



Government Offices of Sweden

# Sanctions against the Democratic People's Republic of Korea

Here is information on sanctions against the Democratic People's Republic of Korea.

## Description of the sanctions

As part of the Common Foreign and Security Policy (CFSP), the EU Member States have jointly implemented the sanctions adopted by the UN. The EU has chosen to go further than these sanctions in some areas. The consolidated sanctions that apply against the Democratic People's Republic of Korea (DPRK) in the EU can be found in Council Decision (CFSP) 2016/849; see under 'Relevant documents'.

Following the strengthening of the sanctions by the UN in March 2016 and further EU additions, the following currently applies.

### 1. Arms embargo (exports and imports) and prohibition concerning certain associated services

It is prohibited to directly or indirectly supply the DPRK with arms and related materiel of all types. The arms embargo also includes all trade and transport of light weapons, and a prohibition on providing technical and financial services linked to such materiel or technology.

It is also prohibited to purchase or in any other way acquire this type of materiel or technology, or technical and financial services

connected with them, from the DPRK.

## 2. Prohibition concerning products etc. intended for the DPRK's armed forces and/or that could contribute to the operational capabilities of its defence forces

There is a prohibition with respect to both exports and imports, as well as the transport of products intended for the DPRK's armed forces and/or that could contribute to the operational capabilities of the DPRK's defence forces, and for services connected with them.

## 3. Prohibition concerning dual-use products etc.

It is prohibited to directly or indirectly supply the DPRK with goods, equipment or technology that could contribute to the country's nuclear or missile technology programmes or to other programmes linked to weapons of mass destruction. Correspondingly, it is prohibited to purchase or in any other way acquire such products from the DPRK.

The sanctions also cover associated services, which means that it is prohibited to provide and acquire technical or financial services associated with such products.

The products covered by these prohibitions, as well as by the prohibition mentioned in the last paragraph of point 1 on the arms embargo, are regulated by the EU standardised list of dual-use items. This list of dual-use items is found in an annex to Council Regulation (EC) No 428/2009 and includes products related to nuclear weapons, missile technology, and chemical and bacteriological weapons, as well as products primarily linked to conventional weapons. The products listed are both those that the UN has decided to impose sanctions on and those that the EU has independently decided should be covered by sanctions.

Alongside this list of dual-use items, with respect to the DPRK, the EU – in certain cases due to a decision taken by the UN – has also introduced a prohibition with respect to an additional number of

products and associated services, in accordance with a number of special lists. Firstly, this concerns other products etc. that could contribute to DPRK programmes related to nuclear weapons, other weapons of mass destruction or ballistic missiles, as well as certain important components for the ballistic missile sector. As with the list of dual-use items, these products etc. are subject to a prohibition on both imports and exports, including in relation to the prohibition on supplying associated services.

In addition, exports etc. of jet fuel are also subject to a prohibition, also in accordance with a special list. Concerning imports, there is a prohibition with regard to petroleum products.

For the lists of prohibited products and other documents, see under 'Relevant documents'.

#### 4. Prohibition concerning gold, coal, iron, diamonds, etc. and certain associated services

It is prohibited to purchase etc. gold, titanium ore, vanadium ore or rare earth minerals from the DPRK.

It is also prohibited to sell etc. gold, other precious metals and diamonds to the Government of the DPRK, its public bodies, corporations and agencies, the Central Bank of the DPRK and any person or entity acting on their behalf or at their direction, or any entities owned or controlled by them. It is also prohibited to supply associated services in these cases.

For the lists of prohibited products and other documents, see under 'Relevant documents'.

#### 5. Restrictions on financial services, trade in bonds, etc.

It is prohibited for DPRK credit and financial institutions, via branches or subsidiaries, to open representative offices or become established in the EU. Moreover, existing offices must be closed, authorisation to pursue business may not be granted and no form of acquisition of

ownership interests is permitted in relation to such credit and financial institutions. In addition, it is prohibited for credit and financial institutions under the jurisdiction of the EU to establish correspondent banking relationships, joint ventures or ownership interests with/in credit or financial institutions domiciled in the DPRK. Credit and financial institutions in the EU are not permitted to open new bank accounts or representative offices with counterparts domiciled in the DPRK. Nor are they permitted to establish new branches or subsidiaries in the country. Existing bank accounts, correspondent banking relationships, representative offices, joint ventures and ownership interests must be terminated.

