EU-Democratic People's Republic of Korea (DPRK) relations

The European Union has a policy of Critical Engagement towards the DPRK, which combines pressure through sanctions (see section below) and other measures while keeping communication and dialogue channels open. Its goals, aimed at the complete, verifiable and irreversible de-nuclearisation, are to support a lasting reduction of tensions on the Korean Peninsula and in the region, the upholding of the global non-proliferation regime, and the improvement of human rights in the DPRK.

The EU has been at the forefront of efforts aimed at improving the human rights situation in the country, in particular within the UN Human Rights Council and the UN General Assembly. The EU policy of Critical Engagement is not an end in itself but a means to promote the DPRK's full compliance with UN Security Council (UNSC) Resolutions in terms of abandoning its nuclear, Weapons of Mass Destruction and ballistic missile programmes in a complete, verifiable and irreversible manner and progress on all other issues of concern. The EU actively cooperates with all its partners in the region to pursue these objectives.

The EU and the DPRK established diplomatic relations in 2001. Political contacts had, however, started earlier, with a political dialogue held 14 times since 1998. The EU has no Delegation in the DPRK. Its local representation is ensured, in turn, by one of the seven Member States (Bulgaria, Czech Republic, Germany, Poland, Romania, Sweden and the United Kingdom) that have resident Embassies in the country. In total, 26 Member States have diplomatic relations with the DPRK. The DPRK Embassy to the UK follows EU affairs.

EU-funded projects in the DPRK

The European Union has been engaged in the DPRK with humanitarian and development assistance since 1995. Most of the projects currently funded - under the responsibility of the European Commission - relate to food security. Some projects also support DPRK organisations in addressing the social inclusion of people with disabilities and the elderly, while others tackle disaster preparedness in rural communities. All these activities are of direct benefit to those among the most vulnerable people in the DPRK. They are carried out by various implementing partners, including non-governmental organisations and UN agencies. Emergency aid remains available, should the need emerge, via the European Commission. Member States have their own development and aid projects in the DPRK along similar lines to those of the EU.
Education and Research

Eligible beneficiaries, organisations and institutions of the DPRK may participate in the EU's education, research and innovation programmes, provided this is not in violation of current restrictions on scientific and technical cooperation with the DPRK and provided that conditions in the relevant work programme are met. Member States have their own education/cultural programmes open to DPRK citizens/entities. Restrictions apply to the subjects in which DPRK nationals can receive specialised teaching and training.

Trade and Investment

Overall EU-DPRK economic interaction is already very limited, with EU-DPRK trade accounting for 0.5 percent of DPRK's external trade. EU-DPRK trade in goods in 2016 totalled approximately €27 million and is on a downward trend following further additional UNSC Resolutions and EU restrictive measure enforced in the past years. Similarly, trade in services and EU investments in the DPRK are diminishing as a result of UN and EU restrictive measures. The latest verifiable figures, from 2015, do not take into account measures enforced in the past two years.

Restrictive Measures


These restrictive measures for the most part target the DPRK's nuclear-related, other weapons of mass destruction-related and ballistic missile-related programmes. They include prohibitions on the trade of goods, services and technology which could contribute to the DPRK's above-mentioned programmes. A number of people and entities that have been linked to these illegal programmes are subject to travel restrictions and asset freeze, both by the UN and autonomously by the EU. Other restrictions (in application of UN sanctions and/or as EU autonomous measures) also apply in the broader domains of trade, investment, transport and financial services.

The lists of persons and entities subject to restrictive measures are set out in Annexes I (UN listings), II (EU autonomous listings), III (EU autonomous listings), IV (UN listings - vessels), V (EU autonomous listings - currently empty) and VI (EU autonomous listings - vessels - currently empty) to Decision (CFSP) 2016/849 and Annexes XIII (UN listings), XIV (UN listings - vessels), XV (EU autonomous listings), XVI (EU autonomous listings - currently empty) and XVIII (EU autonomous listings - vessels - currently empty) to Regulation (EU) 2017/1509, both as amended. The total number of persons under restrictive measures against the DPRK as listed by the UN is 80 persons and 75 entities. The UN has also listed 12 vessels for de-flagging, 33 for a port entry ban and 15 for an asset freeze. In addition, 60 persons and 9 entities are designated by the EU autonomously.

