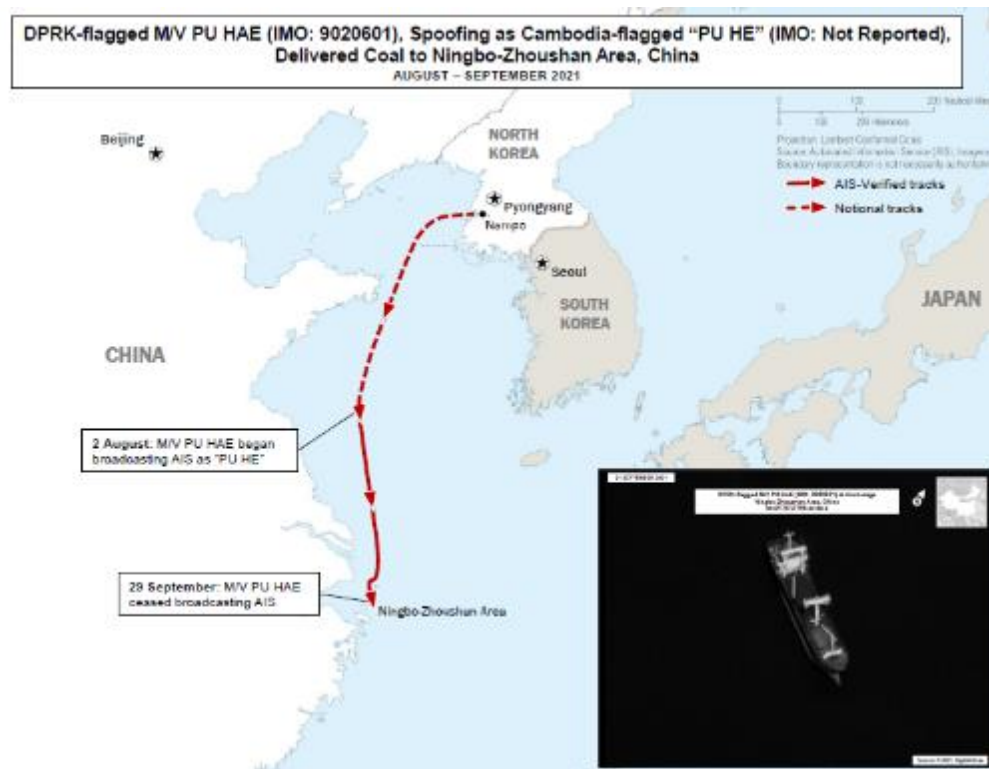
March 2021



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

Storyboard of DPRK-flagged vessel PU HAE (IMO: 9020601) transmitting false identifiers

August – September 2021



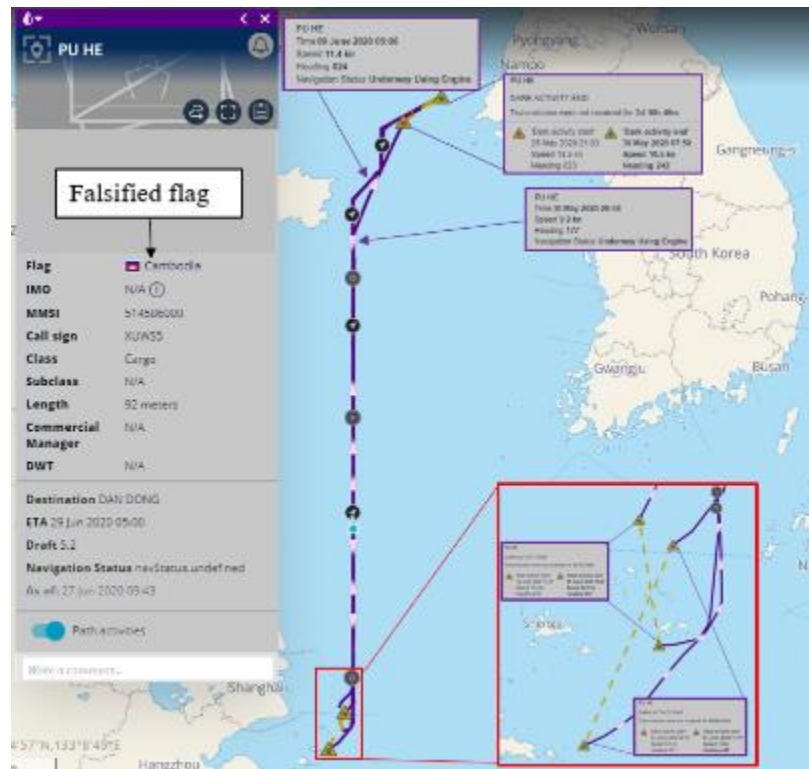
Source: Member State.

The Panel had previously tracked the DPRK-flagged PU HE, transmitting on falsified identifiers in Ningbo-Zhoushan waters in February 2020 before sailing towards the DPRK. The vessel appeared back in the Ningbo-Zhoushan area in May 2020 before sailing back towards the DPRK and repeating the voyage in June 2020.

April - May 2020



June 2020



Source: Windward, annotated by the Panel.

The Panel sought China's assistance in providing information concerning each of the above-mentioned vessels' presence in Chinese waters, the identifiers under which they were transmitting, their cargo, any ship-to-ship transfers conducted in Chinese waters with the type and amount of cargo offloaded, the identities of the receiving vessels along with the entities and individuals that owned and operated the receiving vessels, the end destinations of the offloaded coal cargo, along with shipping documentation and financial transactions.

China replied that *"There is no record of port calls in China for ASIA HONOR, CHANG PHYONG, and PU HAE in 2021."*

Source: The Panel.

Annex 58: DPRK vessels exporting coal and subsequently arriving at various Chinese ports, 2021

The Panel had reported¹²⁰ on the DPRK vessels' export of coal via ship-to-ship transfers in Ningbo-Zhoushan waters and their subsequent loading of humanitarian aid cargo at Longkou port *en route* back to Nampo port. In 2021, other DPRK vessels continued to conduct similar round-trip voyages to export DPRK-origin coal in Ningbo-Zhoushan waters before calling at Chinese ports elsewhere, in apparent contravention of OP 9 of resolution 2097 (2017).

The following DPRK-flagged vessels are suspected to have exported DPRK origin-coal in Ningbo-Zhoushan waters and subsequently called at various Chinese ports, notably Longkou port and Laizhou port, between the months of August and October 2021. They included the following vessels:

DPRK-flagged vessels that transitioned from Ningbo-Zhoushan waters to Longkou port:

- (i) SU RYONG SAN (IMO: 9016430) (see also annex 51);
- (ii) PHO PHYONG (IMO: 8417962);
- (iii) SAMJIN 8 (IMO: 8810578);
- (iv) KANG HUNG (IMO: 9340257); and
- (v) UN HA (IMO: 8310281)

DPRK-flagged vessels that transitioned from Ningbo-Zhoushan waters to Laizhou port:

- (vi) TO MYONG (IMO: 9162318); and
- (vii) NORTHERN LUCK (IMO: 9061227)

The Panel sought China's assistance in providing information concerning each of the above-mentioned vessels' presence in Chinese waters, the identifiers under which they were transmitting, their cargo, any ship-to-ship transfers conducted in Chinese waters with the type and amount of cargo offloaded, the identities of the receiving vessels along with the entities and individuals that owned and operated the receiving vessels, the end destinations of the offloaded coal cargo, the ports areas where the vessels subsequently arrived at to load cargo along with the financial or other transactions involved.

China, in response to another letter on the presence of the vessels in Ningbo-Zhoushan waters carrying DPRK-origin coal dated, responded that "There is no record of port calls in China for vessels *KUM YA*, *HOE RYONG*, *FLOURIHING[sic]*, *MI YANG 5*, *NORTHERN LUCK*, *RYO MYONG*, *PEAK HAK SAN[sic]*, *BOUN 1*, *JANG AN*, *TONG SAN 2*, *TAE DONG GANG 9* and *TAE DONG GANG 3* in 2021. For vessels *ZAI ZHOU 2*, *TO MYONG*, *SAM JIN 8*, *NAN DAE CHON*, *KANG HUNG* and *UN HA*, they entered Yantai port empty-loaded, and left the port after loading chemical fertilizer, pesticide and other agricultural supplies." On the *PHO PYONG*, China responded that the "*PHO PHYONG* entered Yantai port empty-loaded in September 2021 and left the port by loading general cargo in November 2021."

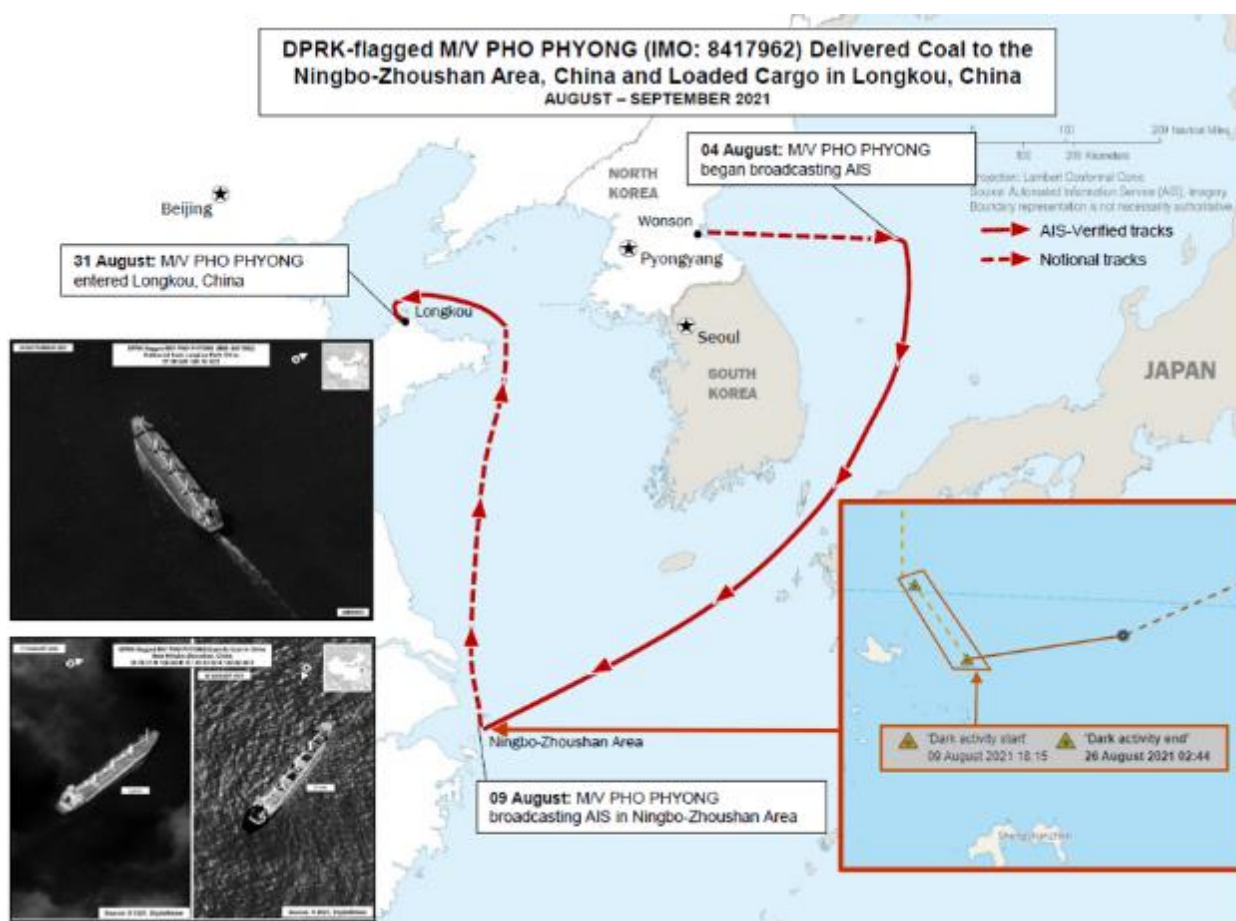
¹²⁰ S/2021/777, paras. 100-101 and S/2021/211, paras. 58, 63-64.

Ningbo-Zhoushan – Longkou port, China

PHO PHYONG (IMO: 8417962)

The DPRK-flagged PHO PHYONG departed Wonson, DPRK in early August 2021. Commercial AIS tracking information showed the vessel arrived in Ningbo-Zhoushan waters by 9 August 2021, where the vessel was observed on satellite imagery on 17 August laden. By 28 August, PHO PHYONG had offloaded its coal cargo in the same waters. The vessel then proceeded to Longkou port, China, by 16 September 2021.

The PHO PHYONG had been recommended by the Panel for designation for ship-to-ship transfer on 24 October 2018 in violation of paragraph 8 of resolution 2371 (2017)¹²¹.



¹²¹ S/2019/691, paras. 20 and 22 (c), and annex 5.



Source: Member State, (top inset map) Windward.

SAMJIN 8 (IMO: 8810578)

The DPRK-flagged SAMJIN 8 last transmitted on its own identifiers in April 2017. The vessel transmitted on a Comoros-associated MMSI prior to changing its identifier to SAMJIN 8 on 28 October 2021.

SAMJIN 8 has been the subject of past Panel reports when it was investigated for exporting DPRK-origin coal in Ningbo-Zhoushan waters in 2020, along with vessel's ownership and management history¹²².



¹²² S/2020/840, paras. 57-59 and annex 24.



Source: (top) Windward, annotated by the Panel, (bottom) Member State.

KANG HUNG (IMO: 9340257)

The DPRK-flagged KANG HUNG sailed towards Longkou port area by 9 October 2021 and was moored pier side by 25 October 2021. The vessel transmitted back at Nampo's West Sea Barrage quarantine area by 5 Nov 2021.

KANG HUNG was flagged under the DPRK as of May 2020 and was reported sold to an undisclosed buyer in July 2018¹²³. The vessel had also transmitted on its historical Jamaica-associated MMSI.



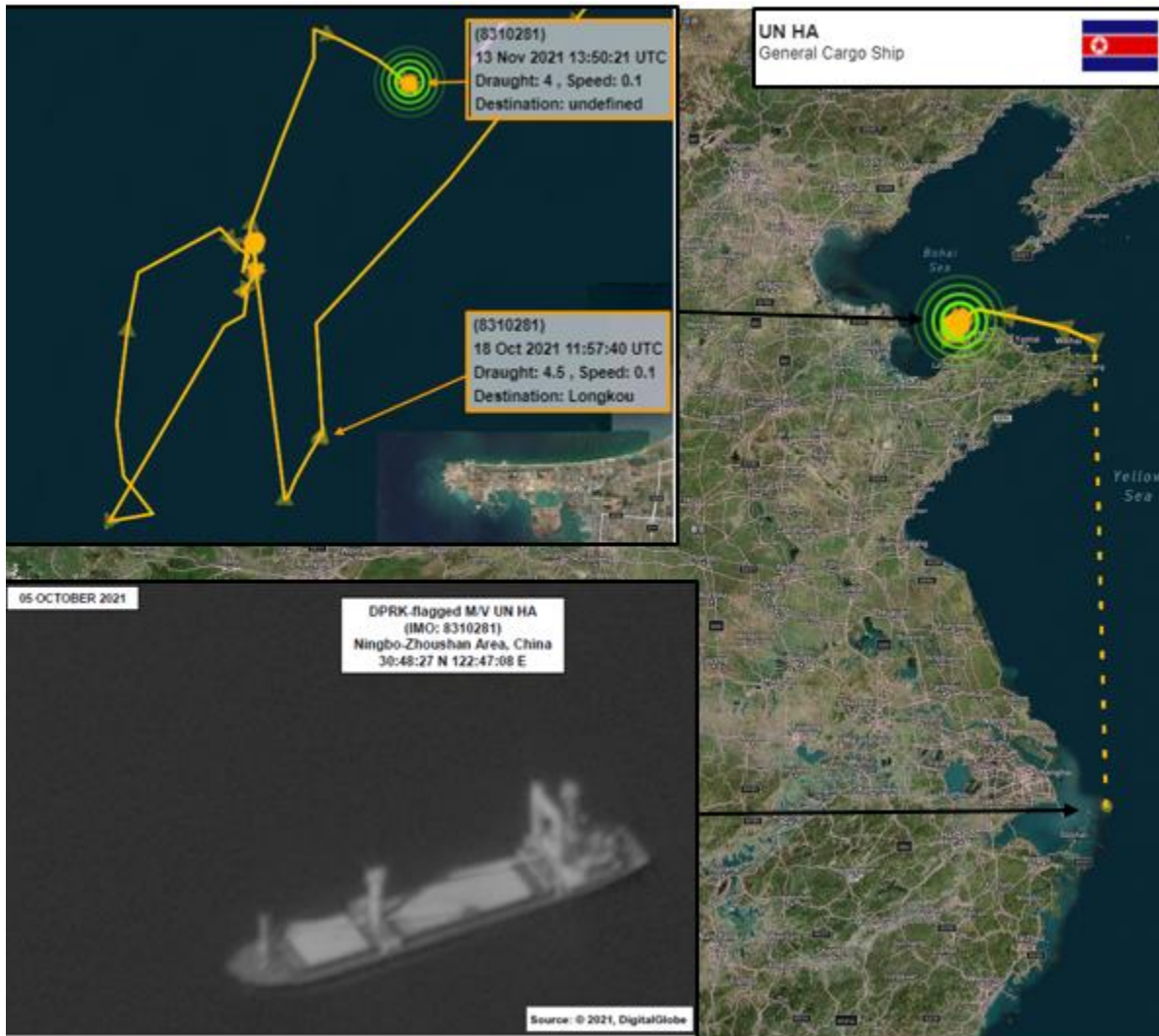
¹²³ IHS Markit.



Source: (top satellite imagery) Member State, (bottom), Windward, Google Earth and IHS Markit Sea-web, annotated by the Panel.

UN HA (IMO: 8310281)*

*The DPRK-flagged UN HA arrived by 26 September 2021 in Ningbo Zhoushan waters and was observed on satellite imagery on 5 October 2021. The vessel then proceeded to the Bohai Sea area by 18 October 2021 where it loitered off Longkou port until November 2021. It appeared the vessel may not have entered port and may have conducted ship-to-ship activity outside of port.



Source: IHS Markit Seaweb, annotated by the Panel (inset satellite imagery, Member State).

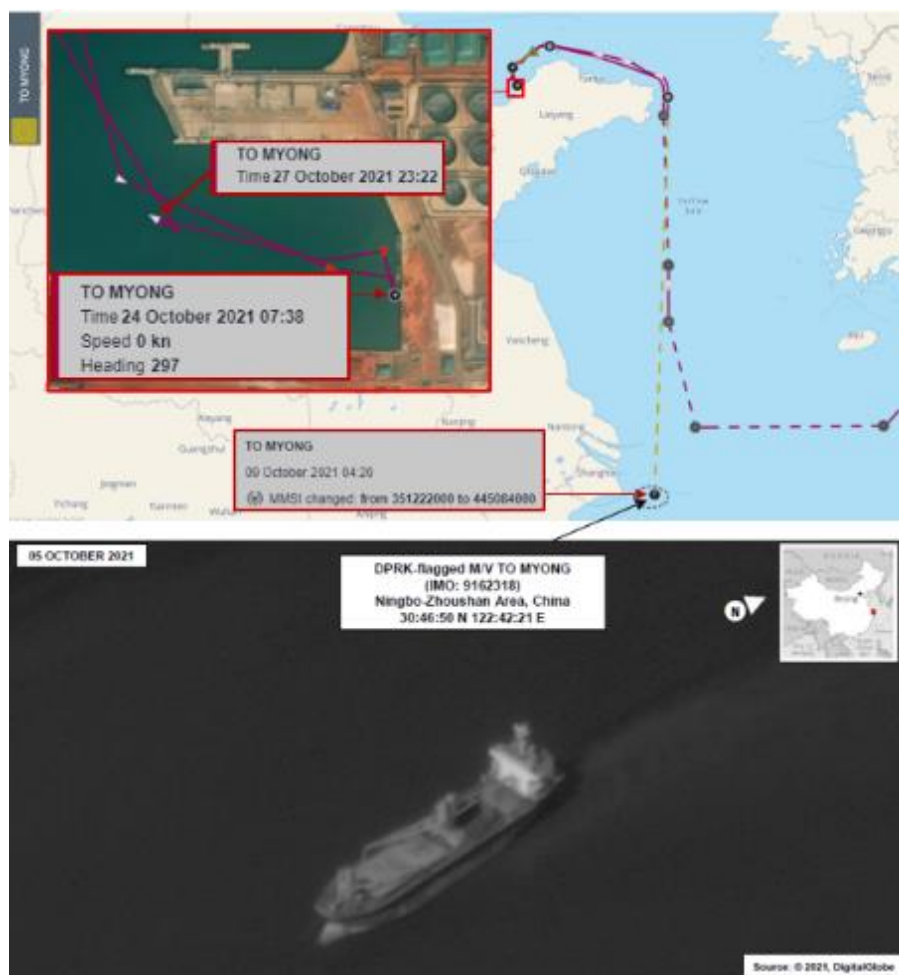
Ningbo-Zhoushan – Laizhou port, China

The following two DPRK-flagged vessels transitioned to Laizhou port, China, following their presence in Ningbo-Zhoushan waters, based on commercial maritime tracking information.

The DPRK-flagged TO MYONG was in Ningbo-Zhoushan waters by early October 2021 where it transmitted on different identifiers. The vessel dropped AIS signal on 9 October before retransmitting on 30 August as it sailed up the Yellow Sea towards Laizhou port. TO MYONG transmitted it was berthed pier side by 27 October 2021, before sailing out a day later.

TO MYONG was the formerly Sierra Leone-flagged KLAUSEN aka RI HONG, prior investigated by the Panel for exporting DPRK-origin coal in Ningbo-Zhoushan waters in 2020, along with vessel's ownership and management history¹²⁴. See also paragraph 90 of the main text and annex 50a. The Panel had recommended the RI HONG aka TO MYONG for designation pursuant to paragraph 11 of resolution 2375 (2017).

TO MYONG (IMO: 9162318)

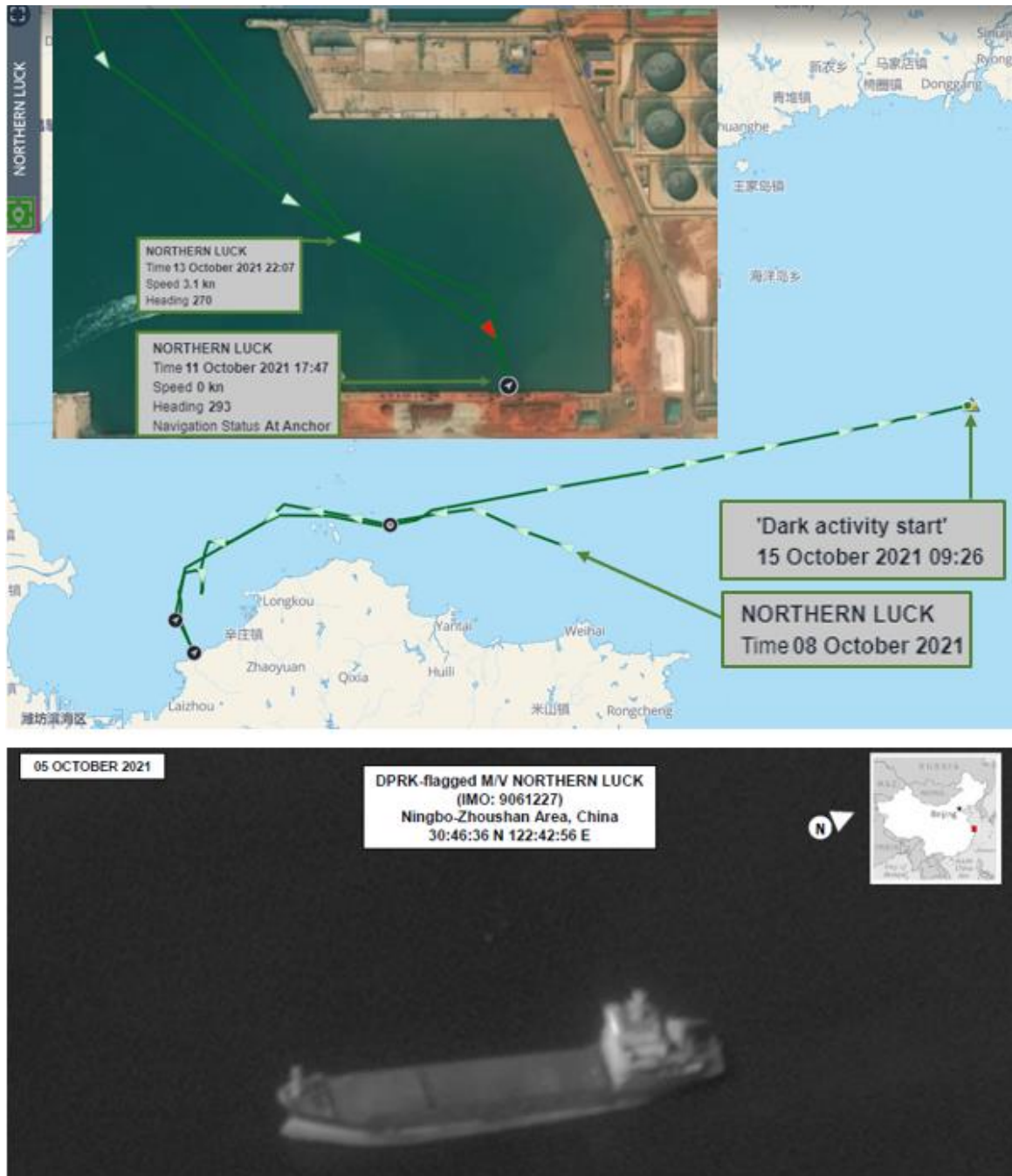


Source: (top) Windward, annotated by the Panel, (bottom) Member State.

¹²⁴ S/2020/840, paras. 57-59, 79 and annex 24; S/2021/211, paras. 70-72 and annex 38.

NORTHERN LUCK (IMO: 9061227)

The DPRK-flagged NORTHERN LUCK transmitted AIS signal on 8 October 2021 as it sailed towards Laizhou port, China. Prior to this, the vessel was at Dalian port on 10 July 2021 before it dropped AIS transmission for three months. NORTHERN LUCK transmitted it was berthed pier side by 11 October 2021, before sailing out two days later.



Source: (top) Windward, annotated by the Panel, (bottom) Member State.

Annex 59: DPRK-flagged TAE PHYONG 2 (fka MING ZHOU 6) (IMO: 8602763)

The Panel continued to track the DPRK-flagged TAE PHYONG 2 (previously MING ZHOU 6) on maritime databases.

As earlier reported¹²⁵, the DPRK acquired the vessel by late May 2020 following its sale for scrap by a Chinese company in May 2019. TAE PHYONG 2 was sold by Ningbo Shipping Co. Ltd on 14 May 2019 to a Chinese national, Su Jianpo through Zhousan Yige Ship Auction Co. Ltd. Su also signed a scrap steel ship sale contract with Ningbo Shipping Co. Ltd.

The DPRK is suspected to have acquired the vessel following a joint venture agreement with the DPRK-based Jinmyong Trading Corporation and the China-based Dandong Economic Cooperation Border Maritime Processing Company in November 2019. A second DPRK-based company, Mulgil Trading General Corporation, which has overseas offices in Dandong, China according to the same Member State, helped to facilitate the acquisition. A number of Chinese nationals are suspected to be involved in the acquisition and deliverance of the vessel to the DPRK.

China responded that¹²⁶ *“In May and June 2019, the registration of ownership and nationality certificate[s] of ‘Ming Zhou 6’ and ‘Fu Xing 12’ were cancelled, respectively. Since then, there has been no record of these vessels entering or leaving Chinese ports.”*

The Panel continues to investigate the vessel’s transition to the DPRK-flagged TAE PHYONG 2 and the individuals and entities involved in the process. The Panel continued to seek information from China on the outstanding queries with regards the vessel’s sale and purchase, individuals, entities and alleged joint venture with the DPRK.

