

15.05.2017-1191



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GENEL SEKRETERLİĞİNE

**TOBB****TÜRKİYE
ODALAR VE BORSALAR
BİRLİĞİ**

Tarih : 12.05.2017 7818
Sayı : 0431/
Konu : INKSNA kapsamında ABD Dışişleri
Bakanlığı tarafından alınan yaptırım
kararı

İlgi: Dışişleri Bakanlığı'nın 10277076-545.08-2017/12208197 sayı ve 03.04.2017 tarihli yazısı

Birliğimize iletilen ilgede kayıtlı yazıda, ABD'nin "İran, Kuzey Kore ve Suriye Yayılmanın Önlenmesi Yasası (INKSNA)" kapsamında ABD Dışişleri Bakanlığı tarafından 10 ülkeden 29 yabancı gerçek ve tüzel kişi hakkında 21 Mart 2017 tarihinden itibaren geçerli olmak üzere yaptırım kararı alındığı belirtilmiştir.

Yaptırım kapsamında alınan gerçek ve tüzel kişilerin de listesini içeren söz konusu karara dair 30 Mart 2017 tarihli ABD Resmi Gazetesinin ilgili bölümü ilgi yazıyla Birliğimize iletilmiş olup, Ek-1'de bilgilerinize sunulmaktadır.

INKSNA çok taraflı kontrol ve denetim rejimleri (Füze Teknolojisi Kontrol Rejimi, Kimyasal Silahlar Sözleşmesi, Nükleer Tedarikçiler Grubu, Avustralya Grubu) kapsamında yasaklı malzemelerin İran, Suriye ve Kuzey Kore'ye satışına dair yaptırımlar öngörmekte olup, EK-2'de listesi bulunan söz konusu 29 gerçek ve tüzel kişi hakkındaki yaptırımların iki (2) yıl boyunca geçerli olacağı; söz konusu yaptırımların ilgili ülke ve hükümetlere uygulanmayacağı belirtilmiştir.

Bahse konu gerçek ve tüzel kişilerden 11'i (9 ÇHC, BAE ve Kuzey Kore) İran'ın balistik füze programına yönelik transferler nedeniyle yaptırım kapsamına alınmıştır. Konuyla ilgili olarak ABD Dışişleri Bakanlığı yetkilisinin konuya ilişkin bir açıklamasında; İran'ın bölgedeki faaliyetlerinin kışkırtıcı nitelikte olduğuna, bölge güvenliği, istikrarı ve refahına zarar verdiğine, INKSNA kapsamında alınan yeni yaptırım kararının İran'ın terörizme verdiği destek, balistik füze programı, Yemen'de Hutilere verdiği destek dahil söz konusu faaliyetlere ABD'nin karşı koyma taahhüdünün altını çizdiğine, yaptırım kararının kapsamının KOEP(Kapsamlı Ortak Eylem Planı) hükümlerinin dışında olduğuna, ABD'nin İran'ın nükleer programıyla ilgili olarak akdedilen KOEP kapsamındaki yükümlülüklerini uygulamaya devam ettiğine değindiği belirtilmiştir.

Buna ek olarak 19 gerçek ve tüzel kişiye (3 ÇHC, 7 RF, 3 Sudan, Myanmar, Mısır, Eritre, İran, Kuzey Kore, Suudi Arabistan) ise İran, Suriye ve Kuzey Kore'ye yapılan transferler kapsamında farklı nitelikteki ihlaller nedeniyle yaptırım uygulanma kararının alındığı ifade edilmektedir.

Söz konusu grubun içinde, Myanmar Savunma Bakanlığı Savunma Sanayi Müdürlüğü, Eritre Deniz Kuvvetleri ve İran Havacılık Sanayi Örgütü de bulunmaktadır. Yaptırımlar kapsamında, ABD Dışişleri Bakanlığı tarafından aksi belirtilmediği sürece, ABD Hükümeti ve bağlı birimlerin söz konusu 29 gerçek ve tüzel kişiden tedarik işlemi gerçekleştirmeyeceği, söz konusu kişilere yardım sağlanmayacağı ya da herhangi bir programına dahil edilmeyeceği bildirilmektedir. Ayrıca, ABD

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Konu: INKSNA kapsamında ABD Dışişleri Bakanlığı tarafından alınan yaptırım kararı

Muhimmat Listesi'nde yer alan malzemelerin anılan gerçek ve tüzel kişilere satışının yasaklandığı Silah İhracat Kontrol Yasası kapsamındaki satışların da durdurulduğu, bu çerçevede, yeni ihracat lisans başvurularının reddedileceği, mevcut lisansların askıya alınacağı belirtilmektedir.

