



सीमाशुल्क आयुक्त का कार्यालय (एन.एस.-I)
OFFICE OF THE COMMISSIONER OF CUSTOMS (NS-I),
मूल्यनिरूपण मुख्य(vk;kr)APPRAISING MAIN (IMPORT),

जवाहरलाल नेहरू सीमाशुल्क भवन, न्हावा शेवा, ता. उरण, JAWAHAR LAL
NEHRU CUSTOM HOUSE, NHAVA- SHEVA, TAL-URAN,
जिला रायगड /RAIGAD-400707, महाराष्ट्र MAHARASHTRA

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F.No. S/22-Gen-133/2017-18/ AM (I)
20/06/2019

Date:

PUBLIC NOTICE NO. 58 /2019

SUB: Implementation of UNSC Resolutions on Democratic Peoples' Republic of Korea (DPRK) –reg.

Attention of the importers, exporters, general trade, all other stake holders and officers of JNCH is invited to this Custom House Public Notice No. 141/2017 dtd. 03.11.2017.

1. In the wake of nuclear tests conducted by DPRK on 06.01.2016, the UNSC (United Nations Security Council) has adopted resolution 2270 (2016) and India is obliged to implement this as required under Chapter VII of the UN Charter.
2. Paras 16 and 18 of the Operative Part ('OP') of the UNSC 2270(2016) relates to Customs. OP 16 states that DPRK frequently uses front companies, shell companies, joint ventures and complex, opaque ownership structures for the purpose of violating measures imposed in relevant Security Council resolutions and accordingly, it has been directed to identify individuals and entities engaging in such practices and, if appropriate, designate them to be subject to the measures imposed in resolutions 1718(2006), 1874(2009), 2087(2013), 2094(2013) and 2270 (2016). The text of the resolutions are available at the United Nation's website namely www.un.org.
3. OP-18 of the UNSC 2270(2016) directs that all states inspect the cargo within or transiting through their territory, including in their airports, seaports and free trade zones, that has originated in the DPRK, or that is destined for the DPRK, or has been brokered or facilitated by the DPRK or its nationals, or by individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, or by designated individuals or entities, or that is being transported on DPRK flagged aircraft or maritime vessels, for the purposes of ensuring that no items are transferred in violation of resolutions 1718(2006), 1874(2009), 2087(2013), 2094(2013) and this resolution calls upon States to implement such inspections in a manner that minimizes the impact on the transfer of cargo that the State determines is for humanitarian purposes.
4. 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 consultations 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 Suppliers Group.

5. 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 vide 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 (North Korea) and adds certain other sets of prohibitions and decisions.

6. 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 to the MEA (Ministry of External Affairs). MEA, in turn, faces embarrassment in international forums. Therefore the importers, exporters and customs brokers need to take utmost care while declaring the country of origin and country of destination so that no such incidents recur in future.

7. Indian Customs is expected to play a pivotal role in implementation of these UNSC Resolutions on DPRK, especially those related prohibition in import and export of goods. Accordingly, all the stake holders are hereby directed to ensure the implementation of these UNSC resolutions on Democratic Peoples' Republic of Korea (DPRK).

8. In case of any difficulty, the specific issue may be brought to the notice of Deputy / Assistant Commissioner, in-charge of Appraising Main (Import) or Appraising Main (Export).

9. Action to be taken in terms of decision taken in this Public Notice should be considered as Standing Order for the purpose of officers and staff.

Sd/-

(Sunil Kumar Mall)
Commissioner of Customs, NS-I, JNCH

Copy to:

1. The Chief Commissioner of Customs, Mumbai Zone- II.
2. All the Commissioner of Customs, Mumbai Zone- II.
3. All Addl./Joint Commissioners of Customs, Mumbai Zone- II.
4. All Deputy/Asstt. Commissioners of Customs, Mumbai Zone- II.
5. The DC/EDI for uploading on the JNCH website.
6. Office copy.