Summary[1] of restrictive measures against the Democratic People's Republic of Korea (DPRK) as in force on date of publication
Export and import restrictions

Arms

Prohibition on the export and import of arms and related materiel of all types, including the provision of related technical and financial assistance or services or taking part in activities aimed at the circumvention of those prohibitions. Prohibition on related training including hosting of trainers, advisors, or other officials for the purpose of military, paramilitary, or police related training. Prohibition on services related to manufacture, maintenance or use and with respect to the shipment of items to or from the DPRK for repair, servicing, refurbishing, testing, reverse-engineering and marketing.

Prohibition on the supply of any item if a Member State determines it could directly contribute to the development of the operational capabilities of the DPRK’s armed forces, or to exports that support/enhance the capabilities of armed forces of another State outside the DPRK. Certain exemptions apply.

Dual-use goods

Prohibition on the export or import of goods and technology which could contribute to the DPRK’s nuclear-related, other weapons of mass destruction-related or ballistic missile-related programmes, as determined by the UN Security Council or the UN Sanctions Committee, including a prohibition on the provision of related technical and financial assistance or services or taking part in activities aimed at the circumvention of those prohibitions. A trade ban also applies for nuclear and/or missile-usable items as listed in Annex III of UN Security Council Resolution 2321 (2016) and a new conventional arms dual-use list which was adopted by the UN Sanctions Committee on 15 December 2016.

Prohibition on the export or import of certain other dual-use goods and technology, including dual-use goods as contained in Council Regulation (EC) No 428/2009 (“EU dual-use Regulation”), - this includes any further items, materials, equipment relating to dual use goods and technology and a prohibition on the provision of related technical and financial assistance or services or taking part in activities aimed at the circumvention of those prohibitions.

Prohibition on the export or import of certain key components for the ballistic missile sector, including a prohibition on the provision of related technical and financial assistance or services, or taking part in activities aimed at the circumvention of those prohibitions.

Prohibition on the export or import of any other item that could contribute to the DPRK’s nuclear or ballistic missile programmes or to the evasion of prohibited activities, including a prohibition on the provision of related technical and financial assistance or services, or taking part in activities aimed at the circumvention of those prohibitions.

Gold, precious metals, diamonds

Prohibition on trade in gold, precious metals and diamonds with the Government of the DPRK, its public bodies and the Central Bank of the DPRK, or persons and entities acting on their behalf or at their direction, including a prohibition on the provision of related technical and financial assistance.

Minerals

Prohibition on any import from the DPRK of gold, silver, copper, nickel, zinc, titanium ore, vanadium ore and rare earth minerals.
Coal, iron, iron ore, lead and lead ore

Prohibition on the import of coal, iron, iron ore, lead or lead ore originating from the DPRK.

Statues

Prohibition on any import from the DPRK of statues, unless pre-approved by the UN Sanctions Committee on a case-by-case basis.

Helicopters and Vessels

Ban on the supply to the DPRK of helicopters and vessels, unless pre-approved by the UN Sanctions Committee on a case-by-case basis.

Banknotes and coinage

Prohibition on the delivery of DPRK denominated banknotes and coinage to the Central Bank of the DPRK.

Luxury goods

Prohibition on the supply to the DPRK and import from the DPRK of luxury goods. The EU defines the latter in detail, with a list comprising 22 different categories of goods, for a total of over 300 items. See Annex VIII to Regulation (EU) 2017/1509 for the details.

Textiles

Prohibition on the import from the DPRK of textiles, unless pre-approved by the UN Sanctions Committee on a case-by-case basis.

Aviation and Rocket Fuel

Prohibition on the sale or supply of aviation fuel, including aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel and kerosene-type rocket fuel, to the DPRK, unless pre-approved by the UN Sanctions Committee on a case-by-case basis or if concerns aviation fuel for a civilian passenger aircraft exclusively for consumption during its flight to and from the DPRK.

Petroleum

Prohibition on the import from and export to the DPRK of petroleum products. Export of petroleum products can be, up to a certain amount of barrels (500 000 per year from 1 January 2018 onwards), pre-approved by the Competent Authority of a Member State on a case by case basis where the export is purely for humanitarian purposes.

Crude oil

Prohibition on the export to the DPRK of crude oil, unless for humanitarian purposes and pre-approved by the UN Sanctions Committee on a case-by-case basis.

Condensates and natural gas liquids

Prohibition on the supply to the DPRK of all condensates and natural gas liquids, as well as on the acquisition of DPRK fishing rights.

Seafood
Prohibition on the import of seafood from the DPRK.

