



REPUBLIC OF CYPRUS
MINISTRY OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

Circular No. 5/2011

31 January 2011

TEN 5.13.09
TEN 4.3.08.12

All Owners, Managers and Representatives
of Ships under the Cyprus Flag

Subject: EU Sanctions on Côte d'Ivoire targeting the ports of Abidjan and San Pedro; Adoption of Council Decision 2011/18/CFSP and Council Regulation (EU) 25/2011

1. I refer to the above subject and further to my previous Circular No. 26/2010 (dated 12.08.2010) regarding the issuing of P.I. 359/2010¹, I wish to inform you that the Council of the European Union, for the purposes of reviewing the sanctions imposed on Côte d'Ivoire, has adopted, on the 14th January 2011, Council Decision 2011/18/CFSP² and Council Regulation (EU) 25/2011³.

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

2. These legal instruments seek to freeze all funds and economic resources belonging to, owned, held or controlled by or made available directly or indirectly to the natural or legal persons, entities and bodies listed in Annex I and IA of the amending Regulation and Annex II of the amending Decision respectively. These sanctions are set out in Article 2 of Council Regulation (EU) 560/2005 as amended and Article 5 of Decision 2010/656/CFSP as amended.

The definition of funds and economic resources is provided by Article 1 of the Council Regulation (EU) 560/2005.

3. In view of the inclusion of the Autonomous Ports of Abidjan and San Pedro in the list of entities, which are subject to the economic sanctions, any direct or indirect transfer of funds and/or economic resources to the Authorities or Operators of these ports may result in a possible violation of the sanctions provisions.

¹ Published in the Official Gazette of the Republic No. 4445, Supplement III (I), dated 06.08.2010;

² amending Council Decision 2010/656/CFSP;

³ amending Council Regulation (EU) 560/2005;



4. Article 5(3) of Decision 2010/656/CFSP, as amended, as well as Article 3 of Regulation 560/2005, as amended, set out the grounds on which exemptions may be granted to the general prohibition. In brief, the competent authorities of EU Member States must firstly establish that certain criteria are met and then notify the United Nations relevant Sanctions Committee, for the purposes of requesting approval, of their intention to authorise any release of frozen funds or economic resources which concern any listed person, entity or body.
5. It is recalled that on national level, Order P.I. 359/2010 as well as Order P.I. 278/2005⁴ are currently in force, implementing the relevant United Nations Security Council Resolutions as well as European Union legal instruments, stipulating the prohibitions on the transportation of arms, related materiel and diamonds to Côte d' Ivoire.
6. All recipients of the present Circular are invited to take note of its content and should strictly abide by the provisions of Order P.I. 278/2005 as amended by Order P.I. 359/2010, as well as of Council Regulation (EU) 560/2005 as amended and Decision 2010/656/CFSP, as amended.

This Circular must be placed on board vessels flying the Cyprus flag.



Serghios S. Serghiou
Director
Department of Merchant Shipping

- Cc:**
- Permanent Secretary, Ministry of Communications and Works
 - Maritime Offices of the Department of Merchant Shipping abroad
 - Permanent Secretary, Ministry of Foreign Affairs
 - Permanent Secretary, Ministry of Defence
 - Diplomatic Missions and Honorary Consular Officers of the Republic
 - Cyprus Shipping Chamber
 - Cyprus Union of Shipowners
 - Cyprus Bar Association

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⁴ published in the Official Gazette of the Republic No. 4003, Supplement III (I), dated 10.06.2005.