



REPUBLIC OF CYPRUS
MINISTRY OF TRANSPORT,
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

SIN. No. 3/2017

2nd May 2017

TEN 5.13.10
TEN 4.2.12.3.02

SANCTIONS INFORMATION NOTICE

To all Registered owners, Registered bareboat charterers
Managers and Representatives of ships flying the Cyprus Flag

To all Owners, Managers, Representatives and Agents in Cyprus of Ships, irrespective of
flag they are flying, calling at Cyprus ports

*c/o Cyprus Shipping Chamber
c/o Cyprus Union of Shipowners
c/o Cyprus Shipping Association*

Subject: New EU instruments concerning restrictive measures against Zimbabwe

1. I refer to the above subject and further to DMS Circulars No.45/2011 and 32/2012, I wish to inform you of the adoption by the European Union of the following instruments:
 - (a) **EU Council Decision (CFSP) 2017/288 of 17th February 2017 amending decision 2011/101/CFSP; and**
 - (b) **EU Council Regulation (EU) 2017/284 of 17th February 2017 amending regulation (EC) No. 314/2004.**
2. As a result the current sanctions regime against Zimbabwe is now governed by **EU Council Decision (CFSP) 2011/101 as amended lastly by EU Council Decision (CFSP) 2017/288** and **Council Regulation (EC) No. 314/2004 as amended lastly by EU Council Regulation (EU) 2017/284**, as well as National Prohibition Orders P.I. 429/2011¹ and 197/2012².
3. In a nutshell under the aforementioned instruments the transportation by Cyprus ships of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts, for the aforementioned, as well as equipment which might be used for internal repression, including the equipment listed in Annex I of **Council Regulation (EC) No. 314/2004 as amended lastly by EU Council Regulation (EU) 2017/284**, irrespective of origin, to Zimbabwe, is prohibited.
4. Moreover, the prohibition of paragraph 3 above shall not apply:

¹ published in the Official Gazette of the Republic No. 4526, Supplement III (I), dated 21.10.2011.

² published in the Official Gazette of the Republic No. 4572, Supplement III (I), dated 01.06.2012.



- (a) to the transfer of non-lethal military equipment or of equipment which might be used for internal repression, intended solely for humanitarian or protective use, or for institution-building programmes of the UN and the EU, or of materiel intended for EU and UN crisis management operations on the condition that any such transfer or export has been approved in advance by the relevant competent authority;
- (b) to protective clothing, including flak jackets and military helmets, temporarily exported to Zimbabwe by UN personnel, personnel of the EU or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only;
- (c) transfer or export of certain equipment which might be used for internal repression where the equipment is solely for civilian use in mining or infrastructure projects, subject to authorisation on a case-by-case basis by the competent authorities of the exporting Member State.

In particular, with respect to the transportation of equipment which might be used for internal repression as listed in Annex I of **Council Regulation (EC) No. 314/2004 as amended lastly by EU Council Regulation (EU) 2017/284**, Article 4a of the said Regulation provides as follows:

“1. By way of derogation from Article 3, the competent authority, as listed in Annex II, of the Member State where the exporter is established or the Member State where the explosive substances or related equipment is supplied from, may authorise, under such conditions as it deems appropriate, the sale, supply, transfer or export of explosive substances and related equipment as listed in point 4 of Annex I and financial and technical assistance, where the explosive substances and related equipment are intended and will be used solely for civilian use in mining and infrastructure projects.

2. The authorisation referred to in this Article shall be granted in accordance with the detailed rules laid down in Article 11 of Regulation (EC) No 428/2009. The authorisation shall be valid throughout the Union.

3. Exporters shall supply the competent authority with all relevant information required for the assessment of their application for an authorisation.

4. The relevant Member State shall inform the other Members States and the Commission at least two weeks in advance of its intention to grant an authorisation referred to in paragraph 1 of this Article.”

- 5. The text of the aforementioned European Union instruments may be found on <http://eur-lex.europa.eu>.

A regularly updated list of all the European Union restrictive measures in force can be found at http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf

- 6. It is recalled that the House of Representatives of the Republic of Cyprus, has enacted in April 2016 the *Implementation of the Provisions of the United Nations Security Council Resolutions or Decisions (Sanctions) and the European Union Council Decisions and Regulations (Restrictive Measures) Law of 2016 (Law 58(I)/2016)*.³

The purpose of Law 58(I)/2016 is to set out the obligations of any person or entity in the Republic of Cyprus to abide and comply with all the provisions of the UNSCRs. and /or the relevant EU Decisions and Regulations. Under this Law all UN and EU

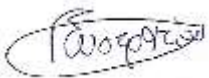
³ Published in the Official Gazette of the Republic of Cyprus No. 4564, Supplement I (I) dated 25/4/2016.

instruments are incorporated and adopted into the national legal order without the need of enacting Prohibition Orders (as was the practice in the past years), and are thus automatically applicable and binding.

For further information on this Law, as well as information on the relevant penalties please refer to our DMS Circular No. 16/2016.

7. All recipients of the present Sanctions Information Notice are invited to take note of its content and should strictly abide by the provisions of the aforementioned EU Instruments as well as of relevant national Prohibition Orders P.I. 429/2011 and 197/2012 and DMS Circulars No. No.45/2011 and 32/2012.

This Sanctions Information Notice must be placed on board vessels flying the Cyprus flag.



Ioannis Efstratiou
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Department of Merchant Shipping

Cc: - Permanent Secretary, Ministry of Transport, Communications and Works

- Attorney General of the Republic
- Permanent Secretary, Ministry of Foreign Affairs
- Permanent Secretary, Ministry of Defence
- Permanent Secretary, Ministry of Justice and Public Order
- Diplomatic Missions and Honorary Consular Officers of the Republic
- Maritime Offices of the Department of Merchant Shipping abroad
- General Manager, Cyprus Ports Authority
- Director, Department of Customs and Excise
- Registrar of Companies
- Commander, Cyprus Marine Police
- Cyprus Shipping Chamber
- Cyprus Union of Shipowners
- Cyprus Shipping Association
- Cyprus Bar Association

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