

# United Nations Nations Unies

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UNITED NATIONS SECURITY COUNCIL PANEL OF EXPERTS ESTABLISHED  
PURSUANT TO RESOLUTION 1874 (2009)

REFERENCE: S/AC.49/2020/PE/OC.27

YOUR REFERENCE

6 April 2020

Excellency,

I have the honour to write to you with regard to ongoing efforts of the Panel of Experts established pursuant to United Nations Security Council resolution 1874 (2009) to gather, examine and analyse information regarding the implementation of the measures imposed on the Democratic People's Republic of Korea (DPRK) by Security Council resolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2087 \(2013\)](#), [2094 \(2013\)](#), [2270 \(2016\)](#), [2321 \(2016\)](#), [2356 \(2017\)](#), [2371 \(2017\)](#), [2375 \(2017\)](#) and [2397 \(2017\)](#), in particular incidents of non-compliance.

The Panel is writing to inquire about information it has received from a Member State indicating that there is a possible new medical-related cooperation between Georgia and the DPRK.

According to the report submitted by Georgia on its implementation of Security Council resolutions 1718 (2006), 2371(2017), 2375(2017) and 2397 (2017) dated on 28 March 2018 (ref: S/AC.49/2018/61), “no working, official or diplomatic visits [were] carried out between Georgia and the DPRK.”

According to Member State information recently provided to the Panel, however, an invitation was issued for a medical and trade delegation from the DPRK to visit Georgia in early 2020. The agenda was reportedly to discuss pharmaceutical joint ventures. The Member State also provided information about a possible meeting between the Georgian Ministry of Public Health and DPRK representatives to discuss mutual cooperation and the availability of visas for DPRK workers invited to Georgian hospitals.

His Excellency  
Mr. Kaha Imnadze  
Permanent Representative of Georgia  
to the United Nations  
New York

In paragraph 8 of resolution 2397 (2017), the UN Security Council decided that all Member States should repatriate to the DPRK all DPRK nationals earning income in their jurisdiction and all DPRK government safety oversight attachés within 24 months from 22 December 2017 and to submit midterm and final reports on repatriation (see Annex).

Furthermore, in paragraph 18 of resolution 2375 (2017), the UN Security Council prohibited all joint ventures or cooperative entities with DPRK entities or individuals (see Annex).

In its effort to obtain reliable and verifiable information, the Panel would be grateful if your competent authorities would provide the Panel with the following information.

1. Details of the aforementioned invitation to the DPRK for exchanges concerning mutual cooperation. If the meeting has been held, please provide the detail of the meeting (date, list of delegation and agenda);
2. Details of the plan for the pharmaceutical joint venture / cooperative entity involving the DPRK, reportedly to be discussed during the aforementioned exchange;
3. Details of the aforementioned meeting between the Georgian Ministry of Public Health and DPRK representatives and agreement regarding mutual cooperation between the DPRK and Georgia, with a copy of the agreement, if available;
4. Information on any visa (including renewals and extensions) provided to DPRK nationals in 2019 and 2020, including a list of the DPRK nationals and their immigration records. Please record in each case the issue date of the visa, the sponsoring entity and passport information. In case the sponsoring entity is a joint venture / cooperative entity with a DPRK entity or individual, please provide a copy of the company registry.

The Panel notes that medical exchanges were exempted from the suspension of scientific and technical cooperation involving persons or groups officially sponsored by or representing the DPRK, as stipulated in paragraph 11 of Security Council resolution 2321 (2016) (see Annex).

However, the Panel notes that paragraph 8 of resolution 2397 (2017) requires Member States to repatriate all DPRK nationals earning income in their jurisdiction. Any DPRK nationals staying in Georgia as part of a medical exchange program would most likely be earning income, in which case the provision of this paragraph would apply.

The Panel would like to also take this opportunity to draw your attention to the requirement for Member States to submit a final report on DPRK worker repatriation by 27 months from 22 December 2017, pursuant to paragraph 8 of Security Council resolution 2397 (2017). To date, the Panel is not aware of any reports submitted by Georgia to the 1718 Committee on this issue.

