Subject: Implementation of UNSC resolutions on Democratic People’s Republic of Korea (DPRK)-reg.

Attention of all the Customs officers/trade/Exporters/Customs Authorized Couriers and all concerned is invited to letter F-.No. 394/107/2017-Cus (AS) dated 31.05.2019 and letter F.No.894/22/2015 Cus (AS) dated 29.07.2016 issued by the Anti-Smuggling Unit (CBIC) on the above mentioned subject.

2. India, as a UN member state, is obliged under Chapter VII of the UN Charter to take binding commitments for implementing UNSC Resolutions. These Resolutions are implemented by Ministry of External Affairs (MEA) in consultation with various agencies under the Government of India. UNSC Resolutions are mandatory in nature and hence their flawless implementation is required. Improper implementation has implications on India’s image in the international community and may also adversely affect India’s efforts to become member of international Export Control Regimes such as Nuclear Supply Group.

3. The last UNSC non-proliferation order on Democratic People’s Republic of Korea (DPRK) (North Korea) was notified by DGFT vide Notification No. 41/2015-20 dated 21.03.2017. Further. On 5th August 2017, the UNSC has adopted another Resolution No. S/RES/2371 (2017) notified by DGFT wide Notifications No. 35/2015-20 dated 18.10.2017 and No. 52/2015-20 dated 07.03.2018 which reaffirms earlier UNSC Resolutions on DPRK and adds certain other sets of prohibitions and decisions.

4. Recently, certain instances of violation of these notifications were brought to the notice of the Board wherein certain Bills of Entry were cited where the country of origin was declared as DPRK. Similarly, there are also certain Shipping Bills whose destination was declared as DPRK. On examination of the matter, it was reported that the actual country of origin/destination country was other than DPRK and they were
inadvertently entered so without due diligence. These mistakes put Indian Customs in a bad light and make it difficult for the Board to explain MEA. MEA in turn faces embarrassment in international forums.

5. Indian Customs is expected to play a pivotal role in implementation of these UNSC Resolutions on DPRK, especially those related to Prohibition in import and export of goods. Accordingly, it is hereby directed to sensitize all the officers under your jurisdiction about these UNSC Resolutions on DPRK and to take necessary action in accordance with the law for their Implementation. Further, it is also requested to conduct sensitization programmes for officers and other stake holders so that such lapses do not recur.

(Sunil Kumar Sinha)
Commissioner of Customs
Air Cargo Export

Copy to: As per list attached.
Copy forwarded for information & necessary action to :-

1. The Chief Commissioner of Customs (DZ), NCH, New Delhi.
3. The Addl./Joint Commissioner of Customs (Exports), NCH, N. Delhi.
5. The Dy./Asstt. Commissioner of Customs (Exports)/Drawback/Gr.VII/Bond/FPO/NSEZ(NOIDA)/Review/SIIB/Recovery Cell/Audit/Refund/Legal/Adjudication/Estts./Admn., Air Cargo Exports, NCH, New Delhi.
6. The Federation of Indian Exporters Organization, Niryat Bhawan, Rao Tula Ram Marg, Opp. Army Hospital, New Delhi
7. Delhi Exporters Association, 1998, Naughara, Kinari Bazar, Post Box No.1573, Delhi-6
8. Superintendent (HQ), NCH, New Delhi for displaying on the Notice Board.
9. Guard File.

Deputy Commissioner (Tech)
Air Cargo Export, NCH, New Delhi