

檔 號：

保存年限：

金融監督管理委員會 函

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附件：如說明(106B102499_1_071436594182.pdf)

主旨：檢送外交部通知新增聯合國安全理事會第2356號決議制裁
北韓之相關對象名單，請查照並轉知所屬會員辦理。

說明：

- 一、依據外交部轉送美國在臺協會臺北辦事處提供文件，聯合國安全理事會於106年6月2日通過第2356號決議，新增對18個與北韓有關之實體及個人制裁名單，詳附件（該處提供之英文資料共7頁）。
- 二、按旨揭安理會決議案旨在重申核武器、化學武器和生物武器及其運載工具的擴散對國際和平與安全構成威脅，表示嚴重關切北韓繼續違反安全理事會相關決議、一再發射和試圖發射彈道導彈，指出所有這些彈道導彈活動有助於北韓發展核武器運載系統，加劇了該區域內外的緊張局勢。又安理會根據決議，北韓14人被列入旅行禁令和資產凍結制裁名單、4個機構被列入資產凍結制裁名單。
- 三、本案請貴公會（社）協助轉知所屬會員，如發現客戶及交易有關對象為前揭制裁對象者，請依據「金融機構防制洗錢辦法」規定，向法務部調查局申報，並注意該等交易之

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風險。

正本：中華民國銀行商業同業公會全國聯合會（代表人呂桔誠先生）（併請轉知外商銀行在臺分行）、有限責任中華民國信用合作社聯合社（代表人麥勝剛先生）、中華民國信託業商業同業公會（代表人蔡慶年先生）、中華民國票券金融商業同業公會（代表人吳正慶先生）

副本：外交部(不含附件)、法務部、法務部調查局、中央銀行、行政院農業委員會(併請轉知所轄金融機構)、金融監督管理委員會證券期貨局（併請轉知所屬相關公會）、金融監督管理委員會保險局（併請轉知所屬相關公會）、金融監督管理委員會檢查局（以上含附件）

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The United Nations Security Council unanimously adopted United Nations Security Council Resolution (UNSCR) 2356 on June 2, 2017. UNSCR 2356 is unprecedented in that it is the first Chapter VII UNSCR adopted by the Security Council in the absence of a North Korean (DPRK) nuclear test.

The text of the Resolution reflects the Security Council's serious concern with the DPRK's continued violations of multiple existing UNSCRs, including its repeated ballistic missile launches and attempted launches. These activities, according to the Security Council, contribute to the development of nuclear weapons delivery systems. The Security Council also reiterated its great concern that the DPRK's prohibited arms sales have generated revenues that support the pursuit of its nuclear weapons and ballistic missile programs. The DPRK's ongoing nuclear and ballistic missile-related activities have increased tensions in the region and beyond, and represent a clear and continuing threat to international peace and security.

UNSCR 2356 condemns these ongoing activities and reaffirms the Council's previous decisions that the DPRK shall abandon its nuclear programs in complete, verifiable, and irreversible manner, and refrain from further launches using ballistic missile technology, nuclear tests, and any other provocations.

Although UNSCR 2356 does not impose additional specific measures on Member States, the Resolution identified an additional 18 entities and individuals for an asset freeze and/or travel ban pursuant to UNSCR 1718 paragraph 8(e) and (d). Among those individuals designated for a travel and asset freeze are several key officials in North Korea's political and military organizations as well as two proliferation-related personnel based in third countries. The four entities listed for an asset freeze include two proliferators, a regime-linked bank, and a trading company subordinate to the DPRK military.

The Security Council's unprecedented action in adopting this resolution reflects an international consensus that the DPRK's activities and accelerated pace of ballistic missile tests are unacceptable. We urge your government to immediately share the individuals and entities listed in the UNSCR annexes to your immigration, customs, financial, and security services, and are added to all appropriate watch-lists. It is critical that all Member States redouble their efforts to fully implement all of the UNSCRs and ensure appropriate actions are taken against individuals residing in, traveling through, or maintaining assets in Member State jurisdictions. For the entities listed, UNSCR 2356 obligates Member States to immediately sever any existing relationships and, as appropriate, freeze all assets or economic resources that may be within a State's jurisdiction. It is incumbent on all Member States to undertake these actions immediately.

