AUSTRALIA N CUSTO M S NOTIC E NO . 2006/5 2

**United Nations Security Council (UNSC) Resolution 1718:** **Sanctions on the import and export of arms and related matériel, and goods capable of use in the development and deployment of weapons of mass destruction; and, on the export of luxury goods to the**

**Democratic People’s Republic of Korea (North Korea)**

The following amendments to the *Customs (Prohibited Exports) Regulations* 1958 and the *Customs (Prohibited Imports) Regulations* 1956 relating to the Democratic People’s Republic of Korea (DPRK), also known as North Korea, were registered on the Federal Register of Legislative Instruments on 2 November 2006.

**UNSC Sanctions**

UNSC Resolution 1718 obliges Member States to take steps to prevent the direct or indirect supply, sale or transfer of arms and related matériel, consisting of any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems to the DPRK.

In addition, UNSC Resolution 1718 obliges Member States to take steps to prevent the direct or indirect supply, sale or transfer of items, materials, equipment and goods which could contribute to the DPRK’s nuclear-related, ballistic missile-related or other weapons of mass destruction- related programmes. UNSC Resolution 1718 further obliges Member States to take steps to prevent the direct or indirect supply, sale or transfer to the DPRK of luxury goods.

As a result, Regulation 13CO of the *Customs (Prohibited Exports) Regulations* 1958 has been introduced with effect from 2 November 2006. This regulation prohibits the exportation of arms and related matériel, goods which could contribute to the development and deployment of a WMD, as well as certain luxury goods to the DPRK without the written permission of the Minister for Foreign Affairs. However, the exportation of goods listed in the defence and strategic goods list continues to be controlled under regulation 13E of the PE Regulations.

UNSC Resolution 1718 also obliges Member States to prevent the importation from the DPRK of the arms and related materiel listed above (battle tanks, etc) and items, materials, equipment and goods which could contribute to the development and deployment of a WMD programme.

As a result, Regulation 4Y of the *Customs (Prohibited Imports) Regulations* 1956 has been introduced with effect from 2 November 2006. This regulation prohibits the importation from the DPRK of the arms and related materiel listed above (battle tanks, etc) and goods which could contribute to the development and deployment of a WMD, without the written permission of the Minister for Foreign Affairs.

The written permission of the Minister for Foreign Affairs, or an authorised officer of his Department, must be produced to Customs before such goods are cleared for exportation to or importation from the DPRK.



All importers, exporters, customs brokers and freight forwarders must use the Country Code KP, when reporting to Customs the exportation or importation of goods to or from the DPRK, Exportations and importations to or from the Republic of Korea (ROK), also known as South Korea, must use the Country Code KR. Errors in country codes will lead to delays in the clearance of cargo. Inquiries concerning this notice may be directed to the Manager, Counter Proliferation on telephone number (02) 6275 6189, or fax number (02) 6275 6699.

TIM CHAPMAN

National Manager Cargo Branch CANBERRA ACT

2 November 2006

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