



## Implementing UN Sanctions on Democratic People's Republic of Korea

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### Introduction

Years ago, the Security Council's response to nuclear testing and exports of ballistic missiles by North Korea seemed resolved. The resolutions established a system of *sanctions* to prevent military technology and related industrial equipment from reaching North Korea. That system gradually broke down, as North Korea found ways to evade these sanctions.

In the Security Council, Russia came to rely on weapons bought from North Korea, including long-range ballistic missiles and munitions like artillery shells. Russia uses its Security Council veto to prevent new sanctions resolutions and enforcement of only ones. A crucial moment

came in March 2024, when Russia used its veto to block a new resolution authorizing the UN Panel monitoring compliance with sanctions on North Korea.<sup>1</sup>

Russia's veto, ending the work of the Panel monitoring North Korean trade sanctions compliance and violations, leaves the Security Council blind, unable to evaluate the military-related trade, and all other sanctioned trade, between North Korea and any other country.<sup>2</sup> Restoring the credibility of the UN sanctions system against North Korea is a major challenge for the Security Council and ODUMUNC 48.



Remains of a ballistic missile with North Korean production markings, fired into Ukraine. Source: 'Did Russia Fire North Korean Missiles at Ukraine?' RFE/RL, 28 January 2024, <https://www.rferl.org/a/russia-ukraine-north-korea-war-missiles-kn-23/32765450.html>

<sup>1</sup> United Nations. 'Security Council fails to extend mandate for expert panel assisting sanctions committee on Democratic People's Republic of Korea', *United Nations*, 28 March 2024, <https://press.un.org/en/2024/sc15648.doc.htm>

<sup>2</sup> Davenport, Kelsey, 'Russia Ends North Korean Sanctions Panel', *Arms Control Today*, May 2024, <https://www.armscontrol.org/act/2024-05/news/russia-ends-north-korean-sanctions-panel>



## Sanctions on the DPRK



Previously, North Korean sanctions and weapons issues focused mostly on North Korea alone. China and Russia supported action in the Security Council. This changed after Russia invaded Ukraine on 22 February 2022, and turned to North Korea for weapons to fuel its war. On 19 June 2024, the two countries signed a formal mutual defense agreement, a treaty, committing them to aid each other militarily. North Korea has become a leading supplier of weapons to Russia, including ballistic missiles and ammunition, all in violation of UN sanctions.<sup>3</sup> In October 2024, North Korea sent an estimated 11,000 soldiers to fight in support of Russia against Ukraine.<sup>4</sup> Protecting this cooperation will be Russia's highest goal in the Security Council.

Addressing issues pertaining to global peace and security is the principal goal of the UN Security Council. Its five permanent members and ten rotating non-permanent members make up the key UN organ overseeing matters of peace and conflict. The Security Council is the only UN body that can pass binding resolutions, commitments under international law. The Security Council has the potential to affect the world in ways other parts of the UN cannot reach. When a consensus is reached, political change is put into motion. When members of the Security Council disagree, or fail to follow

through with its mandates, conflict will continue and faith in the UN system breaks down.

In a recent interview with Foreign Policy, NATO Secretary General Jens Stoltenburg gave a sobering message about the Democratic People's Republic of Korea and their support of Russia's war with Ukraine. He stated "North Korea is providing an enormous amount of ammunition to Russia. And a lot of that is transported on the railroad."<sup>5</sup> This comes after the United Nations Security Council (UNSC) had already enacted several sanctions against the Democratic People's Republic of Korea (DPRK, or North Korea), which include restrictions on the sale and transportation of ammunition to UN member states.<sup>6</sup> In exchange for assisting Russia with its war against Ukraine, the DPRK began receiving imports of petroleum products from Russia,<sup>7</sup> possibly in violation of previous UNSC sanctions.<sup>8</sup>

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<sup>3</sup> Davenport, Kelsey, 'North Korea, Russia strengthen military ties', *Arms Control Today*, July/August 2024, <https://www.armscontrol.org/act/2024-07/news/north-korea-russia-strengthen-military-ties>

<sup>4</sup> Kim Tong-Hyung, 'North Korea and Russia agree to expand their economic cooperation', *Associated Press*, 21 November 2024, <https://apnews.com/article/north-korea-russia-trade-flights-tourism-ukraine-a6dd64440b4d451026c0bb32d5235a91>

<sup>5</sup> Sobczak, Aaron. "NATO Secretary General Drops Bomblets on Way out the Door." *Responsible Statecraft*, 17 September 2024. <https://responsiblestatecraft.org/nato-secretary-general/>.