The United States sees the DPRK as a top national security priority and we are actively working on a range of diplomatic, security, and economic measures to address this issue, including the use of U.S. sanctions against third country individuals and entities providing support to North Korea's UNSCR-prohibited activities. Our actions are designed to increase pressure on the DPRK regime and its pursuit of unlawful nuclear and missile programs by denying it critical revenue earned through its UNSCR prohibited exports. We urge all governments, including yours, to take all available steps to fully implement the UNSCRs and ensure the DPRK is prevented from abusing your territory to engage in UNSCR violating activities.

UNITED NATIONS SECURITY COUNCIL RESOLUTION 2356

The full text of resolution 2356 (2017) reads as follows:

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), resolution 2087 (2013), resolution 2094 (2013), resolution 2270 (2016) and resolution 2321 (2016), 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),

Reaffirming that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

Expressing serious concern that the Democratic People's Republic of Korea has continued to violate relevant Security Council resolutions through repeated launches and attempted launches of ballistic missiles, and *noting* that all such ballistic missile activities contribute to the Democratic People's Republic of Korea's development of nuclear weapons delivery systems and increase tension in the region and beyond,

Expressing great concern that the Democratic People's Republic of Korea's prohibited arms sales have generated revenues that are diverted to the pursuit of nuclear weapons and ballistic missiles while the Democratic People's Republic of Korea citizens have unmet needs,

Expressing its gravest concern that the Democratic People's Republic of Korea's ongoing nuclear- and ballistic missile-related activities have further generated increased tension in the region and beyond, and *determining* that there continues to exist a clear threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Condemns* in the strongest terms the nuclear weapons and ballistic missile development activities including a series of ballistic missile launches and other activities conducted by the Democratic People's Republic of Korea since 9 September 2016 in violation and flagrant disregard of the Security Council's resolutions;
2. *Reaffirms* its decisions that the Democratic People's Republic of Korea shall abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner, and immediately cease all related activities; shall not conduct any further launches that use ballistic missile technology, nuclear tests, or any other provocation; shall suspend all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launches; and shall abandon any other existing weapons of mass destruction and ballistic missile programmes in a complete, verifiable and irreversible manner;
3. *Recalls* the measures imposed by paragraph 8 of resolution 1718 (2006), as modified by subsequent resolutions, and *decides* that the measures specified in paragraph 8(d) of resolution 1718 (2006) shall apply to the individuals and entities listed in Annex I and II of this resolution and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and that the measures specified in paragraph 8(e) of resolution 1718 (2006) shall apply to the individuals listed in Annex I of this resolution and to individuals acting on their behalf or at their direction;

4. *Reiterates* the importance of maintaining peace and stability on the Korean Peninsula and in North-East Asia at large, *expresses* its commitment to a peaceful, diplomatic, and political solution to the situation, and *welcomes* efforts by Council members, as well as other States to facilitate a peaceful and comprehensive solution through dialogue and *stresses* the importance of working to reduce tensions in the Korean Peninsula and beyond;

5. *Decides* to remain seized of the matter.

