



Africa Regional Expert Workshop organized as part of the project on 'Strengthening Implementation and Enforcement of the Arms Embargo on North Korea' (SAENK), Cape Town, South Africa, 11–13 June 2019

Report

Background

The SAENK project is intended to strengthen national implementation and enforcement of UN sanctions on the Democratic People's Republic of Korea (North Korea). A key element of the project is that of identifying and sharing national best practice and lessons learned regarding implementing and enforcing UN sanctions at the regional level. To this end the SAENK project organized an Africa Regional Expert Workshop to:

- (1) raise awareness of the extent of UN sanctions on North Korea and the techniques used to evade the arms embargo;
- (2) provide the space for an exchange of best practice and lessons learned with regard to on the implementation and enforcement of the UN sanctions and arms embargo on North Korea; and
- (3) facilitate the sharing of effective measures to prevent, detect, and respond to embargo violations.

This report provides a brief summary of the workshop, which took place in Cape Town, South Africa, on 11–13 June 2019.

Partnership and participation

The Small Arms Survey collaborated with the Netherlands Ministry of Foreign Affairs and the Security and Violence Initiative of the University of Cape Town in the organization of the workshop. Seventeen national representatives of ministries of foreign affairs, ministries of defence, INTERPOL national central bureaus, and police forces from 13 Central, Eastern, Southern, and West African countries took part in the meeting¹.

¹ Delegates in attendance represented the following countries: Angola, Benin, Botswana, the Democratic Republic of the Congo, Ethiopia, Madagascar, Mali, Mozambique, Senegal, Tanzania, Uganda, Zimbabwe, and South Africa.

Workshop outline and process

The workshop consisted of presentations by the Survey team, a sharing of country experiences and good practice, a capacity-building exercise, and feedback from the participating countries on the assessment of national needs to strengthen national compliance with the requirements of the UN arms embargo imposed on North Korea.

Presentations included:

- a general overview of UN sanctions, the UN arms embargo on North Korea, and prerequisites for the effective implementation and enforcement of the arms embargo;
- a specific examination of the mechanics of illicit arms trafficking from North Korea (sources, routes, and methods; and smuggling techniques);
- a general presentation on the regulation of arms brokering as it is applicable to illicit North Korean arms-trafficking activities; and
- a presentation on North Korea's use of its embassies and diplomatic personnel in arms trafficking, including advice on counter-strategies.

Draft materials from the 'how-to' guides on the implementation and enforcement of the UN arms embargo on North Korea and from the Briefing Paper on lessons learned being developed for the SAENK project were presented and tested at the workshop. Several participating country representatives enriched the exchanges by sharing their countries' experiences of North Korean attempts to violate UN sanctions. Of particular note was the presentation on South Africa's rich experience of detecting illicit arms trafficking, including from North Korea.

Meeting participants shared national perspectives on:

- UN sanctions and the implementation of UN arms embargoes;
- national policies and legislation on violations of UN sanctions;
- risk assessment techniques and detection methods; and
- information on national authorities that are involved in the implementation and enforcement of UN sanctions.

National experts from a number of countries highlighted the importance of two key issues: (1) the development and use of strategies and tools aimed at identifying front companies and brokers engaged in sanctions violations, including brokers operating in third countries; and (2) the importance of sharing intelligence within states (in the form of interagency cooperation) as part of efforts to prevent the illicit trafficking of conventional arms from North Korea.

The workshop sessions generated a very interactive discussion that opened up considerations for linkages with the Arms Trade Treaty and provided an opportunity to link the SAENK agenda to current experience in the Southern African Development Community region on regulating arms-brokering activities.

Areas of agreement related to four main aspects of an effective implementation mechanism:

- (1) *the general legal framework* (the need to give effect to UN Security Council resolutions imposing sanctions on North Korea through regulatory or administrative action, for

- example by developing procedures for the registration, licensing, and monitoring of arms brokers and the criminal prosecution of those who breach the arms embargo);
- (2) *information dissemination* (the need to share information among government departments and governments to identify suspect shipments, items, routes, and brokers);
 - (3) *monitoring compliance* (the need to utilize ports of entry to monitor transfers, and the need to maintain black lists of individuals engaged in the illegal manufacture, trade, transfer, possession, and transportation of illicit weapons); and
 - (4) *enforcement* (in most countries a breach of an arms embargo results in criminal prosecution, while powers to inspect, interdict and seize illicit shipments are delegated to the relevant national authorities).

While no major controversies have emerged from the discussion, participants identified the following areas as challenging, underexplored, or contentious:

- *procedures for the licensing and certification of end users and post-delivery verification* (many participating countries do not have these mechanisms in place);
- *reporting* (there is a need to share information on the implementation and enforcement of UN sanctions on North Korea with UN sanctions actors, particularly on arms seizures and disposal, and typically through national implementation reports submitted to the UN by relevant governmental authorities by using a standard template);
- *seizures* (some states find that they are not always clear about their authority to inspect and seize ships on the high seas); and
- *liability* (generally, it is not clear to states whether a government is liable for cargo being transported across its territory to inland countries or whether the final destination or owner is liable, and therefore subject to UN Security Council sanctions).