<sup>6</sup> Security Council resolution 1718, Non-proliferation/Democratic People's Republic of Korea (14 October 2006). <https://documents.un.org/doc/undoc/gen/n06/572/07/pdf/n0657207.pdf>

<sup>7</sup> Lederer, Edith. "Russian Veto Brings an end to the UN Panel that Monitors North Korea Nuclear Sanctions. AP News, 28 March 2024. <https://apnews.com/article/un-us-north-korea-russia-sanctions-monitoring-72f8cbac116dea7c795d9a3357fc45f3>

<sup>8</sup> Security Council resolution 2397, Limits on Exports of Refined Petroleum Products, 22 December 2017. <https://documents.un.org/doc/undoc/gen/n17/463/60/pdf/n1746360.pdf>



United Nations Security Council meeting in 2024

Russia voted in favor or abstained on previous UN Security Council sanctions resolutions against North Korea. But today it often hinders their implementation when the enforcement does not align with its own national interests. The sanctions against the DPRK began in 2006 in response to its nuclear program and the testing of its nuclear weapons.<sup>9</sup> The UNSC has remained committed to the goal of denuclearizing the Korean peninsula and bringing stability to the region. Despite over twenty sanctions resolutions, North Korea continues its nuclear and ballistic missile program. It is able to thwart sanctions largely due to covert cooperations with UN Member States, even some sitting on the UNSC, which choose not to fully implement the sanctions.

## Background

On 27 July 1953, an armistice was signed to halt the Korean War, but this was not a permanent

peace agreement, only ceasefire that left the Korean peninsula in a state of persistent tension.<sup>10</sup> The armistice may have brought in the ceasefire, but both sides technically remain at war with each other to this day. A 155-mile demilitarized zone was created along the border to separate the North and South. Peace has often seemed elusive, with the region remaining locked in a challenging and strained environment. The tension between South Korea and the DPRK persists to this day. Abandoning the communist ideology and replacing it with Juche.<sup>11</sup> The DPRK focuses its policies on preserving the Kim regime's legacy and its pursuit of military capabilities under the pretense of self-defense.

The DPRK's behavior has grown increasingly aggressive, particularly with their acquisition of nuclear and ballistic weapons. Since the DPRK's first nuclear test in 2006, the UNSC has adopted numerous resolutions imposing sanctions on the DPRK to attempt to curb its behavior. These sanctions include bans on weapons and military equipment, restrictions on the export of precious metals, freezing assets of individuals involved in the DPRK's nuclear and missile programs, and prohibitions on the import of luxury goods into the country.

Despite the best efforts of the UNSC, sanctions have not succeeded in altering the DPRK's course towards nuclearization. The DPRK has managed to circumvent these sanctions through various methods, including generating revenue, acquiring the necessary technology to build military capabilities, engaging in covert

<sup>9</sup> North Korean Sanctions. 31 October 2023.

<https://northkoreasanctions.org/en>

<sup>10</sup> Armistice Agreement for the Restoration of the South Korean State. 27 July 1953.

<https://www.archives.gov/milestone-documents/armistice-agreement-restoration-south-korean-state>

<sup>11</sup> Juche: North Korean Ideology. Britannica. 21 November 2024. <https://www.britannica.com/biography/Kim-Jong-Il>

transportation, and utilizing hidden financial channels.<sup>12</sup>



To counter the DPRK's subversion of the sanctions, the UNSC established the UN Panel of Experts (PoE) in 2009.<sup>13</sup> The Panel's role was to monitor the implementation of UNSC sanctions and was expanded to include any states that faced them. It filed its final report<sup>14</sup> details in 615 pages how the DPRK is evading sanctions with help from non-compliant states.<sup>15</sup>

<sup>12</sup> King, Mallory. 2021. "North Korean Sanctions Evasion Techniques." Santa Monica, CA: RAND Corporation.