Vessel voyage - Nampo - Longkou - Nampo

AIS data indicated that the vessel departed Nampo, DPRK, on 9 August 2021 for Longkou, China. The vessel berthed in two separate locations within the same port area in Longkou: between 13 to 21 August 2021 and between 21 to 26 August 2021, indicating a possible export and import of different cargos at the different berths. The Panel obtained satellite imagery showing the vessel with bagged cargo in its holds on 21 August 2021 (see figure 59-1). TAE PHYONG 2 was back at Nampo by 27 August 2021.

TAE PHYONG 2 was also at Longkou port earlier in the year in March 2021 (see figure 59-2).

¹²⁵ S/2021/211, paras. 70-72, and S/2021/777, paras. 80 and 102, and annex 39.

¹²⁶ S/2021/211.

Figure 59-1: DPRK-flagged TAE PHYONG 2 at different berths at Longkou port, China, August 2021

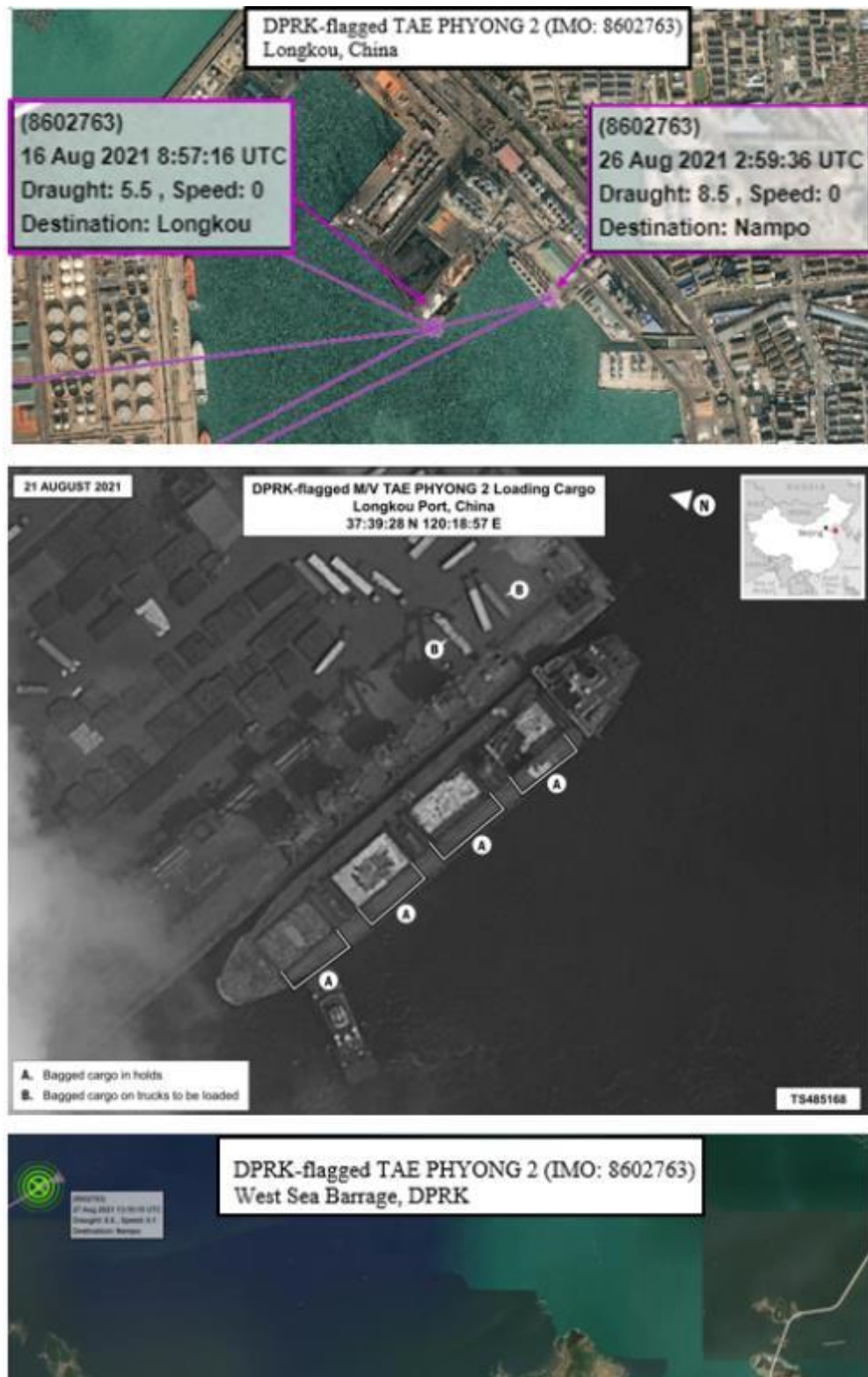


Figure 59-2: DPRK-flagged TAE PHYONG 2 Storyboard, February to March 2021



19 February 2021 – TAE PHYONG 2 laden near Ningbo-Zhoushan



8 March 2021 – TAE PHYONG 2 loading bagged cargo, Longkou port



Source: Windward, IHS Markit, Google Earth, annotated by the Panel, (satellite imagery) Member State.

The Panel sought China's assistance in providing information concerning the cargo(s) exported by TAE PHYONG 2 to Chinese port(s), the cargo(s) loaded onto the vessel, along with shipping documentation and financial or other transactions involved. China responded that the "TAE PHYONG 2 entered Yantai port empty-loaded in March and August 2021 respectively, and left the port by loading fertilizer and other agricultural supplies in the same month."¹²⁷

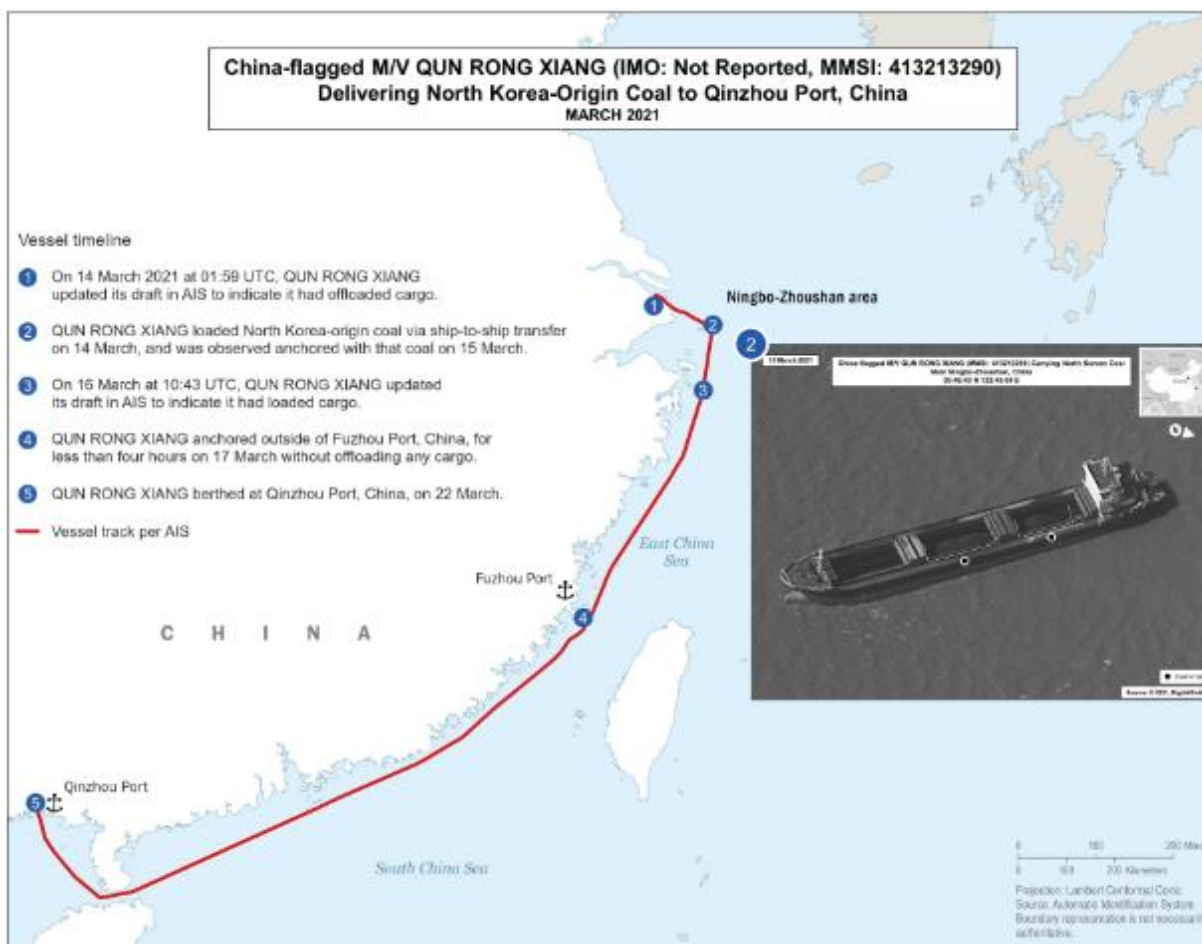
Source: The Panel.

¹²⁷ The TAE PHYONG (IMO: 9018751) and TAE PHYONG 2 (IMO: 8602763) are two different DPRK-flagged vessels. The Panel requested information on the TAE PHYONG 2 in this instance. The TAE PHYONG's last AIS transmission on commercial maritime databases was in May 2021. The Panel prior investigated the TAE PHYONG's (former GREAT WENSHAN) transition under the DPRK fleet in 2020, the vessel's subsequent and repeated transportation of DPRK-origin coal for export in Ningbo-Zhoushan waters, and its last known Chinese entities that owned and operated the vessel before it became DPRK-flagged (see S/2020/840, paras. 52-56, and S/2021/211, paras. 63-64).

Annex 60: QUN RONG XIANG (IMO: Not reported, MMSI: 413213290)

According to a Member State, the China-flagged QUN RONG XIANG (MMSI: 413213290) delivered DPRK-origin coal to Qinzhou port, China by 23 March 2021. The coal it transported was reported to have been transferred onto the QUN RONG XIANG by ship-to-ship transfer from DPKR vessels located in its vicinity on or around 14 March 2021 in the Ningbo-Zhoushan area, China (see figures 60-1 and 60-3).

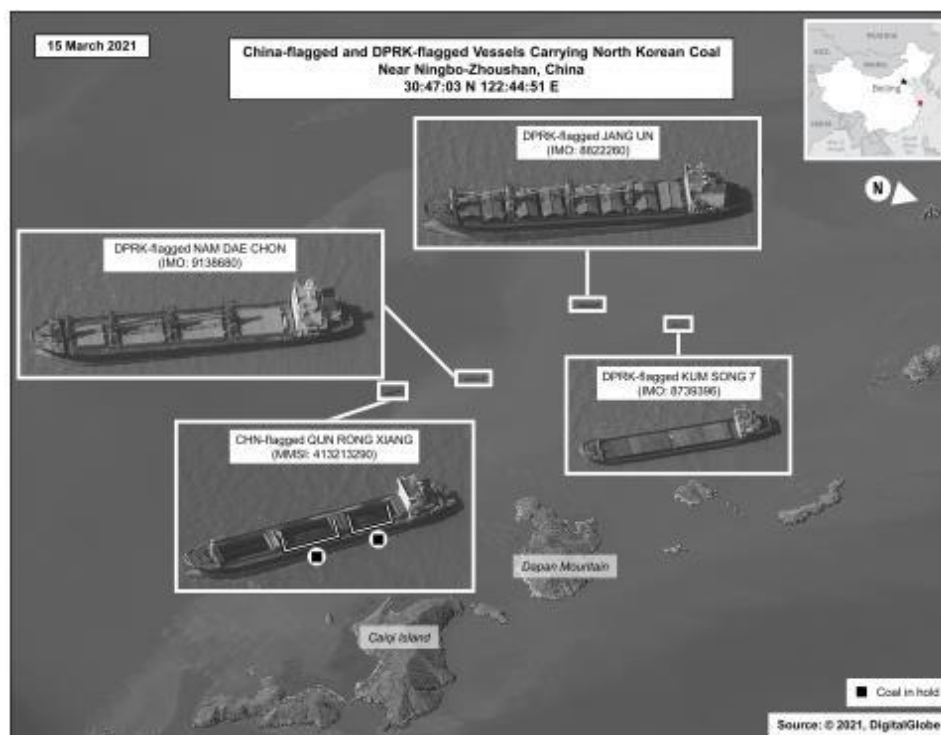
Figure 60-1: Storyboard of China-flagged QUN RONG XIANG delivery coal, Qinzhou port, China, March 2021



Source: Member State.

On 15 March 2021, the vessel was observed near three DPRK-flagged vessels just west of Caiqi Island, within Ningbo-Zhoushan Port (see figure 60-2).

Figure 60-2: QUN RONG XIANG in proximity of three DPRK vessels, Ningbo-Zhoushan, 15 March 2021



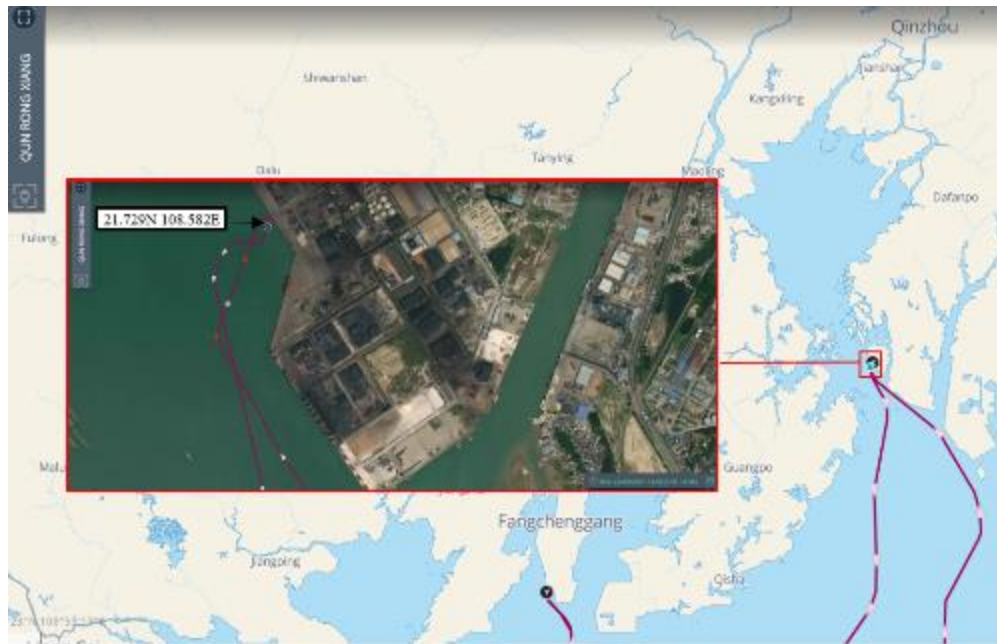
Source: Member State.

Prior to arriving in Ningbo-Zhoushan waters:

- The DPRK-flagged JANG UN (IMO: 8822260) loaded coal at Nampo Port on 16 February. The Panel has reported on the vessel's exports of DPRK-origin coal to Chinese waters dating back to 2018.
- The DPRK-flagged KUM SONG 7 (IMO: 8739396) loaded coal at Taean Port, DPRK, on 14 February 2021.
- The DPRK-flagged NAM DAE CHON (IMO: 9138680) loaded coal at Nampo Port, DPRK, on 10 February 2021. The Panel has reported on the vessel's exports of DPRK-origin coal dating back to 2018.

The Panel's information based on AIS tracking data, port analysis and information from past maritime investigations, is overall consistent with the data and information of the coal suspected to have been imported by HKGF. Based on the Panel's port analysis, on 22 March 2021, the QUN RONG XIANG berthed at Qinzhou Port's Legou Terminal, (see figure 60-3). The vessel, which sails a domestic route, registered a draft change of 7.0 to 4.0 the same day at Qinzhou port area, indicating an offload of cargo. The vessel made a number of other domestic port area calls since that date.

Figure 60-3: QUN RONG XIANG at Qinzhou port, China, 22 March 2021



Source: Windward, annotated by the Panel; Google Earth (inset satellite imagery as representative of the port location not by actual date; AIS signal overlay as on 22 March 2021).

The Panel sought China's assistance including, *inter alia*, confirmation of the Chinese vessel's identifiers, information on the vessels' activities during and around the dates of the investigative period, relevant shipping and customs documentation as it relates to the vessels' cargo, entities and individuals that owned and operated the vessels, and those that imported the coal cargo.

The Panel additionally sought confirmation of the presence of the DPRK-flagged vessels, the identifiers these vessels were transmitting, and information concerning any ship-to-ship transfers and / or cargo off-loaded from these vessels in Chinese territorial waters, shipping documentation and financial transactions, and any resulting actions taken.

China responded that ““*The investigations into ... QUN RONG XIANG are still underway, and we do not have information to share at the current stage.*”

Source: The Panel.

Annex 61: Networks

The Panel's investigations into the sale of the SU RYONG SAN (IMO: 9016430) to the DPRK, datapoints drawn from previous Panel investigations, publicly available information and information obtained, indicated that HongKong Great Fortune Development Co. Limited (香港吉運(运)發(发)展有限公司) (hereafter "HKGF"), a Hong Kong-incorporated entity was engaged in the following sanctions violation activities:

A) Vessel sale – involvement in the transition of the then Dominica-flagged vessel CJK OSAKA to DPRK-flagged vessel SU RYONG SAN (IMO: 9016430)

HKGF was listed as the last owner and operator of the vessel sailing as CJK OSAKA, before it was re-flagged under the DPRK in October 2020, sailing as SU RYONG SAN.

The Panel additionally obtained information that HKGF is alleged to have invested in DPRK ships (either through joint maintenance, operation, or other associations).

B) Import of DPRK-origin coal from a DPRK entity

HKGF is alleged to have imported into China of a total between 100,000 to 200,000 metric tons (MT) of DPRK-origin coal from the DPRK entity Yonggwang Furniture and Building Materials Corporation 영광가구건재회사 (Yonggwang Furniture Building Materials Corporation) aka 영광가구합영회사 (Yonggwang Furniture Joint Venture Company) – hereafter "Yonggwang".

C) Shipments importing DPRK-origin coal on DPRK-flagged vessels

The Panel has been tracking DPRK vessels engaged in the export of DPRK-origin coal primarily through ship-to-ship transfers in Ningbo-Zhoushan waters¹²⁸. "Yonggwang" was alleged to have agreed to ship the following to HKGF, based on information obtained from a Member State:

- DPRK-origin coal aboard the DPRK-flagged JANG UN (IMO: 8822260)¹²⁹;
- DPRK-origin coal aboard the DPRK-flagged KUM SONG 7 (IMO:8739396)¹³⁰; and
- DPRK-origin coal aboard the DPRK-flagged RYON HWA 3¹³¹ (IMO: 8312227).

All these ships have been known to off-load their coal cargo via ship-to-ship transfers in Ningbo-Zhoushan waters to Chinese coastal vessels.

While commercially available AIS data indicated the JANG UN and KUM SONG 7 had not transmitted on their AIS profiles in several years, these vessels were nonetheless captured on satellite imagery in March 2021 in Ningbo-Zhoushan waters near the QUN RONG XIANG, a Chinese cargo vessel

¹²⁸ See Sectoral and Maritime section of Panel reports. Latest Panel report is issued as S/2021/777.

¹²⁹ Containing approximately 20,000 MT of DPRK-origin coal, valued at \$88 per MT.

¹³⁰ Containing approximately 5,000 MT of DPRK-origin coal.

¹³¹ Containing approximately 6,000 MT of DPRK-origin coal.

investigated by the Panel in 2020. The Panel had withheld the said vessel's identifiers and case write up in view China's response not to include information related to the vessels, to avoid interrupting its investigations and law enforcement¹³².

The Panel also sought China's assistance, *inter alia*, into the Chinese entities and individuals arranging the DPRK-origin coal to be transferred to the QUN RONG XIANG. China responded to the Panel in 2021 that it was conducting its investigations and did not have information to share then. Further to the Panel follow up enquiry on the status of China's investigations, China responded in 2022 that it had no information on the QUN RONG XIANG.

According to commercial AIS tracking platforms, the RYONG HWA 3 had transmitted in various Chinese port areas in 2021. The vessel was reported to have offloaded DPRK-origin coal in Ningbo-Zhoushan waters, including in May 2020 (see figure 61-1). It was back in the same waters in August 2021 and was observed to have run aground in Ningbo-Zhoushan a month later in September 2021 (see figure 61-2).

Figure 61-1: RYONG HWA 3 in Ningbo-Zhoushan, 7 May 2020, and at Longkou port, 27 March 2021

May 2020 at Ningbo-Zhoushan, China



¹³² S/2021/777, paras. 96-98.

March 2021 at Longkou port, China



Source: (top) Member State and (bottom) the Panel.

Figure 61-2: RYON HWA 3 outside Nampo, DPRK in August 2021 and grounded, Ningbo-Zhoushan, China in September 2021





Source: (top) Member State, (bottom) Maxar Technologies, annotated by the Panel.

C) Barter trade in exchange for DPRK-origin coal

In exchange for the above-mentioned coal shipments, HKGF reportedly agreed to pay an advance payment and to send two shipments of fertilizer to the DPRK. The Panel notes that payment via barter is a common sanctions evasion tactic in order to avoid funds transferred recorded in the international financial system. The DPRK is further known to operate a ledger system whereby it can continue to procure items abroad, including for its prohibited missile and nuclear programs.

These shipments were conducted in two parts; one was to be transferred to the DPRK-flagged TAE YANG (IMO: 8306929), with the remaining amount transferred to another vessel before 25 March 2021.

The Panel's previous investigations show that the TAE YANG transported DPRK-origin coal for export and has also not transmitted on its AIS profile in years. The vessel has also been known to spoof other vessel identifiers in attempts to obfuscate its identity. TAE YANG was reported in 2019 MTR as having off-loaded coal on 25 Oct 2019 via ship-to-ship transfer to Lighter "D"¹³³. The said DPRK-origin coal was off-loaded at Qisha port, China, by 17 December 2019 and was recommended by the Panel for designation.

TAE YANG was formerly operated by Hua Heng Shipping Limited, which also formerly operated a number of DPRK vessels, including the KO SAN, which the Panel had reported as transporting DPRK-origin coal to Ningbo-Zhoushan waters and proceeding to pick up humanitarian aid cargo at Longkou in 2020. Hua Heng Shipping is associated with LI Anshan, an individual affiliated with Ocean Maritime Management Company Limited (OMM)¹³⁴. Ocean Maritime Management Company (OMM), inter alia,

¹³³ S/2019/691, paras. 20, 22 (d).

¹³⁴ S/2016/157, S/2017/150.

had played a key role in arranging the shipment of concealed cargo of arms and related material on-board the CHONG CHON GANG (IMO: 7937317) from Cuba to the DPRK in July 2013¹³⁵.

D) Export of UNSC-restricted and banned items to the DPRK

HKGF is also alleged to have engaged in sanctioned activities with the DPRK in 2019 and 2020, in which it had reportedly sold and shipped items, including steel, fuel, and transportation- and construction-related vehicles.

The Panel has demonstrated in its reports a continuation of unreported refined petroleum illicitly shipped to the DPRK. The Panel is also aware that the transfer of banned items and equipment including vehicles have been exported to the DPRK onboard China-flagged coastal barges in 2020.

The Panel sought extensive information from HKGF including, inter alia, the company's business activities, beneficial and shareholder information, associations with other entities of interest including DPRK linkages, shipping documentation, vessel ownership and sale, cargo and maritime trading information as it relates to the Panel's investigations.

The Panel sought China's assistance on information on the presence of all of the above-mentioned vessels in Chinese territorial waters, including the DPRK vessels, SU RYONG SAN and the grounding of RYON HWA 3, along with information Chinese authorities possess of the status of the vessel and investigations conducted into the vessel's off-loading of coal, the receiving vessels involved in the ship-to-ship transfer of the coal cargo, and the entity(s) and individual(s) engaged in the procurement process. The Panel also sought assistance on HKGF and its incorporation, the registered owner a Chinese national, Mr Li, and the beneficial owners behind the entity along with any companies also registered in mainland China. The Panel also sought updates on the China-flagged coastal barge QUN RONG XIANG that was within the vicinity of the DPRK-flagged vessels in March 2021, the entities and individuals associated with the QUN RONG XIANG, those that imported the DPRK-origin coal into China, and outcome of its authorities' investigations.

HKGF has yet to respond.

¹³⁵ S/2014/147, S/2015/131, S/2016/157.

On HKGF, China responded:

(12) OC.380

The Chinese side has no information of Hong Kong Great Fortune Development Co.,Ltd at the moment.

China has on many occasions openly reiterated its solemn position against ship-to-ship transfers and its commitment to cracking down on such violation of provisions in accordance with law, which itself serves as a deterrent to such activities. As far as we know, the DPRK-related ships coming to China are loaded with agricultural supplies and daily groceries, which are necessary for the DPRK to develop its agriculture and ensure people's livelihood. Some countries are obsessed with monitoring the DPRK's normal activities, yet refuse to make more efforts to break the stalemate in peace talks and promote the political settlement of the Peninsula issue. This is like putting the cart before the horse. We hope the Panel will have a clear understanding in this regard, and not focus on the trivial while evading the important.

At the same time, China noted with concern that the Panel have simply copied information provided by some individual countries without verification. Such information, which is seriously out of date and inaccurate, cannot offer any basis for meaningful investigation. If the information that could not be fully verified are included by the Panel into the report, it will only politicize technical issues, affect its cooperation with China, and even undermine its own credibility. We hope the Panel will be more prudent and responsible in carrying out its mandate, and not include such information in its report.

Source: The Panel.

Annex 62: List of HS codes the Panel applies for the monitoring of sectoral ban

Below is the list of HS codes assigned for each category of goods under sectoral ban by relevant UN Security Council resolutions. This list supersedes S/2018/171 annex 4 as amended by S/2018/171/Corr.1. See <https://www.un.org/securitycouncil/sanctions/1718/prohibited-items> for the complete list of prohibited goods and Implement Assistance Notes.

a. Items prohibited from being exported to the DPRK

±

Item	HS Codes	Description	Resolutions
Condensates and natural gas liquids	2709	Oils; petroleum oils and oils obtained from bituminous minerals	Para. 13 of res. 2375 (2017)
	2711	Petroleum gases and other gaseous hydrocarbons	
Industrial machinery	84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof	Para. 7 of res. 2397 (2017)
	85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers; television image and sound recorders and reproducers, parts and accessories of such articles	
Transportation vehicles ¹	86	Railway, tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signaling equipment of all kinds	Para. 7 of res. 2397 (2017)
	87	Vehicles; other than railway or tramway rolling stock, and parts and accessories thereof	
	88	Aircraft, spacecraft and parts thereof ²	
	89	Ships, boats and floating structures	
Iron, steel and other metals	Chapters 72-83		Para. 7 of res. 2397 (2017)
	72	Iron and steel	
	73	Articles of iron or steel	
	74	Copper and articles thereof	
	75	Nickel and articles thereof	
	76	Aluminum and articles thereof	
	77	Reserved for possible future use	
	78	Lead and articles thereof	
	79	Zinc and articles thereof	
	80	Tin and articles thereof	
	81	Other base metals; cermets ; articles thereof	
	82	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal	
	83	Miscellaneous articles of base metal	

¹ Pursuant to paragraph 30 of resolution 2321 (2016) and paragraph 14 of resolution 2397 (2017), States shall prevent the direct or indirect supply, sale or transfer to the DPRK, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of new helicopters, new and used vessels, except as approved in advance by the Committee on a case-by-case basis.

