



Security Council

Distr.: General
7 December 2017

Original: English

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

Note verbale dated 6 December 2017 from the Permanent Mission of Czechia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Czech Republic to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution [1718 \(2006\)](#) and has the honour to provide information on the concrete measures taken by the Government of the Czech Republic to ensure effective implementation of the relevant provisions of Security Council resolution [2371 \(2017\)](#) (see annex).



Annex to the note verbale dated 6 December 2017 from the Permanent Mission of Czechia to the United Nations addressed to the Chair of the Committee

Report of Czechia on the implementation of Security Council resolution 2371 (2017)

The Czech Republic, as a member State of the European Union, implements the provisions of Security Council resolutions that fall within the scope of the competence of the European Union by way of the decisions and regulations of the Council of the European Union. The Czech Republic has been taking part in the preparation of European Union legal instruments implementing the provisions of the relevant paragraphs of Security Council resolution 2371 (2017) with the aim of adopting them without delay, as it has on previous occasions in connection with resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016) and 2356 (2017).

The Czech Republic and the other member States of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2371 (2017) by adopting the following common measures:

- Council Decision (CFSP) 2017/1504 of 24 August 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea;
- Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea;
- Council Implementing Decision (CFSP) 2017/1459 of 10 August 2017 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea;
- Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No. 329/2007, which provides for the implementation of the above measures falling within the scope of the Treaty on the Functioning of the European Union.

Council regulations have a direct binding effect on all persons and entities, without the requirement that they be incorporated into national legislation, unless stipulated otherwise; therefore, once the above-mentioned instruments have been adopted, they are directly applicable within Czech legislation without any need of transposition.

At the national level, Act No. 69/2006 Coll., on Carrying Out of International Sanctions, serves as the legal basis for the implementation of international sanctions. The Act adjusts, in relation to directly applicable European Union legislation, selected obligations of natural and legal persons while implementing international sanctions for the purpose of maintaining or restoring international peace and security, protecting fundamental human rights and fighting against terrorism. The Act also adjusts selected obligations of natural and legal persons while implementing international sanctions for the purpose of maintaining or restoring international peace and security, protecting fundamental human rights and fighting against terrorism to which the Czech Republic is bound as a result of its membership in the United Nations.

In the Czech Republic, the competent authority responsible for national coordination with regard to carrying out the international sanctions imposed for the

purpose of maintaining or restoring international peace and security, protecting fundamental human rights and fighting terrorism is the Financial Analytical Office. Its authority is governed by Act No. 69/2006 Coll., on Carrying Out of International Sanctions, and Act No. 70/2006 Coll., amending selected acts in relation to the adoption of Carrying Out of International Sanctions. The Office is responsible for the coordination of the implementation of restrictive measures at the national level. Depending on the type of restrictive measures, other ministries and government agencies are involved in issues related to their field of competence.

The Czech Republic, as a member of all relevant control regimes, already has in place all the tools necessary to implement the above-mentioned resolution and subsequent legal instruments of the European Union on the export of sensitive goods and technology that could contribute to programmes related to nuclear and other weapons of mass destruction or ballistic missile-related programmes of the Democratic People's Republic of Korea. The Ministry of Industry and Trade grants licences for all imports and exports of military materiel. The decision to issue such licences is based on binding recommendations made by the Ministries of Foreign Affairs, Interior and Defence.

With regard to financial sanctions, the Financial Analytical Office issues directives which ensure the immediate and full implementation of financial sanctions (freezing measures) that have been adopted by the Security Council targeting designated persons, entities and bodies in the period before the European Union adopts its follow-up measures.

The consequences for breaches of sanctions are fines of up to CZK 4,000,000. Where the breach has been committed by an individual, legal entity, or entrepreneur, property can be forfeited or they can be fined up to CZK 50,000,000 in situations where the profit gained or damage caused exceeds CZK 5,000,000. In some cases, a breach of sanctions amounts to a criminal offence. If the Ministry of Finance has a reasonable suspicion that a criminal offence has been committed, it should provide the police with the necessary evidence.

With regard to restrictions on travel (visa ban), the list of designated persons set out in Council Regulation (EU) 2017/1509 is directly applicable and provides the basis for the refusal of admission to and the denial of applications for a visa to enter the territory of the Czech Republic.