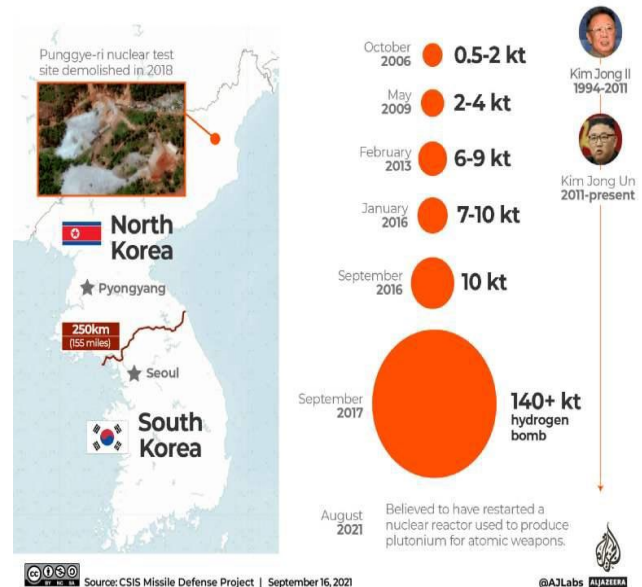
<sup>13</sup> Security Council resolution 1874, UN Panel of Experts, 12 June 2009.  
<https://documents.un.org/doc/undoc/gen/n09/368/49/pdf/n0936849.pdf>

<sup>14</sup> Security Council. Panel of Experts Report on North Korea. S/2024/215.  
<https://documents.un.org/doc/undoc/gen/n24/032/68/pdf/n2403268.pdf>

## NORTH KOREA

### Nuclear test detonations

North Korea has conducted **six nuclear tests** since 2006 and is estimated to have between **20 and 60 nuclear weapons**, according to the United States Army.



In a joint statement delivered by Ambassador Linda Thomas-Greenfield on 1 May 2024, it was announced that the PoE officially disbanded. For fifteen years, the panel provided analyses of UN sanctions implementation on the DPRK and others, but on 28 March 2024, the Russian Federation vetoed a resolution to continue the mandate of the Panel of Experts.<sup>16</sup> Now, the sanctions remain, but it is clear that Russia, and to an extent China, is assisting the DPRK in bypassing the sanctions. Other states are now free to also bypass sanctions as the UN has lost its ability to audit their success. This not only

<sup>15</sup> Dethomas, Joseph. "UN Panel of Experts: The Final Act." 11 April 2024.

<sup>16</sup> United States Mission to the United Nations. 2024. "Joint Statement Delivered by Ambassador Linda Thomas-Greenfield at the UN Security Council Stakeout on the 1718 Committee Panel of Experts." 1 May 2024.  
<https://usun.usmission.gov/joint-statement-delivered-by-ambassador-linda-thomas-greenfield-at-the-un-security-council-stakeout-on-the-1718-committee-panel-of-experts/>



raises questions about the integrity of the Security Council but the entire rules-based system the UN claims to promote.

## Landmark UN Resolutions

Since North Korea's first nuclear weapon test in 2006, the United Nations Security Council has been highly engaged in matters of security on the Korean Peninsula and suppressing military trade with North Korea. It has passed several resolutions. Among the most important:

*UN Security Council resolution 1718 (2006).* This resolution condemned the DPRK's nuclear test on 9 October 2006 and demanded that no further tests or ballistic missile launches occur. It also required the DPRK to retract its withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (the NPT) and "abandon all nuclear weapons and programs in a complete, verifiable, and irreversible manner." It further encouraged diplomatic efforts to resume Six-Party Talks and achieve the denuclearization of the Korean Peninsula. The resolution imposes sanctions, including the prohibition of supplying certain military and luxury goods to DPRK, freezing of assets, and travel bans for individuals involved in the nuclear program. It also called upon member states to report on their implementation of the resolution and to take cooperative action to prevent illicit trafficking of weapons.<sup>17</sup>

*UN Security Council resolution 1874 (2009).* Following DPRK's second nuclear test on 25 May 2009, the UN Security Council adopted Resolution 1874. This resolution expanded the scope of sanctions, calling for a ban on exports of DPRK arms and related material, as well as a

tightening of the luxury goods ban. The resolution also called for the inspection of cargo destined to or originating from DPRK, and the freezing of assets related to the country's nuclear and ballistic missile programs. The resolution further called for all member states to cooperate with the imposed measures and to report on their implementation efforts.<sup>18</sup>

