REFERENCE: S/AC.49/2019/OC.57

The Chair of the Security Council Committee established pursuant to resolution 1718 (2006) presents his compliments to the Permanent Mission of the Russian Federation to the United Nations and has the honour to refer to its communication dated 5 February 2019 addressed to the Chair of the Committee, by which it forwarded a letter from Rason Transnational Container Transportation Joint-Venture Company (RasonConTrans), and requested the Chair to provide it with a response letter reconfirming that the maritime export of Russian coal from the port of Rason (Rajin) to third countries by vessels chartered by "RasonConTrans" was not prohibited by United Nations Security Council sanctions.

Based on the information provided, the Committee recalls that the Russia–DPRK Rajin-Khasan port and rail project with the purpose of solely exporting Russia-origin coal, as permitted by paragraph 8 of resolution 2371 (2017), is exempt from the prohibition of joint ventures by virtue of paragraph 18 of resolution 2375 (2017).

The Committee also recalls that paragraph 8 of resolution 2371 (2017) is as follows:

“Decides that paragraph 26 of resolution 2321 (2016) shall be replaced by the following:

“Decides that the DPRK shall not supply, sell or transfer, directly or indirectly, from its territory or by its nationals or using its flag vessels or aircraft, coal, iron, and iron ore, and that all States shall prohibit the procurement of such material from the DPRK by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of the DPRK, decides that for sales and transactions of iron and iron ore for which written contracts have been finalized prior to the adoption of this resolution, all States may allow those shipments to be imported into their territories up to 30 days from the date of adoption of this resolution with notification provided to the Committee containing details on those imports by no later than 45 days after the date of adoption of this resolution, and decides further that this provision shall not apply with respect to coal that the exporting State confirms on the basis of credible information has originated outside the DPRK and was transported through the DPRK solely for export from the Port of Rajin (Rason), provided that the exporting State notifies the Committee in advance and such transactions involving coal originating outside of the DPRK are unrelated to generating revenue for the DPRK’s nuclear or ballistic missile programs or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), or this resolution;”
The Chair confirms that the maritime export of Russian coal from the port of Rason (Rajin) to third countries by vessels chartered by “RasonConTrans” is not prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) or 2397 (2017), provided that the Russian Federation ensures that transactions involving coal originating outside of the DPRK are unrelated to generating revenue for the DPRK’s nuclear or ballistic missile programs or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017), and that the Russian Federation notifies the Committee in advance on the details of such transactions, including the information regarding the shipping companies, involved in the procurement of coal.

The Chair of the Security Council Committee established pursuant to resolution 1718 (2006) avails himself of this opportunity to renew to the Permanent Mission of the Russian Federation to the United Nations the assurances of his highest consideration.

8 March 2019

Permanent Mission of the Russian Federation
to the United Nations
New York