

## **Procedure for Exemptions, Including Requests for Access to Funds under UNSCR 1718 and its Successor Resolutions**

1. Entities/individuals may at any time submit its requests to the **Arms Control and Disarmament (ACDIS) Division, Ministry of Foreign Affairs (MoFA), Islamabad** for exemption from the measures relating to Assets Freeze, Travel Ban, Arms Embargo, which will then be sent to the UNSC 1718 Sanctions Committee.

### **Requests for Access to Funds and Exemptions from Assets Freeze**

2. Requests for access to frozen funds or other financial assets or economic resources can be submitted. The exemptions from the assets freeze are provided in the following:

- a. Security Council Resolution 1718 (2006): paragraph 9
- b. Security Council Resolution 2270 (2016): paragraph 32
- c. Security Council Resolution 2371 (2017): paragraph 26
- d. UNSC 1718 Sanctions Committee Guidelines: Section 11

3. There are six types of exemptions to assets freeze, for which requests can be submitted to MoFA:

- a. **For basic expenses:** Pursuant to paragraph 9 (a) of resolution 1718 (2006) and Section 11 of the Committee's Guidelines, requests for the basic expenses can be submitted.
- b. **For extraordinary expenses:** Pursuant to paragraph 9 (b) of resolution 1718 (2006) and Section 11 of the Committee's Guidelines, requests for the extraordinary expenses are to be submitted and must, as appropriate, include the following information:
  - 1) Recipient (name and address)
  - 2) Recipient's bank information (name and address of bank, account number)
  - 3) Purpose of payment
  - 4) Amount of installment
  - 5) Number of installments
  - 6) Payment starting date
  - 7) Bank transfer or direct debit
  - 8) Interests
  - 9) Specific funds being unfrozen
  - 10) Other information
- c. **As a subject to judicial, administrative or arbitral lien or judgement:** Pursuant to paragraph 9 (c) of resolution 1718 (2006) and Section 11 of the Committee's Guidelines, requests for financial assets and economic resources used to satisfy lien or judgement (provided that it was entered prior 14 October 2006) as subject to the judicial, administrative or arbitral lien or judgement, and is not for the benefit of a designated individual and/or entity, can be submitted.

- d. **DPRK diplomatic missions:** Paragraph 32 of resolution 2270 (2016) decides that the measures imposed by the same paragraph shall not apply with respect to funds, other financial assets and economic resources that are required to carry out activities by the DPRK's missions to the United Nations and its specialized agencies and related organizations or other diplomatic and consular missions of the DPRK.
- e. **The 1718 Committee case-by-case determination:** Paragraph 32 of resolution 2270 (2016) decides that the measures imposed by the same paragraph shall not apply with respect to any funds, or other financial assets or economic resources that the Committee determines in advance on a case-by-case basis and which are required for the delivery of humanitarian assistance, denuclearization or any other purposes consistent with the objectives of resolution 2270 (2016).
- f. **Financial transactions with the DPRK Foreign Trade Bank or the Korea National Insurance Corporation:** Security Council resolution 2371 (2017), adopted on 5 August 2017, the Security Council designates the Foreign Trade Bank (FTB) and the Korea National Insurance Corporation (KNIC) to be subject to the measures specified in paragraph 8 (d) of Security Council resolution 1718 (2006).

4. In paragraph 26 of Security Council resolution 2371 (2017), the Security Council further decides that the measures specified in paragraph 8 (d) of Security Council resolution 1718 (2006) shall not apply with respect to financial transactions with the DPRK Foreign Trade Bank or the Korea National Insurance Corporation if such transactions are solely for the operation of diplomatic or consular missions in the DPRK or humanitarian assistance activities that are undertaken by, or in coordination with, the United Nations.

### **Requests for Exemption from Travel Ban**

5. Requests for exemption from Travel Ban can be submitted. The exemptions from the travel ban are provided in the following:

- a. Security Council Resolution 1718 (2006): paragraph 10
- b. Security Council Resolution 2094 (2013): paragraph 10
- c. UNSC 1718 Sanctions Committee Guidelines: Section 12

6. All requests should include the following information, with accompanying supporting documents:

- a. Name, designation, nationality and passport number(s) of the person(s) undertaking the proposed travel.
- b. The purpose(s) for the proposed travel, with copies of supporting documents furnishing details connected to the request such as specific dates and times of meetings or appointments.
- c. The proposed dates and times of departure from and return to the country from which the travel commenced.
- d. The complete itinerary for such travel including the points of departure and return and all transit stops.

- e. Details of the mode of transport to be used, including where applicable, record locator, flight numbers and names of vessels.
- f. A statement of specific justification for the exemption.

## **Requests for Exemption from Arms Embargo**

7. Requests for exemption from Arms Embargo can be submitted. The exemption to arms embargo is provided in the Security Council Resolution 2270 (2016): paragraph 8 (a) and (b).

8. There are three types of exemptions to the arms embargo:

- a. For food or medicine.
- b. Exclusively for humanitarian purposes or livelihood purposes, which will not be used by DPRK individuals or entities to generate revenue, and also not related to any activities prohibited by the resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), and 2270 (2016) (as determined by the Member State).
- c. 1718 Committee case-by-case determination.