**49 Countries Have Violated Sanctions On North Korea**  
Countries that violated international sanctions on North Korea (Mar 2014–Sep 2017)\*



*UN Security Council resolution 2087 (2013).* In 2013, the UN Security Council adopted Resolution 2087 in response to DPRK's 12 December 2012, satellite launch using ballistic missile technology, which violated previous resolutions. The resolution condemned the launch and demanded that DPRK halt further ballistic missile launches, abandon all nuclear weapons and programs, and expand the existing sanctions regime, including the addition of new individuals and entities to the sanctions list. It called for enhanced vigilance and cooperation among Member States to monitor and prevent violations, including financial transactions and shipments. The resolution further emphasized the importance of a peaceful, diplomatic solution

<sup>17</sup> Security Council resolution 1718, Non-proliferation/Democratic People's Republic of Korea, 14 October 2006.  
<https://documents.un.org/doc/undoc/gen/n06/572/07/pdf/n0657207.pdf>

<sup>18</sup> Security Council resolution. 1874, Non-proliferation/Democratic People's Republic of Korea, 12 June 2009.  
<https://documents.un.org/doc/undoc/gen/n09/368/49/pdf/n0936849.pdf>



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and supported the resumption of Six Party Talks for the denuclearization of the Korean Peninsula.<sup>19</sup>

*UN Security Council resolution 2094 (2013).*

This resolution was passed in response to the DPRK's nuclear test conducted on 12 February 2013, and imposed various sanctions, including financial restrictions, inspection of cargo, and travel bans on individuals and entities involved in the DPRK's nuclear program. Member states were required to freeze the assets of individuals involved in the DPRK's nuclear and ballistic missile programs and states were mandated to inspect cargo (both sea and air transport) to and from DPRK, especially if there were reasonable grounds to believe the cargo contained prohibited items. It further called for member states to prevent DPRK from evading sanctions including information sharing and coordinating efforts to enforce the sanctions effectively.<sup>20</sup>

*UN Security Council resolution 2270 (2016).* In response to the DPRK's nuclear test on 6 January 2016, and its ballistic missile launch on 7 February 2016, the UN Security Council approved this resolution and condemned both events as violations of previous resolutions. The resolution imposes various sanctions, including prohibiting the transfer of nuclear-related technology, arms, and financial transactions that could support the DPRK's weapons programs. It also banned the export of gold, vanadium, titanium, and rare earth metals. The measures taken in this resolution were not intended to

“have adverse humanitarian consequences for the civilian population of the DPRK.”<sup>21</sup>

*UN Security Council resolution 2321 (2016).*

This resolution demanded the DPRK cease all nuclear and ballistic missile activities after the DPRK conducted a nuclear test on 9 September 2016. Further sanctions were imposed, including asset freezes, travel bans, and restrictions on scientific and technical cooperation, trade, and financial transactions involving the DPRK. The resolution restricted DPRK coal exports and banned the DPRK from exporting copper, nickel, zinc, and silver. It further called on member states to report on their implementation of the resolution and to cooperate in enforcing the sanctions.<sup>22</sup>

*UN Security Council resolution 2371 (2017):* In violation of multiple UN Security Council resolutions, the DPRK conducted ballistic missile launches on 3 July 2017, and 28 July 2017. This resolution condemned the DPRK's actions and imposed additional sanctions on the DPRK including restrictions on coal, iron, lead, and seafood exports. Member states must prohibit “new joint ventures or cooperative entities with DPRK entities or individuals”.<sup>23</sup>

*UN Security Council resolution 2375 (2017).*

The resolution strongly condemned the DPRK's nuclear test on 2 September 2017, and imposed additional sanctions on the DPRK, including restrictions on crude oil and refined petroleum product imports, textile imports, and banned joint ventures with DPRK entities. It further

<sup>19</sup> Security Council resolution 2087. Reaffirms North Korean Sanctions. 22 January 2013.  
<https://documents.un.org/doc/undoc/gen/n13/213/96/pdf/n1321396.pdf>