² Shall not apply with respect to the provision of spare parts needed to maintain the safe operation of DPRK commercial civilian passenger aircraft (currently consisting of the following aircraft models and types: An-24R/RV, An-148-100B, Il-18D, Il-62M, Tu-134B-3, Tu-154B, Tu-204-100B, and Tu-204-300).

b. Items prohibited from being imported from the DPRK

Item	HS Codes	Description	Resolutions
Coal	2701	Coal; briquettes, ovoids and similar solid fuels manufactured from coal	Para. 8 of 2371 (2017)
Iron Ore	2601	Iron ores and concentrates, including roasted iron pyrites	
Iron	Chapter 72	Iron and steel products (7201-7229)	
Iron and Steel products	Chapter 73	Iron and steel products (7301-7326)	
Gold	261690	Gold ores and concentrates	Para. 30 of 2270 (2016)
	7108	Gold (incl. put plated), unwrought, semi-manufactured forms or powder	
	710811	Gold powder, unwrought	
	710812	Gold in other unwrought forms	
	710813	Gold in other semi-manufactured forms	
	710820	Monetary gold	
Titanium	2614	Titanium ores and concentrates	Para. 28 of 2321 (2016)
Vanadium	2615	Vanadium ores and concentrates	
Rare Earth Minerals	2612	Uranium or thorium ores and concentrates [261210 and 261220]	
	2617	Ores and concentrates, [Nesoi code 261790 - Other Ores and Concentrates]	
	2805	Alkali metals etc., rare-earth metals etc., mercury	
	2844	Radioactive chemical elements & isotopes etc.	
Copper	Chapter 74	Copper and articles thereof (7401-7419)	
	2603	Copper ores and concentrates	
Zinc	Chapter 79	Zinc and articles thereof (7901-7907)	
	2608	Zinc ores and concentrates	
Nickel	Chapter 75	Nickel and articles thereof (7501-7508)	
	2604	Nickel ores and concentrates	
Silver	2616100	Silver ores and concentrates	Para. 9 of 2371 (2017)
	7106, 7107	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 (incl fish, crustaceans, mollusks, and other aquatic invertebrates in all forms)	Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates (0301-0308)	Para. 10 of 2371 (2017)
	1603	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates)	
	1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs	
	1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved	
Lead	Chapter 78	Lead and articles thereof (7801-7806)	Para. 10 of 2371 (2017)
Lead ore	2607	Lead ores and concentrates	

Textiles (including but not limited to fabrics and partially or fully completed apparel products)	Chapters 50-63		Para. 16 of 2375 (2017)
	50	Silk, including yarns and woven fabrics thereof	
	51	Wool, fine or coarse animal hair, including yarns and woven fabrics thereof; Horsehair yarn and woven fabric	
	52	Cotton, including yarns and woven fabrics thereof	
	53	Vegetable textile fibers nesoi; Yarns and woven fabrics of vegetable textile fibers nesoi and paper	
	54	Manmade filaments, including yarns and woven fabrics thereof	
	55	Manmade staple fibers, including yarns and woven fabrics thereof	
	56	Wadding, felt and nonwovens; Special yarns; Twine, cordage, ropes and cables and articles thereof	
	57	Carpets and other textile floor covering	
	58	Fabrics; special woven fabrics, tufted textile fabrics, lace, tapestries, trimmings, embroidery	
	59	Textile fabrics; impregnated, coated, covered or laminated; Textile articles of a kind suitable for industrial use;	
	60	Knitted or crocheted fabrics	
	61	Apparel and clothing accessories; knitted or crocheted;	
	62	Apparel and clothing accessories; <i>not</i> knitted or crocheted;	
	63	Textiles, made up articles; sets; worn clothing and worn textile articles; rags	
Agricultural products	07	Vegetables and certain roots and tubers; edible	Para. 6 of resolution 2397 (2017)
	08	Fruit and nuts, edible; peel of citrus fruit or melons	
	12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit, industrial or medicinal plants; straw and fodder	
Machinery	84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof	Para. 6 of resolution 2397 (2017)
Electrical equipment	85	Electrical machinery and equipment and parts thereof; Sound recorders and reproducers; television image and sound recorders and reproducers, parts and accessories of such articles	
Earth and stone including magnesite and magnesia	25	Salt; sulphur; earths, stone; plastering materials, lime and cement	
Wood	44	Wood and articles of wood; wood charcoal	
Vessels	89	Ships, boats and floating structures	

c. For paragraphs 4 and 5 of resolution 2397 (2017), the Panel uses the following HS codes. The Panel notes that annual caps are placed for the two items below.

- HS 2709 : crude oil [cap: 4 million barrels or 525,000 tons]
- HS 2710, HS 2712 and HS 2713 : refined petroleum products [cap: 500,000 barrels]

Annex 63: Comparative table of bilateral trade with DPRK: Jan-Sept 2021¹³⁶

As of January 2022
 * Unit : Thousand USD

No.	Member State (MS)	Trade Volume w/ DPRK		Restricted HS Code Trade w/ DPRK		MS's Reply
		Export to	Import from	Export to	Import from	
1	Armenia, Republic of	0	18		1(HS Code 12) 1(HS Code 84) 3(HS Code 85)	Inaccuracy of data due to technical error in the declaration of goods / origin of items are ROK and Japan
2	Barbados	200	951		22(HS Code 61) 1(HS Code 63) 581(HS Code 84) 274(HS Code 85)	
3	Belgium	0	203		15(HS Code 73)	
4	Belize		14		14(HS Code 84)	
5	Benin	0	41			Nothing Applicable / No cases
6	Bolivia, Plurinational State of	0	20			Nothing Applicable / No cases
7	Bosnia and Herzegovina	0	16		5(HS Code 84) 4(HS Code 85)	
8	Brazil, Federative Republic of	564	97	539(HS Code 2710)	2(HS Code 61)	
9	Bulgaria, Republic of	0	4		1(HS Code 85)	Technical mistake in the customs declaration / items imported from ROK
10	Cabo Verde, Republic of	0	110			Nothing Applicable / No cases
11	Cambodia, Kingdom of	453	61		41(HS Code 72)	Investigations underway
12	Canada	0	52		2(HS Code 72)	actual country the goods originated from was the ROK, and was inaccurately reported to ITC
13	Chile	36	0			Nothing Applicable / No cases
14	China, People's Republic of	151,739	33,595	2229(HS Code 2710) 48(HS Code 2712) 3292(HS Code 2713)	2442(HS Code 50) 19(HS Code 62) 11388(HS Code 72) 7(HS Code 85)	Silk (HS Code 50) is raw material not textile / Ferroalloys (HS Code 72) is different from iron and iron ore / Women's Clothing (HS Code 62) and Electrical Equipment (HS Code 85) are from ROK, mistakenly declared

¹³⁶ See para. 126 of the main text.

No.	Member State (MS)	Trade Volume w/ DPRK		Restricted HS Code Trade w/ DPRK		MS's Reply
		Export to	Import from	Export to	Import from	
15	Colombia, Republic of	21	84		3(HS Code 73) 1(HS Code 52) 8(HS Code 56) 2(HS Code 61) 36(HS Code 84)	
16	Costa Rica, Republic of	26	240			Nothing Applicable / No cases
17	Croatia, Republic of	0	16		16(HS Code 87)	Declaration error / Country of origin was ROK
18	Denmark, Kingdom of	0	99		5(HS Code 59)	Country code input error / Country of origin was ROK
19	Ecuador	0	13			Nothing Applicable / No cases
20	El Salvador	0	817		38(HS Code 84)	
21	Eswatini, Kingdom of	0	12		1(HS Code 61) 2(HS Code 84)	due to declarants inability to differentiate between DPRK and ROK / supplier was ROK
22	Ethiopia, Federal Democratic Republic of	267	1,049		562(HS Code 72) 207(HS Code 79) 51(HS Code 84) 59(HS Code 85)	
23	Fiji, Republic of	87	594	2(HS Code 84) 43(HS Code 72)	332(HS Code 72) 169(HS Code 73) 9(HS Code 55) 15(HS Code 60)	
24	Finland, Republic of	0	6			Nothing Applicable / No cases
25	Georgia	0	11			Nothing Applicable / No cases
26	Germany, Federal Republic of	16	1			Nothing Applicable / No cases
27	Greece	2	0			Nothing Applicable / No cases
28	Hungary	0	1		1(HS Code 85)	Country code input error
29	Indonesia, Republic of	0	259		5(HS Code 73) 39(HS Code 84) 30(HS Code 85)	Interpret UNSCR does not prohibit DPRK exports of items under HS Code 73 / investigations on other trade items underway
30	Italy, Republic of	0	6		1(HS Code 84)	Supplier was UK company (UK : could not identify any imports from the DPRK)

No.	Member State (MS)	Trade Volume w/ DPRK		Restricted HS Code Trade w/ DPRK		MS's Reply
		Export to	Import from	Export to	Import from	
31	Luxembourg	12	0	1(HS Code 84) 9(HS Code 85)		Encoding errors / goods were destined for the ROK
32	Madagascar, Republic of	0	176		1(HS Code 84) 3(HS Code 63)	
33	Namibia, Republic of	0	6		4(HS Code 84) 2(HS Code 85)	
34	Netherlands, Kingdom of the	413	33		1(HS Code 52)	
35	Niger	0	66		62(HS Code 85)	
36	Poland, Republic of	116	85			Nothing Applicable / No cases
37	Romania	0	1		1(HS Code 73)	Authorities have not confirmed the transfer of iron and steel products from DPRK
38	Russian Federation	0	2		1(HS Code 84)	
39	Seychelles, Republic of	0	1,156		726(HS Code 72) 11(HS Code 84)	Data inaccurate / items under HS Code 72, 84, 85 have been imported
40	Slovak Republic	0	6			Nothing Applicable / No cases
41	South Africa, Republic of	61	39	5(HS Code 84) 7(HS Code 73)	7(HS Code 56) 7(HS Code 84) 16(HS Code 85)	
42	Spain	256	68	231(HS Code 84) 2(HS Code 85)	1(HS Code 58) 40(HS Code 84) 26(HS Code 85) 1(HS Code 63)	
43	Thailand, Kingdom of	1,637	78	2(HS Code 74)	19(HS Code 84) 12(HS Code 85)	Some declaration forms were mis-filed as the country of destination and origin to/from the DPRK, but are now amended
44	Turkey, Republic of	49	538		41(HS Code 72) 10(HS Code 73) 45(HS Code 84) 212(HS Code 85) 187(HS Code 55)	Inadvertent errors during declaration / country of origin was other countries such as the ROK
45	United Kingdom of Great Britain and Northern Ireland	0	1536		5(HS Code 73) 1503(HS Code 84) 9(HS Code 85)	Inaccurate submission of country code / all trade confirmed to be with the ROK
46	Zambia, Republic of	1085	5585	1085(HS Code 84)	13(HS Code 84) 19(HS Code 85)	
Total		157,040	47,765			

Annex 64: Country Codes

‘Country Codes’ are officially referred to as UN/LOCODE¹³⁷ when it comes to trade activities. UN/LOCODE is used to identify locations in a unique and unambiguous way for international trade. It is a five-character code system in which the first two-character is for country/territory code based on ISO 3166-1 and the last-three code represents the location.

ISO 3166-1 is maintained by the ISO 3166 Maintenance Agency (MA). A request for a new code or a modification is usually submitted by Governments to the MA. Then a ballot will be conducted by the MA to decide whether to approve the request.

UN/LOCODE directory is updated every six months, which includes over 100,000 entries. It is impossible to ensure data quality without knowledge and expertise from the country concerned.

A UN/LOCODE Focal Point Network was created by encouraging Governments to nominate a National Focal Point (NFP). These NFP’s work to validate all requests for his/her country. This is to avoid that wrong code location are entered into the database.

There are no NFPs either for the DPRK or the ROK.

¹³⁷ See <https://unece.org/trade/cefact/unlocode-code-list-country-and-territory> for details.

Annex 65: Glocom Case

In 2017, the Panel stated that Glocom was a Malaysia-based company which advertised and sold radio communications equipment for military and paramilitary organizations.

Glocom is a front company of the Democratic People's Republic of Korea company Pan Systems Pyongyang Branch (Pan Systems Pyongyang), operated by the designated Reconnaissance General Bureau (KPe.031), the country's premier intelligence agency.¹³⁸

The Panel continues its investigation on Glocom since 2017. Glocom's new product categories have increased.¹³⁹ Since 2017, the Panel has communicated several times with the Malaysian authorities on Glocom issues and has taken note of the declaration by Malaysia's police chief that local firms linked to Glocom were being "struck off" and that authorities were doing all they could to "comply with international regulations with regards to related sanctions."

According to information from a Member State, Pan Systems Pyongyang continues to operate, and utilizes a number of front company names when purchasing radio components for the production of military radios in order to evade sanctions and disguise the true destination and purchaser of the components.

The Panel's investigation continues.

¹³⁸ S/2017/150, paras. 77,79 and 85.

¹³⁹ Glocom offered seven radio systems in February 2020, but that number had increased to 11 in February 2021. The company added another military radio system to its webpage in July 2021. Likewise, new command and control products have appeared on the Glocom website in 2021, as well as new radar systems and battlefield accessories.

Annex 66: Reply of Uganda



REPUBLIC OF UGANDA

PERMANENT MISSION OF THE REPUBLIC OF UGANDA TO THE UNITED NATIONS

UGANDA HOUSE
336 EAST 45th STREET
NEWYORK, N.Y 10017-3489
Tel: (212) 949-0110
Fax: (212) 687-4517
E-mail: admin@ugandaunny.com

Our Reference: **UN-NY/TECH/38**

26 July 2021

Dear Mr. [REDACTED]

I wish to refer to your letter Ref. S/AC.49/2021/PE/OC.81 dated 28 May 2021 regarding the Panel's investigations arising from the documentary "The Mole: Undercover in North Korea".

This is to inform you that investigations by the relevant government agencies are still ongoing, though delayed due to lockdown measures to mitigate the COVID-19 pandemic in Uganda.

The Government of Uganda reiterates its cooperation with the Panel and as soon as the investigations are completed, the Committee will be updated.

Please accept the assurances of my highest consideration.

Ambassador Adonia Aycbare
Permanent Representative

Mr. [REDACTED]

Coordinator of the Panel of Experts established
pursuant to Security Council Resolution 1874 (2009)
New York



REPUBLIC OF UGANDA

PERMANENT MISSION OF THE REPUBLIC OF UGANDA TO THE UNITED NATIONS

UGANDA HOUSE
336 EAST 45th STREET
NEW YORK, N.Y. 10017-3480
Tel: (212) 949-0110
Fax: (212) 687-4517
E-mail: admin@ugandaun.org

Our Reference: **UN-NY/TECH/38**

13 September 2021

Dear Mr. [REDACTED],

I wish to refer to your letter Ref. S/AC.49/2021/PE/OC.81 dated 28 May 2021, regarding a documentary "The Mole: Undercover in North Korea".

The investigations are still ongoing; however, a preliminary investigations report has been issued by the Government of Uganda as follows:

1. The documentary (video) was downloaded and analyzed, showing four Ugandans who appeared therein identified as Magala Moses who is former Senior Government Valuer, Muzoora Jude who is a real estate agent, Nagimesi Bob who is a lawyer and Twine Warren, a former Court Bailiff and a representative of the Island owner. They were summoned to help with the investigations.
2. Communication between Magala Moses and a representative of the "Norwegian Royal Family" a one Bjarte M. Tveit was retrieved and analysed. Another communication between Muzoora Jude and a representative of the "Norwegian Royal Family" a one Bjarte M. Tveit was retrieved too and analyzed.
3. It is established that the land referred to is called Buziri Island in Buvuma District situated on Block 66 Plot 1 owned by Fredrick Ssempebwa, who instructed Twine Warren to look for buyers in 2017.
4. Twine Warren contacted Muzoora Jude (real estate agent) to look for buyers. Muzoora then through a website www.privateislandinc.com that does online marketing for different Islands, uploaded the details of Buziri Island on the website in order to get potential buyers.
5. Muzoora Jude through a website, www.privateislandinc.com connected Larsen Ulrich a Norwegian National who had expressed interest in buying the Island. He was willing to physically visit Uganda with a team to inspect the Island.

6. Larsen Ulrich came to Uganda with his team as potential buyers and held meetings in Uganda in August 2017 in Serena Hotel Kampala. They introduced themselves to be from the Norwegian Royal Family, during the meetings with Magala Moscs, Muzoora Jude, Nagimesi Bob (Counsel) and Twine Warren. Larsen Ulrich and his team visited the Island and had cameras that they used to take photographs all the time.
7. Larsen and his team expressed interest in buying the Island, but nothing was documented during the meetings. Nagimesi Bob was tasked to finalize the documentation.
8. Larsen Ulrich and his team promised to come back to Uganda, which promise has not been fulfilled. They never revealed their true identity and intentions.
9. It became clear that Ulrich Larsen joined an organisation called the Danish Friends of North Korea and later an International Organisation called Korea Friendship Associations (KFA). He is the 'Mole' undercover operative within the 'KFA', who was working with Bjarte M. Tveit and others on an undercover investigation into sanctions breaking by the Government of North Korea.

Please accept the assurances of my highest consideration.



Ambassador Adonia Ayebare
Permanent Representative

Mr. [REDACTED]
Coordinator of the Panel of Experts established
pursuant to Security Council Resolution 1874 (2009)
New York

Annex 67: “The Mole” and Cambodia

The Panel continued to investigate the documentary film “The Mole: Undercover in North Korea” released in October 2020, which suggested that international arms dealers from the Democratic People’s Republic of Korea and nationals of a European country discussed a quotation for weapons and how to complete an arms sales contract during meetings in Phnom Penh in 2017.

The documentary suggested that the arms sales were never realized.¹⁴⁰ Upon the first response from Cambodia, the Panel continued to ask Cambodia to provide more detailed and specific information. It has yet to receive a reply.

¹⁴⁰ S/2021/211, para. 90.

Annex 68: Military Cooperation with the DPRK

Bolivarian Republic of Venezuela

The Panel continued to investigate possible military and technological cooperation between the Bolivarian Republic of Venezuela and the DPRK.

According to a media report, the President of the National Constituent Assembly of the Bolivarian Republic of Venezuela signed a series of agreements pledging military and technological cooperation during a visit to the Democratic People's Republic of Korea in September 2019.

In response to the Panel's enquiry, the Bolivarian Republic of Venezuela replied that: [The Bolivarian Republic of Venezuela] expresses its serious concern at the decision of the Panel to initiate an official investigation on the basis of information from 'a media report'; namely, one single source ... particularly taking into account the fact that there is no single agreement between [the Bolivarian Republic of Venezuela] and the DPRK on military and technological cooperation".¹⁴¹

The Panel continues to request further clarifications from the Bolivarian Republic of Venezuela but has not yet received a reply.

Somalia

According to reporting by the Panel on Somalia dated 28 September 2020 (S/2020/949), four 60 mm mortar rounds were fired by Al-Shabaab on 17 February 2020 in the direction of the United Nations compound within Aden Adde International Airport.

Based on an analysis of the tail fins, the Panel noted that the mortars had been produced by multiple manufacturers. The Panel further noted one had characteristics consistent with a 60 mm HE type 63 mortar round manufactured in the Democratic People's Republic of Korea.¹⁴² The Panel continues to request further clarifications from Somalia and has yet to receive a reply.

¹⁴¹ S/2021/211, para. 94.

¹⁴² S/2021/211, para. 93.

Annex 69: Judgement Summary on Chan Han Choi ¹⁴³ (North South Wales Supreme Court, Australia)



Judgment Summary Supreme Court New South Wales

R v Choi (No 10) [2021] NSWSC 891

Adamson J

Following his plea of guilty to an amended indictment, Chan Han Choi, aged 62, was convicted of two offences involving breach of sanctions imposed against the Democratic People's Republic of Korea (North Korea). Count 1, which related to brokering services provided by Mr Choi to entities in North Korea with respect to the sale of North Korean military equipment and the purchase of Indonesian petroleum products, was an offence against s 27(1) of the *Charter of the United Nations Act 1945* (Cth). Count 2, which related to the sale of North Korean coal to entities in Indonesia, was an offence against s 16(1) of the *Autonomous Sanctions Act 2011* (Cth). The maximum penalty for each offence is 10 years' imprisonment.

Mr Choi was sentenced to a term of imprisonment for a total of 3 years and 6 months. His sentence commenced on 16 December 2017, which was the day of his arrest. He spent almost 3 years in gaol on remand before he was released on strict conditions of bail to enable him to prepare for his trial, which commenced on 3 February 2021. As the sentence has now expired, no non-parole period was specified.

Mr Choi's plea of guilty to a fresh indictment was entered a week after his trial by jury had commenced. The original indictment presented at the commencement of the trial included two charges that he had provided services believing or suspecting on reasonable grounds that the services would or may assist in a weapons of mass destruction program. These charges were withdrawn and were not included in the fresh indictment to which Mr Choi pleaded guilty.

Mr Choi was born in South Korea, where he qualified as a civil engineer. He migrated to Australia in 1987 and became an Australian citizen in 2001. He pleaded guilty on the basis of agreed facts which included that none of the transactions had concluded. Some transactions were deferred because of concerns arising from increased international surveillance of sanctioned trade with North Korea following missile testing by North Korea in August 2017. Others did not go ahead by reason of Mr Choi's arrest on 16 December 2017.

Adamson J stressed the importance of the criminal law in punishing and deterring breaches of sanctions by individuals whose conduct would otherwise undermine the international pressure which the sanctions were designed to exert. However, her Honour noted that Mr Choi's conduct was confined to a few transactions which did not go ahead. Further, the military equipment which he had brokered was limited to Man-Portable Air Defence systems, which are small surface to air missiles, and Tactical Inertial Measurement Units, which are used by objects in flight for military and civilian purposes. Adamson J rejected the Crown's

¹⁴³ Chan had contacts with Sudan's Military Industry Corporation, an associate of Sudan Master Technology Engineering Company which was involved in missile military cooperation projects with DPRK's Korea Mining Development Trading Corporation (KOMID) ([S/2019/171](#), para. 84).

submissions that Mr Choi was involved in providing brokering services for inter-continental ballistic missiles. Her Honour considered that the documents discovered when a search warrant was executed at Mr Choi's home in Eastwood, Sydney were the result of his interest in North Korea's military capability and were not related to his brokering service.

Although Mr Choi had, at times, professed a close relationship with Kim Jong-Un, Adamson J held that these statements were, as Mr Choi admitted in his evidence, false and were a product of his tendency towards grandiosity. Adamson J accepted that Mr Choi was contrite and that his prospects of re-offending were low.

Adamson J found that Mr Choi had two motives: he wanted to help the people of North Korea, against whom he believed international sanctions operated unfairly, as well as to earn money.

Source: New South Wales Supreme Court Caselaw website.

Annex 70: New Investigation Results on Mercedes Benz Vehicles Supplies¹⁴⁴

The Italian company European Cars & More (with which the Panel have had correspondence concerning the transit of two Mercedes-Benz S-Class 600 Sedan Long Guard VR9 vehicles in 2018 from Italy) have informed the Panel in 2021 that it also sold in 2018-2019 three other vehicles- Mercedes S600 Guard, a S650 Maybach and a S600 Pullman to LS Logistica & Spedizioni S.R.L.C. - the same company that was involved in illegal delivery of the first two Mercedes Guard vehicle.¹⁴⁵

European Cars & More informed the Panel about the “*complaint of termination of movement with PRA of January 10, 2020*”, meaning, that Italian registration authority deregistered these three cars.

However, there are no more details available concerning further movement of these cars. See annex 71 for European Cars & More’s reply.

Italy has informed the Panel that these three cars were resold “*within and outside Europe*” and their location was not determined.

Italy further replied to the Panel’s enquiry: “...*verifications made through Italian Customs Agency databanks reveal no customs operation that can be traced back to the vehicles in question. Further verifications have been initiated...*”.

¹⁴⁴ For previous investigation results see S/2021/211, para. 155; S/2019/691.

¹⁴⁵ S.2021/777, paras. 145-156.

Annex 71: European Cars & More's reply

Avv. Paola Zulli

*Patrocinante dinanzi alle Magistrature Superiori
Via Pietro Pollidori n°4 - 66034 Lanciano (CH)
tel. 0872.711778 pers. 339-6086512
p.iva: 02138420696 - c.f.: ZLLPLA77A55E435Z*

*zullipaola@gmail.com
zullipaola@pec.giuffre.it*

Lanciano, 15 december 2021

Via e-mail to [REDACTED]
[REDACTED]

Via mail to [REDACTED]
[REDACTED]

Subject: S/AC.49/2021/PE/OC.58 -

S/AC.49/2021/PE/OC.259

Dear [REDACTED]

We are writing to respond to your latest communications of March 30, 2021 and of September 30, 2021 in which you request us to cooperate by providing information and documentation relating to other vehicles sold to Logistics & Shipping LS. This request is based on information that we have provided to the Panel in previous communications, in a spirit of cooperation and total openness to the facts.

With the purpose to cooperate with you in the best possible way, as we have done from the beginning, we would like to try to better understand certain passages of the matter that concerns us.

In order to be able to better comprehend the whole issue, in fact, we have taken the liberty of making a reconstruction of the Reports published by the United Nations Security Council Panel of Experts Established Pursuant to Resolution 1874 (2009) between August 30, 2019 and March 3, 2021, analysing the contents and the photos reported therein. This is also to realize the reasons for the unreasonable commercial blockade imposed on us by the Daimler Group, formally linked to contractual matters and based on information that we provided to the Panel in a spirit of cooperation.

Right from the start (Report S/2019/691 dated August 30, 2019), Daimler confirmed to the Panel that the images shown to them "were of vehicles produced by the company, with modifications by another party" (images that we probably have not seen, because the one shown in your communication dated April 29, 2020, was "for demonstration purposes only"). And it immediately

withdrew from all responsibility, stating that *"it had complied with all relevant applicable embargoes and did no business with the Democratic People's Republic of Korea"*.

We believe, therefore, that we need to better comprehend whether the reality of the facts, as reported by you, may not have been misled, unconsciously or otherwise, by the indications given to the Panel by Daimler.

In fact, from what we have read, it would seem that we have somehow been caught up in the middle by Daimler. And that to a certain extent it seems willing to let us to fulfil the role of "sacrificial victim" for the whole affair, leaving the other parties involved unscathed. Indeed, in subsequent reports it does not appear that any further information is being requested from Daimler.

This leads us to believe that the indications provided by the Daimler Group may perhaps be somewhat obstructive to the reality of the facts and to the reconstruction of the whole affair, aiming more to keep the company unharmed than to pursue the truth of the facts.

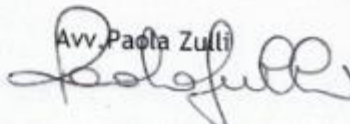
We would therefore like to ask you for more information on the Panel's relationship with Daimler, so that we can cooperate constructively in the objective reconstruction of the matter.

We reiterate, in any case, our willingness to collaborate with the Panel for a faithful reconstruction of the truth of the entire matter under investigation.

But, we have another huge problem that arises from your investigation: **for months our transfers from Italy to foreign countries have been blocked by the Bank of America due to internal policy.**

Since the activity of European Cars & More srl is mainly focused on exports and imports, I ask the Panel to definitively clarify the extraneousness of my Client extraneousness to the investigation on trade relations with North Korea, and to communicate it to the institutions, including Bank of America, in the next seven days.

Kind regards,

Avv. Paola Zulli


Annex 72: Images of Mercedes-Benz SUV used by DPRK



Source: The Panel.



Source : NK News.

Annex 73: Investigation on KOMID-related Cases**Kil Jong Hun**

The Panel has received information from a Member State that there is an ongoing relationship between Equatorial Guinea and KOMID. As of 2021, this relationship includes potential Equatoguinean procurement of items from KOMID, including shipments of defence and/or military technology items.

According to the information, Kil Jong Hun, who also goes by the name Ri Yang Chun, is a KOMID representative based and operating in Equatorial Guinea. Kil travels using a DPRK diplomatic passport. The Panel asked Equatorial Guinea about these issues but has yet to receive a reply.

Ri Hyong Thae

The Panel is investigating a DPRK national, Ri Hyong Thae, who is believed to continue to travel internationally in connection with arms-related activity and in the company of other individuals designated by the 1718 Sanctions Committee. Ri has served with KOMID and KOMID-associated companies in Cuba, Iran and Malaysia in the past, and travelled widely using the DPRK diplomatic passports. The Panel requested further information about Ri from the United Arab Emirates and received a copy of Ri's passport (see annex 74 or Ri's passport copy).

A Member State informed the Panel that Ri arrived and departed Singapore on the same day in June 2004 under passport number 554132407 and that there were no travel record to the passport number 827310102.



