

COUNCIL DECISION 2011/860/CFSP**of 19 December 2011****amending Decision 2010/800/CFSP concerning restrictive measures against the Democratic People's Republic of Korea**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to Council Decision 2010/800/CFSP of 22 December 2010 concerning restrictive measures against the Democratic People's Republic of Korea ⁽¹⁾, and in particular Articles 9(2) and 12(3) thereof,

Whereas:

- (1) On 22 December 2010, the Council adopted Decision 2010/800/CFSP concerning restrictive measures against the Democratic People's Republic of Korea.
- (2) The Council has carried out a complete review of the list of persons and entities, as set out in Annexes II and III to Decision 2010/800/CFSP, to which Articles 4(1)(b) and (c) and 5(1)(b) and (c) of that Decision apply.
- (3) The Council has concluded that the persons and entities listed in Annexes II and III to Decision 2010/800/CFSP should continue to be subject to the specific restrictive measures provided for therein.
- (4) The Council has also concluded that the entry concerning one entity included in Annex II to Decision 2010/800/CFSP should be amended.

(5) The Council has moreover decided that additional persons and entities should be included in the list of persons and entities subject to restrictive measures as set out in Annexes II and III to Decision 2010/800/CFSP.

(6) The list of persons and entities set out in Annexes II and III to Decision 2010/800/CFSP should be updated accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annexes II and III to Decision 2010/800/CFSP shall be amended as set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 19 December 2011.

For the Council
The President
M. KOROLEC

⁽¹⁾ OJ L 341, 23.12.2010, p. 32.

ANNEX

Decision 2010/800/CFSP shall be amended as follows:

(1) Annex II shall be amended as follows:

(a) The following persons shall be added to point (A) and the following entities shall be added to point (B):

A. List of persons referred to in Articles 4(1)(b) and 5(1)(b)

	Name (and possible aliases)	Identifying information	Reasons
1.	Lieutenant General Kim Yong Chol (alias: Kim Yong-Chol; Kim Young-Chol; Kim Young-Cheol; Kim Young-Chul)	DOB: 1946 Location: Pyongan-Pukto, North Korea	Kim Yong Chol is the commander of Reconnaissance General Bureau (RGB).
2.	Pak To-Chun	DBO: March 9th 1944 POB: Jagang, Rangrim	Member of the National Security Council. He is in charge of the arms industry. It is reported that he commands the office for nuclear energy. This institution is decisive for DPRK's nuclear and rocket launcher program.

B. List of entities referred to in Article 5(1)(b)

	Name (and possible aliases)	Identifying information	Reasons
1.	Hesong Trading Corporation	Pyongyang, DPRK	Controlled by Korea Mining Development Corporation (KOMID) (designated by UNSCR 1718 Sanctions Committee in April 2009); primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. Involved in supplies with potential use in ballistic missile program.
2.	Tosong Technology Trading Corporation	Pyongyang, DPRK	Controlled by Korea Mining Development Corporation (KOMID) (designated by UNSCR 1718 Sanctions Committee in April 2009); primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons
3.	Korea Complex Equipment Import Corporation	Rakwon-dong, Pothonggang District, Pyongyang, DPRK	Controlled by Korea Ryonbong General Corporation (designated by the UNSCR 1718 Sanctions Committee in April 2009); defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales
4.	Korea International Chemical Joint Venture Company (alias Chosun International Chemicals Joint Operation Company; Chosun International Chemicals Joint Operation Company; International Chemical Joint Venture Corporation)	Hamhung, South Hamgyong Province, DPRK; Man gyongdae-kuyok, Pyongyang, DPRK; Mangyungdae-gu, Pyongyang, DPRK	Controlled by Korea Ryonbong General Corporation (designated by the UNSCR 1718 Sanctions Committee in April 2009); defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales

	Name (and possible aliases)	Identifying information	Reasons
5.	Korea Kwangsong Trading Corporation	Rakwon-dong, Pothonggang District, Pyongyang, DPRK	Controlled by Korea Ryonbong General Corporation (designated by the UNSCR 1718 Sanctions Committee in April 2009); defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales
6.	Korea Ryonha Machinery Joint Venture Corporation (a.k.a.: Chosun Yunha Machinery Joint Operation Company; Korea Ryenha Machinery J/V Corporation; Ryonha Machinery Joint Venture Corporation)	Central District, Pyongyang, DPRK; Mangungdae-gu, Pyongyang, DPRK; Mangyongdae District, Pyongyang, DPRK	Controlled by Korea Ryonbong General Corporation (designated by the UNSCR 1718 Sanctions Committee in April 2009); defence conglomerate specialising in acquisition for DPRK defence industries and support to that country's military-related sales Production sites have been modernized lately and are partly intended for processing materials relevant to nuclear production.
7.	Munitions Industry Department (a.k.a.: Military Supplies Industry Department)	Pyongyang, DPRK	Responsible for overseeing activities of North Korea's military industries, including the Second Economic Committee (SEC) and KOMID. This includes overseeing the development of North Korea's ballistic missile and nuclear programmes. Until recently, it was headed by Jon Pyong Ho. Information suggests former Munitions Industry Department (MID) first vice director Chu Kyu-ch'ang (Ju Gyu-chang) is now director of the MID, which is publicly referred to as the Machine Building Industry Department. Chu served as the overall supervisor for North Korea's missile development, including oversight of the April 5, 2009 Taepo Dong-2 (TD-2) missile launch and the failed July 2006 TD-2 launch.
8.	Reconnaissance General Bureau (RGB) (a.k.a.: Chongch'al Ch'ongguk; RGB; KPA Unit 586)	Hyongjesan-Guyok, Pyongyang, North Korea; Nungrado, Pyongyang, North Korea.	The Reconnaissance General Bureau (RGB) is North Korea's premiere intelligence organization, created in early 2009 by the merger of existing intelligence organizations from the Korean Workers' Party, the Operations Department and Office 35, and the Reconnaissance Bureau of the Korean People's Army. It falls under direct command of the Ministry of Defence and is primarily in charge of gathering military intelligence. RGB trades in conventional arms and controls the EU-designated North Korean conventional arms firm Green Pine Associated Corporation (Green Pine).

(b) In point (B), the entry for Green Pine Associated Corporation shall be replaced by the following:

	Name	Identifying information	Reasons
1.	Green Pine Associated Corporation (alias: Chongsong Yonhap; Ch'o'ngsong Yo'nhap; Saengpil Associated Company; General Precious Metal Complex (GPM); Myong Dae Company; Twin Dragon Trading (TDT))	c/o Reconnaissance General Bureau Headquarters, Hyongjesan-Guyok, Pyongyang/Nungrado, Pyongyang	Ch'o'ngsong Yo'nhap has been identified for sanctions for exporting arms or related material from North Korea. Green Pine specializes in the production of maritime military craft and armaments, such as submarines, military boats and missile systems, and has exported torpedoes and technical assistance to Iranian defence-related firms. Green Pine is responsible for approximately half of the arms and related materiel exported by North Korea and has taken over many of the activities of KOMID after its designation by the UNSC.

(2) In Annex III, the following persons shall be added to point (A) and the following entities shall be added to point (B):

A. List of persons referred to in Articles 4(1)(c) and 5(1)(c)

	Name (and possible aliases)	Identifying information	Reasons
1.	Kim Tong-Myo'ng (a.k.a.: Kim Chin-so'k)	DOB: 1964, Nationality: North Korean.	Kim Tong-Myo'ng acts on behalf of Tanchon Commercial Bank (designated by the 1718 Committee in April 2009). Kim Dong Myong has held various positions within Tanchon since at least 2002 and is currently Tanchon's president. He has also played a role in managing Amroggang's affairs (owned or controlled by Tanchon Commercial Bank) using the alias Kim Chin-so'k.