<sup>20</sup> Security Council resolution 2094. Financial Sanctions Relating to Nuclear Material and Luxury Goods. 7 March 2013.  
<https://documents.un.org/doc/undoc/gen/n13/253/06/pdf/n1325306.pdf>

<sup>21</sup> Security Council resolution 2270, Non-proliferation/Democratic People's Republic of Korea, 2

March 2016.  
<https://documents.un.org/doc/undoc/gen/n16/058/22/pdf/n1605822.pdf>

<sup>22</sup> Security Council resolution 2321, Coal Exports and Diplomatic Sanctions. 30 November 2016.  
<https://documents.un.org/doc/undoc/gen/n16/407/50/pdf/n1640750.pdf>

<sup>23</sup> Security Council resolution 2371, Labor Sanctions. 5 August 2017.  
<https://documents.un.org/doc/undoc/gen/n17/246/68/pdf/n1724668.pdf>

decided that all member states “shall not provide work authorizations for DPRK nationals in their jurisdictions”.<sup>24</sup>

*UN Security Council resolution 2397 (2017).* After the DPRK launched a *Hwasong-15* intercontinental ballistic missile on 28 November 2017, the UN Security Council approved Resolution 2397 which condemned the missile launch and imposed strict sanctions on the DPRK. This resolution limited crude oil and refined petroleum product imports of 500,000 barrels per year, banned the export of food, machinery, and electrical equipment, and called for repatriation of all North Korean nationals earning income abroad within 24 months. It further authorized member states to seize and inspect any vessel in their territorial waters found to be illicitly providing oil or other prohibited products to the DPRK.<sup>25</sup>

### Country and Bloc Positions

**Australia** incorporates UNSC sanctions into Australian law and further imposes autonomous sanctions on North Korea. In response to Australia's concerns about the motives and nature of North Korea's nuclear and weapons of mass destruction (WMD) and proliferation programs, autonomous sanctions impose further restrictions, including the export or provision of certain services, commercial activities, providing assets or dealing with the assets of designated persons or entities related to the DPRK, travel bans on designated persons, and

further power in interactions with DPRK vessels.

Australia continues to take a firm stand against North Korean actions. In a 17 May 2024, press release the Minister of Foreign Affairs, Senator the Hon Penny Wong stated, “all countries should abide by their UNSC obligations in response to North Korea's violations” referencing Russia's violation of UNSC resolutions in accepting weapons from the DPRK.<sup>26</sup> In addition to condemning the DPRK's illegal export of weapons to Russia, the Minister of Foreign Affairs announced further targeted financial sanctions, implored the DPRK to comply with UNSC resolutions, and reaffirmed Australia's commitment to work with international partners to hold the DPRK accountable for posing a security threat in the region.

**China** remains North Korea's largest economic and strategic partner. Since 1961, they share a mutual defense treaty with China wanting peace on the Korean Peninsula while balancing its power against U.S. allies. In 2017 China implemented its own sanctions against the DPRK in response to its continual nuclear testing. Summits and meetings have since been undertaken to try to repair relations, but they have stalled once again with the DPRK's aid to Russia. China is worried that the DPRK's nuclear testing and support of Russia will attract unwanted U.S. attention close to China's borders. In the Security Council, China often *abstains* rather than become part of controversies.<sup>27</sup>

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<sup>24</sup> Security Council resolution 2375, Export Sanctions. 11 September 2017.  
<https://documents.un.org/doc/undoc/gen/n17/283/67/pdf/n1728367.pdf>

<sup>25</sup> Security Council resolution 2397, Limits on Exports of Refined Petroleum Products. 22 December 2017.  
<https://documents.un.org/doc/undoc/gen/n17/463/60/pdf/n1746360.pdf>

<sup>26</sup> Wong, Senator the Hon. Penny. 2024. “Targeted sanctions in response to North Korea's supply of arms to Russia.” *Australian Minister of Foreign Affairs*. 17 May 2024. <https://www.foreignminister.gov.au/minister/penny-wong/media-release/targeted-sanctions-response-north-koreas-supply-arms>

<sup>27</sup> Fong, Clara. “The China-North Korea Relationship.” *Council on Foreign Relations*, 21 November 2024.