Annex 75: List and Copies of Sok Kha's Passports

Passport List

បញ្ជីលិខិតឆ្លងដែន

លរ	លិខិតឆ្លងដែនលេខ	ប្រភេទ	ផ្តល់នៅថ្ងៃ	ផុតកំណត់នៅថ្ងៃ	អាជ្ញាធរផ្តល់
1	AA0000980	ការទូត	04/11/2020	04/11/2025	ក្រសួងការបរទេស និងសហប្រតិបត្តិការអន្តរជាតិ
2	D0004492	ការទូត	09/04/2018	09/04/2021	ក្រសួងការបរទេស និងសហប្រតិបត្តិការអន្តរជាតិ
3	N00540807	ធម្មតា	11/07/2016	11/07/2026	ក្រសួងមហាផ្ទៃ
4	N1422669	ធម្មតា	08/04/2013	08/04/2016	ក្រសួងមហាផ្ទៃ
5	D0000803	ការទូត	30/01/2012	30/01/2015	ក្រសួងការបរទេស និងសហប្រតិបត្តិការអន្តរជាតិ
6	N0675876	ធម្មតា	29/04/2009	29/04/2012	ក្រសួងមហាផ្ទៃ
7	N0397996	ធម្មតា	18/11/2005	18/11/2008	ក្រសួងមហាផ្ទៃ
8	N0292886	ធម្មតា	19/02/2004	19/02/2007	ក្រសួងមហាផ្ទៃ
9	N0256027	ធម្មតា	12/06/2003	12/06/2006	ក្រសួងមហាផ្ទៃ
10	N0158174	ធម្មតា	18/07/2001	18/07/2004	ក្រសួងមហាផ្ទៃ

No. AA0000980

No. D0004492



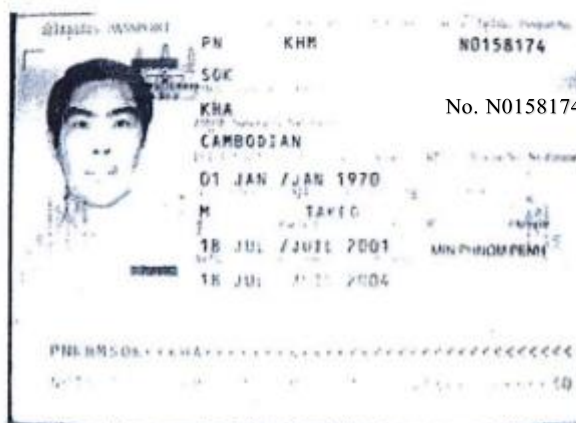
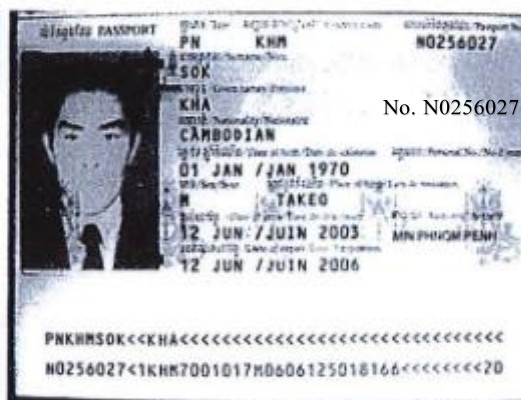
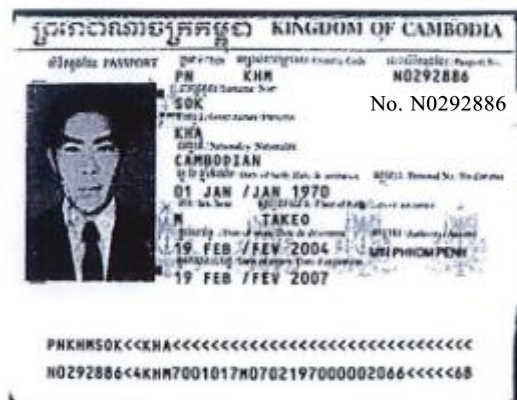
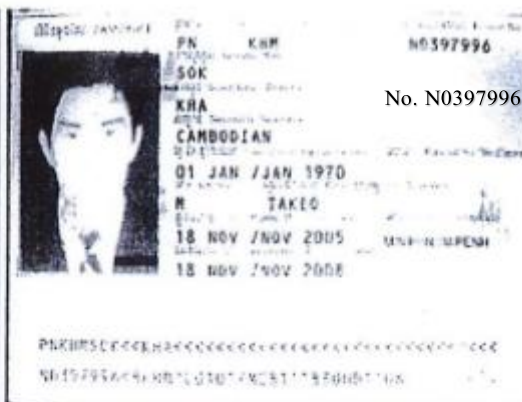
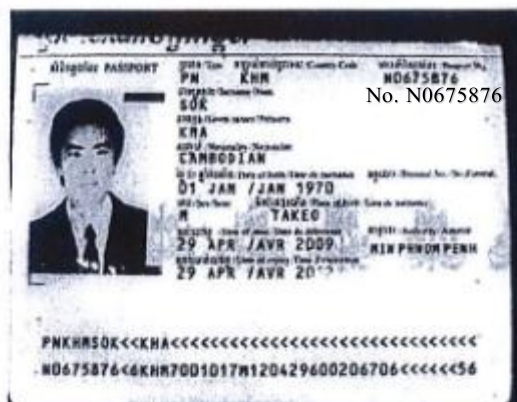
No. N00540807

No. N1422669



No. D0000803





Source: The Panel (provided by Cambodia).

General Details

Company Number:	00008002
Company Name (in Khmer):	ស៊ី អិចស៊ីស ត្រាវ៉ែល
Company Name (in English):	C.H.WORLD TRAVEL CO., LTD.
Company Type:	Private Limited Company
Company Status:	Registered
Incorporation Date:	23-May-2006
Re-registration Date:	05-Apr-2016
Business Activities:	
Business Objective:	791 Travel agency and tour operator activities
Main Business Activities:	79110 Travel agency activities(1)
Business Objective:	791 Travel agency and tour operator activities
Main Business Activities:	79120 Tour operator activities(2)
Business Objective:	799 Other reservation service and related activities
Main Business Activities:	79900 Other reservation service and related activities(4)
Business Objective:	511 Passenger air transport
Main Business Activities:	51100 Passenger air transport
Business Objective:	522 Support activities for transportation
Main Business Activities:	52292 Issue and procurement of transport documents and waybills
Business Objective:	731 Advertising
Main Business Activities:	73100 Advertising(1)
Business Objective:	829 Business support service activities n.e.c.
Main Business Activities:	82990 Other business support service activities n.e.c.
Share Par Value:	
Par Value (KHR):	20000
Par Value equivalent (USD):	5

Physical Registered Office Address:	ផ្ទះលេខ ២០ ភូមិបឹងកក់ ខណ្ឌ បឹងកក់, ភ្នំពេញ, Boeng Prell, Prampi Makara, Phnom Penh, Cambodia
Postal Registered Office Address:	Same as Physical Address
Contact Email:	chworldtravel2016@gmail.com
Contact Telephone Number:	+855 9 12875554

Name (Khmer):	គុំ ធា
Name (English):	Sok KHIA
Postal Registered Office Address:	១៦១, ២១៩, ផ្លូវ, Phsar Depou Mucy, Tuol Kouk, Phnom Penh, Cambodia
Telephone:	+855 9 12875554
Chairman of the Board of Directors:	No
Name (Khmer):	លី ហង់ ម៉ាន់
Name (English):	Lee Hang MANN
Postal Registered Office Address:	618, Phum 16, Boeng Kak Pr, Tuol Kouk, Phnom Penh, 12152, Cambodia
Telephone:	+855 916878176
Chairman of the Board of Directors:	Yes

Company Number - 00008002

Shares & Shareholders

Registered Share Capital (KHR): 20,000,000

Registered Share Capital equivalent (USD): 5,000

More than one class of share: No

Individual Shareholder

Name (Khmer): សុខ ខា

Name (English): Sok KHA

Postal Registered Office Address: ១៦១, ២១៩, ខ្នង, Phsar Depou Muay, Tuol Kouk, Phnom Penh, Cambodia

Number of shares: 700

Individual Shareholder

Name (Khmer): លី ហុង ម៉ាណ

Name (English): Lee Hong MANH

Postal Registered Office Address: 618, Phum 18, Boeang Kak Pir, Tuol Kouk, Phnom Penh, 12152, Cambodia

Number of shares: 300

Nationality of Majority Shareholders: Cambodian

Percentage of Majority Shareholders(%): 100

Page 2 of 2

The validation code for this Business Extract is MOC-73324678. To check the validity of this document enter <https://www.businessregistration.moc.gov.kh/cambodia-br-companies/verify/00008002/MOC-73324678.html> in your browser.

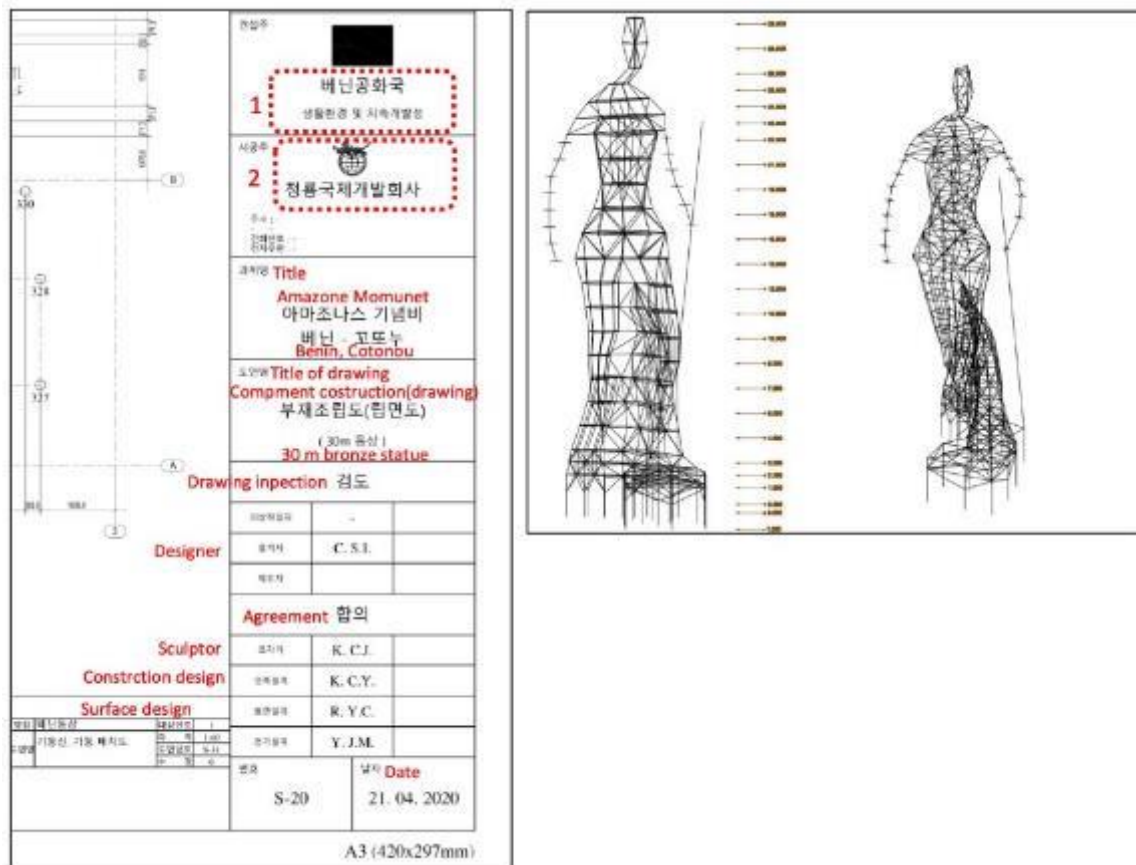
Extract generated as at 25 June 2021 12:51 PM

Source: The Panel (provided by Cambodia).

Annex 77: Bronze statue blueprints under construction by the Mansudae Overseas Project Group of Companies in Cotonou, Benin and satellite imagery

1) Excerpt of the blueprints

According to multiple media reports, the MOP is partnering with the Government of Benin to build a bronze statue in Cotonou, using obfuscated identification to evade sanctions. The Panel obtained information indicating that the bronze statue is 30 meter in height. One of the Korean-language blueprints of the bronze statue “Amazon Monument” shows that the builder is “Republic of Benin, Ministry of the Living Environment and Sustainable Development” and a contractor is “Chongryong International Development” (see below).



Source: VOA.

2) Satellite imagery of the bronze statue (6°20'57"N 2°24'28"E)

Satellite imagery suggests that the statue was installed between June and September 2020. The Panel wrote to Benin requesting information on the entities involved in the construction of the statue. Benin replied to the Panel that there is no relationship between the entity and Benin (see reply from Benin). Investigations continue.¹⁴⁶ It seems that the structure surrounding the statue was not removed as of December 2021.



Source: Planet Labs Inc.

¹⁴⁶ Construction of bronze statues in Benin is also concerns possible violations of resolutions on overseas workers (S/2020/840, para. 105 and annex 45).

3) Reply from Benin

Le Bénin a pris note des résolutions¹ adoptées par le Conseil de Sécurité des Nations Unies sur la République populaire démocratique de Corée (RPDC) suite aux activités menées par ce pays pour développer des armes nucléaires et des missiles balistiques en violation du droit international.

Le Bénin appuie fermement ces résolutions, y compris le régime des sanctions que celles-ci ont mis en place.

Conformément aux orientations de sa politique extérieure, le Bénin promeut la non-prolifération nucléaire dans toutes les régions du monde. Il a ratifié le Traité sur la non-prolifération des armes nucléaires qu'il considère comme un des piliers essentiels du régime international du désarmement et de la non-prolifération nucléaires.

En outre, le Bénin est Partie au Traité de Pelindaba qui crée une zone exempte d'armes nucléaires en Afrique et, depuis le 23 septembre 2018, a signé le Traité sur l'interdiction des armes nucléaires adopté à New York, le 07 juillet 2017. Le 22 octobre 2020, l'Assemblée nationale du Bénin a autorisé la ratification de ce Traité.

Le Gouvernement du Bénin soutient fermement toutes les initiatives des Nations Unies tendant à la création dans toutes les régions du monde, de zones exemptes d'armes nucléaires. A ce titre, le Bénin encourage la mise en œuvre de la décision de création de ladite zone au Moyen-Orient et réaffirme, dans chacune de ces interventions aux Nations Unies, son soutien à la tenue d'une Conférence internationale pour y parvenir.

Le Bénin a exprimé à plusieurs reprises sa ferme conviction que l'objectif d'une paix durable et de la dénucléarisation de la péninsule coréenne doit être atteint par des voies pacifiques.

Le Bénin est l'un des rares pays africains à coparrainer chaque année les résolutions des Nations Unies sur la situation des Droits de l'Homme en RPDC aussi bien à New York (3^{ème} Commission de l'Assemblée générale des Nations Unies) qu'à Genève (Conseil des Droits de l'Homme).

S'agissant, en particulier des présumées activités au Bénin de "Mansudae Overseas Project Group of Companies", les investigations menées par l'ensemble des Services nationaux compétents concluent à l'inexistence de relations entre ce groupement d'entreprises de droit nord-coréen et le Bénin.

Toutefois, le Bénin s'engage à poursuivre les investigations au sujet des activités de ce groupement et à prendre les dispositions appropriées en vue de prévenir et d'empêcher que d'éventuelles activités dudit groupement soient menées sur son territoire.

Le Bénin réaffirme son ferme appui au régime des sanctions imposées à la RPDC et s'engage à continuer leur mise en œuvre avec rigueur et vigilance.

Fait à Cotonou, le 23 décembre 2021

¹ Résolutions 1718 (2006) ; 1874 (2009) ; 2094 (2013) ; 2270 (2016) ; 2321 (2016) ; 2356 (2017) ; 2371 (2017).

Source: The Panel.

Annex 78: DPRK workers in China

According to a Member State information, DPRK entities were working with entities located in China to employ DPRK nationals at several locations and fields including construction sites, factories, and IT from 2020 to 2021. Most of the contracts were to hire several hundred DPRK workers and some of the contracts were expected to dispatch additional employees. Details of each case are below.¹⁴⁷

1) Factory workers

Following entities in China employed DPRK workers as of mid-2020. Most employed between 100-400 DPRK workers, although several of these entities employed still higher numbers of laborers from DPRK.

Jilin Military Garment Co., Ltd (길림군상복장유한공사)
 Jilin Sangbok Clothing Co., Ltd (길림길상복장유한공사)
 Helong Kusong Clothing Co., Ltd (화룡구성복장유한공사)
 Yanbian Pros Clothing Co., Ltd (연변프로스복장유한공사)
 China Aulbon (Clothing Production) Co., Ltd (아을본(옷제작)유한공사)
 Jilin Rangdon Clothing Co., Ltd (길림랑돈복장유한공사)
 Helong Hyesang Clothing Co., Ltd (화룡혜상복장유한공사)
 Pacific Clothing Co., Ltd (태평양복장유한공사)
 Chongyon Clothing Co., Ltd (청연복장유한공사)

2) Construction workers

DPRK entity Korean Namgang Construction General Corporation (aka DPRK Ryongrim Overseas Construction Company) was working with a Chinese entity Xinzhexing Labor Resource Co, Ltd (广东省东莞市新臻头人力资源有限公司) to dispatch between 500 and 20,000 DPRK nationals to Zhongshan City and Dongguan City of Guangdong Province and Yangtze River Delta in April 2021.

Another DPRK entity Korean Namgang Construction General Corporation (aka DPRK Ryongrim Overseas Construction Company) was working with a Chinese entity PRC Tong Sin Communication Technology Co, Ltd (中国通信技术有限公司) to dispatch more than 200 DPRK nationals to Beijing and Heibei Province in June 2021.

3) IT workers

DPRK entity **Mangyongbong International Trade and Economic Development Corporation** (President: Yun Kuk Nam) was working with Dandong Junxing Science and Technology Co Ltd (丹东市君星科技有限公司) to send

¹⁴⁷ One expert is of the view that this information needs to be further corroborated.

DPRK IT workers to work in China around October 2020. These workers would likely remain employed for several years. The information indicates that the UN-designated DPRK entity, the **Munitions Industry Department (KPe.028)** (see figure 70-1) facilitated the establishment of this relationship.

Figure 70-1: Excerpt from the List established and maintained pursuant to resolution 1718 (2006)

KPe.028 Name: MUNITIONS INDUSTRY DEPARTMENT
A.k.a.: a) Military Supplies Industry Department b) MID **F.k.a.:** na **Address:** Pyongyang, Democratic People's Republic of Korea **Listed on:** 2 Mar. 2016 (amended on 9 Jul. 2019)
Other information: The Munitions Industry Department is involved in key aspects of the DPRK's missile program. MID is responsible for overseeing the development of the DPRK's ballistic missiles, including the Taepo Dong-2. The MID oversees the DPRK's weapons production and R&D programs, including the DPRK's ballistic missile program. The Second Economic Committee and the Second Academy of Natural Sciences – also designated in August 2010 – are subordinate to the MID. The MID in recent years has worked to develop the KN08 road-mobile ICBM. The MID oversees the DPRK's nuclear program. The Nuclear Weapons Institute is subordinate to the MID.

Source: <https://www.un.org/securitycouncil/sanctions/1718/materials>.

4) Other cases

DPRK company **Korea Changsaeng Trading Corporation** was working with Dandong Jinsheng Electronics Co., Ltd (丹东锦盛电子有限公司) concerning the provision of at least 150 DPRK workers in Dandong, China, by October 2020, with an additional 200 workers planned to be dispatched in 2021. Information indicates that this relationship could be structured as a joint venture or cooperative entity.

Another DPRK entity **Korean Tangun Trading Corporation** was working with Heilongjiang Province Rixin Foodstuffs Company, Ltd (黑龙江省日信食品有限公司) to bring several hundred DPRK workers to China to work for foodstuff plant in January 2020. The information indicates that Korean Tangun Trading Corporation is the UN designated entity (KPe.008) (see figure 70-2)

Figure 70-2: Excerpt from the List established and maintained pursuant to resolution 1718 (2006)

KPe.008 Name: KOREAN TANGUN TRADING CORPORATION
A.k.a.: na **F.k.a.:** na **Address:** Pyongyang, Democratic People's Republic of Korea **Listed on:** 16 Jul. 2009 **Other information:** Korea Tangun Trading Corporation is subordinate to DPRK's Second Academy of Natural Sciences and is primarily responsible for the procurement of commodities and technologies to support DPRK's defense research and development programs, including, but not limited to, WMD and delivery system programs and procurement, including materials that are controlled or prohibited under relevant multilateral control regimes.

Source: <https://www.un.org/securitycouncil/sanctions/1718/materials>.

Annex 79: Possible Joint/Cooperative entity between DPRK and China

According to information provided by another Member State, DPRK entity Koryo Commercial Bank Ltd (高麗商業銀行) agreed to establish a joint venture with Shenyang Dawoo Sealant Construction Material Co. Ltd (沈阳多友实兰特建筑材料有限公司) mainly for the production and sale of soybean oil in 2019. The information suggests that the construction of an office was completed in Pyongyang and the soybean production plant was under construction in Nampo, DPRK. The Member State assessed that soybean oil is for civilian purpose, but it also could be supplied to munitions factories where the oil is used for weapons manufacturing.

According to information obtained by the Panel:

Name of joint venture entity:

PYONGYANG HWASHIN JOINT CORPORATION (平壤和信合営会社)

Address: Jyonjin-dong, Rangrang district, Pyongyang city (平壤市榮浪区域前進洞)

Party of DPRK side:

KORYO COMMERCIAL BANK LTD (高麗商業銀行)

Party of Chinese side:

SHENYANG DAWOO SEALANT CONSTRUCTION MATERIAL CO., LTD

(沈阳多友实兰特建筑材料有限公司)

Address: No.258, Kunshan-Xilu, Yuhong District, Shenyang City, Liaoning Province, PRC (遼寧省瀋陽市于洪区昆山西路 258 号)

Shareholder: GIL GYEONG-GAP (吉京甲 (길경갑))

Category of business:

Production and sales of various food, Operation of wharf , Operation of sales facility (in Pyongyang, Nampo, Wonsan) , Operation of stores (light industry products , food , sales of electric and electronics, clothes manufacturing

Registered capital: 6,726,720,000 won (56,056,000 Euro)

Approval: No. 107-39 (5 October, 2018)

Duration: 40 years (until October 2052)

Annex 80: Reply from China

7. Workers (OC.306)

Jilin Military Garment Co., Ltd and the other 8 garment companies mentioned in the Panel's letter only have their English and Korean names. Since China's business registration system uses only the Chinese language, we cannot conduct comparison and verification. China has been strictly

7

implementing relevant provisions on migrant workers from the DPRK. Their working permits have all expired before the deadline set by the Security Council resolutions.

We did not find Korean Namgang Construction General Corporation sending migrant workers to China. In fact, since February 2020, for the sake of pandemic prevention and control, the DPRK has set strict restrictions on people entering and leaving the country. It is impossible for the DPRK to send migrant workers to China since then. Some information of so-called "violation of resolution" is not consistent with the actual situation amid the raging pandemic. The Panel should be more discerning.

As for the 99 DPRK migrant workers repatriated by [REDACTED] in 2019, according to China's exit and entry records, all of them have left China. Before the start of the pandemic, China was an important transit for people-to-people exchanges between the DPRK and other countries, especially in 2019, when all DPRK workers repatriated by other countries returned to the DPRK via China. If the Panel requires China to verify every time it gets some new information, it will be a huge burden of work. It is also by no means the obligation of the Chinese Government.

Source: Member State.

Annex 81: List of IT workers Equatorial Guinea

According to a Member State, at least 13 DPRK IT workers (see below) are located and working in Malabo and Oyala, in Equatorial Guinea. The Member State assessed that these IT workers arrived in Equatorial Guinea between 2018 and 2019. No response has yet been received to the Panel's request for further information.

DPRK IT workers reportedly located in Malabo, Equatorial Guinea :

- Ri Mun Song
- Pak Myong Song
- Kim Kuk Song
- Kim Hyon Chol
- Kim Kwang Chol
- Ri Tae Yong
- Ryu Jong Hyok

DPRK IT workers reportedly located in Oyala, Equatorial Guinea :

- Pak Tong Hyon
- Ri Jong Hyok
- Kang Thae Ho
- Cha Sung Hyon
- An Kuk Chol
- Kim Sun Hyok

Source: Member State.

Annex 82: Information about DPRK restaurants in the Lao People's Democratic Republic

The Panel has continued its investigations into the current status of the DPRK-related restaurants in Laos. Based on information received from a Member State, and the Panel's corroboration, at least four restaurants and one night market (see figure 82-1 and 82-2) in Laos seems to have continued to operate even after the applicable measures towards the closure of the restaurants and repatriation were taken by the Laotian authorities in 2020. The Laotian Government has already provided the Panel in July 2020 with the details of 28 DPRK nationals who had departed Laos from Wattay International Airport during the period between 2017 and the second half of 2019.¹⁴⁸

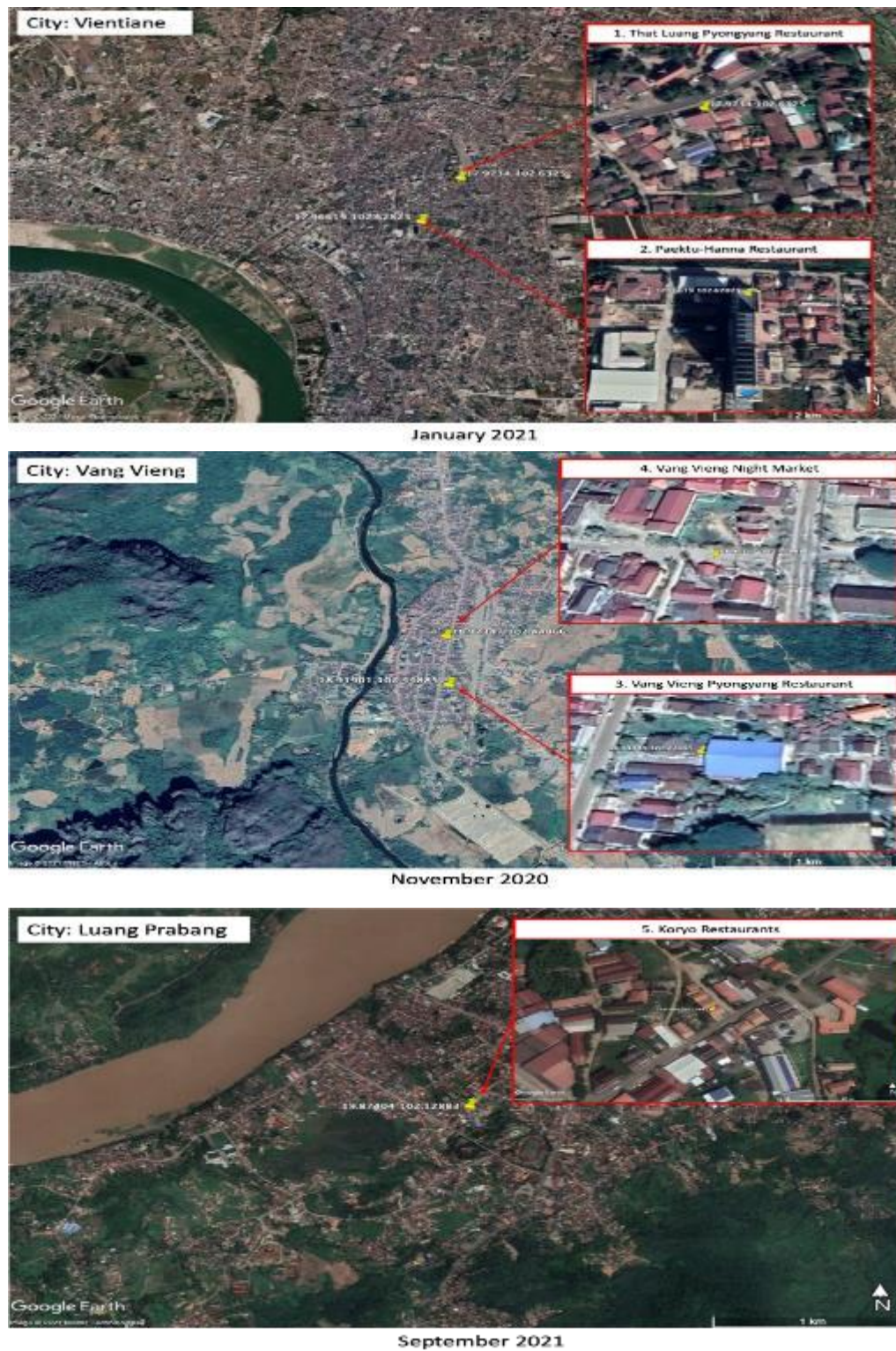
Nevertheless, open-source information suggest that restaurants are open and active, and that DPRK nationals have been working in Laos as waitresses and dance performers after these repatriations and after the December 2019 repatriation deadline. The list provided by the Laotian Government does not include female DPRK nationals and the Panel has requested clarification in view of the current information reported by the Member State to Laos in September 2021. Investigations continue.

