Strengthening of sanctions against the Democratic People's Republic of Korea (DPRK)

Following the adoption, on 2 March 2016, of the UN Security Council resolution 2270 (2016), further condemning the DPRK’s launch of 7 February 2016, which used ballistic missile technology and continues to be a threat to international peace and security, the EU strengthened its sanctions regime against DPRK.


New restrictions concern, in particular:

- “Any other items” that could directly contribute to the development of the DPRK’s operational capabilities of its armed forces (point “f” inserted in Article 1.1) except if for humanitarian or livelihood purposes, to be determined, on a case-by-case basis by the Sanctions Committee (Article 1a inserted);
- Gold, titanium ore, vanadium ore, and rare earth minerals (Article 2a inserted) as well as coal, iron, and iron ore (Article 4a inserted), with some exception for coal, following Member States’ notification to the Sanctions Committee;
- The sale or supply of aviation fuel, including aviation gasoline, naptha-type jet fuel, kerosene-type jet fuel, and kerosene-type rocket fuel, with some exceptions to be verified by the sanctions Committee, notably in case of humanitarian needs (Article 4b inserted);
- Financial restrictions (with exceptions for UN and its specialised agencies’ operations, missions and activities – Article 15a inserted) for, with and towards DPRK banks, including the Central Bank of DPRK (Article 8 modified);\(^1\)
- Inspection of all cargo to and from the DPRK if Member States have reasonable ground to believe that the cargo contains items whose supply, sale, transfer or export is prohibited under Decision 2016/476/CFSP (paragraph inserted in Article 10);
- Prohibition of entrance into the ports of any vessel, if Member States have reasonable ground to believe that the vessel is owned or controlled, directly or indirectly, by a person or entity listed in Annex I, or contains cargo whose supply, sale, transfer or export is prohibited under UNSC resolutions (Article 11a inserted);
- Prohibition to lease or charter flagged vessels or aircraft or provide crew services to the DPRK to any persons or entities listed in Annex I (Article 12a inserted);
- Obligation for member States to de-register any vessel owned, operated or crewed by the DPRK (Article 12b inserted) and prohibition to register vessels in the DPRK, obtain authorisation for a vessel to use the DPRK flag, or to own, lease, operate, or provide any vessel classification, certification or associated service, or insure any vessel flagged by the DPRK (Article 12c inserted);
- Duty for Member States to expel DPRK diplomats, government representatives or other DPRK nationals acting in a governmental capacity, except in case of transit to the UN Headquarters or other UN facilities, or in case of fulfilment of a judicial process.

\(^1\) Council Decision (CFSP) 2016/475 of 31 March 2016 (OJ L 85/34 of 1/4/2016) and Council Regulation (EU) 2016/465 of 31 March 2016 (OJ 85/1 of 1/4/2016) establish some exceptions to financial restrictions regarding Korea National Insurance Corporation (KNIC). In particular, the competent authorities of the Member States may authorise making certain funds or economic resources available to the Korea National Insurance Corporation (KNIC), according to some conditions laid down in the Council decision and Regulation.
or for medical, safety or other humanitarian purposes, to be determined by the sanctions Committee, on a case-by-case basis (Article 14a);

- Duty for Member States to expel nationals of third countries if working on behalf of, or at the direction of any person or entity listed in Annex I (Article 14b inserted);

- Duty for member States to close representative offices of entities listed in Annex I (Article 15b inserted);

- Prevention of specialised teaching or training for DPRK nationals also for advanced physics, advanced computer simulation and related computer sciences, geospatial navigation, nuclear engineering, aerospace engineering, aeronautical engineering and related disciplines (Article 16 modified).