



REPUBLIC OF CYPRUS
**MINISTRY OF
COMMUNICATIONS AND WORKS**



**DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS**

Circular No. 06/2010

9th February 2010

TEN 5.13.09
TEN 4.2.12.3.06

To all Owners, Managers and Representatives
of Ships under the Cyprus Flag

To all Owners, Managers and Representatives
of Ships under a foreign flag calling Cyprus ports

To all Shipping Agents operating in Cyprus (*c/o Cyprus Shipping Association*)

To all Ship Managers operating in Cyprus (*c/o Cyprus Shipping Chamber*)

To all Bunkering and ship supplying enterprises operating in Cyprus (*c/o Cyprus Shipping Chamber*)

To all Classification Societies operating in Cyprus

**Subject : Economic sanctions against the Democratic People's Republic of Korea
: U.N. Security Council Resolution 1874(2009) / European Union Council
Common Position 2009/573/CFSP**

1. I refer to the above subject and further to my Circular No. 28/2009 dated 10.12. 2009 with regard to the issuing by the Cypriot Authorities of relevant Prohibition of Transportation Order P.I. 401/2009, I wish to highlight some additional trade-economic sanctions against the Democratic People's Republic of Korea (DPRK), as imposed by *U.N. Security Council Resolution 1874 (2009)* and *European Union (E.U.) Council Common Position 2009/573/CFSP (amending EU Common Position 2006/795/CFSP)*.
2. Under the aforementioned UN and EU instruments it arises that the provision by Cypriot nationals or from the territory of the Republic of Cyprus of **bunkering** or **ship supply services**, or **other servicing of vessels**, to DPRK vessels is prohibited if there is information that provides reasonable grounds to believe that the DPRK vessels carry items whose supply, sale, transfer or export is prohibited under the said UN and EU instruments, unless provision of such services is necessary for **humanitarian purposes** or until the **cargo has been inspected, and seized and disposed** of if necessary, in accordance with relevant provisions of the said UN and EU instruments.¹

¹ Paragraph 17 of UNSCR 1874 (2009); Article 5 (6) of EU Common Position 2006/795/CFSP as amended by Common Position 2009/573/CFSP.

3. Furthermore, in a nutshell, the aforementioned UN and EU instruments :
- call upon all States to inspect, in accordance with their national authorities and legislation, and consistent with international law, all cargo to and from DPRK, in their territory, including their **seaports**, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items whose supply, sale, transfer or export is prohibited under the said UN and EU instruments.²
 - call upon all UN and EU Member States **to inspect vessels** (of any nationality) **on the high seas**, with the **consent of the flag State**, if they have information that provides reasonable grounds to believe that the cargo of such vessels contains items whose supply, sale, transfer or export is prohibited under the said UN and EU instruments.³
 - provide that vessels (of any nationality) transporting cargo to and from the DPRK shall be subject to the requirement of additional pre-arrival or pre-departure information for all goods brought into or out of an EU Member State.⁴
 - provide that UN and EU Member States are to seize and dispose of items whose supply, sale, transfer or export is prohibited under the said UN and EU instruments in a manner that is not inconsistent with their obligations under applicable Security Council resolutions and international conventions.⁵
4. All recipients of the present Circular are invited to take note of its contents and should strictly abide by the above International law and EU law provisions.

Serghios S. Serghiou
Director
Department of Merchant Shipping

- cc. - Permanent Secretary, Ministry of Communications and Works
- Attorney General of the Republic
- Permanent Secretary, Ministry of Foreign Affairs
- Permanent Secretary, Ministry of Defence
- Permanent Secretary Ministry of Justice
- Permanent Secretary Ministry of Trade, Industry and Tourism
- Maritime Offices of the Department of Merchant Shipping abroad

² Paragraph 11 of UNSCR 1874 (2009); Article 5 (1) of EU Common Position 2006/795/CFSP as amended by Common Position 2009/573/CFSP.

³ Paragraph 12 of UNSCR 1874 (2009); Article 5 (2) of EU Common Position 2006/795/CFSP as amended by Common Position 2009/573/CFSP

⁴ Article 5 (4) of EU Common Position 2006/795/CFSP as amended by Common Position 2009/573/CFSP

⁵ Paragraph 14 of UNSCR 1874 (2009); Article 5 (5) of EU Common Position 2006/795/CFSP as amended by Common Position 2009/573/CFSP.

- Diplomatic Missions and Honorary Consular Officers of the Republic
- General Manager, Cyprus Ports Authority
- Director Department of Customs and Excise
- Commander Cyprus Marine Police
- Cyprus Shipping Chamber
- Cyprus Union of Shipowners
- Cyprus Bar Association