Annex I

Travel Ban/Asset Freeze (Individuals)

1. CHO IL U

a. *Description*: Director of the Fifth Bureau of the Reconnaissance General Bureau. Cho is believed to be in charge of overseas espionage operations and foreign intelligence collection for the Democratic People's Republic of Korea.

b. *AKA*: Cho Il Woo

c. *Identifiers*: DOB: May 10, 1945; POB: Musan, North Hamgyo'ng Province, Democratic People's Republic of Korea; nationality: Democratic People's Republic of Korea; Passport Number 736410010

2. CHO YON CHUN

a. *Description*: Vice Director of the Organization and Guidance Department, which directs key personnel appointments for the Workers' Party of Korea and the Democratic People's Republic of Korea's military.

b. *AKA*: Jo Yon Jun

c. *Identifiers*: DOB: September 28, 1937; Nationality: Democratic People's Republic of Korea

3. CHOE HWI

a. *Description*: First Vice Director of the Workers' Party of Korea Propaganda and Agitation Department, which controls all Democratic People's Republic of Korea media and is used by the government to control the public.

b. *A.K.A.*: n/a

c. *Identifiers*: YOB: 1954 or 1955, Nationality: Democratic People's Republic of Korea; Gender: male; Address: Democratic People's Republic of Korea

4. JO YONG-WON

a. *Description*: Vice Director of the Worker's Party of Korea's Organization and Guidance Department, which directs key personnel appointments for the Workers' Party of Korea and the Democratic People's Republic of Korea's military.

b. *A.K.A.*: Cho Yongwon

c. *Identifiers*: DOB: October 24, 1957; Nationality: Democratic People's Republic of Korea; Gender, male; Address: Democratic People's Republic of Korea

5. KIM CHOL NAM

a. *Description*: President of Korea Kumsan Trading Corporation, a company that procures supplies for General Bureau of Atomic Energy and serves as a cash route to the Democratic People's Republic of Korea.

b. *A.K.A.*: n/a

c. *Identifiers*: DOB: February 19, 1970; Nationality: Democratic People's Republic of Korea; Passport no.: 563120238; Address: Democratic People's Republic of Korea

6. KIM KYONG OK

- a. Description: Vice Director of the Organization and Guidance Department, which directs key personnel appointments for the Workers' Party of Korea and the Democratic People's Republic of Korea's military.
- b. AKA: Kim Kyong Ok
- c. Identifiers: YOB: 1937 or 1938; Nationality: Democratic People's Republic of Korea; Address: Pyongyang, Democratic People's Republic of Korea

7. KIM TONG-HO

- a. Description: Vietnam Representative for Tanchon Commercial Bank, which is the main Democratic People's Republic of Korea financial entity for weapons and missile-related sales.
- b. A.K.A.: n/a
- c. Identifiers: DOB: August 18, 1969; Nationality: Democratic People's Republic of Korea; Passport no.: 745310111; Gender: male; Address: Vietnam

8. MIN BYONG CHOL

- a. Description: Member of the Worker's Party of Korea's Organization and Guidance Department, which directs key personnel appointments for the Workers' Party of Korea and the Democratic People's Republic of Korea's military.
- b. A.K.A.: Min Pyo'ng-ch'o'l, Min Byong-chol, Min Byong Chun
- c. Identifiers: DOB: August 10, 1948; Nationality: Democratic People's Republic of Korea; Gender: male; Address: Democratic People's Republic of Korea

9. PAEK SE BONG

- a. Description: Paek Se Bong is a former Chairman of the Second Economic Committee, a former member of the National Defense Commission, and a former Vice Director of Munitions Industry Department (MID).
- b. AKA: n/a
- c. Identifiers: DOB: 21 March 1938; Nationality: Democratic People's Republic of Korea

10. PAK HAN SE

- a. Description: Vice Chairman of the Second Economic Committee, which oversees the production of the Democratic People's Republic of Korea's ballistic missiles and directs the activities of Korea Mining Development Corporation, the Democratic People's Republic of Korea's premier arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.
- b. A.K.A.: Kang Myong Chol
- c. Identifiers: Nationality: Democratic People's Republic of Korea; Passport no.: 290410121; Address: Democratic People's Republic of Korea

11. PAK TO CHUN

- a. Description: Pak To Chun is a former Secretary of Munitions Industry Department (MID) and currently advises on affairs relating to nuclear and missile programmes. He is a former State Affairs Commission member and is a member Workers' Party of Korea Political Bureau.
- b. AKA: Pak Do Chun
- c. Identifiers: DOB: 9 March 1944; Nationality: Democratic People's Republic of Korea