The capacity-building exercise (which was based on two hypothetical case-study situations focusing on procurement and transshipment/interdiction) enabled participants to grapple in a focused way with the requirements and the dilemmas of confronting on a national basis particular types of North Korean attempts to breach the various aspects of the UN arms embargo. Through the exercise, participants strengthened their capacity to assess risk by reflecting and exchanging views on the various steps they need to take in considering whether to authorize arms deals and transshipment, including:

- reporting and notification obligations at the national, regional, and international levels;
- external factors that may influence the decision, such as the political situation in neighbouring countries;
- circumstances in which they have or can have the authority to seize and dispose of illicit arms shipments; and
- policy and legal obligations resulting from these processes.

As a result of the discussions, participants representing several governments expressed support for the Small Arms Survey's efforts to strengthen the implementation and enforcement of UN sanctions on North Korea. Some countries also expressed interest in receiving assistance in this regard, including a number with quite specific requests, such as:

- possible field visits by the Small Arms Survey and the Panel of Experts on DPRK to help detect illicit items;
- guidance on writing the national implementation reports;

- assistance with developing an effective strategy for communication with the public sector; and
- the use of new technology to monitor suspect movements of arms.

Workshop facilitators

Sigrid Lipott, Small Arms Survey, Geneva, Switzerland

David Atwood, Small Arms Survey, Geneva, Switzerland

Matt Schroeder, Small Arms Survey, Geneva, Switzerland

Guy Lamb, Security and Violence Initiative, University of Cape Town, South Africa

Lameez Mota, Security and Violence Initiative, University of Cape Town, South Africa

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Strengthening National Implementation of UN Sanctions:

An information-sharing and capacity-development
workshop for national experts in Africa

Marriott Breakwater Hotel,
Cape Town, South Africa

PROGRAMME

Tuesday, 11 June 2019	
Time	Subject
am-pm	Arrival of delegates
19:00-20:00	Reception: cocktail party
Wednesday, 12 June 2019: Day 1	
Time	Subject
08:30-9:00	Arrival and registration of participants
09:00-09:20	Opening Welcome (Safety and Violence Initiative) Outline of the SAENK project (Small Arms Survey) Purpose of the workshop (Small Arms Survey)
09:20-09:30	Official welcome by the government of the Republic of South Africa

09:30-10:00	<p>Introductions</p> <p>The Small Arms Survey</p> <p>The Safety and Violence Initiative Participants (Safety and Violence Initiative) Outline of the programme (Small Arms Survey)</p>
10:00-10:30	<p>Session 1. UN sanctions and UN arms embargo on the DPRK: what you need to know (background document to be distributed)</p> <p>Presentation by Dr. Sigrid Lipott, Small Arms Survey Questions/discussion</p>
10:30-11:00	<p>Coffee/tea break</p>
11:00-11:45	<p>Session 2. The mechanics of illicit trafficking from the DPRK (part I): sources, routes, and methods</p> <p>Presentation by Mr. Matt Schroeder, Small Arms Survey Questions/discussion</p>
11:45-12:30	<p>Session 3. The mechanics of illicit trafficking from the DPRK (part II): smuggling techniques</p> <p>Presentation by Mr. Matt Schroeder, Small Arms Survey Questions/discussion</p>
12:30 – 13:30	<p>Lunch</p>
13:30–15:00	<p>Session 4. Country presentations on national experiences</p> <p>Madagascar Zimbabwe Tanzania Uganda</p> <p>Moderator: Safety and Violence Initiative</p>
15:00–15:30	<p>Session 5. Case study. The example of South Africa: good practices in detecting and responding to the DPRK’s illicit shipments</p> <p>Presentation by Mr. Esra Makhosonke Jele, Director, Directorate</p>

	<p>Conventional Arms Control, Department of Defence, Republic of South Africa</p> <p>Discussion</p> <p>Moderator: Safety and Violence Initiative</p>
15:30– 16:00	Coffee/tea break
16:00–17:00	<p>Session 6. Implications of the sessions so far for national responses: unpacking national practices and needs</p> <p>Moderated discussion</p> <p>Moderator: Small Arms Survey</p>
17:00-17:10	Group photo
Thursday, 13 June 2019: Day 2	
09:00-10:00	<p>Session 7. Implementing and enforcing the UN arms embargo on the DPRK: strategies and counter-strategies</p> <p>Interactive discussion</p> <p>Facilitator: Small Arms Survey</p>
10:00-11:15	<p>Session 8a. Practical capacity building exercise</p> <p>Facilitators: Small Arms Survey and Safety and Violence Initiative</p>
11:15–11:45	Coffee/tea break
11:45-12:45	<p>Session 8b. Reporting on the capacity-building exercise</p> <p>Report-back from government delegates</p> <p>Discussion</p> <p>Facilitators: Small Arms Survey and Safety and Violence Initiative</p>
12:45–13:45	Lunch
13:45–14:45	<p>Session 9. What do you need?</p> <p>Exploring national assistance required for case study visits undertaken by the Small Arms Survey to help detect illicit arms trafficking</p>

	Moderator: Small Arms Survey
14:45–15:15	Evaluation Questionnaires (to be distributed by the Small Arms Survey)
15:15–15:45	Closing remarks and thanks Safety and Violence Initiative and Small Arms Survey
Friday, 14 June 2019: Departures	

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