

THE UNITED NATIONS SECURITY COUNCIL RESOLUTIONS  
IMPLEMENTATION (ASSET FREEZE-DEMOCRATIC PEOPLE'S  
REPUBLIC OF KOREA) REGULATIONS, 2013.

1. These Regulations may be cited as the United Nations Security Council Resolutions Implementation (Asset Freeze-Democratic People's Republic of Korea) Regulations, 2013.

2. In these Regulations—

“Committee” means the Committee established by paragraph 12 of Resolution 1718;

“designated entity” means—

- (a) an entity designated in Annex I or Annex II to Resolution 2087;
- (b) an entity designated by the Committee or by the Security Council for the purpose of paragraph 5(a) of Resolution 2087 which applies paragraph 8(d) of Resolution 1718;
- (c) an entity acting on behalf of, or at the direction of an entity mentioned in paragraph (a) or (b); or
- (d) an entity owned or controlled by an entity mentioned in paragraph (a) or (b);

“freezable asset” means an asset that—

- (a) is owned or controlled by an entity designated in Annex I or Annex II of Resolution 2087; or
- (b) is derived or generated from any asset mentioned in paragraph (a);

“Resolution 1718” means Resolution 1718 (2006) adopted by the Security Council on 14 October, 2006;

“Resolution 2087” means Resolution 2087 (2013) adopted by the Security Council on 22 January, 2013, and set out in the Schedule for ease of reference.

3. The object of these Regulations is to give effect to Resolution 2087 by preventing persons from—

- (a) using or dealing with assets owned or controlled by a designated entity; and

- (b) making an asset available to a designated entity, otherwise than, in accordance with these Regulations.

4.—(1) These Regulations have extra-territorial effect as provided in paragraph (2).

(2) A person shall be liable for—

- (a) an offence under regulation 5 or 6, in respect of—

- (i) conduct occurring—

- (A) wholly or partly in Jamaica; or

- (B) wholly or partly on board a Jamaican aircraft or Jamaican ship;

- (ii) conduct occurring outside of Jamaica, where a result of the conduct occurs—

- (A) wholly or partly in Jamaica; or

- (B) wholly or partly on board a Jamaican aircraft or Jamaican ship; or

- (iii) conduct occurring outside of Jamaica, where the person—

- (A) is a national of Jamaica at the time of the offence; or

- (B) is a body corporate incorporated under the laws of Jamaica at the time of the offence; or

- (b) the offence of aiding, abetting, procuring, counselling, conspiring in, or attempting, the commission of an offence under regulation 5 or 6, if—

- (i) the conduct constituting the offence occurs outside of Jamaica; and

- (ii) the conduct constituting the offence under regulation 5 or 6 occurs, or is intended by the person to occur, wholly or partly in Jamaica or wholly or partly on board a Jamaican aircraft or Jamaican ship.

5.—(1) A person commits an offence if—

- (a) the person holds a freezable asset;

- (b) the person—
- (i) uses or deals with the freezable asset;
  - (ii) allows the freezable asset to be used or dealt with; or (iii) facilitates the use of the freezable asset or dealing with the freezable asset; and
- (c) the use or dealing mentioned in paragraph (b) is not by virtue of permission given by a notice under regulation 7.

(2) A person who commits an offence under paragraph (1) shall be liable upon summary conviction in a Resident Magistrate's Court to a fine of one million dollars or imprisonment for a term or twelve months, or both such fine and imprisonment.

(3) Subject to paragraph (4), strict liability applies to an offence under paragraph (1).

(4) It is a defence against a charge for an offence under paragraph (1) if the person charged proves that the use or dealing was solely for the purpose of preserving the value of the freezable asset.

6.—(1) A person commits an offence if the person, directly or indirectly, makes a freezable asset available to a designated entity otherwise than as permitted by a notice under regulation 7.

(2) A person who commits an offence under paragraph (1) shall be liable upon—

- (a) summary conviction in a Resident Magistrate's Court to—
- (i) in the case of an individual, a fine of one million dollars or imprisonment for a term or twelve months, or both such fine and imprisonment;
  - (ii) in the case of a body corporate, a fine of three million dollars;
- (b) conviction in a Circuit Court to—
- (i) in the case of an individual, a fine or imprisonment for a term of ten years;
  - (ii) in the case of a body corporate, a fine.