**Food, agricultural products, machinery**

Prohibition on the import of food and agricultural products, machinery, electrical equipment, earth and stone, including magnesite and magnesia, wood and vessels.

**Industrial machinery, transportation vehicles**

Prohibition on the export to the DPRK of industrial machinery, transportation vehicles, iron, steel, and other metals, unless the Competent Authority of a Member State determines that the provision of spare parts is necessary to maintain the safe operation of a DPRK passenger aircraft.

**Restrictions on the provision of certain services**

In addition to the ban on providing services related to the items and technology that could contribute to the DPRK's nuclear, other WMD and ballistic missile programmes, prohibition to provide, directly or indirectly, computer or related services, services incidental to mining and services incidental to manufacturing in the chemical, mining and refining industry, to any natural or legal person, entity or body in, or for use in the DPRK. Certain exemptions apply.

**Restrictions on financial support for trade**

Prohibition on the provision of public and private financial support, including the granting of export credits, guarantees or insurance, for trade with the DPRK to their nationals or entities involved in such trade, unless pre-approved by the UN Sanctions Committee on a case-by-case basis.

**Investment**

Prohibition on investment by the DPRK (entities and persons) in the territories under the jurisdiction of the Member States.

Prohibition on the acquisition, maintenance or extension of a participation, in or to DPRK entities in or outside the DPRK, unless the Competent Authority of a Member State determines that the investments are for humanitarian purposes. Prohibition on the opening, maintenance and operation of any joint venture with DPRK entities, unless pre-approved by the UN Sanctions Committee on a case-by-case basis. Obligation to close existing joint ventures that have not received such an approval. Ban on any financing or financial assistance to DPRK entities in or outside the DPRK. Prohibition to provide investment services related to the investments mentioned in this paragraph.

**Financial sector**

*Financial assistance by Member States to the DPRK*

Prohibition on new commitments for grants, financial assistance and concessional loans to the DPRK by Member States, except for humanitarian and developmental purposes addressing the need of the civilian population or the promotion of denuclearisation. Member States shall exercise vigilance with a view to reducing current commitments.

*Transfer or clearing of funds*

Prohibition on the transfer or clearing of funds to and from the DPRK. Financial institutions under the
jurisdiction of Member States shall not enter into, or continue to participate in, any transactions with banks domiciled in the DPRK, including branches or subsidiaries and the Central Bank of the DPRK.

Transactions falling within certain specified categories are exempted, for example transactions regarding foodstuffs, healthcare or medical equipment, or for agricultural or humanitarian purposes. Transactions above EUR 15 000 have to be pre-authorised. Personal remittances are exempted up to EUR 5 000, above that threshold prior authorisation is needed.

*Monitoring of financial activities of financial institutions*

Enhanced monitoring by Member States of activities of financial institutions within their jurisdiction in relation to their activities with regard to DPRK banks, branches and subsidiaries of DPRK banks and financial both inside and outside EU and, entities controlled by DPRK persons and entities, to avoid such activities contributing to the DPRK’s illegal programmes.

EU financial institutions are required in their activities with such banks and financial entities to exercise continuous monitoring of account activity, require completion of all information fields of payment instructions, maintain records of all transactions for a period of 5 years and report transactions they suspect may contribute to the DPRK’s illegal programmes to national competent authorities.

*Branches, subsidiaries and corresponding banking relations*

Prohibition for DPRK financial institutions, including the Central Bank of the DPRK, to open branches, subsidiaries or representative offices in EU. Obligation on Member States to close existing branches, subsidiaries and representative offices; and terminate any joint ventures, ownership interests or correspondent banking relationships with DPRK banks in their territory.

DPRK banks can no longer establish joint ventures with, take an ownership interest in EU banks or establish corresponding banking relations with EU banks, unless pre-approved by the Sanctions Committee on a case-by-case basis. Obligation for EU entities to terminate existing joint ventures, ownership interest and correspondent banking relationships.

Financial institutions within the territories of Member States or under their jurisdiction shall be prohibited from opening representative offices, subsidiaries, branches or banking accounts in the DPRK. Existing representative offices, subsidiaries or banking accounts in the DPRK shall be closed, unless the UN Sanctions Committee determines otherwise on a case-by-case basis.

*DPRK bonds*

Prohibition on trade and related services for DPRK public or public-guaranteed bonds issued after 18 February 2013 with the Government of the DPRK, the Central Bank of the DPRK and other DPRK banks or financial institutions.