İlgi yazıda, BM Güvenlik Konseyi'nin İran'a yönelik yaptırım kararlarının ülkemiz bakımında hukuki bağlayıcı nitelikte olduğu, ilgili kurum ve kuruluşlarımız tarafından uygulanmasının zorunlu olduğu belirtilmektedir. ABD ve AB'nin kabul ettikleri tek taraflı yaptırım karar ve uygulamalarını Türkiye açısından hukuki bağlayıcılığının bulunmaması olduğu, ancak ABD yaptırımlarının sınır aşan etkiye sahip olması nedeniyle, yaptırım altına alınacak kişi ve kuruluşlarla iş akdine girecek firma ve kuruluşlarımızın da dolaylı olarak yaptırımdan etkilenme olasılığı çerçevesinde alınan yaptırımlar hakkında bilgilendirmede bulunulmasında yarar görüldüğü belirtilmiştir.

Bilgilerini ve konuyla ilgili olarak Oda ve Borsa Üyelerimizin ivedilikle bilgilendirilmeleri hususunda rica ederim.

Saygılarımla,


Mustafa S. RAÇÖZ
Genel Sekreter

EKLER:

- 1- 30 Mart 20017 tarih ve 2017-06225 sayılı ABD Resmi Gazetesi'nin 15780-15781 nolu sayfaları (2 syf)
- 2- Ek-1'de sunulan gazetede isimleri yayınlanan 29 gerçek ve tüzel kişinin listesi (1syf)

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EX-1:



15780

Federal Register / Vol. 82, No. 60 / Thursday, March 30, 2017 / Notices

referencing Docket ID Number [SSA-2017-0014].

I. The information collection below is pending at SSA. SSA will submit it to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than May 30, 2017. Individuals can obtain copies of the collection instrument by writing to the above email address.

Objection to Appearing by Video Teleconferencing; Acknowledgement of Receipt (Notice of Hearing); Waiver of Written Notice of Hearing—20 CFR 404.935, 404.936; 404.938, 404.939, 416.1435, 416.1436, 416.1438, & 416.1439—0960-0671. SSA uses the information we obtain on Forms HA-55, HA-504, HA-504-OP1, and HA-510 to manage the means by which we conduct hearings before an administrative law judge (ALJ), and the scheduling of hearings with an ALJ. We use the HA-55, Objection to Appearing by Video Teleconferencing, and its accompanying cover letter, HA-L2, to allow claimants

to opt-out of an appearance via video teleconferencing (VTC) for their hearing with an ALJ. The HA-L2 explains the good cause stipulation for opting out of VTC if the claimant misses their window to submit the HA-55, and for verifying a new residence address if the claimant moved since submitting their initial hearing request. SSA uses the HA-504 and HA-504-OP1, Acknowledgement of Receipt (Notice of Hearing), and accompanying cover letter, HA-L83 to: (1) Acknowledge the claimants will appear for their hearing with an ALJ; (2) establish the time and place of the hearing; and (3) remind claimants to gather evidence in support of their claims. The only difference between the two versions of the HA-504 is the language used for the selection checkboxes as determined by the type of appearance for the hearing (in-person, phone teleconference, or VTC). In addition, the cover letter, HA-L83, explains: (1) The claimants' need to notify SSA of their wish to object to the

time and place set for the hearing; (2) the good cause stipulation for missing the deadline for objecting to the time and place of the hearing; and (3) how the claimants can submit, in writing, any additional evidence they would like the ALJ to consider, or any objections they have on their claims. The HA-510, Waiver of Written Notice of Hearing, allows the claimants to waive their right to receive the Notice of Hearing as specified in the HA-L83. We typically use this form when there is a last minute available opening on an ALJ's schedule, so the claimants can fill in the available time slot. If the claimants agree to fill the time slot, we ask them to waive their right to receive the Notice of Hearing 75 days prior to the scheduled hearing. The respondents are applicants for Social Security disability payments who request a hearing to appeal an unfavorable entitlement or eligibility determination.