(3) For the purposes of paragraph (1), strict liability applies to the circumstance that the asset is made available otherwise than as permitted by a notice under regulation 7.

7.—(1) The owner or holder of a freezable asset may apply in writing to the Minister for permission to—

- (a) use or deal with the freezable asset in a specified way; or
- (b) permit an asset specified in the notice to be made available to a designated entity specified in the notice.

(2) The Minister may, by written notice—

- (a) permit a freezable asset specified in the notice to be used or dealt with in a specified way; or
- (b) permit an asset specified in the notice to be made available to a designated entity specified in the notice.

(3) The Minister may issue a notice under paragraph (2) on the Minister's own initiative or upon an application under paragraph (1).

(4) In permitting a freezable asset to be—

- (a) used or dealt with in a specified way; or
- (b) made available to a designated entity,

the Minister shall have regard to Jamaica's international obligations, including those under Resolution 2087.

(5) A notice under paragraph (2)—

(a) may be expressed to apply—

- (i) from a date before the notice is given;
- (ii) subject to any conditions specified in the notice;

(b) shall be given to the owner or holder (as the case may require) of the assets concerned as soon as is practicable after the notice is made.

(6) A notice under paragraph (2) that is given by the Minister on the basis of false or misleading information shall be deemed to have no effect.

(7) The Minister may vary, suspend or revoke a notice under paragraph (2), having regard to the matters specified in paragraph (3) to which the Minister shall have regard in issuing the notice.

## SCHEDULE

(Regulation 2)

*Resolution 2087 (2013) adopted by the Security Council on 22 January,  
2013**The Security Council,*

Recalling its previous relevant resolutions, including resolution 825 (1993), resolution 1540 (2004), resolution 1695 (2006), resolution 1718 (2006), resolution 1874 (2009), resolution 1887 (2009), as well as the statements of its President of 6 October, 2006 (S/PRST/2006/41), 13 April, 2009 (S/PRST/2009/7) and 16 April, 2012 (S/PRST/2012/13),

Recognizing the freedom of all States to explore and use outer space in accordance with international law, including restrictions imposed by relevant Security Council Resolutions,

1. Condemns the DPRK's launch of 12 December, 2012, which used ballistic missile technology and was in violation of resolutions 1718 (2006) and 1874 (2009);

2. Demands that the DPRK not proceed with any further launches using ballistic missile technology, and comply with resolutions 1718 (2006) and 1874 (2009) by suspending all activities related to its ballistic missile program and in this context re-establish its pre-existing commitments to a moratorium on missile launches;

3. Demands that the DPRK immediately comply fully with its obligations under resolutions 1718 (2006) and 1874 (2009), including that it: abandon all nuclear weapons and existing nuclear programs in a complete, verifiable and irreversible manner; immediately cease all related activities; and not conduct any further launches that use ballistic missile technology, nuclear test or any further provocation;

4. Reaffirms its current sanctions measures contained in resolutions 1718 (2006) and 1874 (2009);

5. Recalls the measures imposed by paragraph 8 of resolution 1718 (2006), as modified by resolution 1874 (2009), and determines that:

- (a) The measures specified in paragraph 8 (d) of resolution 1718 (2006) shall apply to the individuals and entities listed in Annex I and II, and the measures specified in paragraph 8 (e) of resolution 1718 (2006) shall apply to the individuals listed in Annex I; and,
- (b) The measures imposed in paragraph 8 (a), 8 (b) and 8 (c) of resolution 1718 (2006) shall apply to the items in INFCIRC/254/Rev.1 I/Part 1 and INFCIRC/254/Rev.8/Part 2 and S/2012/947;

6. Recalls paragraph 18 of resolution 1874 (2009), and calls upon Member States to exercise enhanced vigilance in this regard, including monitoring the activities of their nationals, persons in their territories, financial institutions, and other entities organized under their laws (including branches abroad) with or on behalf of financial institutions in the DPRK, or of those that act on behalf or at the direction of DPRK financial institutions, including their branches, representatives, agents and subsidiaries abroad;

7. Directs the Committee established pursuant to resolution 1718 (2006) to issue an Implementation Assistance Notice regarding situations where a vessel has refused to allow an inspection after such an inspection has been authorized by the vessel's Flag State or if any DPRK-flagged vessel has refused to be inspected pursuant to paragraph 12 of resolution 1874 (2009);