12. RI JAE IL

- a. Description: Vice Director of the Workers' Party of Korea Propaganda and Agitation Department, which controls all Democratic People's Republic of Korea's media and is used by the government to control the public.
- b. AKA: RI, Chae-II
- c. Identifiers: YOB 1934; Nationality: Democratic People's Republic of Korea

13. RI SU YONG

a. Description: Official for Korea Ryonbong General Corporation, specializes in acquisition for Democratic People's Republic of Korea's defence industries and support to Pyongyang's military-related sales. Its procurements also probably support the Democratic People's Republic of Korea's chemical weapons programme.

b. A.K.A.: n/a

c. Identifiers: DOB: June 25, 1968; Nationality: Democratic People's Republic of Korea; Passport no.: 654310175; Gender: male; Address: Cuba

14. RI YONG MU

a. Description: Ri Yong Mu is a Vice Chairman of the State Affairs Commission, which directs and guides all Democratic People's Republic of Korea's military, defence, and security-related affairs, including acquisition and procurement.

b. AKA: n/a

c. Identifiers: DOB: 25 January 1925; Nationality: Democratic People's Republic of Korea

Annex II

Asset Freeze (Entities)

1. KANGBONG TRADING CORPORATION

a. Description: The Kangbong Trading Corporation sold, supplied, transferred, or purchased, directly or indirectly, to or from the Democratic People's Republic of Korea, metal, graphite, coal, or software, where revenue or goods received may benefit the Government of the Democratic People's Republic of Korea or the Workers' Party of Korea. The Kangbong Trading Corporation's parent is the Ministry of People's Armed Forces.

b. AKA: N/A

c. Location: Democratic People's Republic of Korea

2. KOREA KUMSAN TRADING CORPORATION

a. Description: Korea Kumsan Trading Corporation is owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, the General Bureau of Atomic Energy, which oversees the Democratic People's Republic of Korea's nuclear programme.

b. AKA: N/A

c. Location: Pyongyang, Democratic People's Republic of Korea

3. KORYO BANK

a. Description: Koryo Bank operates in the financial services industry in the Democratic People's Republic of Korea's economy and is associated with Office 38 and Office 39 of the KWP.

b. AKA: N/A

c. Location: Pyongyang, Democratic People's Republic of Korea

4. STRATEGIC ROCKET FORCE OF THE KOREAN PEOPLE'S ARMY

a. Description: The Strategic Rocket Force of the Korean People's Army is in charge of all Democratic People's Republic of Korea ballistic missile programmes and is responsible for SCUD and NODONG launches.

b. AKA: Strategic Rocket Force; Strategic Rocket Force Command of KPA; Strategic Force; Strategic Forces

c. Location: Pyongyang, Democratic People's Republic of Korea

-- North Korean activity is a top international priority and we are actively engaged in a range of diplomatic, security, and economic initiatives to significantly increase pressure on the DPRK to abandon its prohibited nuclear and missile programs. We are working specifically to curtail revenue derived from certain industries within the DPRK economy – such as mining, energy, financial services, and transportation – that are producing revenue for those programs or allowing the DPRK to engage in UN-proscribed activities.

-- We believe that all revenues earned by the DPRK overseas, including through coal sales and shipping ventures, could be funneled towards the DPRK's UN-prohibited nuclear and ballistic-missile programs.

-- We are also encouraged by the June 2 adoption of UN Security Council resolution (UNSCR) 2356, which expresses ongoing concern for repeated launches and attempted launches of ballistic missiles that contribute to the DPRK's development of a nuclear weapons delivery system and increases tensions in the region and beyond. One of the entities designated in this UNSCR was Kangbong Trading Corporation, which has been involved in the DPRK coal trade.