Figure 82-1: List of Restaurants and Night Market

No	Restaurant	City	Latitude	Longitude
1	That Luang Pyongyang Restaurant	Vientiane	17.9734	102.6325
2	Paektu-Hanna Restaurant	Vientiane	17.96619	102.62825
3	Vang Vieng Pyongyang Restaurant	Vang Vieng	18.91901	102.44885
4	Vang Vieng Night Market	Vang Vieng	18.92347	102.44866
5	Koryo Restaurants	Luang Prabang	19.87404	102.12883

¹⁴⁸ S/2020/840, para. 133.

Figure 82-2: Location of the Restaurants and Night Market



Source: Google Earth, annotated by the Panel.

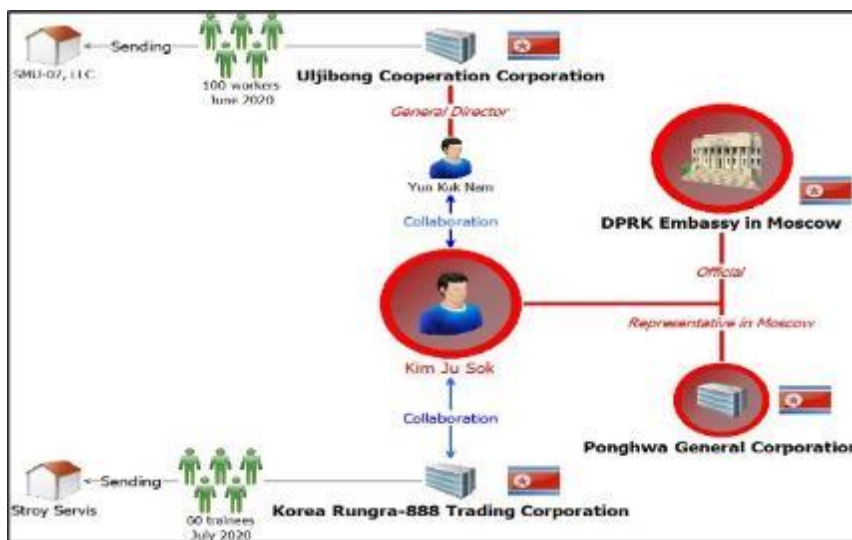
Annex 83: Information about the Russian Federation

According to Member State information, the DPRK official Kim Ju Sok, a Moscow-based official representative of DPRK's Ponghwa General Corporation, facilitated several contracts to send DPRK nationals to work in agricultural and construction activities in Russia between 2020 and 2021.

The same Member State reported that Kim collaborated with the general director of the DPRK Uljibong Cooperation Corporation, Yun Kuk Nam,¹⁴⁹ and contracted with a Russian company SMU-07, LLC to send a maximum of 100 DPRK nationals to construction projects in and around Moscow in June 2020. Kim Ju Sok also collaborated with DPRK company Korea Rungra-888 Trading Corporation to send at least 60 trainees to a Russian company Stroy Servis, LLC in July 2020. These trainees would receive training at vegetable greenhouses in the Moscow area and would receive 500 US dollars for participating in this program. The program was planned to run for several years and additional DPRK trainees were to be dispatched.

The Russian Federation replied to the Panel that “No information is available regarding his (Kim Ju Sok) activities in violation of Security Council resolution” and informed the Panel that “Both construction companies mentioned in the enquiry – SMU-07, LLC, which is not registered at the indicated address, and Story Servis LLC – ceased operations this year. No information is available regarding their contacts with nationals of the DPRK.”¹⁵⁰ Information provided to the Panel indicates that Kim was involved in another contract in sending DPRK nationals to Russia and investigations continue.

Figure 83: Kim Ju Sok's DPRK Overseas Worker Supply Activities



Source: The Panel.

¹⁴⁹ According to the information of Member State, Yun Kuk Nam was the director of Mangyongbong, a Korean general trading company and left Russia in December 2019.

¹⁵⁰ A Member State provided the Panel with the address of SMU-07, LLC. Its address is identical to the address described in the document obtained from ETPIOJL.

Annex 84: Information about Koryo Restaurant in Viet Nam

According to a Member State, DPRK nationals remaining in Viet Nam continued to work at the “Koryo Restaurant” in 2021. The Panel’s past report,¹⁵¹ a think tank report,¹⁵² and corporate registry in Viet Nam show that Koryo Restaurant is associated with Mudo Vina Co., Ltd which remains active and its legal representative is DPRK national Kim Jong Gil. Moreover, open-source information suggests that the Koryo restaurant sells art products including paintings produced at Mansudae Art Studio, which is a violation of paragraph 3 of resolution 2371 (2017). Viet Nam has yet to reply to the Panel’s enquiry.

1) Corporate registry of Mudo Vina Co., Ltd.

The address of its head office (underlined in red) is identical to the former address of Koryo Restaurant (see 2)).

DEPARTMENT OF PLANNING AND INVESTMENT OF HA NOI BUSINESS REGISTRATION OFFICE	SOCIALIST REPUBLIC OF VIETNAM Independence – Freedom – Happiness
BUSINESS REGISTRATION CERTIFICATE	
LIMITED LIABILITY COMPANY WITH ONE MEMBER	
Enterprise Code: 0105844459	
First registration: day 26 month 03 year 2012	
Amendment registration for the time(-s): 1, day 15 month 08 year 2016	
1. Enterprise name	
Enterprise name in Vietnamese: CÔNG TY TNHH MUDO VIỆT NAM	
Enterprise name in foreign language: MUDO VIETNAM COMPANY LIMITED	
Enterprise name in abbreviation: MUDO VINA CO., LTD	
2. Address of head office	
<u>Số 7, Lô 13B phố Trung Hòa, Khu đô thị Trung Yên, Phường Trung Hoà, Quận Cầu Giấy, Hà Nội, Vietnam</u>	
Tel:	Fax:
Email:	Website:
3. Charter capital 6,210,900,000 VND	
In words: Six billion two hundred ten million nine hundred thousand VND (tương đương 300.000 USD - Ba trăm ngàn đô la Mỹ)	
4. Name of owner	
One or more parameters were not specified for the subreport, 'subreport1', located at: /info_products/en/bic_ong	
5. Legal representative	
* Name: <u>KIM JONG GIL</u>	Gender: <u>Nam</u>
Position: <u>Tổng giám đốc</u>	
Date of birth: <u>01/08/1973</u>	Ethnic background: <u>Nationality: North Korea</u>
ID type: <u>Hộ chiếu nước ngoài</u>	
ID card No.: <u>654333308</u>	
Date of issuance: <u>08/08/2014</u>	Place of issuance: <u>Bộ Ngoại giao Triều Tiên</u>
Contact address: <u>Số 7, Lô 13B phố Trung Hòa, Khu đô thị Trung Yên, Phường Trung Hoà, Quận Cầu Giấy, Thành phố Hà Nội, Việt Nam</u>	
Resident address: <u>Gyong Hung-Dong, Botonggang dist, Pyongyang City, Korea, Dem. Rep.</u>	
HEAD OF BUSINESS REGISTRATION OFFICE	
(Signature, Seal and Full name)	
Thông tin trên được kết xuất từ Cơ sở dữ liệu quốc gia về đăng ký doanh nghiệp vào thời điểm 22:20 ngày 27/8/2021. Thời điểm yêu cầu thông tin: 02:56 ngày 28/09/2021.	

The legal representative is Kim Jong Gil, a DPRK national.

Source: Vietnamese National Business Registration Portal.

¹⁵¹ S/2019/171, annex 74 (p. 331).

¹⁵² C4ADS, <https://www.c4reports.org/dispatched>.

Address of Koryo Restaurant

The Panel's past report and the photo of the business card of Koryo Restaurant. The address is indicated by the red dotted line.

Koryo restaurant	Hanoi	No.61 Trung Hoa City, Trung Yen Urban Area, Phuong Trung Hoa, Cau Giang Paper, Hanoi
		Previous Address: No.7, Lot 13b, Trung Hoa City, Trung Yen Urban Area, Phuong Trung Hoa, Cau iang Paper, Hanoi

Source: The Panel, [S/2019/171](#), p. 332.



Source: Naver.

2) The excerpt of corporate registry of Mudo Vina Co., Ltd

Corporate registry shows that its business activities are “Restaurants and mobile catering services” (underlined in red).

II. THÔNG TIN VỀ NGÀNH, NGHỀ ĐĂNG KÝ KINH DOANH		
	<u>Nhà hàng và các dịch vụ ăn uống phục vụ lưu động</u>	
	Chi tiết: Dịch vụ phục vụ ăn uống	
		Ngành, nghề chưa khớp mã với Hệ thống ngành kinh tế Việt Nam

Source: Vietnamese National Business Registration Portal.

3) A photo of a receipt from Koryo Restaurant

The receipt is dated on 15 December 2020.



Source: Google.

4) Excerpt of video footage of the Koryo Restaurant

The video footage was uploaded in February 2021, with restaurant workers wearing masks and using hand sanitizer, suggesting that the footage was filmed after COVID-19.



Source: Youtube.

5) Information about Mansudae Art Studio

Media report about art from Mansudae Art Studio sold at Koryo Restaurant. A restaurant employee says 'The art is from the famous Mansudae Art Studio in Pyongyang. These works were directly created by people's artists and are famous'. The employee also explains about the price of paintings and says "This is about 1,400 US dollars. A piece of embroidery is more expensive and could be two thousand dollars. The smallest is 500 US dollar. If you really want to buy it, we can give you a small discount". (See the part surrounded by red dotted line)

베트남 북한식당, 제재 대상 만수대 작품 반입...최대 2천 달러 판매 시도

기자 함지하, 김형진
2019.3.16 12:30 오전



베트남 하노이의 한 북한 식당에서 유엔 제재 대상인 만수대 창작사의 그림이 판매되고 있는 사실이 VOA 취재를 통해 확인됐습니다. 가격이 최대 2천 달러에 달하는데, 제재 위반이라는 지적이 나왔습니다. 함지하 기자가 보도합니다.

하노이에 위치한 북한 '고려식당'. 건물 곳곳에 여러 미술작품들이 걸려 있습니다.

북한 종업원은 만수대 창작사가 제작한 것이라며, 평양에서 직접 가져와 판매 중이라고 밝혔습니다.

[녹취: 종업원(음성변조)] "우리 평양에 만수대 창작사라고 유명한 미술... 인민 예술가들이 직접 하는 겁니다. 유명한 겁니다."

지난 2017년 유엔 안보리는 만수대 창작사를 자산동결 대상으로 지정한 바 있습니다. 평양의 제재 대상 기관에서 제작된 미술품이 베트남으로 옮겨져 버젓이 판매되고 있는 겁니다.

판매 중인 미술품들은 만수대 창작사 수예단장이자 인민예술가 칭호를 받은 김청희의 작품을 비롯해 북한 화가 김경석의 수묵화 등 종류가 다양했습니다.

주로 식당 내부 장식용 그림 형태로 벽에 걸려 있는데, 5층 높이의 고려식당의 2층과 3층에 주로 물려 있었습니다.

구매자가 나타나면 액자에서 꺼내 전달하는 방식으로 판매가 이뤄지며, 원할 경우 보증서도 발급한다는 게 종업원의 설명입니다.

<https://web.archive.org/web/20210302164932/http://www.voakorea.com/korea-politics/4831261>

1/3

2021/09/30 12:55

베트남 북판리당, 제재 대상 만수대 작품 연일... 최대 2천 달러 판매 시도 | Voice of America - Korean



하노이의 북한 식당인 '고려식당' 종업원이 만수대창작사에서 제작된 호랑이 그림을 들어 보이고 있다.

그림의 가격은 크기에 따라 달랐지만 대부분 미화 1천 달러에서 2천 달러 사이입니다.

[녹취: 종업원(음성변조)] "이건 한 1천400 (달러 정도 합니다). 수 들어간 건 더 비쌌습니다. 수 든 건 2천 불까지도 해야 됩니다. 제일 작은 건 500불이고, 실제 사시겠다면 조금씩은 할 인해 드릴 수 있습니다."

이 종업원은 기계가 아닌 손으로 제작된 수예 작품이기 때문에 비싼 것이라고 강조했습니다.

미국 정부는 만수대창작사가 유엔 안보리 제재 대상 기관이란 점을 분명히 했습니다.

유엔주재 미국 대표부는 관련 내용을 묻는 VOA의 질문에 "추가 정보가 없는 가정적인 상황에선 답변할 수 없다"면서도 "만수대 창작사는 2017년 유엔 안보리 결의 2371호의 (제재) 지정 기관이며, 그들에게 수익을 제공하는 건 금지된다"고 대답했습니다.

유엔 안보리 대북제재위원회 전문가패널의 미국 대표로 활동했던 윌리엄 뉴콤 전 재무부 선임경제자문관은 "만수대 창작사는 제재 대상이며 판매 중인 미술작품을 포함한 모든 자산이 동결돼야 한다"고 밝혔습니다.

아울러 (만수대 창작사 판매 수익과 관련해) 예치된 자금이 있다면 은행이 어디에 있든 상관없이 이 역시도 동결 대상이라고 덧붙였다.

뉴콤 전 자문관은 고려식당 또한 문을 닫아야 하며, 북한 노동자들도 본국으로 송환돼야 한다는 점도 강조했습니다.

안보리 결의 2397호는 각 유엔 회원국들이 올해 말까지 모든 북한 해외 노동자를 돌려보내도록 하고 있습니다. 아울러 식당이나 호텔 등 북한과 합작회사를 설립하는 방식으로 운영되는 모든 사업 또한 중단해야 합니다.

제재 전문가인 조슈아 스탠튼 변호사도 만수대 창작사의 자산이 동결돼야 한다고 주장했습니다.

<https://web.archive.org/web/20210902164932/http://www.voakorea.com/korea/korea-politics/4831261>

2/3

Source: VOA.

Annex 85a: Panel enquiry to China (finance)



REFERENCE: S/AC.49/2021/PE/OC.260

4 October 2021

Excellency,

I have the honour to write to you with regard to ongoing efforts of the Panel of Experts established pursuant to United Nations Security Council resolution 1874 (2009) to gather, examine and analyse information regarding the implementation of the measures imposed on the Democratic People's Republic of Korea (DPRK) by Security Council resolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2087 \(2013\)](#), [2094 \(2013\)](#), [2270 \(2016\)](#), [2321 \(2016\)](#), [2356 \(2017\)](#), [2371 \(2017\)](#), [2375 \(2017\)](#) and [2397 \(2017\)](#), in particular incidents of non-compliance.

The Panel is conducting an investigation into several illicit ship-to-ship transfers, which resulted in refined petroleum delivery to the DPRK in violation of relevant UN sanctions. As part of this investigation, the Panel is also investigating possible violations of, inter alia, paragraph 32 of resolution 2321 (2016) and paragraph 36 of resolution 2270 (2016), which prohibit the provisioning of financial services, directly or indirectly, that could contribute to DPRK sanctions evasion activities.

According to information obtained by the Panel, four Hong Kong-registered companies (annex A) transferred more than USD 45 million from accounts held at China-based banks, to Sino Global Trade Co Ltd for the purchase of gasoil which was transferred to the DPRK via the vessel *Diamond 8*.¹ These transactions occurred between September 2019 and August 2020 (annexes B and C). In paying for the transfer of this gasoil to DPRK, these companies are acting in violation of the resolutions detailed above. Given that the Panel intends to detail the findings of its investigation in the next report, the Panel would be grateful for the following information:

- Please provide the beneficial ownership information for each company in annex A, to include shareholders, directors, and managers;
- Please provide financial records, including all deposits, incoming and outgoing wire transfers for each account held by the companies in annex B and C. Please provide a detailed description of the actions taken by your national authorities to ensure that the DPRK is no longer benefitting from illicit payments through the Hong Kong-based companies in annex A;
- Please provide a detailed description of the actions taken by your national authorities to ensure that the companies in Annex A, as well as the banks listed in Annex B, are no longer providing financial services, directly or indirectly, to DPRK entities;

Paragraph 6 of Security Council resolution 2569 (2021) urges all Member States and other interested parties to cooperate fully with the Panel of Experts, in particular by supplying any information at their disposal. The Panel would welcome any other information that you might consider relevant to its work as mandated by the Security Council in this regard. In addition, the Panel would like to assure you

¹ For previous Panel reporting on the *Diamond 8*, see paragraphs 14 and 21 of S/2020/151, paragraphs 25, 30-31 of S/2020/840, and paragraph 49 of S/2020/211. The Panel has also reported on the *Diamond 8* in the 2021 mid-term report, S/2021/777, which is not yet published at the time of drafting.

H.E. Mr. Zhang Jun
Permanent Representative of the People's Republic of China
to the United Nations
New York

that any information you may consider confidential can be handled accordingly and used solely for the Security Council and the 1718 Committee.

Given the importance the Panel attaches to this investigation, we would be most grateful for any information to be supplied within six weeks of the date of this letter. Please reply by email to the Panel at dppa-poe1874@un.org. Should you wish to discuss this request, or any follow-up matters, please contact me through [REDACTED]

Please accept, Excellency, the assurances of my highest consideration.

[REDACTED]

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

Annexes:

Annex A: Hong Kong Registered Companies

Annex B: Summary of Financial Transactions and Accounts

Annex C: Bank Transfer Receipts, September 2019 to August 2020

Annex A: Hong Kong Registered Companies

The following Hong Kong-registered companies remitted payments to Sino Global between September 2019 and August 2020 for the purchase of gasoil, subsequently delivered to DPRK in transactions involving the vessel *Diamond 8*:

Name	Company Number
Hong Kong Stu Group Company Limited	2401566
Wanhr Trading Limited	2782517
Yield Gold Limited	1500069
Zfullboto Co., Limited	2792449

Annex B: Summary of Financial Transactions and Accounts

Aggregated totals of bank slips from September 2019 to August 2020.

<i>Remitter</i>	<i>Remitting Bank</i>	<i>Sum</i>
Hong Kong Stu Group Company Limited		\$4,312,419.00
Wanhr Trading Limited		\$6,990,000.00
Yield Gold Limited		\$22,544,239.00
		\$2,801,876.00
		\$1,206,264.00
Zfullboto Co Ltd		\$6,344,235.00
		\$852,836.00
Total		\$45,051,869.00

Annex C: Bank Transfer Receipts, September 2019 to August 2020

Annex C of the Panel's original letter to China contained 70 pages of bank transfer receipts from the four companies listed in Annex B to Sino Global for the purchase of gasoil. For the sake of brevity in this report, the Panel includes in this annex ten of those receipts. The Panel has redacted for this report (both from Annexes B and C of the original letter) the names of the remitting banks. Those redactions were not made in the original Annex to the Panel's letter to China.

23/10/2019 17:32 25111879

YUANTA BANK HK21

PAGE 01/05

Yuanta Commercial Bank Co., Ltd., Hong Kong Branch

SUITE 3418, 34/F, TWO PACIFIC PLACE, 88 QUEENSWAY, HONG KONG

Tel No. (852) 2511-1710 Fax No. (852) 2611-1878 SWIFT address: OVRH88HH

Yuanta Commercial Bank Co Ltd
Incorporated in Taiwan with limited liability of shareholders
元大商業銀行股份有限公司
民國92年2月28日設立 資本總額為新台幣100億元

TO: SINO GLOBAL TRADE CO LTD

RM 1A-3 25F DAI-PIEN ROAD
KACHUNG TAIWAN<<INWARD REMITTANCE
PAYMENT ADVICH >>

Date : OCT. 23, 2019

Our Refno : IR99919C01504

Tel: 886 -7 -2695988 #

Fax: 886 -7 -2693053

Remitted Type : TEL. TRANSFER
By Order Of : YIELD GOLD LIMITED
ROOM 1304-1305, 13/F SUP TOWER KING'

Remitting Bank :

Value Date	:	OCT. 23, 2019
Beneficiary's A/C No	:	999020011056
Payee Name	:	SINO GLOBAL TRADE CO LTD
Amount of Remittance	:	USD 1,501,104.00
Exchange Rate	:	1.000000
USD Equivalent	:	USD 1,501,104.00
Commission	:	USD 7.00
Postage/Cable Charge	:	0.00
Exchange Comm.	:	0.00
Comm. Subtotal	:	USD 7.00
Total	:	USD 1,501,097.00

We have credited your A/C No. 999020011056 with us.

Remittance information :

THIS IS A COMPUTER GENERATED ADVICH, Yuanta Commercial Bank Co., Ltd., Hong Kong Branch
NO AUTHORIZED SIGNATURE IS REQUIRED.

24/10/2019 17:54 25111897

YUANTA BANK HK1

PAGE 01/02

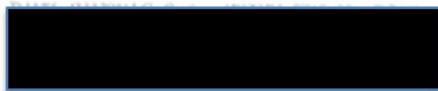
Yuanta Commercial Bank Co., Ltd., Hong Kong Branch

SUITE 3418, 34/F, TWO PACIFIC PLACE, 88 QUEENSWAY, HONG KONG
Tel No.: (852)2511-1719 Fax No.: (852)2511-1679 SWIFT address: OUBH HK111Yuanta Commercial Bank Co. Ltd.
(Incorporated in Taiwan with limited liability of shareholders)
2-A, Fubing Road, Sec. 4, Xinyi Dist., Taipei City 100, Taiwan
104922-23 2511-1719 2511-1679

TO: SINO GLOBAL TRADE CO LTD

<<INWARD REMITTANCE
PAYMENT ADVICE >>RM 1A-3 25F HAI-PIEN ROAD
KACHUNG TAIWANDate : OCT. 24, 2019
Our Refno : IR99919001513
Tel: 886 -7 -2695988 #
Fax: 886 -7 -2693053Remitted Type : TEL. TRANSFER
By Order Of : YIELD GOLD LIMITED
ROOM 1304-1305, 13/F SUP TOWER KING'

Remitting Bank :

Value Date : OCT. 24, 2019
Beneficiary's A/C No : 999020011056
Payee Name : SINO GLOBAL TRADE CO LTD
Amount of Remittance : USD 400,814.00
Exchange Rate : 1.000000
USD Equivalent : USD 400,814.00
Commission : USD 7.00
Postage/Cable Charge : 0.00
Exchange Comm. : 0.00
Comm. Subtotal : USD 7.00
Total : USD 400,807.00

We have credited your A/C No. 999020011056 with us.

Remittance information :

THIS IS A COMPUTER GENERATED ADVICE, Yuanta Commercial Bank Co., Ltd., Hong Kong Branch
NO AUTHORIZED SIGNATURE IS REQUIRED.

28/09/2019 17:22 28111879

YUANTA BANK HONG KONG

TWER 01/04

Yunta Commercial Bank Co., Ltd., Hong Kong Branch

SUITE 3418, 34/F, TWO PACIFIC PLACE, 88 QUEENSWAY, HONG KONG

Tel No.: (852) 2511-1710 Fax No.: (852) 2511-1879 SWIFT address: CUBH33

Yunta Commercial Bank Co. Ltd.
Incorporated in Taiwan with limited liability of shareholders
元大商業銀行股份有限公司
台灣台北市信義區松山路100號

TO: SINO GLOBAL TRADE CO LTD

<<INWARD REMITTANCE
PAYMENT ADVICE >>RM 1A-3 25F HAI-PIEN ROAD
KACHISTUNG TAIWAN

Date : SEP. 20, 2019

Our Refno : IR99919001301

Tel: 886 -7 -2695988 #

Fax: 886 -7 -2693053

Remitted Type : TEL. TRANSFER
 By Order Of : WANIR TRADING LIMITED
 QUANZHOU SHI SHISHI SHI BAO DAO LU,
 Remitting Bank : 

Value Date : SEP. 20, 2019
 Beneficiary's A/C No : 999020011056
 Payee Name : SINO GLOBAL TRADE CO LTD
 Orig. Remittance Amt : 586,000.00
 Amount of Remittance : USD 586,000.00
 Exchange Rate : 1.000000
 USD Equivalent : USD 586,000.00
 Commission : USD 7.00
 Postage/Cable Charge : 0.00
 Exchange Comm. : 0.00
 Comm. Subtotal : USD 7.00
 Total : USD 586,993.00

We have credited your A/C No. 999020011056 with us.
 Remittance information :

THIS IS A COMPUTER GENERATED ADVICE. Yunta Commercial Bank Co., Ltd., Hong Kong Branch
 NO AUTHORIZED SIGNATURE IS REQUIRED.

日期 2019年 09月20日 17:23 090940

04/11/2019 17:29 25111879

YUANTA BANK HK21

PAGE 02/03

Yuantai Commercial Bank Co., Ltd., Hong Kong Branch
 SUITE 3418, 34/F, TWO PACIFIC PLACE, 88 QUEENSWAY, HONG KONG
 Tel No. (852) 2511-1719 Fax No. (852) 2511-1879 SWIFT Address: CYTH333

Yuantai Commercial Bank Co Ltd
 Incorporated in Taiwan with limited liability of shareholders
 元大商業銀行股份有限公司
 台灣成立之有限責任公司股東負有限責任

TO: SINO GLOBAL TRADE CO LTD

<<INWARD REMITTANCE
PAYMENT ADVICE >>

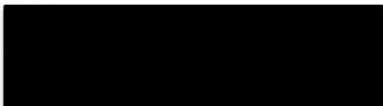
RM 1A-3 25F HAI-PIEN ROAD
 KAOHSIUNG TAIWAN

Date : NOV. 04, 2019

Our Refno : IR99919001576

Tel: 886 -7 -2695988 #

Fax: 886 -7 -2693053

Remitted Type : TEL. TRANSFER
 By Order Of : WANER TRADING LIMITED
 QUANZHOU SHI SHISHI SHI BAODAO LI,
 Remitting Bank : 

Value Date : NOV. 04, 2019
 Beneficiary's A/C No : 999020011056
 Payee Name : SINO GLOBAL TRADE CO LTD
 Orig. Remittance Amt : 532,000.00
 Amount of Remittance : USD 532,000.00
 Exchange Rate : 1.000000
 USD Equivalent : USD 532,000.00
 Commission : USD 7.00
 Postage/Cable Charge : 0.00
 Exchange Comm. : 0.00
 Comm. Subtotal : USD 7.00
 Total : USD 531,993.00

We have credited your A/C No. 999020011056 with us.
 Remittance information :

THIS IS A COMPUTER GENERATED ADVICE, YuanTai Commercial Bank Co., Ltd., Hong Kong Branch
 NO AUTHORIZED SIGNATURE IS REQUIRED.