8. Recalls paragraph 14 of resolution 1874 (2009), recalls further that States may seize and dispose of items consistent with the provisions of resolutions 1718 (2006), 1874 (2009) and this resolution, and further clarifies that methods for States to dispose include, but are not limited to, destruction, rendering inoperable, storage or transferring to another State other than the originating or destination States for disposal;

9. Clarifies that the measures imposed in resolutions 1718 (2006) and 1874 (2009) prohibit the transfer of any items if a State relevant to a transaction has information that provides reasonable grounds to believe that a designated individual or entity is the originator, intended recipient or facilitator of the item's transfer;

10. Calls upon Member States which have not yet done so to report on the measures they have taken to implement the provisions of resolutions 1718 (2006) and 1874 (2009), encourages other Member States to submit, if any, additional information on implementing the provisions of resolutions 1718 (2006) and 1874 (2009);

11. Encourages international agencies to take necessary steps to ensure that all their activities with respect to the DPRK are consistent with the provisions of resolutions 1718 (2006) and 1874 (2009), and further encourages relevant agencies to engage with the Committee regarding their activities with respect to the DPRK that may relate to provisions of these resolutions;

12. Deplores the violations of the measures imposed in resolution 1718 (2006) and 1874 (2009), including the use of bulk cash to evade sanctions, underscores its concern over the supply, sale or transfer to or from the DPRK or through States' territories of any item that could contribute to activities prohibited by resolutions 1718 (2006) or 1874

(2009) and the importance of appropriate action by States in this regard, calls on States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals working on behalf or at the direction of a designated individual or entity, directs the Committee to review reported violations and take action as appropriate, including through designating entities and individuals that have assisted the evasion of sanctions or in violating the provisions of resolutions 1718 (2006) and 1874 (2009);

13. Emphasizes the importance of all States, including the DPRK, taking the necessary measures to ensure that no claim shall lie at the instance of the DPRK, or of any person or entity in the DPRK, or of persons or entities designated pursuant to resolutions 1718 (2006) and 1874 (2009), or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by resolutions 1718 (2006) and 1874 (2009);

14. Reaffirms its desire for a peaceful, diplomatic and political solution to the situation, welcomes efforts by Council members as well as other States to facilitate a peaceful and comprehensive solution through dialogue, and underlines the need to refrain from any action that might aggravate tensions;

15. Reaffirms its support to the Six Party Talks, calls for their resumption, urges all the participants to intensify their efforts on the full and expeditious implementation of the 19 September, 2005 Joint Statement issued by China, the DPRK, Japan, the Republic of Korea, the Russian Federation and the United States, with a view to achieving the verifiable denuclearization of the Korean Peninsula in a peaceful manner and to maintaining peace and stability on the Korean Peninsula and in northeast Asia;

16. Calls upon all Member States to implement fully their obligations pursuant to resolutions 1718 (2006) and 1874 (2009);

17. Re-emphasizes that all Member States should comply with the provisions of paragraphs 8 (a) (iii) and 8 (d) of resolution 1718 (2006) without prejudice to the activities of the diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic Relations;

18. Underlines that measures imposed by resolutions 1718 (2006) and 1874 (2009) are not intended to have adverse humanitarian consequences for the civilian population of the DPRK;

19. Affirms that it shall keep the DPRK's actions under continuous review and is prepared to strengthen, modify, suspend or lift the measures as may be needed in light of the DPRK's compliance, and, in this regard, expresses its determination to take significant action in the event of a further DPRK launch or nuclear test;

20. Decides to remain actively seized of the matter.

**Annex I**

**Travel Ban/Asset Freeze**

**1. PAEK CHANG-HO**

- (a) Description: senior official and head of the satellite control center of Korean Committee for Space Technology.
- (b) AKA: Pak Chang-Ho; Paek Ch'ang-Ho
- (c) Identifiers: Passport: 381420754; Passport Date of Issue: 7 December 2011; Passport Date of Expiration: 7 December 2016; D.O.B. 18 June 1964; P.O.B. Kaesong, DPRK

**2. CHANG MYONG-CHIN**

- (a) Description: General Manager of the Sohae Satellite Launching Station and head of launch center at which the 13 April and 12 December 2012 launches took place.
- (b) AKA: Jang Myong-Jin
- (c) Identifiers: D.O.B. 1966; Alt. D.O.B. 1965

**3. RAKY'ONG-SU**

- (a) Description: Ra Ky'ong-Su is a Tanchon Commercial Bank (TCB) official. In this capacity he has facilitated transactions for TCB. Tanchon was designated by the Committee in April 2009 as the main DPRK financial entity responsible for sales of conventional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons.