Type of Request: Revision of an OMB-approved information collection.

| Modality of completion | Number of respondents | Frequency of response | Average burden per response (minutes) | Estimated total annual burden (hours) |
|--|-----------------------|-----------------------|---------------------------------------|---------------------------------------|
| HA-504 (with teleconferencing) | 888,000 | 1 | 30 | 449,000 |
| HA-504-OP1 | 2,000 | 1 | 30 | 1,000 |
| HA-L83 | 900,000 | 1 | 30 | 450,000 |
| HA-L83—Good Cause for missing deadline | 5,000 | 1 | 5 | 417 |
| HA-L83—Objection Stating Issues in Notice are Incorrect | 45,000 | 1 | 5 | 3,750 |
| HA-55 | 850,000 | 1 | 6 | 70,833 |
| HA-L2—Verification of New Residence | 45,000 | 1 | 5 | 3,750 |
| HA-L2—Late Notification of Objection to VTC showing good cause | 13,500 | 1 | 10 | 2,250 |
| HA-510 | 4,000 | 1 | 2 | 133 |
| Totals | 2,782,500 | | | 981,133 |

Dated: March 27, 2017.

Naomi R. Stipple,
Reports Clearance Officer, Social Security Administration.

[FR Doc 2017-06303 Filed 3-29-17; 8:45 am]

BILLING CODE 4191-02-P

Section 3 of the Iran, North Korea, and Syria Nonproliferation Act.

DATE: Effective March 21, 2017.

FOR FURTHER INFORMATION CONTACT: On general issues: Pam Durham, Office of Missile, Biological, and Chemical Nonproliferation, Bureau of International Security and Nonproliferation, Department of State, Telephone (202) 647-4930. For U.S. Government procurement ban issues: Eric Moore, Office of the Procurement Executive, Department of State, Telephone: (703) 875-4076.

SUPPLEMENTARY INFORMATION: Section 3 of the of the Iran, North Korea, and Syria Nonproliferation Act (Pub. L. 106-353) provides for penalties on foreign entities and individuals for the transfer to or acquisition from Iran since January 1, 1999; the transfer to or acquisition from Syria since January 1, 2005; or the transfer to or acquisition from North Korea since January 1, 2006, of goods, services, or technology controlled under

multilateral control lists (Missile Technology Control Regime, Australia Group, Chemical Weapons Convention, Nuclear Suppliers Group, Wassenaar Arrangement) or otherwise having the potential to make a material contribution to the development of weapons of mass destruction (WMD) or cruise or ballistic missile systems. The latter category includes (a) items of the same kind as those on multilateral lists but falling below the control list parameters when it is determined that such items have the potential of making a material contribution to WMD or cruise or ballistic missile systems, (b) items on U.S. national control lists for WMD/missile reasons that are not on multilateral lists, and (c) other items with the potential of making such a material contribution when added through case-by-case decisions.

On March 21, 2017 the U.S. Government applied the measures authorized in Section 3 against the following foreign persons identified in



DEPARTMENT OF STATE

[Public Notice: 9938]

Imposition of Nonproliferation Measures Against Foreign Persons, Including a Ban on U.S. Government Procurement

AGENCY: Bureau of International Security and Nonproliferation, Department of State.

ACTION: Notice.

SUMMARY: A determination has been made that a number of foreign persons have engaged in activities that warrant the imposition of measures pursuant to

the report submitted pursuant to Section 2(a) of the Act:

Ministry of Defense Directorate of Defense Industries (DDI) (Burma) and any successor, sub-unit, or subsidiary thereof;

Beijing Zhong Ke Electric Co., LTD. (ZKEC) (China), and any successor, sub-unit, or subsidiary thereof;

Dalian Zhenghua Maoyi Youxian Gongsi (China) and any successor, sub-unit, or subsidiary thereof;

Jack Qin (Chinese individual);
Jack Wang (Chinese individual);
Ningbo New Company Import and Export Company Limited (China) and any successor, sub-unit, or subsidiary thereof;

Karl Lee [aka Li Fangwei] (Chinese individual);

Shanghai Horse Construction [aka Forristo International Group] (China) and any successor, sub-unit, or subsidiary thereof;

Shenzhen Yataida High-Tech Company Ltd. (China) and any successor, sub-unit, or subsidiary thereof;

Sinotech (Dalian) Carbon and Graphite Corporation (SCGC) (China) and any successor, sub-unit, or subsidiary thereof;