03/09/2019 10:14 2511103/

YUNTA BANK HK1

PAGE 02/03

Yunta Commercial Bank Co., Ltd., Hong Kong Branch

SUITE 3416, 34/F, TWO PACIFIC PLACE, 88 QUEENSWAY, HONG KONG

Tel No.: (852) 2511-1719 Fax No.: (852) 2511-1878 SWIFT address: OURIBH33

Yunta Commercial Bank Co., Ltd.
Incorporated in Taiwan with limited liability of shareholders.
元大商業銀行股份有限公司
有獨立之資產及其公司股東為其股東責任

TO: SINO GLOBAL TRADE CO LTD

<<INWARD REMITTANCE
PAYMENT ADVICE >>RM 1A-3 25F HAI-PIEN ROAD
KACHSIUNG TAIWAN

Date : SEP. 03, 2019

Our Refno : IR99919001167

Tel: 886 -7 -2695988 #

Fax: 886 -7 -2693053

Remitted Type : TEL. TRANSFER
By Order Of : HONG KONG SJU GROUP COMPANY LIMITED
ADD. RM 1805 18/F OLYMPIA PLAZA 243

Remitting Bank :

Value Date : SEP. 03, 2019
Beneficiary's A/C No : 999020011056
Payee Name : SINO GLOBAL TRADE CO., LTD HONG
KONG, CHINAOrig. Remittance Amt : 251,153.00
Amount of Remittance : USD 251,133.00
Exchange Rate : 1.000000
USD Equivalent : USD 251,133.00Commission : USD 7.00
Postage/Cable Charge : 0.00
Exchange Comm. : 0.00
Comm. Subtotal : USD 7.00
Total : USD 251,126.00We have credited your A/C No. 999020011056 with us.
Remittance information :THIS IS A COMPUTER GENERATED ADVICE, Yunta Commercial Bank Co., Ltd., Hong Kong Branch
NO AUTHORIZED SIGNATURE IS REQUIRED.

機號 2019年 9月 3日 10時10分 機號0915

17/09/2019 18:31 25111897

YUANTA BANK HK1

PAGE 01/02

Yuanta Commercial Bank Co., Ltd., Hong Kong Branch

SUITE 3418, 34/F, TWO PACIFIC PLACE, 38 QUEENSWAY, HONG KONG

Tel No. (852)2511-1719 Fax No. (852)2511-1879 SWIFT address: OURM HKHH

Yuanta Commercial Bank Co. Ltd.

Incorporated in Taiwan with limited liability of shareholders.

元大商業銀行股份有限公司

台灣設立之無限責任公司股東負有限責任

TO: SINO GLOBAL TRADE CO LTD

RM 1A-3 25/F HAI-PIEN ROAD
KAOSIUNG TAIWAN<<INWARD REMITTANCE
PAYMENT ADVICE >>

Date : SEP. 17, 2019

Our Refno : IR99919001265

Tel: 886 -7 -2695988 #

Fax: 886 -7 -2693053

Remitted Type : TEL. TRANSFER
 By Order Of : HONG KONG STU GROUP COMPANY LIMITED
 ADD. RM 1805 18/F OLYMPIA PLAZA 243
 Remitting Bank : 
 Value Date : SEP. 17, 2019
 Beneficiary's A/C No : 999020011056
 Payee Name : SINO GLOBAL TRADE CO., LTD HONG
 KONG, CHINA
 Orig. Remittance Amt : 700,001.37
 Amount of Remittance : USD 699,981.37
 Exchange Rate : 1.000000
 USD Equivalent : USD 699,981.37
 Commission : USD 7.00
 Postage/Cable Charge : 0.00
 Exchange Comm. : 0.00
 Comm. Subtotal : USD 7.00
 Total : USD 699,974.37

We have credited your A/C No. 999020011056 with us.

Remittance information :

THIS IS A COMPUTER GENERATED ADVICE, Yuanta Commercial Bank Co., Ltd., Hong Kong Branch
 NO AUTHORIZED SIGNATURE IS REQUIRED.

匯款時間 2019年 9月17日 18時26分 匯款0338

FX015 104.03版 宣統

兆豐國際商業銀行
MEGA INTERNATIONAL COMMERCIAL BANK匯入外匯水單及手續費收入截結
EXCHANGE MEMO AND CHARGE RECEIPT
國際金融業務分行(080)
☐ 匯入匯款買匯水單
☒ 匯入匯款交易編號
☐ 逾期升匯支調

日期: 2020-05-27 15:29:07

幣別: USD 水單編號: OBC00052700004-0001 原契約書號碼:

匯入匯款編號: OBC01S00000117	匯款地區國別: 香港	交易金額: Amount USD*****695,979.00	第 一 聯 : 客 戶 存 查
收款人名稱: 中文 SINO GLOBAL TRADE CO LTD Payee 英文 SINO GLOBAL TRADE CO LTD	外匯 匯款 來方 匯式	電匯 國外匯入 USD*****695,979.00	
匯款分類名稱及編號: 711 商仲貿易收入		匯款總額 USD*****695,989.00 存入外匯存款 USD*****695,979.00	
匯款人身份別: 國外 ☐ 政府 ☐ 企業客案 ☐ 民請 ☐			
匯款人: /027841101089901 ZHUILLBOYO CO LTD RM 03B-01 17/F RRD NG SANG HONG CTR 151-153 HOI BUN RD		匯 率 Exchange Rate 29.950000	折合新臺幣金額 NT Dollar Equivalent TWD*****000000000
匯款銀行: 		利息 Interest USD*****0.00	
停帳原因: CHASUS33 J. JPMORGAN CHASE BANK, N.A.		匯費 USD*****10.00 電匯費 USD*****0.00 匯項手續費 USD*****0.00 費用總金額 USD*****10.00	
實付金額 NT\$ 本單總額付 TWD *****0 Not Processed 據原付金額 TWD *****0 : ZERO 00/100 ONLY 本單提供兆豐商業銀行清算用 USD695979.00			

台端/貴公司之匯入款/支票款已結帳付訖, 特此通知。

Please note that your inward remittance/check have been settled and paid the details as above 經辦: 吳宜植

櫃台交易

兆豐國際商業銀行	
內稱科學園區分行	
台	手續費收入庫款編號
負責人	鄧世顯

申請人茲聲明已詳閱並充分明白曉悉本表及
背面「銀行匯入資料及匯單」及「匯單」一項
之內容。The applicant hereby
declares that he/she has carefully read and
fully understood the "obligations to notify in
accordance with Paragraph 1 of Article 5 of
the Act" printed on the back of this
declaration statement.

PX015 104.03 匯 宣 揚

兆豐國際商業銀行
MEGA INTERNATIONAL COMMERCIAL BANK

匯入外匯水單及手續費收入執據

EXCHANGE RECEIPT

- ☐ 匯入匯款買匯水單
☒ 匯入匯款交易憑證
☐ 匯入外匯交割

日期: 2020-05-29 14:52:45

幣別: USD

水單編號: 08C00052000012-0001

原契約書號碼:

匯入匯款編號: 08C000520000125	匯款池區別: 普通	交易金額 USD*****572,979.00
收款人名稱: 中文 SINO GLOBAL TRADE CO. LTD. Payee 英文 SINO GLOBAL TRADE CO LTD Acct/Cheek No. 00023758002088 統一編號(UD No.) A1Z00219280		匯票 外匯 國外匯入 USD*****572,979.00
匯款分類名稱及編號: 711 國外貿易收入		匯款總額 USD*****572,980.00 匯方 存入外匯存款 USD*****572,979.00
匯款人身分別: 國外 ☐ 政府 ☐ 公營事業 ☒ 民間		
匯款人: /027841101089901 ZFOILLROYO CO LTD RM 033-01 17/F KED NO 3ANG DONG CTR 151-163 HOI BUN RD		匯 率 Exchange Rate 20.050000 折合新臺幣金額 NT Dollar Equivalent TWD*****00
匯款銀行: 		利息 Interest USD*****0.00
轉帳銀行: CHASUS33 JPMORGAN CHASE BANK, N.A.		匯費 USD*****10.00 郵電費 USD*****0.00 匯項手續費 USD*****0.00 匯用總金額 USD*****10.00
實付金額 NTS 本單據解付 TWD*****0 Net Proceeds 網解付金額 TWD*****0 ZRR0 00/100 ONLY 本單據供非票向銀清算用 USD572979.00		

台灣/貴公司之匯入款/光票等款已結結付訖, 明細如上。

Please note that your inward remittance/check have been settled and paid the details as above.

經辦: 吳宜揚

兆豐國際商業銀行	
內閣科學園分行	
行	卡提費收入印花稅總匯
負責人	謝世儒

申請人謹聲明已詳閱並充分明瞭本水單
 背面, 茲向本人聲明此項水單係由本行
 發出, 且其內容與本行所發之水單無異。
 The applicant hereby
 declares that he/she has carefully read and
 fully understood the "obligations to notify in
 accordance with Paragraph 1 of Article 8 of
 the Act" printed on the back of this
 declaration statement.

FXD15 104.03 版 宣銀

兆豐國際商業銀行
MEGA INTERNATIONAL COMMERCIAL BANK

匯入外匯水單及手續費收入收據

EXCHANGE RECEIPT AND SERVICE CHARGE RECEIPT

☐ 匯入匯款買匯水單☐ 匯入匯款交易憑證☐ 逾期外匯交割

日期: 2020-05-29 14:50:10

幣別: USD

水單編號: 08C00052900011-0001

原起為電匯碼:

匯入匯款帳號: 08C01SD00000124	匯款地區類別: 匯 區	交易金額 USD*****575,979.00	第一聯: 客戶存查
收款人名稱: 中文 SINO GLOBAL TRADE CO LTD Payee 英文 SINO GLOBAL TRADE CO LTD	匯款種類: 匯 區 國外匯入 USD*****575,979.00		
Acct/check No. 00023758002088 統一編號(I/D No.) A1Z00219280	匯款來源: 匯 區 存入外匯存款 USD*****575,979.00		
匯款分類名稱及編號: 711 商仲貿易收入	匯款總額 USD*****575,980.00 解方 USD*****575,979.00 款式		
匯款人身份別: 國外 ☐ 政府 ☐ 公營事業 ☐ 民間	匯 率 Exchange Rate 20.050000	新 合 新 垂 算 金 額 NT Dollar Equivalent TWD*****0000000000	
匯款人: /027841101089901 ZPHILBOTO CO LTD RM 03B-01 17/F RM0 HG'SAND HONG CYR 151-153 HOI HUN RD	利息 Interest USD*****000000.00	匯 費 USD*****10.00 匯 費 USD*****00.00 雜 費 USD*****00.00 費用總金額 USD*****10.00	
匯款銀行: [REDACTED]	特種銀行: CHASUS33 JP MORGAN CHASE BANK, N.A.	入	
實付金額 NTS 本單匯解付 TWD*****0000000000 Net Proceeds 匯解付金額 TWD*****0000000000 ZERO '00/100' ONLY 本單匯解付金額請用 USD576979.00			

台帳/貴公司之匯入款/光票票款已結算付託, 明細如上

Please note that your inward remittance/check have been settled and paid the details as above.

匯行交鈔

兆豐國際商業銀行	
內閣科學園分行	
台 手續費收入印憑紙總帳	北
負責人	鄭世傑

申請人茲聲明已詳閱並充分明瞭本表所
 含之義務內容。The applicant hereby
 declares that he/she has carefully read and
 fully understood the "obligations to notify in
 accordance with Paragraph 1 of Article 8 of
 the Act" printed on the back of this
 declaration statement.

PX015 104.03 壹張

兆豐國際商業銀行
MEGA INTERNATIONAL COMMERCIAL BANK匯入外匯水單及手續費收入收據
EXCHANGE MEMO AND CHARGES RECEIPT
國際金融業務分行(OFB)☐匯入匯款買匯水單
☒匯入匯款交易憑證
☐匯款外匯支票

日期: 2020-08-23 15:15:41

管別: USD 水單編號: OBC00062300009-0001 庫契約書號碼:

匯入匯款帳號: OBC01S00000178		匯款地區類別: 香港		交易金額: Amount USD*****141,329.00	
收款人名稱: 中文SINO GLOBAL TRADE CO LTD Payee 英文SINO GLOBAL TRADE CO LTD		匯款種類: 外匯匯款 來方匯式		電匯 國外匯入 USD*****141,329.00	
Acct/check No. 00023758002088 統一編號(UID No.) A1Z00210280		匯款金額: USD*****141,339.00		存入外匯存款 USD*****141,329.00	
匯款分類名稱及編號: 711 商仲貿易收入		匯款人身份別: 國外 ☐ 政府 ☐ 公營事業 ☒ 民間			
匯款人: /027841101089901 ZFULLBOTO CO LTD RM 03B-01 17/F KVO HQ SANG HONG CTR 151-153 HOI BUN RD		匯款日期: 29.500000		折合新臺幣金額 NT Dollar Equivalent *****0	
匯款銀行: 		匯款利息: Interest: USD*****0.00			
匯款銀行: CHASUS33 JPHORCAN CHASE BANK, N.A.		匯費: USD*****10.00			
		郵電費: USD*****0.00			
		匯項手續費: USD*****0.00			
		費用總金額: USD*****10.00			
實付金額 NT\$ 本單據原付 TWD*****0 Net Proceeds 捌佰付金額 TWD*****0 ZKRO 00/100 ONLY					

本單據供兆豐商銀儲算用
USD141329.00

台端/貴公司之匯入款/光票票款已解匯付託，明細如上

Please note that your inward remittance/check have been notified and paid the details as above 經辦: 吳宜禧
櫃台交易

兆豐國際商業銀行	
內閣科學園區分行	
台	手續費收入印花稅繳納
負責人	鄧世鵬

*申請人茲聲明已詳閱並充分明瞭本水單
內容，並自願人等在此項匯入匯款第一項
中加蓋稅章。The applicant hereby
declares that he/she has carefully read and
fully understood the "obligations to notify in
accordance with Paragraph 1 of Article 8 of
the Act" printed on the back of this
declaration statement.

Annex 85b: China's response to Panel enquiry

China responded as follows to the Panel's letter:

“After investigation, China finds no involvement in DPRK-related activities or trade of refined petroleum products by the four Hong Kong companies mentioned in the Panel's letter. Relevant banks also find no possible DPRK-related transactions with the clues provided by the Panel. We have full reason to question the credibility of the information sources. It is not the first time for some individual countries to unilaterally take illegal actions based on lies and false evidence. We hope the Panel will be more discerning.”

Annex 86a: Panel enquiry to UAE (finance)



REFERENCE: S/AC.49/2021/PE/OC.61

14 April 2021

Excellency,

I have the honour to write to you with regard to ongoing efforts of the Panel of Experts established pursuant to United Nations Security Council resolution 1874 (2009) to gather, examine and analyse information regarding the implementation of the measures imposed on the Democratic People's Republic of Korea (DPRK) by Security Council resolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2087 \(2013\)](#), [2094 \(2013\)](#), [2270 \(2016\)](#), [2321 \(2016\)](#), [2356 \(2017\)](#), [2371 \(2017\)](#), [2375 \(2017\)](#) and [2397 \(2017\)](#), in particular incidents of non-compliance.

The Panel is investigating possible violations of, *inter alia*, paragraph 32 of resolution 2321 (2016) and paragraph 36 of resolution 2270 (2016), which prohibit the supply of financial services, directly or indirectly, that could contribute to DPRK sanctions evasion activities. The Panel has obtained information that suggests that “Grace Way General Trading LLC” and “Zeeshan Bashir Building Materials Trading LLC”—two Dubai-registered companies—facilitated payments at the behest of “Jiangxi Hailian Petrochemical Co., Ltd” (annex A) to “Golden Luxury Corp” in or around October 2018. The purpose of these transactions was for the purchase of petroleum products, which were ultimately delivered to the DPRK. In its efforts to gather reliable and verifiable information, the Panel would be grateful for your assistance in supplying the following information:

- All corporate registration and beneficial ownership information for “Grace Way General Trading LLC” and “Zeeshan Bashir Building Materials LLC” (see annex B for company particulars);
- All financial accounts held by the aforementioned companies for the last five years; and
- All incoming and outgoing wire transfers for the last five years—to include sender/receiver details and wire transfer notes.

Paragraph 6 of Security Council resolution 2569 (2021) urges all Member States and other interested parties to cooperate fully with the Panel of Experts, in particular by supplying any information at their disposal. The Panel would welcome any other information that you might consider relevant to its work as mandated by the Security Council in this regard. In addition, the Panel would like to assure you that any information you may consider confidential can be handled accordingly and used solely for the Security Council and the 1718 Committee.

H.E. Mrs. Lana Zaki Nusseibeh
Permanent Mission of the United Arab Emirates
to the United Nations
New York, NY

Given the importance the Panel attaches to this investigation, we would be most grateful for any information to be supplied within one month of the date of this letter. Please reply by email to the Panel at dppa-poe1874@un.org. Should you wish to discuss this request, or any follow-up matters, please contact the Panel through [REDACTED]

Please accept, Excellency, the assurances of my highest consideration.

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

Annexes:

- Annex A: Payment Instructions
- Annex 2: Company Particulars

Annex A: Payment Instructions

Figure 1. Payment instructions from “Jiang Xi Hai Lian” to “Golden Luxury Corp.”

江西海联石油化工有限公司

To: 金豪有限公司

本公司委请ZEESHAN BASHIR BUILDING MATERIALS TRADING LLC及
GRACE WAY GENERAL TRADING LLC两家公司代支付货款给贵公司,请知悉!

江西海联石油化工有限公司

10/19/2018



Figure 2. Wire Transfer receipt from “Grace Way” to Golden Luxury Corp.”

View Transaction Details - Telegraphic Transfer				
Transaction Date	20-Oct-2018			
Transaction Reference	GOODS			
System Reference	10063189			
Debit Account	3708290221602			
Account Name	GRACE WAY			
Special Instructions to the Bank				
Total Indicative Debit Amount	USD 455,000.00			
Charges	Beneficiary			

Beneficiary				
SI No	Beneficiary	Pay Amount	Indicative Rate	Indicative Amount
1.	GOLDEN LUXURY CORP	USD 455,000.00	1	USD 455,000.00
	Beneficiary Address:	NO224 HE 1ST RD ZHONGZHENG DIST KEELUNG CITY202 TAIWAN		
	Beneficiary Bank:	DBS BANK LTD -		
	Account Number / IBAN:	00054686788		
	Bank Address:	TAIPEI 101 TOWER 28F - B: NO. 7 NA NA TAIWAN,,Taiwan		
	Payment Details:	PAYMENT FOR GARMENT		
	Transaction Type:			
	Payment Type:			
	Notify by Email:	yang265335@gmail.com		

Annex B: Company Particulars

Source: UAE National Economic Register (https://cbls.economy.gov.ae/Search_By_BN.aspx)

Name	Est. Date	Bus. License. Number (local)	Responsible Manager
Grace Way General Trading LLC*	16/10/2016	768115	Cai Zhi Yang
Zeeshan Bashir Building Materials Trading LLC	18/09/2018	814492	Zeeshan Bashir Ahmad
Ding Sheng General Trading LLC**	05/11/2014	720242	Yi Tong

* There is a second Dubai-based company with a similar name: "Grace Way Trading LLC" (BL 779761). The Panel does not believe that this company is involved in the aforementioned transactions.

** The Panel notes that Ding Sheng General Trading shares a phone number with Grace Way General Trading LLC.

Annex 86b: UAE Reply to the Panel's letter in connection with UAE entities linked to payments made to Golden Luxury Corp

PERMANENT MISSION OF THE
UNITED ARAB EMIRATES
TO THE UNITED NATIONS
NEW YORK



البعثة الدائمة
للإمارات العربية المتحدة
لدى الأمم المتحدة
نيويورك

Ref: 2021/1598

17 December 2021

[REDACTED]
Further to letter reference S/AC.49/2021/PE/OC.61 (dated 14 April 2021) from the Coordinator of the Panel of Experts established pursuant to Security Council Resolution 1874 (2009), I am pleased to share the following information on behalf of the concerned authorities in the United Arab Emirates:

Information on Grace Way Company General Trading LLC

x Commercial License No. 768 115; x

Activity license: General trading;

x Operated by Kai Zhiang, national of China, passport No. E12435700, as

Director of the company; x Bank transfers were observed from Dubai Islamic Bank account of Grace Way Company General Trading LLC to GOLDEN LUXURY CORP, valued at a total of AED 116 million distributed over 70 transfers in the past five years.

[REDACTED]
**Panel of Experts established pursuant to
Security Council resolution 1874 (2009)**

PERMANENT MISSION OF THE
UNITED ARAB EMIRATES
TO THE UNITED NATIONS
NEW YORK



البعثة الدائمة
للإمارات العربية المتحدة
لدى الأمم المتحدة
نيويورك

Zeeshan Bashir Building Materials LLC

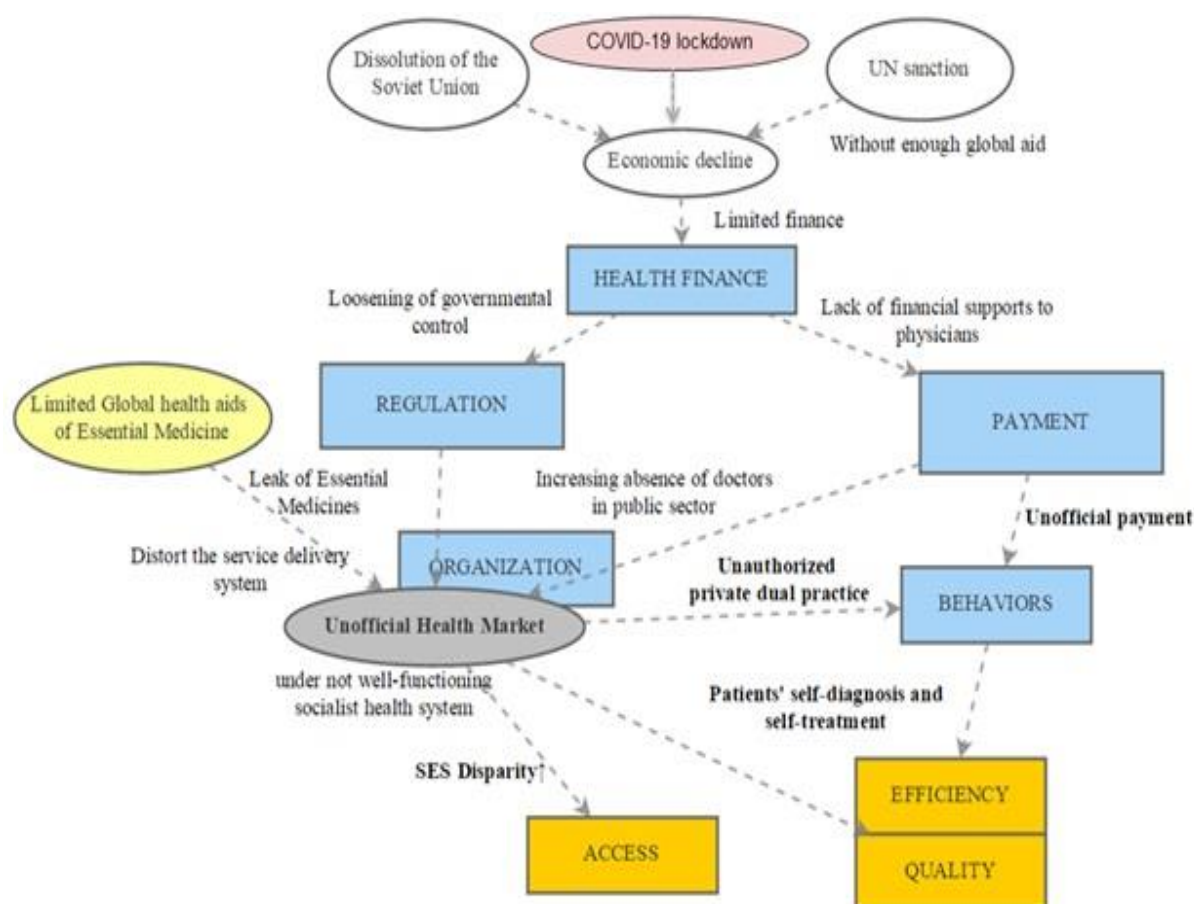
- x Commercial License No. 814492; x Activity license:
building materials trading;
- x Zeeshan Bashir Bashir, national of Pakistan, passport No. CJ3840062, as a manager;
- x Bank transfers were observed from the Emirates NBD Bank account belonging to the Zeeshan Bashir Building Materials LLC to GOLDEN LUXURY CORP, valued at a total of AED 329 million distributed over 205 transfers in the past five years.

Please accept the assurances of my highest consideration.



Mohamed Abushahab
Ambassador
Deputy Permanent Representative

“Deepening marketization of healthcare practices without a supplementary social safety system seems to exacerbate the inequality of healthcare access between different socioeconomic groups in the DPRK, especially during the COVID pandemic crisis.”



<https://mailchi.mp/nautilus/napsnet-special-reportcovid-19-and-the-dprk-health-system-implications-for-an-inter-korean-biomedical-cluster-cooperation-and-ctr?e=cd46d00c05>

Annex 88: Some factors of UN sanctions' influence (S/2020/151, para. 209)

There can be little doubt that United Nations sanctions have had unintended effects on the humanitarian situation and aid operations, although access to data and evidence is limited and there is no reliable methodology that disambiguates United Nations sanctions from other factors, including unilateral sanctions regimes and domestic socioeconomic factors within the Democratic People's Republic of Korea. Nevertheless, the latest United Nations sanctions could exacerbate an already difficult situation in the country for those employed in sectors directly or indirectly affected by sanctions, as well as potentially disrupting supplies of necessities to the civilian population. The unintended consequences of sanctions on the humanitarian needs of the civil population might include the following:

- The disappearance of, or a decrease in, sources of livelihood for those employed in industries affected by United Nations sanctions and for repatriated overseas workers; this effect may be up to hundreds of millions of dollars, based on rough estimates.
- An increase in social marginalization as the elites respond to both United Nations and other sanctions by increasing control over scarce resources, including the “new market economy”, in some cases channelling these resources to purposes other than the needs of the population.
- Continued shortages of agricultural equipment and lack of fuel, exacerbating already low levels of mechanization in agriculture, which can limit harvest windows and compound food insecurity caused by adverse environmental conditions and mismanagement of domestic resources.
- Increases in the disruption of medical supply chains, which can significantly impact the chronically underfunded and inadequate health-care system in the Democratic People's Republic of Korea.
- The collapse of the United Nations banking channel and the subsequent lack of access to consistent and reliable financing jeopardizes supply chain operations and results in projects being suspended or stopped altogether. It has also created risky situations for humanitarian personnel.
- Financial institutions and private-sector entities continue to refrain from transactions tied to a high-risk jurisdiction. Moreover, some financial institutions draw no distinction between United Nations and unilateral sanctions. This affects the humanitarian operations in the Democratic People's Republic of Korea of the United Nations and other organizations, to include increased costs.

Annex 89: Question of Panel's survey to NGOs

In its efforts to examine and report to the 1718 Committee and the Security Council on unintended humanitarian impacts of UN sanctions, the Panel would be grateful for your responses to the following questions:

- 1) What is your assessment of the impact of UN sanctions on the humanitarian situation in the DPRK and how has that impact changed over time? What have been the effects of the restrictions related to the COVID-19 pandemic on the economic and humanitarian spheres, and in what way have these restrictions influenced the overall humanitarian situation? If possible, please include information or examples that support your assessment;
- 2) Please provide detailed information and data on whether your organization experienced reductions in operational capacity due to issues related to quarantine measures in the DPRK and / or implementation of UN sanctions. Such impacts might include:
 - a) cost and speed of the response,
 - b) “operational” problems (i.e. access to beneficiaries and quality of assistance),
 - c) staffing and partnerships (i.e. in-country staff and implementing partners),
 - d) perceptions (i.e. how humanitarian organizations are perceived in the areas they operate),
 - e) Safety,
 - f) self-restraint and “de-risking”
- 3) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? The Panel notes that the Committee adopted amendments to the humanitarian exemption approval process in November 2020, including expedited consideration of certain requests. What, if anything, could be further improved in the exemption process, or in the implementation of UN sanctions, to better meet your operational needs and objectives?
- 4) Could you propose ways in which humanitarian and UN sanctions actors might enhance mutual understanding of each other's objectives and methodologies?

Annex 90: Statements from NGOs regarding UN sanctions

The following quotes have been compiled from the responses to the Panel's survey to NGOs.

NGO 1

“Sustained border closure has had a profound negative impact on the flow of supplies, which the DPRK population heavily relied on to supplement the government efforts.”

“an already weak health system has been further weakened due to lack of medicines, supplies and support, that would translate into higher risk for the already vulnerable population because of reduced country capacity in managing diseases/health issues”

“As part of emergency measures introduced against COVID-19 in DPRK, strict movement restrictions were applied. International staff as well as the government seconded national personnel in international agencies were confined to the capital and not allowed to leave Pyongyang.”

