

# Implementation of Catch-All Control in the Republic of Korea

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# 1. Overview

## List control & Catch-all control

### List Control

- ▶ Applicable only for listed items
- ▶ If an item doesn't meet the control parameter, transaction of such item falls outside the scope of list control.

### Catch-all Control

- ▶ Applicable for **non-listed items**
- ▶ **Strengthen export control** by requiring exporters to obtain export license for **items not specified on the control list**
- ▶ Focuses more on the **end use, end user and the import country** than the type of item

# 1. Overview

## Obligation of Catch-all license application

### 12 Red flag signs

- The importer evades furnishing necessary information concerning the end use of goods.
- The goods to be exported have nothing to do with the field of business of the end user.
- There is substantial disparity in technical level between the goods to be exported and those of the importing country.
- And so on.

### Watch-List Items for specific countries

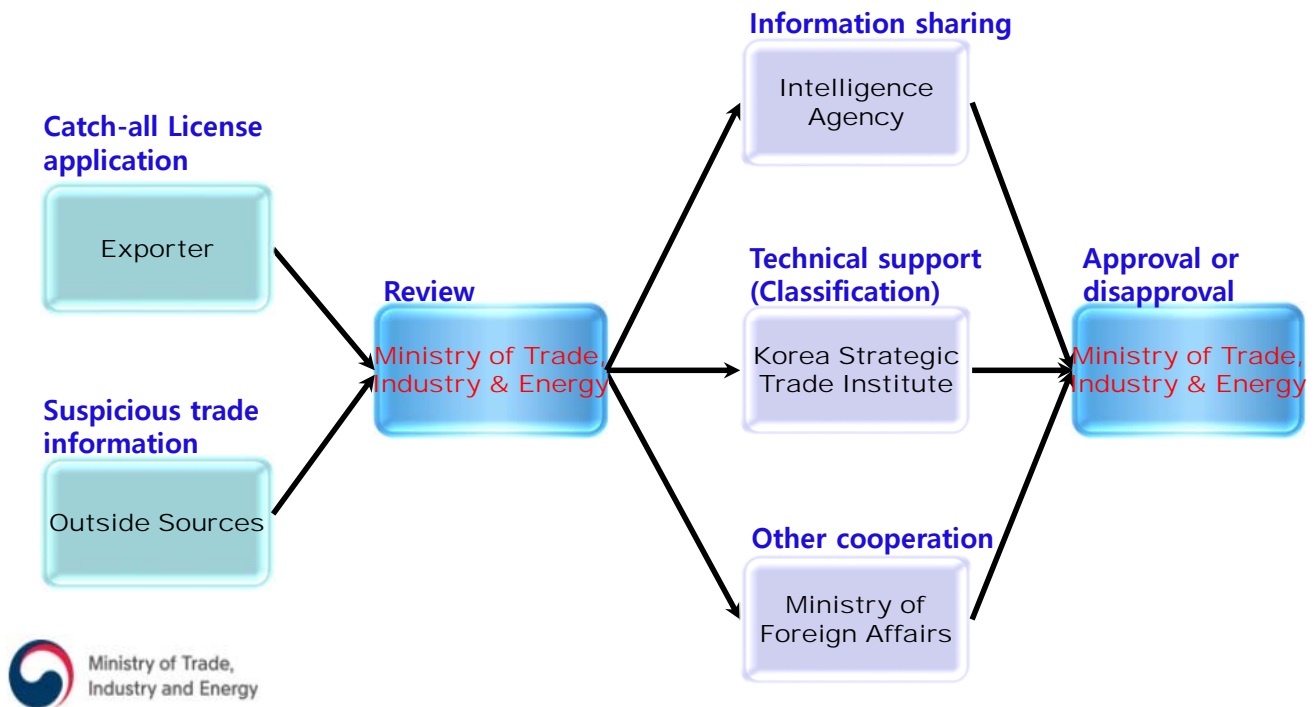
- (Before) 21 Items → **(Since 2017) 211 Items**
- (Before) 3 countries → **(Since 2017) 4 countries**

### UN sanctions list

- Around 800 entities & individuals

# 1. Overview

## Licensing procedure



# 2. Enforcement

## Penalty provisions

### Criminal penalty

- ▶ Imprisonment up to **7** years
- ▶ Fine up to **5** times the amount of illegal transaction

### Administrative penalty

- ▶ Trade restriction on strategic items up to **3** years
- ▶ Order to take training courses no less than **8** hours

## 2. Enforcement

### <Case1> Criminal penalty

#### Pump

- Destination Country : Country A
- Detection & Investigation : Intelligence Agency & Police → Prosecutor's Office

#### Pressing Equipment

- Destination Country : Country B
- Detection & Investigation : Police
- Enforcement Agency : Court

## 2. Enforcement

### <Case2> Administrative penalty

#### Internals of Tower

- Destination Country : Country C
- Detection & Investigation : Customs Office
- Enforcement Agency : Ministry of Trade, Industry & Energy

#### Valves

- Destination Country : Country D
- Detection & Investigation : Voluntary Disclosure
- Enforcement Agency : Ministry of Trade, Industry & Energy

### 3. Regional Issue

#### Strengthening Catch-all control against DPRK

##### UNSCR 1718

- Strategic Items

##### UNSCR 1874

- All arms and related materials

##### UNSCR 2270

- **Any item**, except food or medicine, if the State determines that such item could directly contribute to the development of the DPRK's operational capabilities of its armed forces .....
- **Any item** if the State determines that such item could contribute to the DPRK's nuclear or ballistic missile programs or other weapons of mass destruction programs, activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), and this resolution, .....

### 3. Regional Issue

#### Analysis on the DPRK missiles and UAVs



Most parts and components of DPRK missiles and UAVs turned out **not to meet the control parameter**.

### 3. Regional Issue

#### Watch-List

##### Importance of cooperation for the effective export control

- To prevent sensitive items & materials from being transferred to DPRK
- To support other States to fully implement the UN trade sanctions on DPRK

##### **Nuclear List**

- ▶ No. of items : 89
- ▶ Heavy water,  
Hot cell,  
Tributyl phosphate,  
Argon gas, etc.

##### **Missile List**

- ▶ No. of items : 41
- ▶ EDM,  
Hydroforming machine,  
Fuselage ring frame,  
Pressure sensor, etc.

##### **SLBM List**

- ▶ No. of items : 60
- ▶ Depth measuring gauge,  
Navigation radar,  
Pump jet propeller,  
Torpedo tube, etc.



Thank you !