Sky Rise Technology [aka Reekay Technology Limited] (China) and any successor, sub-unit, or subsidiary thereof;

Sun Creative (Zhejiang) Technologies, Inc. (China) and any successor, sub-unit, or subsidiary thereof;

T-Rubber Co. Ltd (China) and any successor, sub-unit, or subsidiary thereof;

Special Defense Research Center (SDRC) (Egypt) and any successor, sub-unit, or subsidiary thereof;

Eritrean Navy (Eritrea) and any successor, sub-unit, or subsidiary thereof;

Aerospace Industries Organization (AIO) (Iran) and any successor, sub-unit, or subsidiary thereof;

Seong Pil Trading Corporation (SPTC) (North Korea) and any successor, sub-unit, or subsidiary thereof;

150th Aircraft Repair Plant (Russia) and any successor, sub-unit, or subsidiary thereof;

Aviaexport (Russia) and any successor, sub-unit, or subsidiary thereof;

Bazalt (Russia) and any successor, sub-unit, or subsidiary thereof;
Kolomna Design Bureau of Machine-Building (KBM) (Russia) and any successor, sub-unit, or subsidiary thereof;

Ulyanovsk Higher Aviation Academy of Civil Aviation (UVAUGA) (Russia) and any successor, sub-unit, or subsidiary thereof;

Ural Training Center for Civil Aviation (UUTA/GA) (Russia) and any successor, sub-unit, or subsidiary thereof;

Zhukovskiy and Gagarin Academy (Z&G Academy) (Russia) and any successor, sub-unit, or subsidiary thereof;

Madar Yara Medical Company (Saudi Arabia) and any successor, sub-unit, or subsidiary thereof;

Giad Heavy Industries (GHI) (Sudan) and any successor, sub-unit, or subsidiary thereof;

Military Industries Corporation (MIC) (Sudan) and any successor, sub-unit, or subsidiary thereof;

Muhammad al-Husayn Yusuf (Sudanese individual); and

Mabrooka Trading (United Arab Emirates) and any successor, sub-unit, or subsidiary thereof.

Accordingly, pursuant to Section 3 of the Act, the following measures are imposed on these persons:

1. No department or agency of the United States Government may procure or enter into any contract for the procurement of any goods, technology, or services from these foreign persons, except to the extent that the Secretary of State otherwise may determine;

2. No department or agency of the United States Government may provide any assistance to these foreign persons, and these persons shall not be eligible to participate in any assistance program of the United States Government, except to the extent that the Secretary of State otherwise may determine;

3. No United States Government sales to these foreign persons of any item on the United States Munitions List are permitted, and all sales to these persons of any defense articles, defense services, or design and construction services under the Arms Export Control Act are terminated; and

4. No new individual licenses shall be granted for the transfer to these foreign persons of items the export of which is controlled under the Export Administration Act of 1979 or the Export Administration Regulations, and any existing such licenses are suspended.

These measures shall be implemented by the responsible departments and agencies of the United States Government and will remain in place for two years from the effective date, except to the extent that the Secretary of State may subsequently determine otherwise.

Ann K. Gansser,

Acting Assistant Secretary of State for International Security and Nonproliferation.

[FR Doc. 2017-08225 Filed 3-29-17; 8:45 am]

BILLING CODE 6710-27-P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Approval of an Existing Collection in Use Without an OMB Control Number: Dispute Resolution Procedures Under the Fixing America's Surface Transportation Act of 2015

AGENCY: Surface Transportation Board.
ACTION: Notice and Request for Comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3521 (PRA), the Surface Transportation Board (STB or Board) gives notice that it is requesting from the Office of Management and Budget (OMB) approval of a new collection to implement a directive of the Fixing America's Surface Transportation Act of 2015, Public Law 114-94 (signed Dec. 4, 2015) (FAST Act). Title XI of the FAST Act, entitled "Passenger Rail Reform and Investment Act of 2015," gives the Board jurisdiction to resolve cost allocation and access disputes between National Railroad Passenger Corporation (Amtrak), the states, and potential non-Amtrak operations of intercity passenger rail service. The FAST Act directs the Board to establish procedures for the resolution of these disputes, "which may include the provision of professional mediation services."

