

Security Council 1718 Sanctions Committee Approves Updates to Implementation Notice on Humanitarian assistance Exemption Procedure for Democratic People's Republic of Korea

On 2 June 2023, the Security Council Committee established pursuant to resolution 1718 (2006) approved updates to its seventh implementation assistance notice (IAN) entitled "Guidelines for Obtaining Exemptions to Deliver Humanitarian Assistance to the Democratic People's Republic of Korea", which was initially adopted by the Committee on 6 August 2018.

The updated IAN incorporates the relevant elements of Security Council resolution 2664 (2022) and is available on the Committee's website in all official languages of the United Nations

(www.un.org/securitycouncil/sanctions/1718/implementation-notice and www.un.org/securitycouncil/sanctions/1718/exemptions-measures/humanitarian-exemption-requests).

The Committee's IAN No. 7 is intended to assist Member States and international and non-governmental organizations carrying out humanitarian assistance activities in the Democratic People's Republic of Korea (DPRK) for the benefit of the civilian population of the DPRK and to improve the delivery of humanitarian assistance to the DPRK. It provides a clear explanation of its comprehensive humanitarian exemption mechanism, as authorized in paragraph 25 of Security Council resolution 2397 (2017), by offering guidance and recommendations on how to submit humanitarian exemption requests to the Committee in accordance with the relevant resolutions.

Through the updates to Implementation Assistance Notice No. 7, the Committee recalls the adoption of resolution 2664 (2022) and specifies its application in the context of humanitarian assistance to the DPRK.

Paragraph 1 of resolution 2664 (2022) created an exception to the asset freeze imposed by paragraph 8(d) of resolution 1718 (2006), which was subsequently expanded by paragraph 27 of resolution 2094 (2013) and paragraph 32 of resolution 2270 (2016) and clarified by paragraph 12 of resolution 2270 (2016), to permit the provision, processing or payment of funds, other financial assets, or economic resources, or the provision of goods and services necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs by certain organizations. Accordingly, consistent with paragraph 4 of resolution 2664 (2022), a case-by-case Committee exemption is not required with respect to the asset freeze imposed by paragraph 8(d) of resolution 1718 (2006) for activities permitted by resolution 2664 (2022).

The Committee also recalls that, because the exception set forth in paragraphs 1 and 4 of resolution 2664 (2022) applies only to the asset freeze, a case-by-case Committee exemption is required to engage in activity prohibited by any other measure imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) or 2397 (2017), including but not limited to sectoral measures. The Committee also notes that paragraph 6 of resolution 2664 (2022) directs the Committee, assisted by its Panel of Experts, to monitor the implementation of paragraph 1 of the resolution, including any risk of diversion. The Committee therefore encourages that Member States and international and non-governmental organizations carrying out humanitarian assistance and relief activities for the benefit of the civilian population of the DPRK to provide the Committee and its Panel of Experts with any information relevant to the risk of diversion.