

Sanctions Notice 23

United Nations Sanctions

North Korea



November 2006
(updated to 11th March 2008)



Isle of Man
Government

Reilrys Ellan Vannin

About this Notice

This Notice draws attention in convenient form to measures adopted by the United Nations, and any Orders made under the United Nations Act 1946, which impose trade, economic or financial sanctions.

This Notice provides guidance on certain aspects only of any measures or Orders that implement those sanctions in the Island, and should be read in conjunction with the relevant measure or Orders.

The Treasury has appointed its Customs and Excise Division to act for the purpose of enforcing financial sanctions. Accordingly, certain powers have been delegated by the Treasury to the Division.

Enquiries concerning this Notice should be addressed to the address given below and marked for the attention of the Sanctions Officer.

Enquiries may also be made by -

- facsimile transmission (01624 661725)
- Email (customs@gov.im)
- Telephone (01624 648138)

The address for any enquiries or applications relating to this Notice is -

The Sanctions Officer
The Treasury
Customs and Excise Division
PO Box 6
Custom House
North Quay
Douglas
Isle of Man
IM99 1AG



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Introduction

1. On 15th July 2006 the United Nations Security Council adopted Resolution 1695 in which it criticised the multiple launches of ballistic missiles carried out by the Democratic People's Republic of Korea (DPRK) on 5th July 2006.
2. On 14th October 2006 the Security Council adopted Resolution 1718 in which the nuclear test programme proclaimed by the DPRK was condemned, and the Security Council expressed grave concerns at the challenge this constituted to the Treaty on the Non-Proliferation of Nuclear Weapons, to international efforts designed to stop the proliferation of nuclear weapons, and the danger the programme posed to peace and stability in the region.
3. Security Council Resolution 1718 prohibits -
 - a. the direct or indirect supply, sale or transfer to the DPRK of certain conventional weapons, and related materials including spare parts, and other items that the Security Council or a Committee established under the Resolution list;
 - b. the direct or indirect supply, sale or transfer to the DPRK of items included in the Nuclear Suppliers Group and Missile Technology Control regime lists; and other materials, equipment, goods and technology related to nuclear, ballistic missile or other weapons of mass destruction programmes;
 - c. the provision of technical training, services and assistance in relation to that mentioned in (a) and (b) above, including the provision of financing or financial assistance;
 - d. the procurement from the DPRK of any of the items mentioned in (a) or (b) above;
 - e. the entry into, or the transit through, member States of persons designated by the Security Council or its Committees as being responsible for (including supporting or promoting) the DPRK policies in relation to its nuclear programme, ballistic missile development and use, and other mass destruction-related programmes. Family members of designated persons are also to be covered by this prohibition.
4. Security Council Resolution also imposes a freeze of funds, other financial assets and economic resources owned or controlled directly or indirectly by -
 - a. designated persons, and
 - b. persons or entities acting on their behalf or at their direction.

The Resolution also required that no funds, financial assets or economic resources be made available to or for the benefit of such persons or entities.



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5. On 20th November 2006 the European Union adopted Council Common Position 2006/795/CFSP, imposing in the EU similar restrictions as imposed by Resolution 1718. On 29th March 2007 the European Union adopted Council Regulation 329/2007/EC, which implemented the restrictions in Community law.
- 5A. On 3rd August 2007 the European Communities (North Korea Sanctions) (Application) Order 2007 came into operation. This applied Council Regulation (EC) No. 329/2007 in the Island. On 6th August the North Korea Sanctions Regulations 2007 came into operation, providing for offences and penalties for breaches of the Council Regulation, and information powers for the investigation into suspected breaches. Taken together these instruments had the effect of fully implementing the UN-mandated restrictions, and the powers necessary to enforce them.
- 5B. On 10th February 2008 the EU replaced Annexes I and II to Council Regulation (EC) No. 329/2007. Annex I lists the goods and technology subject to restrictions, and Annex II the list of relevant competent authorities in the various Member States.
6. As of 7th August 2007 no person has been designated by the Security Council, a Sanctions Committee of the UN or the European Union.

Amendments to this Notice

7. On 30th March 2007, paragraph 5 amended to include reference to Council Regulation 329/2007/EC, and paragraph 6 to say neither the UN nor the EU had designated any person or entity. At the same time the copyright date for the Notice was changed to 2007.
8. On 7th August 2007, new paragraph 5A was inserted, dealing with the Order and Regulations enacted in the Island to give effect to Council Regulation (EC) No. 329/2007. At the same time paragraph 6 was amended to say that up to that date no persons had been named by the UN or EU as being subject to financial sanctions.
9. On 13th February 2008 new paragraph 5B inserted, referring to changes made by Commission Regulation (EC) No. 117/2008.

Isle of Man Customs and Excise Website

Amendments to these sanctions will be advised by means of news releases which will be published on the official Isle of Man Government website at <http://www.gov.im/>

The Isle of Man Customs and Excise website will contain details of all current sanctions, news releases and links to relevant lists <http://www.gov.im/treasury/customs/>

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www.gov.im/customs

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