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While China supports the principle of collective action by the Security Council, including sanctions systems, it is cautious about excessive pressure on any UN Member States. China always is cautious with UN sanctions that would set precedents for involvement in the domestic affairs of sovereign states. As its spokesman said in a recent UN debate, ‘China’s continuing and vehement insistence on respect for other nations’ sovereignty is not only a cornerstone of its foreign policy but a foundational ethos for the government of a nation that has traditionally struggled to maintain control at its edges—from Xinjiang and Tibet in the far west to Hong Kong and Taiwan off its east coast.’<sup>28</sup>

**The European Union (EU)** enforces the same sanctions as those approved by the UNSC but has also imposed additional measures on North Korea. Since 2016, the EU Council has enacted travel bans on individuals linked to the DPRK, asset freezes on both individuals and entities, and restrictions on the trade of goods and technology that support the DPRK’s weapons programs. On 26 July 2024, the EU revised and updated its original sanctions decision (CFSP 2016/849) concerning the DPRK. Council Decision 2016/849 was adopted on 27 May 2016, and detailed the restrictive measures the EU would enact against the DPRK.

**Japan** is concerned with the DPRK’s nuclear testing and defiance towards UNSC. North Korea’s missile tests routinely violate Japanese airspace. Japan remains highly concerned about Japanese citizens captured by North Korea and still held by the DPRK. Above all, Japan seeks release of these captives, as well as de-

nuclearization of North Korea. Japan urges the DPRK to comply with all UNSC mandates and has imposed its own strict sanctions over its security concerns.<sup>29</sup>

**Non-Aligned Movement (NAM):** Many Security Council Member States are African, Asian or Latin American states, part of the Non-Aligned Movement, the UN’s largest and most powerful voting bloc. In the Security Council NAM members do not have a veto. They serve on two-year rotating seats. But their votes are essential to any resolution. On North Korean sanctions, the NAM countries are divided, some aligning with the United States and Europe, others with Russia. Many will be tempted to follow China’s lead and abstain on many draft resolutions that would force them to pick sides.

**Russian Federation:** Russia appears to systematically disregard UNSC sanctions, purchasing large amounts of ballistic missiles and munitions, including artillery shells, for its war in Ukraine. It vetoed the continuation of the Panel of Experts, apparently to reduce oversight of the sanctions systems and facilitate trade with North Korea. The two states are increasing their partnership as Russia trades sanctioned goods for more support for its war effort.<sup>30</sup>

On 19 June 2024 the two countries signed a formal mutual defense agreement, a treaty, committing them to aid each other militarily. According to Article 4 of the treaty that Kim and Putin signed on June 19, North Korea and Russia “shall immediately provide military and other assistance” to the other party if it “falls into a state of war due to armed invasion from an individual or multiple states.” The treaty

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<https://www.cfr.org/backgrounder/china-north-korea-relationship>

<sup>28</sup> Anthony, Ted, ‘China, at UN, warns against ‘expansion of the battlefield’ in the Ukraine war’, *Associated Press*, 28 September 2024, <https://apnews.com/article/china-united-nations-general-assembly-51ea58a6cd821656382f06ad0b3b93bc>

<sup>29</sup> Japan-North Korea Relations. Ministry of Foreign Affairs of Japan, 10 February 2016.

[https://www.mofa.go.jp/a\\_o/na/kp/page4e\\_000377.html](https://www.mofa.go.jp/a_o/na/kp/page4e_000377.html)

<sup>30</sup> Davenport, Kelsey, ‘North Korea, Russia strengthen military ties’, *Arms Control Today*, July/August 2024, <https://www.armscontrol.org/act/2024-07/news/north-korea-russia-strengthen-military-ties>



stipulates that the assistance must be in accordance with Article 51 of the UN Charter, which preserves the right to “individual or collective self-defense” in response to an armed attack against a UN member. North Korea has sent an estimated 11,000 soldiers to fight in support of Russia against Ukraine.<sup>31</sup> Protecting this cooperation will be Russia’s highest goal in the Security Council.