It is also prohibited to sell or purchase DPRK public or public-guaranteed bonds to or from the DPRK, the Central Bank of the DPRK, credit or financial institutions domiciled in the DPRK, etc. Correspondingly, it is also prohibited in relation to any person or entity acting on their behalf or at their direction, or that is owned or controlled by them. It is also prohibited to provide brokering services and certain other forms of financial assistance and services with regard to issuing etc. such bonds.

It is prohibited to sell, deliver, etc. newly printed DPRK banknotes or newly minted coinage, or unissued DPRK banknotes or coinage, to or for the benefit of the Central Bank of the DPRK.

## 6. Prohibition concerning luxury goods

It is prohibited to directly or indirectly purchase, sell, deliver or transfer luxury goods to or from the DPRK.

The specific types of goods are found in a special EU list; see under 'Relevant documents'.

## 7. Prohibition on investments and ban on government grants, financial assistance and concessional loans, and export support

It is prohibited in the EU to accept or approve DPRK investments in commercial activities. It is also prohibited to establish joint ventures

with or expand ownership interests in units taking part in DPRK programmes or activities for nuclear technology, ballistic missiles or other weapons of mass destruction, or pursuing activities in the mining or refining sectors or the chemical industry. In connection to this, it is prohibited to grant financing or financial assistance, or to provide investment services.

Furthermore, it is prohibited to provide financing and financial assistance for trade with the DPRK when this could contribute to DPRK nuclear or ballistic missile programmes, or to other prohibited activities.

EU Member States may not make any new commitments for grant assistance, financial assistance or concessional loans to the DPRK, except for humanitarian and developmental purposes directly addressing the needs of the civilian population or the promotion of nuclear disarmament.

## 8. Prohibition and restrictions of transactions involving DPRK credit and financial institutions

As a general rule, it is prohibited to transfer any assets to and from the DPRK, or for credit and financial institutions to initiate, or continue to take part in, transactions with DPRK banks, branches or subsidiaries, or with any credit and financial institutions controlled by them. Exemptions may be approved for certain types of transactions, including for personal remittances and transactions for humanitarian purposes.

To prevent violations of the financial prohibitions, special requirements have been introduced for credit and financial institutions, together with the obligation to report suspicious transactions etc. to the competent authority (in Sweden, the Financial Intelligence Unit).

## 9. Inspection of cargo to and from the DPRK etc., prohibition on entry for vessels and aircraft, and prohibition on supplying crew and

classification services, etc.

In order to ensure that cargo on board vessels or aircraft does not contain any banned products under the sanctions regime, cargo in or passing through EU territory is liable to inspection where the cargo has originated in or is bound for the DPRK, or where it has been brokered or facilitated from there or by persons who are subject to freezing measures. This also applies to cargo transported by DPRK-flagged vessels or aircraft registered in the DPRK, and to cargo transported by stateless vessels or aircraft. Where there are reasonable grounds to believe that vessels are carrying restricted goods, Member States are prohibited from providing bunkering or ship-supply services, or other servicing of vessels to DPRK vessels, unless the provision of such services is necessary for humanitarian purposes.

In the EU, it is also prohibited to provide entry into ports of any vessel that is owned, operated or crewed by the DPRK, or any DPRK-flagged vessel. This also applies to vessels owned or controlled by anyone who is subject to freezing measures (cf. below), and to vessels carrying restricted goods or that have refused inspection. Exemption regulations are in effect for emergency situations etc.

The prohibition also applies to leasing and chartering vessels and aircraft, and providing crew services to the DPRK, those subject to freezing or other DPRK entities, those who have assisted in sanctions evasions, and persons or entities acting on behalf of or at their direction, or those controlled by them. Moreover, it is prohibited to provide classification and associated services to vessels using the DPRK flag, or to register or allow to remain registered any vessels that are owned, operated or crewed by the DPRK or by DPRK nationals. The latter prohibition also applies to vessels that have been de-registered by another state in accordance with the underlying UN resolution.

