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Government of India
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Foreign Trade
Udyog Bhawan

NOTIFICATION No. 41/2015-2020
New Delhi, Dated: 21 March, 2017

Subject:- Amendment in Para 2.17 of the Foreign Trade Policy 2015-20 on Imports and Exports to Democratic People's Republic of Korea

S.O.(E) In exercise of the powers conferred by Section 5 read with Section 3(2) of the Foreign Trade (Development & Regulation) Act, 1992, as amended, read with Para 1.02 and Para 2.01 of the Foreign Trade Policy, 2015-2020, as amended from time to time, the Central Government hereby makes the following amendment in the Foreign Trade Policy, 2015-2020 with immediate effect:

1. Paragraph 2.17 of the Foreign Trade Policy 2015-20 stands substituted as follows:-

"2.17 Prohibition on Direct or Indirect Import and Export from/to Democratic People's Republic of Korea

A. Direct or indirect export and import of following items, whether or not originating in Democratic People's Republic of Korea (DPRK), to/from, DPRK is 'Prohibited':

- (i) All items, materials, equipment, goods and technology as set out in the following UNSC and IAEA documents:
 - a) S/2006/853* and S/2006/853/Corr.1;
 - b) S/2009/364;
 - c) Annex- III of S/RES/2094(2013);
 - d) Committee decision of July 16, 2009 (S/2009/364) and resolution 2094(2013);
 - e) Annex-A to INFCIRC/254/Rev.12/Part1;
 - f) Annex to INFCIRC/254/Rev.9/Part2;
 - g) S/2014/253;
 - h) S/2016/308;
 - i) S/RES/2321(2016) and
 - j) Any other item as determined by Central Government, which could contribute to DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction related programmes;
- (ii) Any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register on Conventional Arms or related materiel including spare parts, as well as all arms and related materiel, including small arms and light weapons and their related materiel.

B. Direct or indirect export of following items to DPRK is 'Prohibited':

- (i) Luxury goods including, but not limited to, the items specified in Annex-IV of S/RES/2094(2013), Annex-IV of S/RES/2270(2016); and Annex-IV of S/RES/2321(2016);
- (ii) Aviation fuel, including aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel, and kerosene-type rocket fuel subject to the provisions of Paragraph 31 of UNSC Resolution 2270 (2016) and paragraph 20 of UNSC Resolution 2321 (2016); and
- (iii) New helicopters and vessels, except as approved in advance by the Committee on a case-by-case basis.

C. Direct or indirect import of following items, whether or not originating in Democratic People's Republic of Korea (DPRK), from DPRK is 'Prohibited':

- (i) Coal, iron, and iron ore, subject to the provisions of Paragraph 26 of UNSC Resolution 2321(2016);
- (ii) Gold, titanium ore, vanadium ore, and rare earth minerals;
- (iii) Statues, except as approved in advance by the Committee on a case-by-case basis and
- (iv) Copper, nickel, silver and zinc.

Explanation:

- a) IAEA refers to the International Atomic Energy Agency;
- b) UNSC refers to the United Nations Security Council;
- c) Committee refers to "Committee" of the United Nations Security Council set up in terms of Paragraph 12 of the United Nations Security Council Resolution 1718 (2006) and Paragraph 39 of 2321(2016).

2. Effect of this notification:

This notification seeks to update the Foreign Trade Policy, 2015-2020 to account for current UN Security Council Resolutions concerning Democratic People's Republic of Korea (DPRK) up to Resolution 2321(2016) of 30th November 2016.



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