*Transport sector*

*Inspections and information sharing*

Obligation for Member States to inspect all cargo (including personal luggage and checked baggage of individuals) to and from the DPRK, and cargo brokered or facilitated by the DPRK, via land, sea or air, for the purposes of ensuring that the cargo does not transfer items prohibited by UN Security Council resolutions. Inspection shall also take place when there are reasonable grounds to believe that the cargo contains items whose supply, sale, transfer or export is prohibited under Council
Decision 2016/849.

Requirement to inspect vessels on the high seas where there are reasonable grounds to believe that vessels carry prohibited items. If the flag State doesn't consent to inspection on the high seas, the vessel shall be directed to a port for inspection. If the flag State doesn't consent to inspections either on the high seas or in a port, Member States shall submit a report to the Sanctions Committee.

Member States shall cooperate with another State if the latter requests maritime information to determine whether a certain cargo originates in the DPRK.

Member States shall seize and dispose of prohibited items.

Access, landing, taking off and overfly

Obligation for aircraft and vessels transporting cargo to and from the DPRK to supply additional pre-arrival and pre-departure information for all goods brought into or out of EU.

Obligation to deny vessels which refuse inspection entry to Member States' ports, unless for inspections, in case of emergency or in case of return to the vessel's port of origin. Obligation to prohibit the entry into Member States' ports of any vessel that is owned, operated or crewed by the DPRK, owned or controlled by a listed person or entity, or contains illicit cargo (certain exemptions apply, such as in case of an emergency).

Obligation to deny permission to land in, take off from or overfly Member States' territory to any aircraft, operated by DPRK carriers or originating from the DPRK, unless there is an emergency.

Prohibition to take part in activities aimed at the circumvention of the above transport sector measures.

Ship-to-ship transfers

Prohibition on nationals of Member States from facilitating ship-to-ship transfers to or from DPRK-flagged vessels of goods and items supplied to or from the DPRK.

Bunkering

Prohibition on the provision of bunkering or ship supply services to DPRK vessels if there are reasonable grounds to believe that the vessels carry prohibited items, unless necessary for humanitarian purposes.

Leasing, chartering, crewing services, vessel or aircraft services, insurance and re-insurance, and registering of vessel and aircrafts

Prohibition on nationals of Member States from leasing, chartering flagged vessels, aircraft or providing crewing services to or from the DPRK, designated persons and entities, or any persons or entities whom the Member State determines have assisted in in violation of UN Security Council resolutions, unless pre-approved by the Sanctions Committee on a case-by-case basis. Prohibition on the import of vessel or aircraft services from the DPRK.

Obligation to de-register any vessel that is owned, operated or crewed by the DPRK and not to register any such vessel that is de-registered by another Member State, unless pre-approved by the Sanctions Committee on a case-by-case basis.
Prohibition on nationals, entities and persons within the territory of Member States from registering vessels in the DPRK or obtaining authorization for a vessel to use the DPRK's flag. Member States are prohibited from owning, leasing, operating, or providing vessel classification, certification or associated service and insurance, to any DPRK-flagged vessel, unless pre-approved by the Sanctions Committee on a case-by-case basis.

Prohibition on persons and entities subject to the jurisdiction of the Member States from providing insurance or re-insurance services to vessels owned, controlled or operated, including through illicit means, by the DPRK, unless exempted by the UN Sanctions Committee on a case-by-case basis. The same prohibition applies to vessels which are designated by the EU for being involved in illicit activities. There is also a prohibition to provide classification services to such vessels, unless pre-approved by the Sanctions Committee on a case-by case basis. The prohibition to provide insurance or re-insurance services to vessels designated by the EU applies unless the Sanctions Committee determines otherwise.

Member States shall de-register any vessel when there are reasonable grounds to believe that the vessel has been involved in illicit activities.

Obligation for Member States to implement the measures (e.g. de-flagging, de-registration, asset freeze) decided by the UN Sanction Committee for the vessels that the latter has listed.

**Seizure and impounding**

Member States shall seize, inspect and impound any vessel in their port and may seize, inspect and impound any vessel subject to their jurisdiction in their territorial waters when there are reasonable grounds to believe that the vessel has been involved in illicit activities.

**Scientific and Technical Cooperation**

Obligation on Member States to 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 UN Sanctions Committee determines 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 Member State determines that the particular activity will not contribute to the DPRK's proliferation sensitive nuclear activities or ballistic missile-related programmes and notifies the UN Sanctions Committee in advance of such determination.