**4. KIM KWANG-IL**

- (a) Description: Kim Kwang-il is a Tanchon Commercial Bank (TCB) official. In this capacity, he has facilitated transactions for TCB and the Korea Mining Development Trading Corporation (KOMID). Tanchon was designated by the Committee in April 2009 as the main DPRK financial entity responsible for sales of conventional arms, ballistic missiles, and goods related to the assembly and manufacture of such weapons. KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.



**Annex II****Asset Freeze****1. KOREAN COMMITTEE FOR SPACE TECHNOLOGY**

- (a) *Description:* The Korean Committee for Space Technology (KCST) orchestrated the DPRK's launches on 13 April, 2012 and 12 December, 2012 via the satellite control center and Sohae launch area.
- (b) *AKA:* DPRK Committee for Space Technology; Department of Space Technology of the DPRK; Committee for Space Technology; KCST
- (c) *Location:* Pyongyang, DPRK

**2. BANK OF EAST LAND**

- (a) *Description:* DPRK financial institution Bank of East Land facilitates weapons-related transactions for, and other support to, arms manufacturer and exporter Green Pine Associated Corporation (Green Pine) Bank of East Land has actively worked with Green Pine to transfer funds in a manner that circumvents sanctions. In 2007 and 2008, Bank of East Land facilitated transactions involving Green Pine and Iranian financial institutions, including Bank Melli and Bank Sepah. The Security Council designated Bank Sepah in resolution 1747 (2007) for providing support to Iran's ballistic missile program. Green Pine was designated by the Committee in April 2012.
- (b) *AKA:* Dongbang BANK; TONGBANG U'NHAENG; TONGBANG BANK
- (c) *Location:* P.O. Box 32, BEL Building, Jonseung-Dung, Moranbong District, Pyongyang, DPRK

**3. KOREA KUMRYONG TRADING CORPORATION**

- (a) *Description:* Used as an alias by the Korea Mining Development Trading Corporation (KOMID) to carry out procurement activities. KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.

4. TOSONG TECHNOLOGY TRADING CORPORATION

- (a) *Description:* The Korea Mining Development Corporation (KOMID) is the parent company of Tosong Technology Trading Corporation. KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.
- (b) *Location:* Pyongyang, DPRK

5. KOREA RYONHAMACHINERY JOINT VENTURE CORPORATION

- (a) *Description:* Korea Ryonbong General Corporation is the parent company of Korea Ryonha Machinery Joint Venture Corporation. Korea Ryonbong General Corporation was designated by the Committee in April 2009 and is a defence conglomerate specializing in acquisition for DPRK defence industries and support to that country's military-related sales.
- (b) *AKA:* CHOSUN YUNHA MACHINERY JOINT OPERATION COMPANY; KOREA RYENHA MACHINERY J/V CORPORATION; RYONHA MACHINERY JOINT VENTURE CORPORATION
- (c) *Location:* Central District, Pyongyang, DPRK; Mangungdaegu, Pyongyang, DPRK; Mangyongdae District, Pyongyang, DPRK

6. LEADER (HONG KONG) INTERNATIONAL

- (a) *Description:* Facilitates shipments on behalf of the Korea Mining Development Trading Corporation (KOMID). KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.
- (b) *AKA:* Leader International Trading Limited
- (c) *Location:* Room 1610 Nan Fung Tower, 173 Des Voeux Road, Hong Kong

Passed in the Senate this 1st day of November 2013 with two (2) amendments.

FLOYD E. MORRIS  
*President.*

Passed in the House of Representatives this 12th day of November, 2013  
with one (1) amendment.

MICHAEL A. PEART  
*Speaker.*

On the 15th day of November, 2013 the Senate agreed to the amendment  
made by the House of Representatives.

FLOYD E. MORRIS  
*President.*

*This printed impression has been carefully  
compared by me with the authenticated  
impression of the foregoing Act, and has been  
found by me to be a true and correct printed  
copy of the said Act.*

*/sgd./ H. E. Cooke*  
*Clerk to the Houses of Parliament.*