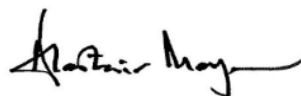
The Panel also would also be grateful if it could receive a reply to the letter dated on 12 December 2019 (reference S/AC.49/2019/PE/OC.307) concerning repatriation of DPRK nationals who were earning income overseas.

Paragraph 5 of the Security Council resolution 2515 (2020) urges all Member States and other interested parties to cooperate fully with the Panel of Experts, in particular by supplying any information at their disposal. The Panel would welcome any other information that you might consider relevant to this issue.

The Panel would be grateful for any information to be supplied **within four weeks** of the date of this letter. Please reply by letter to the Panel at [dppa-poe1874@un.org](mailto:dppa-poe1874@un.org).

Should you wish to discuss the issue, please contact the Panel via Ms. Maiko Takeuchi (email: [takeuchim@un.org](mailto:takeuchim@un.org); telephone: +1-212-963-3415).

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Alastair Morgan', with a stylized, flowing script.

Alastair Morgan  
Coordinator of the Panel of Experts established  
pursuant to Security Council Resolution 1874 (2009)

Annex: Applicable provisions of relevant Security Council resolutions

## **Annex: Applicable provisions of relevant Security Council resolutions**

### Resolution 2321(2016)

11. Decides that all Member States shall suspend scientific and technical cooperation involving persons or groups officially sponsored by or representing the DPRK except for medical exchanges unless:

- (a) In the case of scientific or technical cooperation in the fields of nuclear science and technology, aerospace and aeronautical engineering and technology, or advanced manufacturing production techniques and methods, the Committee has determined on a case-by-case basis that a particular activity will not contribute to the DPRK's proliferation sensitive nuclear activities or ballistic missile -related programmes; or
- (b) In the case of all other scientific or technical cooperation, the State engaging in scientific or technical cooperation determines that the particular activity will not contribute to the DPRK's proliferation sensitive nuclear activities or ballistic missile-related programmes and notifies the Committee in advance of such determination;

### Resolution 2375 (2017)

18. Decides that States shall prohibit, by their nationals or in their territories, the opening, maintenance, and operation of all joint ventures or cooperative entities, new and existing, with DPRK entities or individuals, whether or not acting for or on behalf of the government of the DPRK, unless such joint ventures or cooperative entities, in particular those that are non-commercial, public utility infrastructure projects not generating profit, have been approved by the Committee in advance on a case-by-case basis, further decides that States shall close any such existing joint venture or cooperative entity within 120 days of the adoption of this resolution if such joint venture or cooperative entity has not been approved by the Committee on a case-by-case basis, and States shall close any such existing joint venture or cooperative entity within 120 days after the Committee has denied a request for approval, and decides that this provision shall not apply with respect to existing China-DPRK hydroelectric power infrastructure projects and the Russia -DPRK Rajin-Khasan port and rail project solely to export Russia-origin coal as permitted by paragraph 8 of resolution 2371 (2017);

### Resolution 2397 (2017)

8. Expresses concern that DPRK nationals continue to work in other States for the purpose of generating foreign export earnings that the DPRK uses to support its prohibited nuclear and ballistic missile programs despite the adoption of paragraph 17 of resolution 2375 (2017), decides that Member States shall repatriate to the DPRK all DPRK nationals earning income in that Member State's jurisdiction and all DPRK government safety oversight attachés monitoring DPRK workers abroad immediately but no later than 24 months from the date of adoption of this resolution unless the Member State determines that a DPRK national is a national of that Member State or a DPRK national whose repatriation is prohibited, subject to applicable national and international law, including international refugee law and international human rights

law, and the United Nations Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations, and further decides that all Member States shall provide a midterm report by 15 months from the date of adoption of this resolution of all DPRK nationals earning income in that Member State's jurisdiction that were repatriated over the 12 month period starting from the date of adoption of this resolution, including an explanation of why less than half of such DPRK nationals were repatriated by the end of that 12 month period if applicable, and all Member States shall provide final reports by 27 months from the date of adoption of this resolution;