**Republic of Korea** (South Korea) remains the most concerned over the DPRK’s nuclear program and its militaristic rhetoric. It has a long-standing history of supporting sanctions and works with the UN and international partners to maintain its sovereignty on the Korean Peninsula. It has recently imposed more sanctions on the DPRK after it began trading arms with Russia.<sup>32</sup>

**The United States** continues to support its allies in the region. After North Korea tested what appeared to be hydrogen-fueled nuclear bomb that had the potential to reach the United States, a joint statement was signed where both sides affirmed their commitment to the denuclearization of the Korean Peninsula.<sup>33</sup> Since then, the agreement has stagnated and the DPRK has continued its nuclear missile program. The U.S. urges more sanctions on the DPRK and greater compliance from member states. The US is the most outspoken critic of sanctions busting and has made restoring the sanctions system one of its highest priorities in the Security Council.

### Some Possible Proposals for Action

After Russia prevented continued work on sanctions monitoring, the outlook in the Security Council for enforcement of sanctions against North Korea is bleak. The DPRK and Russia, cooperating under the terms of their new alliance, are disregarding the Security Council mandate. Monitoring sanctions has ended.

For the Security Council, the problem is a challenge to its effectiveness and credibility. The Member States of the Security Council can propose and consider any option they wish, although their ability to pass a controversial resolution may be tested. Among the proposals the Member States can consider, here are a few possibilities:

Sanctions monitoring. Since Russia vetoed the continuation of the Panel of Expert, the UN’s oversight of sanctions has largely ended. However, this does not mean it cannot be revived. The UNSC should continue to try to reestablish the PoE or a similar body to ensure that sanction mandates are being followed.

**Send the issue to the General Assembly** for consideration. Unlike the Security Council, in the General Assembly there is no veto. As it has proven with a series of resolutions on the Russian-Ukraine War, the General Assembly can be outspoken and direct in its resolutions. The GA can pass their own resolutions targeting the sanctioned objects or countering the mechanisms by which sanctions can be subverted. But the General Assembly cannot mandate action. Its resolutions are not

<sup>31</sup> Kim Tong-Hyung, ‘North Korea and Russia agree to expand their economic cooperation’, *Associated Press*, 21 November 2024, <https://apnews.com/article/north-korea-russia-trade-flights-tourism-ukraine-a6dd64440b4d451026c0bb32d5235a91>

<sup>32</sup> “South Korea, Japan, Unveil Sanctions Over Alleged Russia-North Korea Arms Trade.” Reuters, 23 May 2024.

<https://www.reuters.com/world/asia-pacific/south-korea-imposes-sanctions-north-koreans-two-russian-vessels-2024-05-24/>

<sup>33</sup> Meixler, Eli. “President Trump and Kim Jong Un just agreed to work toward denuclearization.” 12 June 2018. <https://time.com/5309425/donald-trump-kim-jong-un-summit-document-full-text/>



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international law, enforceable by the Member States. They can only *appeal* to the Member States, *requesting* them to act.

**Find trade-offs Russia will accept:** Since Russia has the ability to veto any resolution it finds objectionable, pressure is on the other Security Council member states to find terms Russia will accept, or to find trade-offs, offers, possibly on unrelated issues, that Russia might find tempting. Possibilities include a settlement of the Ukraine war on terms favorable to Russian demands, A promise by NATO members not to expand the alliance to include Georgia or Ukraine, or an agreement by NATO members never to deploy nuclear weapons east of Germany. These terms will be distasteful to Western member states and even some members from other regions. Finding a diplomatic solution will require trade-offs benefitting everybody.

**Study the issue:** When action is impossible, often the only alternative acceptable to the Member States is a study to examine alternatives and possibilities. The difficulty is that Russia may find even a study unacceptable, since it

recently forced the end of the Panel of Experts that was monitoring implementation of sanctions on North Korea. The difficulty of a study is setting the Terms of Reference (ToR) and designating who does the study.

Normally UN studies are commissioned under the authority of the Secretary-General, who funds and administers the work of the study team. The study can be done by a *Panel of Experts*, selected by the Secretary-General. This usually assures the most independent and insightful report and recommendations. But an issue as delicate as this, the Member States are likely to insist that a study be done by *Government Appointed Panel Experts*, representing the Member States of the Security Council. This assures that their interest will be fully taken into account and not contradicted. The resolution mandating the study also must include Terms of Reference (ToR), explaining the methods and goals of the study. As with everything the Security Council does, Terms of Reference tend to be controversial, often provoking sharp debate.

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