

## **North Korea**

July 15, 2010

*The following was released by Foreign Affairs and International Trade Canada (FAITC) and distributed by the Canadian Society of Customs Brokers.*

### **Order amending the Area Control List - Addition of North Korea**

On July 13, 2010, the Government of Canada concluded the regulatory process to add the Democratic People's Republic of Korea (North Korea) to the *Area Control List (ACL)*. As a result of the addition of North Korea to the ACL, all exporters wishing to export any goods or technology to North Korea will be required to obtain an export permit from the Export Controls Division of the Department of Foreign Affairs and International Trade in order to lawfully export or transfer such items to North Korea.

The order will be published in the August 4, 2010 edition of the [\*Canada Gazette\*](#), Part II.

A copy of the Notice to Exporters is reproduced below:

#### **Notice to Exporters - Export Controls to the Democratic People's Republic of Korea**

Serial No.: 172

Date: July 14, 2010

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#### **PURPOSE**

1. This Notice is to advise exporters that, pursuant to the *Export and Import Permits Act*, the Government of Canada has added the Democratic People's Republic of Korea (North Korea) to the *Area Control List (ACL)*, the list of countries to which the exportation of all goods and technology must be authorized by an export permit.

#### **BACKGROUND**

2. This Notice reflects a portion of the Government of Canada's response to North Korea's recent act of aggression in sinking the South Korean naval vessel Cheonan on March 26, 2010. On May 20, 2010, a multinational investigation concluded that a North Korean torpedo was responsible for the disaster. The Government of Canada views North Korea's act of aggression as an egregious violation of international law and a blatant disregard of its international legal obligations, and has condemned the North Korean regime for this reckless act. The Government of Canada, in addition to supporting a coordinated international response, will implement various restrictive measures against North Korea, including adding North Korea to the ACL.

#### **ADMINISTRATION**



3. All applications for permits to export items to North Korea will be reviewed on a case-by-case basis. Applications to export goods or technology that do not fall into one of the categories described in paragraphs 4-6 will generally be denied.
4. Permits will generally be issued for exports of goods and technology that respond to humanitarian needs. Such exports are intended to promote the basic physical and material well-being of people in need. Such exports may include, but are not limited to, food for direct human consumption (including nutritional supplements), clothing, medicine and medical supplies and information or educational material.
5. Permits will generally be issued for exports of goods and technology that respond to humanitarian circumstances. Such circumstances include natural or other disasters (including disease), armed conflict, and displacement of people.
6. Permits will generally be issued for exports of goods that consist of personal or settlers' effects that are taken or shipped by an individual leaving Canada for North Korea and that are solely for the use of the individual or the individual's immediate family.
7. Information concerning export permit applications is found on the website of the [Export Controls Division](#), in particular in the Export Controls Handbook. Exporters may also contact the Division as described below. In addition to other required supporting documents (i.e. End Use Assurance, Technical specifications ), applications to export to North Korea should be accompanied by a letter from the applicant that clearly states how the proposed export meets the requirements stated in paragraphs 4-6 above, or presents another rationale for approval.

## **AUTHORITY**

8. Under the authority of Section 6 of the *Export and Imports Permits Act*, the Governor-in-Council added North Korea to the *Area Control List* effective July 13, 2010

## **GENERAL INSTRUCTIONS**

9. For further information, exporters may contact:

Export Controls Division (TIE)  
Export and Import Permits Bureau  
Foreign Affairs and International Trade Canada  
125 Sussex Drive  
Ottawa, Ontario  
K1A 0G2

Telephone: (613) 996-2387  
Facsimile: (613) 996-9933  
Email: [tie.reception@international.gc.ca](mailto:tie.reception@international.gc.ca)

This notice is also available on the FAITC web site at:

<http://www.international.gc.ca/controls-controles/systems-systemes/excol-ceed/notices-avis/172.aspx?lang=eng>