-- To maximize pressure on DPRK revenue sources, we are calling for all jurisdictions to take steps that go beyond what is included in UNSCRs, and to ban DPRK coal imports without exception.

-- We were encouraged by China's February 2017 announcement banning coal for the remainder of 2017. However, this progress will be jeopardized if the DPRK successfully identifies new export destinations for its coal.

-- In this regard, we would like to provide information concerning a ship carrying DPRK coal that recently discharged its cargo in Taiwan.

-- The M/V NEW GLOBAL (IMO 8660521; Jamaican flagged) loaded coal in Nampo, North Korea on 19 May 2017. The vessel discharged North Korean coal at Taichung, Taiwan, in early June 2017.

-- As we noted when we last raised these issues, UNSCRs 2321 and 2270 (2016) have made it clear that the DPRK's sale of coal and other minerals benefit its WMD and ballistic missile programs, and that the DPRK has previously used dry bulk goods to conceal arms-related materiel.

-- UNSCR 2321 Operative Paragraph (OP) 26 allows Member States to permit the procurement of coal from the DPRK only when such procurement meets very narrow exceptions. First, individual coal transactions must not involve individuals or entities associated with the DPRK's nuclear or ballistic missiles program or other UN-prohibited activities, including UN-listed individuals and entities; second, they must be exclusively for the livelihood purposes of DPRK nationals and unrelated to generating revenue for UN-prohibited activities or programs; and third, such allowed transactions cannot exceed the annual limitation of exports of coal from the DPRK to all Member States of \$400,870,018 or 7.5 million metric tons, whichever is lower.

-- We greatly appreciate Taiwan's close consultations with us on the relevant UNSCR provisions restricting DPRK coal exports. Taiwan's commitment to us in February to have its National Security Council determine that DPRK coal imports should be banned was a welcomed step to increase pressure on the DPRK and to implement UNSCR 2321's (2016) obligations regarding the import of coal from the DPRK.

-- In addition to the UNSCR provisions related to coal, various obligations of the resolutions relating to inspections and shipping are also relevant in this case.

-- UNSCR 2270 OP 18 obligates all Member States to inspect the cargo within or transiting through their territory, including in their seaports, that has originated in the DPRK, or that is destined for the DPRK, or that has been brokered or facilitated by the DPRK or its nationals, or by individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, or by designated individuals or entities, or that is being transported on DPRK flagged maritime vessels, to ensure that no items are transferred in violation of Security Council resolutions on the DPRK. UNSCR 2321 OP 20 reemphasizes the importance of this issue.

-- We welcome your investigation into these shipments and request your assistance in identifying the importing and exporting entities involved in these transactions.

-- Was Taiwan aware of this shipment of DPRK coal? If so, what steps were taken to verify these DPRK coal deliveries did not involve individuals or entities associated with the DPRK's nuclear or ballistic missiles program or other UN-prohibited activities? What steps were taken to ensure the coal shipments were exclusively for the livelihood purposes of DPRK nationals and unrelated to generating revenue for UN-prohibited activities or programs?

-- Based on our previous discussions in January and February, our understanding was that Taiwan took steps to ban further imports of DPRK coal. What domestic steps have been taken since our discussions and how can they be utilized to prevent future shipments of DPRK coal from being delivered into your jurisdiction?

-- Also, did Taiwan verify the nationality of this ship's crews during its port call? Did your port authorities conduct a thorough inspection of the identified vessel pursuant to UNSCR 2270 OP 18?

-- We also note that UNSCR 2321 OP26 requires member state importers of coal to submit the resolution's Annex V form to the UN's 1718 Committee reporting any coal imports from the DPRK.

-- As you may recall, OP 41 of UNSCR 2270 encourages Member States to supply information regarding non-compliance with these measures. To that end, we encourage you to share any information with the UN's DPRK Panel of Experts on these issues.

-- We appreciate your cooperation in ensuring that UN Security Council resolutions on the DPRK are fully implemented by all States, and we look forward to hearing the results of your investigation into this vessel.