The Board adopted final rules to implement these procedures in *Dispute Resolution Procedures Under the Fixing America's Surface Transportation Act of 2015*, EP 734 (STB served Nov. 29, 2016). Due to a technical omission in the notice of proposed rulemaking in EP 734 under the PRA, the Board is seeking OMB approval for this collection separately in this notice. The Board previously published a notice about this collection in the *Federal Register*, 82 FR 1421 (Jan. 5, 2017). That notice allowed for a 60-day public review and comment period. No comments were received. **DATE:** Comments on this information collection should be submitted by May 1, 2017.

ADDRESSES: Written comments should be identified as "Paperwork Reduction Act Comments, Surface Transportation Board: Dispute Resolution Procedures Under the Fixing America's Surface Transportation Act of 2015." These comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Chad Lallamand, Surface Transportation Board Desk Officer, by email at OIRA.SUBMISSION@OMB.EOP.GOV; by fax at

**30 Mart 2017 tarih ve 2017-06225 sayılı ABD Resmi Gazetesi'nin
15780-15781 nolu sayfalarında belirtilen Gerçek ve Tüzel Kişilerin Listesi**

1. "Ministry of Defense Directorate of Defense Industries (DDI) (Burma) and any successor, sub-unit, or subsidiary thereof;"
2. "Beijing Zhong Ke Electric Co., LTD. (ZKEC) (China), and any successor, sub-unit, or subsidiary thereof;"
3. "Dalian Zhenghua Maoyi Youxian Gongsi (China) and any successor, sub-unit, or subsidiary thereof;"
4. "Jack Qin (Chinese individual);"
5. "Jack Wang (Chinese individual);"
6. "Ningbo New Company Import and Export Company Limited (China) and any successor, sub-unit, or subsidiary thereof;"
7. "Karl Lee [aka Li Fangwei] (Chinese individual);"
8. "Shanghai Horse Construction [aka Forrisio International Group] (China) and any successor, sub-unit, or subsidiary thereof;"
9. "Shenzhen Yataida High-Tech Company Ltd. (China) and any successor, sub-unit, or subsidiary thereof;"
10. "Sinotech (Dalian) Carbon and Graphite Corporation (SCGC) (China) and any successor, sub-unit, or subsidiary thereof;"
11. "Sky Rise Technology [aka Reekay Technology Limited] (China) and any successor, sub-unit, or subsidiary thereof;"
12. "Sun Creative (Zhejiang) Technologies, Inc. (China) and any successor, sub-unit, or subsidiary thereof;"
13. "T-Rubber Co. Ltd (China) and any successor, sub-unit, or subsidiary thereof;"
14. "Special Defense Research Center (SDRC) (Egypt) and any successor, sub-unit, or subsidiary thereof;"
15. "Eritrean Navy (Eritrea) and any successor, sub-unit, or subsidiary thereof;"
16. "Aerospace Industries Organization (AIO) (Iran) and any successor, sub-unit, or subsidiary thereof;"
17. "Saeng Pil Trading Corporation (SPTC) (North Korea) and any successor, sub-unit, or subsidiary thereof;"
18. "150th Aircraft Repair Plant (Russia) and any successor, sub-unit, or subsidiary thereof;"
19. "Aviaexport (Russia) and any successor, sub-unit, or subsidiary thereof;"
20. "Bazalt (Russia) and any successor, sub-unit, or subsidiary thereof;"
21. "Kolomna Design Bureau of Machine-Building (KBM) (Russia) and any successor, sub-unit, or subsidiary thereof;"
22. "Ulyanovsk Higher Aviation Academy of Civil Aviation (UVAUGA) (Russia) and any successor, sub-unit, or subsidiary thereof;"
23. "Ural Training Center for Civil Aviation (UUTsGA) (Russia) and any successor, sub-unit, or subsidiary thereof;"
24. "Zhukovskiy and Gagarin Academy (Z&G Academy) (Russia) and any successor, sub-unit, or subsidiary thereof;"
25. "Madar Yara Medical Company (Saudi Arabia) and any successor, sub-unit, or subsidiary thereof;"
26. "Giad Heavy Industries (GHI) (Sudan) and any successor, sub-unit, or subsidiary thereof;"
27. "Military Industries Corporation (MIC) (Sudan) and any successor, sub-unit, or subsidiary thereof;"
28. "Muhammad al-Husayn Yusuf (Sudancsc individual); and"
29. "Mabrooka Trading (United Arab Emirates) and any successor, sub-unit, or subsidiary thereof."