B. List of entities referred to in Article 5(1)(c)

	Name (and possible aliases)	Identifying information	Reasons
1.	Korea Kwangson Banking Corp. (KKBC) (a.k.a.: Korea Kwangson Banking Corp; KKBC)	Jungson-dong, Sungri Street, Central District, Pyongyang, DPRK	A subordinate acting on behalf of or at the direction of, owned or controlled by the Korea Ryonbong General Corporation (designated by the UNSCR 1718 Sanctions Committee in April 2009). Provides financial services in support of both Tanchon Commercial Bank (designated by UNSCR1718 Sanctions Committee in April 2009) and Korea Hyoksin Trading Corporation (designated by UNSCR1718 Sanctions Committee in July 2009). Since 2008, Tanchon has been utilizing KKBC to facilitate funds transfers likely amounting to millions of dollars, including transfers involving Korea Mining Development Trading Corporation (KOMID) (designated by UNSCR1718 Sanctions Committee in April 2009) related funds from Burma to China in 2009. Additionally, Hyoksin, which the UN described as being involved in the development of weapons of mass destruction, sought to use KKBC in connection with a purchase of dual-use equipment in 2008. KKBC has at least one overseas branch in Dandong, China.
2.	Amroggang Development Banking Corporation (a.k.a.: Amroggang Development Bank; Amnokkang Development Bank)	Tongan-dong, Pyongyang, DPRK	Owned or controlled by Tanchon Commercial Bank (designated by the 1718 Committee in April 2009). Established in 2006, Amroggang is managed by Tanchon officials. Tanchon plays a role in financing KOMID's (designated by the 1718 Committee in April 2009) sales of ballistic missiles and has also been involved in ballistic missile transactions from KOMID to Iran's Shahid Hemmat Industrial Group (SHIG).
3.	Bank of East Land (a.k.a.: Dongbang Bank; Tongbang U'nhaeng; Tongbang Bank)	PO Box 32, BEL Building, Jonseung-Dung, Moranbong District, Pyongyang, North Korea	North Korean financial institution Bank of East Land (aka Dongbang Bank) facilitates weapons-related transactions for, and other support to, designated arms manufacturer and exporter Green Pine Associated Corporation (Green Pine). Bank of East Land has actively worked with Green Pine to transfer funds in a manner that circumvents sanctions.

	Name (and possible aliases)	Identifying information	Reasons
			<p>In 2007 and 2008, Bank of East Land facilitated transactions involving Green Pine and designated Iranian financial institutions, including Bank Melli and Bank Sepah. Bank of East Land has also facilitated financial transactions for the benefit of North Korea's Reconnaissance General Bureau's (RGB) weapons program.</p>
4.	<p>Office 39 of The Korean Workers' Party (a.k.a.: Office #39; Office No. 39; Bureau 39; Central Committee; Third Floor Division 39.)</p>	<p>Second KWP Government Building (Korean: Ch'o'ngsa), Chungso'ng, Urban Tower (Korean'Dong), Chung Ward, Pyongyang, North Korea; Chung-Guyok (Central District), Sosong Street, Kyongrim-Dong, Pyongyang, North Korea; Changgwang Street, Pyongyang, North Korea.</p>	<p>Office 39 of the Korean Workers' Party engages in illicit economic activity to support the North Korean government. It has branches throughout the nation that raise and manage funds and is responsible for earning foreign currency for North Korea's Korean Workers' Party senior leadership through illicit activities such as narcotics trafficking. Office 39 controls a number of entities inside North Korea and abroad through which it conducts numerous illicit activities including the production, smuggling, and distribution of narcotics. Office 39 has also been involved in the attempted procurement and transfer to North Korea of luxury goods.</p> <p>Office 39 figures among the most important organisations assigned with currency and merchandise acquisition. It is said to be directly under the command of KIM Jong-il.</p> <p>It controls several trading companies some of which are active in illicit activities, among them Daesong General Bureau, part of Daesong group, the largest company group of the country. Office 39 according to some sources entertains representation office in Rome, Beijing, Bangkok, Singapore, Hongkong and Dubai. To the outside office 39 changes name and appearance regularly. Director of office 39, JON il-chun is already listed on the EU sanction list.</p> <p>Office 39 produced methamphetamine in Sangwon, South Pyongan Province and was also involved in the distribution of methamphetamine to small-scale North Korean smugglers for distribution through China and South Korea. Office 39 also operates poppy farms in North Hamkyo'ng Province and North Pyongan Province and produces opium and heroin in Hamhu'ng and Nachin.</p> <p>In 2009, Office 39 was involved in the failed attempt to purchase and export to North Korea – through China – two Italian-made luxury yachts worth more than \$15 million. Halted by Italian authorities, the attempted export of the yachts destined for Kim Jong-il was in violation of United Nations sanctions against North Korea under UNSCR 1718, which specifically require Member States to prevent the supply, sale, or transfer of luxury goods to North Korea.</p> <p>Office 39 previously used Banco Delta Asia to launder illicit proceeds. Banco Delta Asia was identified by the Treasury Department in September 2005 as a 'primary money laundering concern' under Section 311 of the USA PATRIOT Act because it represented an unacceptable risk of money laundering and other financial crimes.</p>