“...the prolonged sanctions has resulted in the country's health system remaining weak. The initiatives needed to strengthen and develop the health system were not taking place, as the focus to supporting health was only geared towards responding to emergencies and humanitarian crisis such as during floods and typhoons. As a result, the health sector lacks the resources to develop strategies that would have been able to prevent and mitigate shocks and emergencies such as the COVID-19 pandemic.”

“... as per UN sanctions applicable in DPRK, the lack of a banking channel has been severely impacting the availability of in-country cash to support operations and programme implementation. Overall, due to absence of international staff in the country (owing to the closure of borders due to COVID-19) and the lack of sufficient cash (owing to UN sanctions), [NGO] programme implementation and operational capacity has been severely impacted causing over 60% budget allocations to remain unutilized during the last two years.”

“the sanctions committee has been helpful in facilitating expeditious clearances with regard to COVID-19 related equipment and supplies.”

“[NGO] also appreciates the fact that the exemptions may now be provided for a period longer than 6 months, (up to 18 months) for instance when the applicant provides a well-founded justification such as transportation delays related to a pandemic. This development is very helpful and welcome”.

NGO 2

“In the current situation of the country’s self-imposed border closure and self-imposed import restrictions, we deem that the UN sanctions currently do not have a major direct effect on the humanitarian situation.”

“...the humanitarian impact of the DPRK’s self-isolation because of COVID-19 is going to be severe and threatens to undo some of the progress made in areas such as food security, nutrition and health”

“The restricted movement of people is a concern especially for those requiring medical treatment, be it for chronic conditions, severe acute malnutrition (children) or tuberculosis. The supply of medical equipment and drugs is another concern. None of the international humanitarian actors that used to support the country’s health system has been able to import and distribute any goods since June 2020. Schools have been closed for extended periods, leading to a lot of missed classes, and possibly also to children missing out on food hand-outs that are usually provided at schools.”

“The COVID-19 pandemic preventive measures taken by the DPRK Government have strongly affected the ability of the NGO, the UN system and other international actors to deliver humanitarian goods and assistance.”

“In some cases in the past, the approval process [for exemption] was lengthy and required a lot of information to be collected. However, there has been a significant improvement in the approval process for humanitarian exemptions in the course of the last 2 years. We are satisfied with the procedures, and highly appreciate the extension of the validity of the exemptions from six months to one year. We further appreciate the improvements to the exemption process made through Implementation Assistance Notice No. 7. We welcome the joint call to work together to sustainably resolve the banking channel. This matter has further increased in urgency, as cash-carry in the current situation is not a feasible option”.

NGO 3

“In addition to the above challenges (looming stock-out of [medicine] which has short shelf-life, the long transit time, the difficulty in communicating with the Government, the need for conducting additional quality assurance of the supplies prior to the distribution) the increased quarantine period to 90 days entails unexpected costs such as high fees for port storage, demurrage and additional freight and electricity expenditure while the reefer container remains in the vessel”

“Despite repeated requests ...to MFA counterparts, no indication has been received from DPRK authorities on whether additional exemption will be granted for the import of life-saving commodities. [NGO] has therefore decided to suspend any further procurement of supplies to the DPRK until a formal authorization is provided for future procurement. [NGO] had to either cancel most of its procurement in 2020 or re-allocate the supplies to others... to remain cost-effective and reduce demurrage and storage fees.”

NGO 4

“[NGO] receives little support from donor funded projects and maintains personnel and offices mainly at its own costs. The cash reserves in the country are largely used up, so that [NGO] might consider closing its operations completely until a reopening of the borders.”

“... humanitarian actions in DPRK must aim at strengthening the resilience of the food system to avoid crisis before their inception. Therefore, field support might combine humanitarian assistance but also developmental characteristics. However, the overall target remains to improve the diet, health and well-being of the most vulnerable groups which still suffer from malnourishment and short supply of WASH and health items.

An improvement would be an option to transfer money to DPRK to support the management of our activities and avoid costly travel”

NGO 5

“In light of the near complete border closure by DPRK related to covid prevention measures, any sanctions related challenges are essentially secondary (or moot) at this point since shipments of humanitarian goods are not yet being permitted by the DPRK government to transfer.”

NGO 6

“The access and communication barriers imposed by the COVID 19 situation as well as the lack of secondary data from other sources make impossible for (NGO) to propose an analysis of the humanitarian situation evolution in regards with the current pandemic.”

“[NGO]’s operational capacity has been decreasing from the moment DPRK decided to impose strict quarantine measure in January 2020,…”

“New rules imposed by DPRK in February 2020, which were:

- No international flights and no entry visa issuance (making impossible the supply of cash and the rotation of international staff)
- Strict limitation of humanitarian equipment and material imports
- No access to the field for expatriate teams

These additional restrictions made impossible for [NGO] to keep implementing its projects within acceptable quality and integrity standards, forcing the organization to suspend all its activities.”

“[NGO] however decided to maintain its Pyongyang office opened to avoid losing its capacities to redeploy and relaunch its project when it will be possible. It should be noted that this decision to maintain this limited presence is not without budgetary consequences... Indeed, certain support running costs must be maintained, but they are not fully eligible for our financial partners and [NGO] will not be able to pay these costs with its own funds if the situation continues over time. Moreover, considering the impossibility to send cash to DPRK in the absence of international staff movement, [NGO] has therefore been accumulating debts since the suspension of its operations. ...In terms of future operational capacity, the restart of [NGO] ’s activities in the country will imply a mission revitalization period (restart the coordination with the KECCA; relaunch discussion for designation of national staff; clean up liabilities; sending back international staffs to the country; assessing the situation of each suspended projects and restart the contact with farms and partners; importing the material and equipment blocked at the border; etc.)”

“Even though the COVID 19 related restrictions on importations decided by DPRK are responsible for this situation, it has to be mentioned that (NGO) currently has materials and equipment ...blocked at the border since January 2020. (NGO) has no choice since then to request extension of the exemption granted for this purchase to ensure it is still valid when the border reopens.”

“Additional extension of projects will probably be needed, inducing costs that were not initially planned; [NGO] coordinating with its financial partners and will propose adjustments to its projects once the situation will have been reassessed.”

“Despite the exemptions that are granted to the funds dedicated to humanitarian operations, it is common that banks delay or block the supply of cash, leading to additional administrative work on [NGO] side to unblock the situation... Since the sanctions have come to force, a drop in the number of suppliers applying for the tenders [NGO] open in the frame of the procurement of goods and equipment. This decrease in the potential supplier diversity has a direct impact on prices competitively, goods and equipment quality.”

“The exemption process provoked some delays during the first months after its implementation since the different stakeholders (...customs, NGOs, UNSC) had to adapt to this new regulation... [NGO] would recommend the following actions:

- the extension of the 6-month validity period granted for each exemption..... The current restriction on imports linked to the COVID 19 situation is a good example of this constraint: as mentioned previously, [NGO] had to request extension of the exemption due to the fact that the goods and equipment covered by the granted exemption are still blocked at the border”
- It might be interesting to think about possible solutions regarding the supply of cash constraints due to financial sanctions.
- Strengthen the link with authorities to facilitate the customs clearance process
- Make fast tracks when it comes to 1) amendment justified in terms of quantity 2) renewal in the event of expiration”.

NGO 7

“...food shortages must have worsened after [NGO] departure from the country, when the population was already suffering from malnutrition especially in the countryside”.

“Concerning quarantine measure in DPRK

The closing of the country had important financial consequences for [NGO]. Whilst the projects’ activities as well as the HR costs are suspended, other running costs (office and guesthouse rent and maintenance, vehicle maintenance and insurance and salaries for KECCA liaison officer, driver and cleaning lady) continue to be borne monthly by [NGO]. These costs are not fully eligible for support by funding partners and [NGO] is not in a position to pay the entirety of these costs with its own funds. Thus [NGO] has accumulated major debts... which would eventually slow down [NGO] resumption of activities when the country’s borders reopen ...”

“The lack of contact with people inside the country precludes maintaining relationships with local partners, understanding their current situation, and beginning negotiations for the future”.

“International, European and national sanctions imposed on DPRK are entirely respected by [NGO]. On two different occasions however, the imposed...sanctions prevented the general functioning of the organization, thus hindering the implementation of all activities:

- [NGO] still owns a bank account with the FTB (Foreign Trade Bank). This account is no longer in use: no transactions are done to and/or from this account, but a small sum of money ...is still retained on it. This account is however kept open in the event that banking channels to DPRK would be re-authorized by the UNSC Sanctions Committee in the future.
- [NGO] has an insurance contract with KNIC, despite the company being blacklisted. Vehicle insurance being mandatory and KNIC being the only entitled insurance company in the country, ...

PROBLEMS

...additional administrative workload: the administrative work related to sanction compliance slightly increases the workload of project managers and the Country Director. The legal expertise required to understand the information involved in the sanction mechanisms and the absence of a direct channel for resident INGOs to communicate with the UNSC Sanctions Committee has, on some occasions, proven detrimental to other tasks and responsibilities

Major delays in the deliveries:.... These delays resulted in major impacts on project’s implementation (and on the population’s well-being), such as the suspension of the transportation of food to children institutions and the lack of vegetable intake by children due to the insufficiency of winter production because of the absence of the procured pipes to be used for the construction of greenhouses. All in all, these delays are estimated to have affected up to 30,000 to 45,000 beneficiaries, mostly children.”

“Reduction of the number of suppliers answering tenders: several major suppliers stopped submitting offers...”

“Delays on project implementation: each slight modification of technical specification must be notified to the UNSC SC, which appears to increase the planned duration of the action. As so, some activities have been delayed and no-cost extensions have been requested to donors for some projects due to the duration extension of the purchase procedures.”

“In order to further improve this mutual understanding (NGO) has two suggestions:

- The first suggestion concerns the interaction within the UN sanctions actors. July 2021 exchange meeting with the „panel of experts from UNSC SC allowed us to better specify our needs and constraints. Such an initiative should be repeated regularly, especially when the borders are reopened.
- The second suggestion proposed by (NGO) concerns the communication regarding the UNSC SC resolutions against the DPRK. If the UNSC SC resolutions are amended or if new resolution passes, exchange workshops to introduce them and better integrate humanitarian specificities and exemption needs/processes would be an interesting development for mutual understanding between NGOs and UN sanctions actors.”

NGO 8

“The current situation in the Democratic People’s Republic of Korea (DPRK) remains dire and has been exacerbated within the past two years by the COVID-19 pandemic. The country currently finds itself on the verge of an economic and humanitarian crisis, resulting from a variety of factors, including draconian COVID-related restrictions and a fragile food and nutrition situation. The DPRK is taking advantage of the pandemic to tighten controls and oppress the North Korean people. The DPRK continues to impose severe restrictions on basic freedoms to contain the spread of the virus.”

“...all of these three factors potentially preventing a great famine [market access, information flows, more freedom to farming] have been undermined. First, under the pretext of COVID prevention, the DPRK leadership has cracked down on markets and cross-border trade. Second, under the same pretext, the DPRK leadership has cracked down on information getting into and out of the country and applied harsh judicial and extra-judicial punishment to North Korean nationals involved in such information exchanges. Third, natural disasters (flooding) have negatively impacted agricultural output and implicitly the food security of North Koreans. Consequently, the likelihood of a humanitarian emergency erupting in the DPRK is higher now than it would have been pre-COVID.”

“the DPRK has imposed strict COVID-19 border control measures since January 2020, which are likely having a humanitarian and human rights impact on ordinary North Koreans, regardless of UN sanctions measures...”

“it is not currently possible to discern whether UN sanctions measures are also having an impact on the North Korean people, or whether there is a causal relationship between UN sanctions measures and the humanitarian situation on the ground in the DPRK...”

“Based on anecdotal information,[by a source in Dandong]..., [NGO] believes that North Koreans, already highly vulnerable to food insecurity, may be dying due to the precarious food situation in the DPRK.”

“We assess that this dire situation is likely attributable to the North Korean leadership’s policies, including strict border controls for almost two years, rather than the “unintended impact of sanctions measures.” If there is a causal relationship between sanctions and the precarious food situation, it remains to be verified and should be investigated through on-the-ground factfinding by the UN and humanitarian organizations, in cooperation with the DPRK.”

“...some perspective on whether UN sanctions measures may have an unintended impact. Generally, raw minerals are exported from the DPRK to the PRC. Processed products, such as construction materials or machinery, are purchased again at high prices from the PRC... Due to sanctions, it is highly probable that there are difficulties with importing essential materials for key industries... Simply put, the sanctions against the DPRK will result in a shortage of fuel, machinery, construction materials, and more. This shortage of essential materials for these key industries can deal a blow to the North Korean leadership. The North Korean leadership’s financial power will be reduced due to the sanctions against the DPRK, as is the intent, which will hurt the sustenance of the regime. In other words, sanctions against the DPRK are a serious problem for its leadership because they can have a significant impact and damage its sustenance.”

“...it is in the DPRK’s interest to have sanctions lifted, and Kim Jong-un is signaling this to the international community without taking responsibility for his policies that are causing the dire humanitarian situation. ... the overall economic situation in the DPRK is difficult enough for Kim Jong-un to publicly mention the ‘second March of suffering’ (or the ‘Arduous March’). Atypically, he did not hide the situation and disclosed the difficulties the country faces. The reason for this messaging—one that was intentionally provided to the international community—is to assert the necessity of lifting sanctions against the DPRK by arousing public opinion in the international community that the DPRK is in a serious humanitarian crisis and desperately needs help from the international community. In other words, it is up to the international community to choose whether to just watch the North Koreans die of starvation or lift sanctions against the DPRK. However, the status of the fundamental reason why sanctions are in place, i.e. the DPRK’s nuclear and missile program development, remains unchanged.”

“In fact, there are voices that advocate for the lifting of sanctions in general against the DPRK because of the humanitarian crisis in the DPRK. This exacerbates the idea that sanctions are hurting the North Korean people. However, that perspective often lacks a factual understanding of the situation, beginning with the goods that are not allowed to be exported or imported by the DPRK as previously discussed. This thinking also serves to promote politically motivated agendas to call for an easing or cessation of DPRK sanctions measures.”

“[NGO] recommends that:

...UN bring people from different sectors and disciplines together to tackle the complex issues of a humanitarian crisis in the DPRK, the DPRK’s obligations to its people and the international community, and the UN sanctions regime. Representatives from civil society organizations, including humanitarian aid organizations and human rights organizations, the banking sector, United Nations officials, medical professionals, and DPRK officials, if possible, should hold open discussions and share information and perspectives to enhance and promote understanding.

...Special Rapporteur on the situation of human rights in the DPRK and representatives of the Office of the United Nations High Commissioner for Human Rights [should]be allowed unimpeded access inside the DPRK... Their visits would be opportunities to assess the impact of COVID-19 on aspects focused on human security in general, including the nutritional and health insecurity of vulnerable groups in the Democratic People's Republic of Korea. Such visits could serve as a precursor to conceptualizing and designing a comprehensive, sustainable, and inclusive approach to facilitate a more comprehensive dialogue, cognizant of the human security needs of the people of the DPRK, their human rights situation, and a United Nations Human Rights Up Front approach.

...To ask organizations requesting sanctions exemptions for additional, specific information on the intended locations of the disbursement of humanitarian aid as well as its beneficiaries. This would facilitate a better understanding for external monitoring of humanitarian aid and allow a more accurate determination as to whether the aid will be delivered in areas where the most vulnerable North Koreans reside.”

NGO 9

“...the unintended impact of sanctions on the civilian population would be difficult to gauge accurately, given the restricted access of international and non-governmental organizations and experts to the country.”

“... the unintended effects of sanctions on the work of international organizations and NGOs have been well documented (see UN and specialized agency reports and the information compiled by the National Committee on North Korea, <https://www.ncnk.org>.) Every effort should be made to resolve unnecessary restrictions on humanitarian relief to the civilian population.”

“...consideration of the sanctions issue would be well to be more broadly framed. The General Assembly resolution [A/C3/76/L.27]¹⁵³ calls on the United Nations system ‘as a whole’ to address the human rights situation in the country ‘in a coordinated and unified manner’... The government’s diversion of its resources to nuclear weapons and missiles at the expense of the needs and welfare of the civilian population are repeatedly raised by the General Assembly and Security Council. Although the DPRK has often put forward that sanctions are the main issue to be addressed by the international community, government-imposed restrictions, as noted above, on the civilian population in response to the covid-19 pandemic, and even earlier as a means to control and punish elements of the population, are also essential to examine. These restrictions directly impact food insecurity, severe hunger, malnutrition, widespread health problems and other hardship for the population as well as the human rights of the population”.

¹⁵³ <https://undocs.org/pdf?symbol=en/A/C.3/76/L.27>

NGO 10

“The current greatest concern in the DPRK is the economic decline, which includes food shortages from COVID-19 border closings. The DPRK economy was already in a vulnerable state due to sanctions, but now it is in a critical state.”

“It has been nearly impossible to transport goods inside the country, with there being only a few exceptions in the past two years. People have not been able to enter the DPRK since the borders were closed at the end of January 2020.”

“Recent information suggests that rice prices have doubled. A kilogram of rice used to cost 4 to 5 RMB, and currently it is 7.5 to 9.5 RMB per kilogram. Cooking oil is also 2 to 3 times higher in price. The central government is rationing food to ensure equal distribution throughout the country. Rice is rationed at 200 g per meal per person, which allows for a daily allotment of 600 g of rice per person. An individual is allowed to purchase 20 days’ worth of rice at a time, which totals to a 12 kg bag of rice.”

“Currently, food shortage is a primary concern. As long as the borders are closed, the nation’s economy will also continue to decline. In addition, fertilizer needs to be imported for the sufficient production of food. Unfortunately, in response to COVID, practically all imports and exports have been blocked due to border closings.”

“UN Sanctions have posed additional hurdles to providing humanitarian assistance to the people of DPRK. While we understand that the process of receiving UN sanctions exemptions has improved significantly, we have not been able to test it ourselves due to the lack of shipments since North Korea’s COVID-related border closure.”

“We believe that the pandemic has likely deteriorated the humanitarian situation inside the country. However, since we have not been able to visit the country since the end of 2019, and because of the limited flow of information from inside the country, it is difficult to provide examples or supporting data. Given the drastic decrease in food and other imports from China, coupled with a virtual cessation of all international assistance (provided by the UN and INGOs), not to mention the natural disasters that negatively impacted harvests, we can surmise that the people of North Korea are in increased need of food and medicines, especially the vulnerable populations.”

“Prior to the COVID pandemic, global sanctions had already aggravated the humanitarian situation in the DPRK. Please refer to the comprehensive report entitled, “The Human Costs and Gendered Impact of Sanctions on North Korea” published in October 2019, for details on the direct impact sanctions have had on the DPRK.”

“The amendments to the humanitarian exemption approval process in November 2020 were helpful. Unfortunately, apart from U.N. sanctions, the problem with U.S. sanction exemptions remains. The most difficult of these approvals is the U.S. Treasury License. In addition, approval for Special Validation Passports from the Department of State has been inconsistent. Therefore, even though the U.N. exemption process has improved, the problem with sanctions remains because organizations usually need to obtain U.S. licenses before even applying for a U.N. exemption.”

“The U.N. needs to create permanent exemptions for humanitarian organizations, including a “white-list” for medical and agricultural equipment. This will make it unnecessary for humanitarian organizations to even apply for exemptions and allow them to adequately provide pandemic, medical, and agricultural relief to the DPRK. In the midst of not only a global pandemic but also a food security crisis, it is crucial that humanitarian aid is unhindered and received in a timely manner in the DPRK”.

NGO 11

“It could potentially be helpful to humanitarian actors for UN Sanctions actors to explain in more detail why certain commodities (for example 'metal goods', including clearly humanitarian items such as medical goods, agricultural goods, or clean water goods) are being sanctioned in such a blunt way, and without more nuance? Perhaps with dialogue between the two sides, there could be tighter targeting of UN sanctions to only affect the truly problematic dual use items, leaving the broader categories of goods needed for various humanitarian purposes greenlighted, and outside the bounds of required action by the UN Sanctions Committee ...”

NGO 12

“Obviously, the biggest issues were in 2017-2018 as [NGO] were trying to navigate both the new UN sanctions, and the new Treasury sanctions (which the UN is not concerned about) - but now the real snags and confusion caused by both of those issues (and the time it took to work out a "process" for review/approval of exemptions/licenses) have largely been resolved and/or the process made more clear with time. Yes, it has resulted in a lot more time-consuming work for [NGO], but the process is now doable, and somewhat more predictable.”

“...the approval process since 2019/2020 has been much more responsive to [NGO] needs. Other than providing a blanket exception (rather than requiring exemption applications) for certain approved humanitarian projects/organizations - which would be really helpful, the more nimble response by the Committee and their greater flexibility on granting extensions, etc. has been very helpful.”

NGO 13

“.. the absence of a banking channel allowing for the conveyance of operating funds by the international aid community into the DPRK has devastating implications for the neediest of its citizens.”

Annex 91: Information on humanitarian operations in 2021

WHO informed the Panel that “*Two shipments containing essential medicines for non-communicable diseases, tuberculosis and malaria prevention reached Nampo seaport respectively on 7 August 2021 and 2 September 2021 and are since then placed in a 90-days quarantine*”. United Nations Population Fund (UNFPA) informed that “the UNFPA’s refer container was loaded onto vessel on 01 September 2021.”

Annex 92: Additional information on export entries provided by Thailand

With regards to its trade between 2018-2020, Thailand previously informed the Panel that 12 export entries with the DPRK as the destination had been withdrawn.¹⁵⁴ During this reporting period, Thailand has provided subsequent information to the Panel regarding several export entries, which were withdrawn due to mistaken use of KR/KP country codes. The local companies involved, Inter Rim Company Limited, authorized by Fujikura Electronics (Thailand) Co., Ltd. and EIC Semiconductor Co. Ltd., had been exporting its goods to the ROK, not the DRPK (see figures 92-1 and 92-2).

Figure 92-1: Inter Rim Company Limited / Fujikura Electronics (Thailand) Co., Ltd.



¹⁵⁴ S/2021/777, para. 123 and annex 52.

**Additional Information to supplement the Panel of Experts
established pursuant to UNSC resolution 1874 (2009)'s
midterm report on the work of the Panel of Experts (S/2021/777)**

The Royal Thai Government has received additional information on export entries as previously requested by the Panel from Inter Rim Company Limited and wishes to convey the following information:

1. The Ministry of Foreign Affairs of Thailand received a letter with supporting documents from Inter Rim Company Limited, authorized by Fujikura Electronics (Thailand) Co., dated 24 December 2021 explaining the withdrawal of two export entries, with regard to the shipments of goods mentioning the DPRK as reflected in the Panel's midterm report dated 8 September 2021.

2. As the midterm report mentioned the two misfiled export entries, Inter Rim Company Limited is concerned that the information may cause significant damage to the Company and its associates (Attachment 1). The Company has contacted the Department of Customs of Thailand to verify the cancellation of the two export entries and provided proof of evidence to support its case. (Attachments 2-3)

3. As mentioned in the midterm report, mistaken usage of country codes, in which the country code for the DPRK (KP) is entered wrongly in the place of the country code for the ROK (KR), the actual trade partner, is frequently cited as a problem. This is also the case for Thailand. Since Inter Rim Company Limited has shown its good faith and openly shared its concerns, it would be highly appreciated if the Panel could undertake actions that will reflect the aforementioned information at the earliest opportunity in order to avoid misunderstanding and unintended consequences for the Company concerned.

* * * * *

Attachment1 เอกสารแนบ 3



Mass Transport Express Co., Ltd.

วันที่ 24 ธันวาคม พ.ศ. 2564

เรื่อง การชี้แจงข้อมูลเกี่ยวกับการส่งออกของกรมศุลกากร และยื่นร้องขอเพื่อลบข้อมูลออกจากระบบ
 เวียน อธิปไตยกรมการค้าระหว่างประเทศ
 สิ่งที่เกี่ยวข้อง

- | | |
|--|--------------|
| 1. หนังสือที่ กศ ๐๕๐๖/๒๕๖๔๕๔ เรื่อง การยกเลิกใบขนสินค้าขาออก กรณีตรวจพบการสำแดงประเทศปลายทางคลาดเคลื่อน ลงวันที่ 23 ธันวาคม 2564 | จำนวน 1 ฉบับ |
| 2. หนังสือจากคณะกรรมการความมั่นคงแห่งสหประชาชาติ ลงวันที่ 8 กันยายน 2564 | จำนวน 6 หน้า |
| 3. สำเนาใบขนสินค้าขาออกที่ถูกยกเลิกแล้ว เลขที่ A0121630309810 ลงวันที่ 12-03-2563 | จำนวน 1 ชุด |
| 4. สำเนาใบขนสินค้าขาออกที่ถูกยกเลิกแล้วเลขที่ A0231630405508 ลงวันที่ 23-04-2563 | จำนวน 1 ชุด |
| 5. สำเนาใบขนสินค้าขาออกที่จัดทำใหม่เลขที่ A0121630315425 ลงวันที่ 12-03-2563 | จำนวน 1 ชุด |
| 6. สำเนาใบขนสินค้าขาออกที่จัดทำใหม่เลขที่ A0231630407861 ลงวันที่ 23-04-2563 | จำนวน 1 ชุด |

ตามที่บริษัท อินเตอร์วิม จำกัดได้มอบอำนาจจากบริษัท พูจีดูระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด ในการดำเนินการพิธีการศุลกากรส่งออกสินค้า ตามใบขนเลขที่ A0121630309810 ลงวันที่ 12-03-2563 และฉบับเลขที่ A02316305508 ลงวันที่ 23-04-2563 ขณะทำการตรวจปล่อยกับศุลกากรได้ตรวจสอบพบว่า ได้ลงชื่อประเทศปลายทางคลาดเคลื่อนจากเกาหลีเหนือ (KP) ทั้ง 2 ฉบับ ซึ่งประเทศปลายทางที่ถูกต้องคือประเทศ เกาหลีใต้ (KP) บริษัทจึงได้ยื่นคำร้องขอยกเลิกใบขนสินค้าขาออกทั้ง 2 ฉบับ และเจ้าหน้าที่กรมศุลกากรได้ทำการยกเลิกใบขนสินค้าทั้ง 2 ฉบับหลังจากนั้นได้ดำเนินการจัดทำใบขนสินค้าฉบับใหม่ ได้แก่ ใบขนสินค้า A0121630315425 ลงวันที่ 12-03-2563 และ ใบขนสินค้า เลขที่ A0231630407861 ลงวันที่ 23-04-2563 และดำเนินการส่งออกสินค้าไปยังประเทศเกาหลีใต้เป็นที่เรียบร้อยแล้ว สถานะใบขนสินค้าเป็น 0409 ทั้ง 2 ฉบับ

หลังจากการส่งออกแล้วเสร็จสมบูรณ์ บริษัทได้ตรวจสอบเอกสารคณะกรรมการความมั่นคงแห่งสหประชาชาติ ลงวันที่ 8 กันยายน 2564 ปรากฏว่ามีปัญหามากมาย ระบุเลขที่ใบขน A0121630309810 ลงวันที่ 12-03-2563 และฉบับเลขที่ A02316305508 ลงวันที่ 23-04-2563 และ ชื่อผู้ส่งออกบริษัท พูจีดูระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัดเป็นผู้ส่งสินค้าออกไปยังประเทศเกาหลีเหนือ ซึ่งตามข้อเท็จจริงแล้ว บริษัทฯ มิได้ส่งของดังกล่าวไปยังประเทศเกาหลีเหนือ จึงได้มีการชี้แจงความอนุเคราะห์ไปยังกรมศุลกากร เพื่อให้ตรวจสอบการส่งออกของใบขนทั้ง 2 ฉบับนี้ ซึ่งกรมศุลกากรจึงได้มีหนังสือแจ้งกลับมาถึงบริษัทตามหนังสือที่ กศ ๐๕๐๖/๒๕๖๔๕๔ เรื่อง การยกเลิกใบขนสินค้าขาออก กรณีตรวจพบการสำแดงประเทศปลายทางคลาดเคลื่อน ลงวันที่ 23 ธันวาคม 2564 ซึ่งได้แจ้งให้บริษัททราบว่า ใบขนทั้ง 2 ฉบับนี้ได้ถูกยกเลิกเป็นที่เรียบร้อยแล้ว และได้ส่งออกที่ถูกต้องตามใบขนเลขที่ A0121630315425 ลงวันที่ 12-03-2563 และ ใบขนสินค้า เลขที่ A0231630407861 ลงวันที่ 23-04-2563 ประเทศปลายทางคือประเทศเกาหลีใต้

ตามรายละเอียดดังกล่าวข้างต้น บริษัทมีความประสงค์ ที่จะให้ขอความอนุเคราะห์จากกระทรวงต่างประเทศในการประสานงานกับคณะกรรมการความมั่นคงแห่งสหประชาชาติ เพื่อลบข้อมูลดังกล่าวออกจากระบบให้แก่ทางบริษัทด้วย ทั้งนี้เพื่อลดปัญหาและอุปสรรคในทางการค้าและทางธุรกิจที่มีผลกระทบต่อบริษัท พูจีดูระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด

จึงเรียนมาเพื่อโปรดพิจารณา ขอความอนุเคราะห์ในครั้งนี้

ขอแสดงความนับถือ

(พร้อมลายเซ็นและประทับ)

กรรมการผู้จัดการ



December 24, 2021

Subject: Clarification of information about the export of the Customs Department and submit the request to delete the information from the UN system

Dear Director-General, International Organization

Attachment:

1. Books at Kor. 0506/21699 Referring to the cancellation of outgoing goods In case of manifestation, the destination country is moved on December 23, 2021, 1 issue.
2. Copy of the book from the United Nations Security Council dated 8 September 2021, 6 pages
3. The copy of the output product at the Customs Department has already been canceled No.012163039810 dated 12-03-2563 1 set and A0231630405508 dated 23-04-2563 1 set
4. Copy of the new outbound goods that produce the number. A0121630315425 dated 12-03-2563 and A0231630407861 dated 23-04-2563 1 set

According to Inter Rim Company Limited, authorized by Fujikura Electronics (Thailand) Co., Ltd. has operated the export customs clearance. According to the leaves A0121630309810 dated 12-03-2563 and A02316305508 Dated 23-04-2563 while checking the product with the customs authorities Check the destination country in both product leaves in the form of 2 cases. Accurate, the destination country must be South Korea (KR), therefore filed a request for cancellation of both products and the customs clearance. Output product A0121630315425 Dated 12-03-2563 and A0231630407861 dated 23-04-2563 and export products to South Korea until complete completion the status of the shape of the product in the customs system appears. The status is 0409 (has already exported the product to foreign countries).