**Restrictions on admission and residence**

**Restrictions on admission**

Prohibition to admit, even if only for transit, to the territory of the Member States of persons designated by the UN. The same prohibition applies to persons designated by the EU as:

- responsible, including through supporting or promoting, for the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes, and persons acting on their behalf or at their direction.
- providing financial services or the transfer to through or from Member States' territory of any financial or other assets or resources that could contribute to the DPRK's nuclear-related,
ballistic missile-related or other weapons of mass destruction-related programmes.

- working on behalf of or at the direction of listed persons and entities, or persons assisting in the evasion of sanctions or violation of relevant UN Security Council Resolutions and EU norms.
- involved in the supply to or from the DPRK of arms and related materiel of all types, or dual-use goods.
- entities of the Government of the DPRK or the Worker's Party of Korea, or persons or entities acting on their behalf or at their direction.

Designated persons can be found in the annexes to Decision (CFSP) 2016/849 and Regulation (EU) 2017/1509.

Humanitarian and certain other exemptions apply.

**Restrictions on residence**

Obligation to expel from the territory of Member States DPRK diplomats, government representatives, other DPRK nationals acting in a governmental or representative office capacity, and DPRK or foreign nationals if a Member State determines are working on behalf or at the direction of a designated person and/or entity or of a person and/or entity assisting in evasion or violation of restrictive measures.

Obligation to expel persons who are working on behalf or at the direction of a DPRK bank or financial institution, unless the presence of the person is required for fulfilment of a judicial process or exclusively for medical, safety or humanitarian purposes.

**Freezing of funds and economic resources**

Obligations to freeze all funds and economic resources belonging to persons designated by the UN. The same applies to entities designated by the UN, as well as for persons and entities designated by the EU as:

- responsible, including through supporting or promoting, for the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes, and persons acting on their behalf or at their direction.
- providing financial services or the transfer to through or from Member States' territory of any financial or other assets or resources that could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes.
- working on behalf of or at the direction of weapons of mass destruction-related programmes.
- involved in the supply to or from the DPRK of arms and related materiel of all types, or dual-use goods
- entities of the Government of the DPRK or the Worker's Party of Korea, or persons or entities acting on their behalf or at their direction.

The designated persons and entities can be found in the annexes to Decision (CFSP) 2016/849 and Regulation (EU) 2017/1509.

It is also prohibited to make funds or economic resources available to these persons and entities. Likewise, it is prohibited to take part in activities aimed at the circumvention of those measures. A number of standard exemptions apply, inter alia in relation to funds and economic resources necessary to satisfy basic needs and for the payment of legal services.

Obligation to close the representative offices of designated persons and entities, as well as of any
persons or entities acting on behalf of such designated persons or entities, as well as to prohibit them from participating in joint ventures and any other business arrangements.

**Other restrictive measures**

*Specialised teaching or training*

Obligation for Member States to prevent specialised teaching or training of DPRK nationals in disciplines that could contribute to the DPRK's proliferation-sensitive nuclear activities and the development of nuclear weapon delivery systems, including teaching of advanced physics, advanced materials science, advanced computer simulation and related computer sciences, geospatial navigation, nuclear engineering, aerospace and aeronautical engineering and related disciplines, advanced chemical, mechanical, electrical and industrial engineering.

*DPRK diplomatic missions and diplomats*

Obligation for Member States to exercise enhanced vigilance over DPRK diplomats in their territory so as to prevent them from contributing to the DPRK's illegal programmes or other prohibited activities.

Obligation on Member States to prohibit the DPRK from using real property that it owns or leases in their territory for any purpose other than diplomatic or consular activities.

Obligation on Member States to limit the number of bank accounts to one per DPRK diplomatic mission and consular post, and one per accredited DPRK diplomat and consular officer at banks in their territory.

*DPRK Workers*

Prohibition on providing new work authorisations to DPRK nationals to enter and work in the territory of a Member State. Member States shall not renew work authorisations for DPRK nationals, except for refugees and other persons benefiting from international protection.

*Seizure and disposal of prohibited items*

Member States are obliged to, seize and dispose (such as through destruction, rendering inoperable or unusable, storage, or transferring to a State other than the originating or destination States for disposal) of items the supply, sale, transfer, or export of which is prohibited by UN Security Council Resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017) or 2375 (2017) that are identified in inspections, in a manner that is consistent with their obligations under applicable international law.

[1] Full details are set out in the relevant legislation.

**Press contacts**

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