## 10. Travel restrictions and enhanced vigilance over DPRK diplomatic personnel

Travel restrictions apply in EU Member States in the form of prohibitions on entry and transit for persons that the UN Security

Council or the EU considers to have a particular connection to activities that are to be prevented. These are listed in various annexes; see 'Relevant documents'. Some exemptions may be allowed.

Furthermore, EU Member States are required to expel DPRK nationals who are working on behalf of or at the direction of a person designated by the UN and/or EU, or a person assisting in the evasion or violation of the sanctions. This also applies to DPRK diplomats etc. acting in a governmental capacity, or on behalf of or at the direction of a designated person, or a person assisting in the evasion or violation of the sanctions. Member States must also expel foreign nationals who are working for or on behalf of or at the direction of a designated person, or who are assisting in the evasion or violation of the sanctions.

Member States must also, in accordance with international law, exercise enhanced vigilance over DPRK diplomatic personnel so as to prevent such persons from contributing to DPRK nuclear or ballistic-missile programmes, or other activities prohibited by UN Security Council resolutions and/or EU decisions.

## 11. Freezing and prohibition on making funds available, and prohibition on business arrangements involving entities on the freezing lists

Funds and economic resources belonging to certain designated persons, entities or bodies, listed in special annexes, that are engaged in or support DPRK programmes to be prevented are to be frozen. This also applies to persons etc. acting on behalf of designated persons or at their direction, or who are assisting in the evasion or violation of the sanctions. Some of these have been designated by the UN Security Council, and others independently by the EU. It is also prohibited for others to place funds or economic resources at the disposal of those designated. The designated persons and entities are found in separate lists; see under 'Relevant documents'.

The prohibition on making funds and economic resources available also applies to persons, entities and bodies under the Government of the DPRK and the Worker's Party of Korea, and to persons or entities acting on their behalf or at their direction, or entities owned or controlled by them. In these cases as well, the possibility of listing relevant persons is linked to these being associated with the DPRK's prohibited programmes and other prohibited activities.

Furthermore, an explicit prohibition applies to business arrangements in relation to persons or entities designated on freezing lists by the UN, and to persons or entities acting on their behalf or at their direction.

Some exemptions may be allowed.

## 12. Restrictions on teaching or training

EU Member States are required to take measures to prevent specialised teaching or training of DPRK nationals in disciplines that could contribute to the DPRK's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems.

## Competent Swedish authorities

The Swedish Migration Agency and Sweden's missions abroad are the authorities responsible for applying travel restrictions.

The Inspectorate of Strategic Products has primary responsibility for matters concerning the arms embargo and the associated ban on services.


























The primary authority for matters on the prohibition concerning dual-use items, and associated prohibitions on certain services, is either the Inspectorate of Strategic Products or the Swedish Radiation Safety Authority, depending on the type of product involved.

Exemptions from the prohibition on luxury goods may be granted by the National Board of Trade.



## Relvant documents


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- > UN Resolution 1695 (2006) 
- > UN Resolution 1718 (2006) 
- > UN Resolution 1874 (2009) 
- > UN Resolution 2087 (2013) 
- > UN Resolution 2094 (2013) 
- > Council Regulation (EC) No 329/2007 
- > Council Regulation (EU) No 1283/2009 
- > Council Regulation (EC) No 428/2009 
- > Council Regulation (EU) No 567/2010 
- > Council Regulation (EU) No 296/2013 
- > Council Regulation (EU) No 696/2013 
- > Council Decision 2013/183/CFSP 
- > Council Decision 2014/212/CFSP 
- > Council Decision 2014/700/CFSP 
- > Council Decision 2015/1066/CFSP 
- > Council Decision 2016/1341/CFSP 
- > Council Decision 2016/849/CFSP 
- > Commission Regulation (EU) No 1251/2010 
- > Commission Implementing Regulation (EU) No 386/2014 
- > Commission Implementing Regulation (EU) No 1355/2011 
- > Commission Implementing Regulation (EU) No 137/2013 
- > Commission Implementing Regulation (EU) No 370/2013 
- > Commission Implementing Regulation (EU) No 1059/2014 
- > Commission Implementing Regulation (EU) 2015/1062 
- > SFS 2011:67 

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