After the delivery of goods to South Korea is complete The Company has examined the Era of the United Nations Security Council dated 8 September 2021. Get a system number that has been canceled in the system of the customs system. Both 2 are A01216303810 and A02316305508. The sender name is Fuji Kura Electronic (Thailand) Co., Ltd. is the sender of North Korea. Which according to the facts did not deliver such products to North Korea in any way In order to obtain accuracy in such cases, the company therefore has a letter requesting courtesy to the Director-General of the Customs Department. In order to check the export of the product of the two outbound products that have the correct facts The Director of the Director of the Customs Department has a notification of the audit results back to Fujikura Electronic (Thailand) Co., Ltd. according to the books at Kor. 0506/21699 on the cancellation of the outbound product. In case of detecting the arrangement of the destination country, the error dated 23 December 2021, in the notice that 2nd output products, No.012163039810 and A0231630405508 That shows the destination country as North Korea has been the Customs Conduction of exports And have a new export To South Korea According to the output product leaf A0121630315425 dated 13-03-2563 and A0231630407861 dated 23-04-2563

According to the details mentioned above, Fujikura Electronics (Thailand) Co., Ltd. wishes to ask for help from the Ministry of Foreign Affairs to coordinate with the United Nations Security Council. To delete the output data that appears in the account at the United Nations Security Council, the issue of the issue of September 8, 2021, to the company. In order to reduce the problem and obstacles in the trade and business that affects Fujikura Electronic (Thailand) Co., Ltd.

Please be informed accordingly. Ask for help this time.

Sincerely

A solid black rectangular box used to redact the signature of the managing director.

Managing director

เอกสารแนบ ๒

Attachment 2



ที่ กค ๐๕๐๖/๒๐๖๔

กรมศุลกากร
๑ ถนนสุนทรโกษา คลองเตย
กรุงเทพมหานคร ๑๐๑๑๐

๒๓ ธันวาคม ๒๕๖๔

เรื่อง การยกเลิกใบขนสินค้าขาออก กรณีตรวจพบการสำแดงประเทศปลายทางคลาดเคลื่อน
เรียน กรรมการผู้จัดการบริษัท พูจีซูระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด

อ้างถึง หนังสือบริษัทพูจีซูระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด ลงวันที่ ๙ ธันวาคม ๒๕๖๔

ตามหนังสือที่อ้างถึง บริษัท พูจีซูระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด ขอความอนุเคราะห์
กรมศุลกากรในการตรวจสอบใบขนสินค้าขาออกเลขที่ A๐๑๒๑๖๓๐๓๐๔๘๓๐ และ A๐๒๓๑๖๓๐๔๐๕๕๐๔
เพื่อทางบริษัทฯ จะได้นำข้อมูลไปชี้แจงต่อคณะกรรมการความมั่นคงแห่งสหประชาชาติต่อไป นั้น

กรมศุลกากร โดยสำนักงานศุลกากรตรวจสินค้าทำอาภาศยานสุวรรณภูมิ ส่วนบริการศุลกากร ๒
ฝ่ายบริการศุลกากรที่ ๒ ขอเรียนว่าใบขนสินค้าขาออก A๐๑๒๑๖๓๐๓๐๔๘๓๐ และ A๐๒๓๑๖๓๐๔๐๕๕๐๔
ได้ดำเนินการยกเลิกการส่งออก และสินค้าดังกล่าวได้มีการส่งออกเรียบร้อยแล้วตามใบขนสินค้าขาออกเลขที่
A๐๑๒๑๖๓๐๓๐๔๘๓๐ และ A๐๒๓๑๖๓๐๔๐๕๕๐๔ ตามลำดับ

จึงเรียนมาเพื่อทราบ

ขอแสดงความนับถือ



ผู้อำนวยการสำนักงานศุลกากรตรวจสินค้าทำอาภาศยานสุวรรณภูมิ ปฏิบัติราชการแทน
อธิบดีกรมศุลกากร

สำนักงานศุลกากรตรวจสินค้าทำอาภาศยานสุวรรณภูมิ
โทรศัพท์ ๐ ๒๑๓๔ ๐๖๔๘

At. Kor Kor. 0506/21699

December 23rd, 2021

Subject the cancellation of the export declaration In case of declaration of destination
country inaccurate
To Managing Director of Fujikura Electronics (Thailand) Co., Ltd.
Reference Fujikura Electronics (Thailand) Co., Ltd. letter dated on December 9th, 2021.

Reference Fujikura letter to request for reconfirmation of No. A0121630309810 and
A0231630405508 in order for Fujikura to use this confirmation to explain to the United Nations
Security Council.

Thai customs at Bangkok airport (service unit 2) would like to confirm that export entries
A0121630309810 and A0231630405508 had been cancel from export. The cargo had been
exported successfully under export entries A121630315425 and A0231630407861 instead.

Please be informed accordingly.

Best regards


Director of the Customs Bureau Suvarnabhumi Airport Acting on behalf of the Director-General
of the Customs Department

22-01569

เลขที่ใบขน A0121630309810		กศก. 101/1 แผ่นที่ 2
สำเนาใบส่งของ Inspection Request No Assessment Request No Cargo Packing Type 9 - Other cargo types	บันทึกการตรวจสอบพิธีการ	
บันทึกการร้องเรียนและประสานงาน	บันทึกการประเมินอากร	
บันทึกการนำส่ง	บันทึกการวิเคราะห์สินค้า	
บันทึกการตรวจ	บันทึกการปล่อย	
บันทึกการรับบรรจุ AWB. No. 1. 98529034234 / PLITH2B00770 Vessel / Voyage QZ744 Release / Load 1191 12-03-2563 16:54:26 /		
		
		
STATUS=0301 12-03-2563 16:54:26 ขอรับรองว่าข้อมูลถูกต้องได้รับรองการบรรจุและ ส่งออกสำเนาตามระเบียบพิธีการศุลกากรในรูปแบบ อิเล็กทรอนิกส์แล้ว (ชื่อผู้ส่งของออก / ผู้รับมอบ) MR.HIDEKI TOMITA TR4672922 วันที่ขึ้น 12-03-2563		

ใบกำกับการขนถ่ายสินค้าทางอากาศยาน A012 1630309810

หมายเลขอ้างอิง: DNVY000002972 เลขที่ 

ข้าพเจ้า บริษัท พิวริยะ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด เลขที่ประจำตัวผู้เสียภาษีอากร 0136563004429

ที่อยู่ เลขที่ 1/30 สวนอุตสาหกรรมโรจนะ หมู่ที่ 5 ถนนโรจนะ ความแอม อุทัย พระนครศรีอยุธยา 13210

เพื่อส่งของทางท่า 1190-สนามบินสุวรรณภูมิ e-Seal

เที่ยวบิน	วันที่อากาศยานออก	เลขที่ใบตราส่ง (Airway Bill No)	คลังสินค้าที่ส่งของ	จำนวนกล่องรวมหน่วย	น้ำหนักรวมหรือหน่วย
OZ744	14-03-2563	Master 96826034234  House PLTH2800770 	1191 TG	12 CT	59.320 KGM

Job code M06-12/03/20

(ผู้ส่งของออกให้เฉพาะ)

บริษัท พิวริยะ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด

วันเดือนปีที่ขึ้นเอกสาร 06-12-2554 14:32:34

หมายเหตุ การแก้ไขจำนวนหรือผู้จัดส่งอาจมีข้อจำกัดกับการแก้ไขเป็นผู้นับรองว่าข้อมูลที่เป็นจริง หากไม่ถูกต้อง ผู้ที่เกี่ยวข้องขอรับความผิดตามกฎหมาย

Invoice no. RGA1721 12/03/20

ช่องบันทึกเจ้าหน้าที่ศุลกากร

☐ ตัดบัญชีใบกำกับฯ (Green Line)
 ☐ ตรวจสอบพัสดุสินค้า (Red Line)

(เจ้าหน้าที่ศุลกากร).....

วันเดือนปีตรวจสอบ.....



ฉีก





A0231630405508_M05-22/04/20_23-Apr-2020

ไบชนสินค้ำชาออก

REF. 10 5/1

UNIT-220126 061221 1434 POKNSUDA

เลขที่ใบขน A0231630405508		กศก. 101/1 แผ่นที่ 2
สำเนาใบสั่งส่งออก Inspection Request No Assessment Request No Cargo Packing Type 9 - Other cargo types	บันทึกการตรวจหาสารพิษ	
บันทึกการร้องเรียนและปริมาณ	บันทึกการประเมินสาร	
บันทึกการนำส่ง	บันทึกการวิเคราะห์สินค้า	
บันทึกการตรวจ	บันทึกการปล่อย	
บันทึกการรับบรรจุ AWB. No. 1. 98831355575 / PLITH2901102 Vessel / Voyage OZ742 Release / Load 1191 23-04-2563 13:41:01 /		
		
		
STATUS=0301 23-04-2563 13:41:01 ขอรับรองว่าข้อมูลถูกต้องได้รับรองการบรรจุและ (ชื่อผู้ส่งของออก / ผู้รับมอบ) MR.HIDEKI TOMITA ส่งออกสำเนาตามระเบียบพิธีการศุลกากรในรูปแบบ TR4672922 บันทึกการออกสำเนา วันที่ขึ้น 23-04-2563		

ใบกำกับการขนส่งสินค้าทางอากาศยาน

A023 1630405508

หมายเลขอ้างอิง DNVY000003424		เลขที่ 			
ผู้ขาย บริษัท พูจิอุระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด		เลขที่ประจำตัวผู้เสียภาษี 013553004429			
ที่อยู่ เลขที่ 1/80 ถนนอุตสาหกรรมใหม่ หมู่ที่ 5 ถนนโรจนะ ตำบลสาม จุฬย พะนาณกรหรืออยุธยา 13210					
เลขส่งของทางไป 1190-สินค้ามีผู้รับผิดชอบ		9-5001			
เที่ยวบิน	วันที่ออกอากาศ ออก	เลขที่ใบตราส่ง (Airway Bill No)	คลังสินค้า ที่ส่งของ	จำนวนน้ำหนัก รวมหน่วย	น้ำหนักรวมหีบ หน่วย
OZ742	24-04-2563	Master 98831355575  House PLTH2B01102 	1191 TG	9 CT	42.590 KGM
Job code M05-22/04/20 บริษัท พูจิอุระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด (ผู้ส่งของออกให้ทางไป) วันที่ขึ้นบินออกสาร 06-12-2564 14:34:19 หมายเหตุ การแก้ไขจำนวนหีบห่อ ผู้ที่ลงลายมือชื่อเกี่ยวกับการแก้ไขเป็นผู้รับรองว่าข้อมูล แก้ไขเป็นความจริง หากไม่ถูกต้อง ผู้ที่แก้ไขจะต้องรับผิดชอบความผิดตามกฎหมาย Invoice no. RGA2847 22/04/20			ช่องบันทึกเจ้าหน้าที่ศุลกากร ☐ ตัดบัญชีใบกำกับฯ (Green Line) ☐ ตรวจสอบส่งสินค้า (Red Line) (เจ้าหน้าที่ศุลกากร)..... กับเดือนปีเวลา.....		



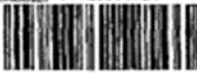
ฉีก

หน้า 10 จาก 12

22-01569

ใบกำกับการขนถ่ายสินค้าทางอากาศยาน

A012 1630315425

หมายเลขอ้างอิง..... DNVYD00002985		เลขที่.....			
บริษัท เจ้า บริษัท พรีคูล อีเล็กทรอนิกส์ (ประเทศไทย) จำกัด		เลขที่ประจำตัวผู้เสียภาษีอากร..... 013553004429			
ที่อยู่ เลขที่ 1/80 ถนนอุตสาหกรรมโรจนะ หมู่ที่ 5 ถนนโรจนะ ตำบลบางคูรัด อำเภอบางบาล จังหวัดพระนครศรีอยุธยา 13210					
จัดส่งเอกสารที่..... 1190-สนามบินสุวรรณภูมิ..... ๑-Saal					
เที่ยวบิน	วันที่อากาศยานออก	เลขที่ใบตราส่ง (Airway Bill No)	คลังสินค้าที่ส่งออก	จำนวนใบปล่อยรวมหน่วย	น้ำหนักรวมหีบห่อหน่วย
OZ744	14-03-2563	Master 90826004234  House PLTH2800770 	1191 TG	12 CT	59.320 KGM
Job code M06-12/03/20 (ผู้ส่งของออกหัวฉันทน) บริษัท พรีคูล อีเล็กทรอนิกส์ (ประเทศไทย) จำกัด วันเดือนปีที่ขึ้นเอกสาร..... 06-12-2564 14:34:43			ช่องบันทึกเจ้าหน้าที่ศุลกากร ☐ ตัดบัญชีใบกำกับฯ (Green Line) ☐ ตรวจปล่อยสินค้า (Red Line) (เจ้าหน้าที่ศุลกากร)..... วันเดือนปีที่ลงตรา.....		
หมายเหตุ การแก้ไขจำนวนใบปล่อย ผู้ที่ลงลายมือชื่อเกี่ยวกับการแก้ไขเป็นผู้รับรองว่าข้อมูลที่เป็นจริง หากไม่ถูกต้อง ผู้ที่แก้ไขต้องยอมรับเป็นความผิดตามกฎหมาย Invoice no. RGA1721 12/03/20					



หน้า 10/11
ฉบับที่ 1/2

[illegible]



ใบกำกับการขนส่งสินค้าทางอากาศยาน A023 1630407861

หมายเลขอ้างอิง DNVY000003439		เลขที่ 			
ผู้รับ: บริษัท พูจิธร อิเล็กทรอนิกส์ (ประเทศไทย) จำกัด เลขที่ประจำตัวผู้เสียภาษี 0135563004429					
ที่อยู่: เลขที่ 1/80 สวนอุตสาหกรรมโรจนะ หมู่ที่ 5 ถนนโรจนะ ตำบลสามชัย พระนครศรีอยุธยา 13210					
เพื่อส่งมอบ: 1190-สนามบินสุวรรณภูมิ e-Seal					
เที่ยวบิน	วันที่ออกเดินทาง	เลขที่ใบตราส่ง (Airway Bill No)	คลังสินค้า ที่ส่งมอบ	จำนวนใบปะ รวม/หน่วย	น้ำหนักรวม หน่วย
OZ742	23-04-2563	Master 98831365675  House PLTH2801102 	1181 TG	9 CT	42.500 KGM
Job code M06-23/04/20 (ผู้ส่งของออกให้แทน) บริษัท พูจิธร อิเล็กทรอนิกส์ (ประเทศไทย) จำกัด วันที่ขึ้นเอกสาร 06-12-2564 14:35:05			ช่องบันทึกเจ้าหน้าที่ศุลกากร ☐ ตัดบัญชีใบกำกับฯ (Green Line) ☐ ตรวจสอบพัสดุสินค้า (Red Line) (เจ้าหน้าที่ศุลกากร)..... วันที่ขึ้นภาษี.....		
หมายเหตุ การถือครองจำนวนใบปะ ผู้ที่ลงลายมือชื่อเกี่ยวกับการแก้ไขเป็นผู้รับรองว่าข้อมูล แก้ไขเป็นความจริง หากไม่ถูกต้อง ผู้ที่เกี่ยวข้องจะรับผิดชอบตามกฎหมาย Invoice no. RGA2847 22/04/20					


 ๓๑
 3

Figure 92-2: EIC Semiconductor Co. Ltd.

URGENT

No. 56101/33



PERMANENT MISSION OF THAILAND
TO THE UNITED NATIONS
136 EAST 39TH ST., NEW YORK, NY 10016

The Permanent Mission of Thailand to the United Nations presents its compliments to the Panel of Experts established pursuant to Security Council Resolution 1874 (2009) and, with reference to the former's Note No. 56101/26 dated 13 January B.E. 2565 (2022) transmitting additional information on export entries, which appear in Annex 52 of the midterm report on the work of the Panel of Experts (S/2021/777), has the honour to enclose herewith Thailand's further response to the midterm report, in particular paragraph 123 and Annex 52 of the said report.

The Permanent Mission of Thailand wishes to underscore the urgency of the request contained in paragraph 3 of the attached response, and request the Panel of Experts to inform the Permanent Mission on actions it intends to take with a view to addressing Thailand's concerns as expressed in the attached response and the aforementioned Note at the earliest opportunity.

The Permanent Mission of Thailand to the United Nations avails itself of this opportunity to renew to the Panel of Experts established pursuant to Security Council Resolution 1874 (2009) the assurances of its highest consideration.

Permanent Mission of Thailand to the United Nations,

21 January B.E. 2565 (2022)



Panel of Experts established pursuant to Security Council Resolution 1874 (2009),
NEW YORK.

Thailand's Response to the Panel's Midterm Report dated 8 September 2021

Thailand wishes to provide additional information and emphasize the following points with regard to the Panel's midterm report dated 8 September 2021:

1. Similar to the case mentioned in the Permanent Mission of Thailand to the United Nations' Note no. 56101/26 dated 13 January B.E. 2565 (2022), the Ministry of Foreign Affairs of Thailand received a letter from EIC Semiconductor Co. Ltd., whose name also appears in Annex 52 of the midterm report, explaining their action regarding the misfiled export entry and providing documents to support their case.

2. Thailand expresses its deep concern over the choice of language used in paragraph 123 of the report referring to export to the DPRK. Upon the request of the PoE, Thailand has shared, in good faith, all necessary information to reflect transparency. However, the language used in the report appears to create a misleading impression that the companies had an intention to engage in export of prohibited items to the DPRK, which was NOT the case. The report has evidently caused significant damage to the companies mentioned in Annex 52 and their associates.

3. As mentioned in paragraph 117 of the midterm report, mistaken usage of country codes, in which the country code for the DPRK (KP) is entered wrongly in the place of the country code for the ROK (KR), the intended trade partner, is frequently cited as a problem. This is also the case for Thailand. According to the information from the Department of Customs, out of 12 export entries, 8 are confirmed to be misfiled and the entries have been corrected, with the goods subsequently exported to the ROK, their intended destination. The other 4 entries were withdrawn, with goods returned. There were no traces or records of attempted export to the DPRK and there were no trade transactions between Thailand and the DPRK between January - September 2021.

In order to avoid misunderstanding and unintended consequences for the companies concerned, Thailand requests the Panel to reflect the aforementioned information at the earliest opportunity.

4. Thailand fully supports the Panel's recommendation that the International Organization for Standardization (ISO) look into possible measures to prevent erroneous usage of country codes for the DPRK (KP) and the ROK (KR).

* * * * *

Annex 93: Consolidated list of recommendations

Procurement of illicit WMD-related choke-point commodities

1. The Panel recommends the designation of the following individual for his role in and support for the country's prohibited programme:
 - Mr. O Yong Ho, currently based in Moscow as a DPRK diplomat, is involved in procuring items connected to DPRK's ballistic missile programme through his support to the UN-designated "Second Academy of Natural Sciences" (SANS) (aka "Academy of National Defence Science" (ANDS)).

Maritimes

To Member States:

On vessel Identity laundering and AIS manipulation

2. The Panel recommends that Member States and ship registries add to their ship circulars information pertaining to detected cases of vessel identity laundering or tampering, and ensure wide dissemination, including to maritime authorities. Such information would include:
 - Identifiers of ships in their registry that have transmitted cover identities;
 - Identifiers of ships in their registry that may have had their identifiers exploited by other vessels;
 - Names of ship registrants whose vessels have transmitted fraudulent identifiers.
3. The Panel recommends that flag States and their recognized organizations keep verified records and up-to-date time-stamped photographs of vessels they certify and flag, including for submission to the International Maritime Organization (IMO) at regular intervals. These recorded images would include:
 - All permanent markings of the ship's name and IMO number;
 - Photographs of the ship at various angles;
 - Photographs of the ship's engine, including its engine number.
4. The Panel recommends that the IMO consider the review of hardware and software security standards for preventing the tampering of AIS transponders.
5. The Panel recommends that the IMO urge all flag States to ensure that the requirements for the Continuous Synopsis Record (CSR) are complied with, including, for such information to be updated accordingly on the IMO GISIS website.

On vessel onward sale

6. The Panel recommends that sellers check that vessel sale information is reflected on the IMO GISIS website on a timely basis.

7. The Panel recommends that shipowners and managers undertake on-going in-house reviews on sanctions compliance programs with the requisite training and resources.

On oil supply chain and free-on-board practice

8. The Panel reiterates that commodity trading companies and tanker fleets operating under their jurisdictions and in those at-risk segments of the free-on-board market and/or engaging in ship-to-ship transfer in the affected international waters adopt contractual language that includes effective end-use delivery verification.
9. The Panel recommends that commodity trading companies, tanker fleets and segments of the affected free-on-board markets should review the AIS history and any known use of fraudulent identities of all vessels that they intend to supply or receive products/commodities banned under the resolutions.
10. The Panel recommends that financial institutions include AIS screening and vessel due diligence risk assessment clauses into letters of credit, loans and other financial instruments issued to commodity traders involved in the oil and petroleum products industry in the affected areas.
11. The Panel recommends that financial institutions involved in commodity trading in affected areas expand transaction monitoring programs to incorporate AIS screening for both client and counterparty vessels.

On enhanced due diligence and data-sharing

12. The Panel recommends that flag States possess the requisite tools available to identify and investigate suspected fraudulent use of MMSIs where it is detected and share the results of its investigation with other maritime authorities, including with the Panel.
13. The Panel recommends that the IMO GISIS include information to indicate whether a vessel's flag registration is provisional or permanent as well as the effective date range.
14. The Panel recommends that ship owners, charterers and operators continue to enhance 'know-your-customer' and 'know-your-counterparty's-vessel' due diligence with regards ship-to-ship transfers. During the transfers, time-stamped photographs, including verifiable ship identifiers and associated transmitted AIS profiles, financial transaction records and other relevant crew details are recorded for compliance purposes, and to be shared with law enforcement and the Panel of Experts where necessary.

To the Committee:

15. The Panel reiterates its recommendations of the following vessel for further designation under paragraph 5 of resolution 2397 (2017) and recommends the vessel for designation under paragraph 14 of resolution 2397 (2017):
 - UN HUNG (fka VIFINE) (IMO: 9045962), DPRK-flagged.
16. The Panel recalls its previous recommendations of the following vessels for designation under paragraph 5 of resolution 2397 (2017) and further recommends their designation under paragraphs 5 of resolution 2397 (2017) and 11 of resolution 2375 (2017):
 - DIAMOND 8 (IMO: 9132612), unknown-flagged
 - NEW KONK (IMO: 9036387), unknown-flagged
 - SUBBLIC (IMO: 8126082), unknown-flagged
 - XING MING YANG 888 (IMO: 8410847), unknown-flagged.
17. The Panel recommends the following vessel for designation under paragraph 11 of resolution 2375 (2017) and for designation under paragraph 14 of resolution 2397 (2017):
 - SU RYONG SAN (IMO: 9016430).
18. The Panel reiterates its recommendation of the following vessel for further designation under paragraph 11 of resolution 2375 (2017):
 - PHO PHYONG (IMO: 8417962), DPRK-flagged.
19. The Panel reiterates its recommendations of the following vessels for further designation under paragraph 11 of resolution 2375 (2017) and for their designation under paragraph 14 of resolution 2397 (2017):
 - TO MYONG, (fka RI HONG / KLAUSEN) (IMO: 9162318), DPRK-flagged
 - TAE P(H)YONG 2 (fka MING ZHOU 6) (IMO: 8602763), DPRK-flagged.

Trade and Customs

20. The Panel recommends appropriate measures to be taken by the International Organization for Standardization (ISO) to prevent erroneous usage of country codes for DPRK and ROK (KP and KR respectively).
21. The Panel recommends that Member States streamline their export and import control lists, using as supportive material the informal list of prohibited commodities.
22. The Panel recommends that Customs authorities of Member States use the above-mentioned list for information of their jurisdictions' trading agents for due diligence purposes, particularly when dealing with such commodities in the vicinity of sanctioned jurisdictions.

Implementation of Luxury Goods Ban

23. The Panel recommends the Member States could consider updating their export control lists to reflect their lists of prohibited luxury goods in a manner consistent with the objectives of resolutions 1718 (2006), 1874 (2009), 2094 (2013), 2270 (2016) and 2321 (2016), but avoiding unnecessary broadening of their scope in order not to restrict the supply of unprohibited goods to the civilian population nor have a negative humanitarian impact once trade restarts.
24. The Panel reiterates its recommendation that Member States encourage their business entities and nationals exporting luxury goods to include a contractual provision to prevent transshipment to the Democratic People's Republic of Korea.
25. The Panel reiterates its recommendation that Member States and relevant organizations encourage shipping and transportation companies to provide thorough systems for end-user checking, bearing in mind the risk of trans-shipment, including ship-to-ship transfer and means of transport for humanitarian cargo.

Unintended Impact of Sanctions

26. The Panel recommends that the Committee review the responses of nongovernmental organizations to the Panel's survey and consider contacts with civil society to tackle the complex issues of a humanitarian crisis in the DPRK to help substantiate future decision-making and to better assess humanitarian aid needs.
 27. The Panel underlines the urgency of concrete measures for re-establishing the banking channel.
 28. The Panel appreciates the biannual briefings by the relevant United Nations agencies on the unintended impact of sanctions and recommends that the Committee continue this practice.
 29. The Panel recommends that the Security Council continue to address issues and processes that mitigate the potential unintended adverse impacts of sanctions on the civilian population of the Democratic People's Republic of Korea and on humanitarian aid operations to benefit the country's vulnerable population and overcome the consequences of the COVID-19 pandemic.
 30. The Panel notes the positive outcome of the Committee's efforts to streamline the processes and procedures for applying for humanitarian exemptions and recommends that the Committee continue these efforts, taking into account the suggestions by humanitarian actors.
-