



NIUE SHIP REGISTRY

Website: www.niueship.com

UN SECURITY COUNCIL RESOLUTION 2270 (2016) (Circular NMC1.2016 (rev1))

PURPOSE: To provide relevant information and guidance to ship owners / ship operators / ship managers / crewing agents and related parties to the implications of the UN Security Council Resolution 2270 (2016) issued on 2 March 2016.

RELATED DOCUMENTS:

1. UN Security Council Resolution 2270 (2016), 2 March 2016

DEFINITIONS:

The following abbreviations stand for:

- "DPRK" – Democratic People's Republic of Korea
- "UN" – United Nations

The following terms shall mean:

- "Administration" shall mean the Niue Ship Registry; and
- "Resolution" shall mean UN Security Council Resolution 2270 (2016)

APPLICATION:

The Resolution shall be applied to all vessels registered under the Niue Ship Registry.

CONTENTS:

A. BACKGROUND

In view of the nuclear test conducted by the DPRK on 6 January 2016, the UN Security Council has approved Resolution which expands existing sanctions on the DPRK in the aim to cut off funds for the DPRK's nuclear and other banned weapons programs.

B. IMPLICATIONS TO THE NIUE SHIP REGISTRY

The following paragraphs of the Resolution directly affect the Niue Ship Registry:

1. Paragraph 19

"Decides that Member States shall prohibit their nationals and those in their territories from leasing or chartering their flagged vessels or aircraft or providing crew services to the DPRK, and decides that this prohibition shall also apply with respect to any designated individuals or entities, any other DPRK entities, any other individuals or entities whom the State determines to have assisted in the evasion of sanctions or in violating the provisions of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, any individuals or entities acting on behalf or at the direction of any of the aforementioned, and any entities owned or controlled by any of the aforementioned, calls upon Member States to de-register any vessel that is owned, operated or crewed by the DPRK, further calls upon Member States not to register any such vessel that is de-registered by another Member State pursuant to this paragraph, and decides that this provision shall not apply with respect to such leasing, chartering or provision of crew services notified to the

Committee in advance on a case-by-case basis accompanied by: a) information demonstrating that such activities are exclusively for livelihood purposes which will not be used by DPRK individuals or entities to generate revenue, and b) information on measures taken to prevent such activities from contributing to violations of the aforementioned resolutions”

2. Paragraph 29

“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, and decides that this provision shall not apply with respect to:

(a) Coal that the procuring 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 State notifies the Committee in advance and such transactions 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) or this resolution; and,

(b) Transactions that are determined to be exclusively for livelihood purposes and 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) or this resolution”

3. Paragraph 30

“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, gold, titanium ore, vanadium ore, and rare earth minerals, 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”

4. Paragraph 31

“Decides that all States shall prevent the sale or supply, by their nationals or from their territories or using their flag vessels or aircraft, of aviation fuel, including aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel, and kerosene-type rocket fuel, whether or not originating in their territory, to the territory of the DPRK, or unless the Committee has approved in advance on an exceptional case-by-case basis the transfer to the DPRK of such products for verified essential humanitarian needs, subject to specified arrangements for effective monitoring of delivery and use, and decides also that this provision shall not apply with respect to the sale or supply of aviation fuel to civilian passenger aircraft outside the DPRK exclusively for consumption during its flight to the DPRK and its return flight”

The Administration requests that the above be complied with in the most practicable manner with immediate effect. Where provisions for exemption to the above have been obtained and granted by the UN, these shall be communicated to this Administration as soon as possible to avoid the incorrect de-registration of the vessel(s).

Please do not hesitate to contact the Registry at operationsl@niueship.com or call: +65 6226-2001 for further assistance.