

EXPLANATORY MEMORANDUM TO

THE NORTH KOREA (UNITED NATIONS SANCTIONS) (AMENDMENT) (No. 2) ORDER 2017

2017 No. 1110

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

- 2.1 This Order gives effect to certain changes to the sanctions regime against North Korea as provided for in United Nations Security Council resolution 2371 of 5th August 2017 (“UNSCR 2371”). This Order amends prohibitions in the North Korea (United Nations Sanctions) Order 2009 (S.I. 2009/1749) (“North Korea principal Order”) and creates certain new prohibitions.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 None.

Other matters of interest to the House of Commons

- 3.2 As this instrument is not subject to any Parliamentary procedure, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

4. Legislative Context

- 4.1 The United Nations sanctions regime against North Korea is set out in a series of UN Security Council resolutions, including UNSCR 2371. The sanctions are given effect in the European Union by Council Decision (CFSP) 2017/1562 of 14 September 2017 (amending Council Decision 2016/849/CFSP) and Council Regulation 2017/1548 of 14 September 2017 (amending Council Regulation (EC) No 329/2007).
- 4.2 The North Korea principal Order provides for the enforcement in the United Kingdom of certain aspects of the trade restrictions against North Korea, including prohibitions on the use of certain ships, aircraft and vehicles to carry specified goods to and from North Korea.

5. Extent and Territorial Application

- 5.1 The extent of the instrument is the whole of the United Kingdom.
- 5.2 The territorial application of the instrument is the whole of the United Kingdom.

6. European Convention on Human Rights

- 6.1 As this Order is not subject to Parliamentary procedure and does not amend primary legislation, no statement is required.

7. Policy background

What is being done and why

- 7.1 In response to the ballistic missile tests by North Korea on 3 and 28 July 2017, which were serious violations of a number of previous UNSCRs, the UNSC imposed further sanctions on North Korea on 5 August in UNSCR 2371 2017.
- 7.2 UNSCR 2371 includes restrictions on the import from North Korea of seafood and lead and lead ore, which require domestic implementation, hence the inclusion of relevant measures in this Order.

Consolidation

- 7.3 The Foreign and Commonwealth Office will keep the need for consolidation of the principal Order under review.

8. Consultation outcome

- 8.1 There was no public consultation in the United Kingdom.

9. Guidance

- 9.1 No guidance will be issued.

10. Impact

- 10.1 There is no impact on business, charities or voluntary bodies in the United Kingdom.
- 10.2 There is no impact on the public sector.
- 10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

- 11.1 The legislation applies to activities that are undertaken by small businesses.

12. Monitoring & review

- 12.1 United Nations sanctions are monitored and reviewed by the United Nations Security Council. This Order will be reviewed and amended as appropriate following any further modifications to the sanctions regime by the United Nations.

13. Contact

- 13.1 Molly Mulready-Jones at the Foreign and Commonwealth Office can answer any queries regarding the instrument. Telephone: 020 7008 3061. Email: molly.mulready-jones@fco.gov.uk