



REPUBLIC OF CYPRUS
MINISTRY OF
COMMUNICATIONS AND WORKS

Circular No. 46/2011

TEN 5.13.09
TEN 4.2.12.3.01

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



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

15 December 2011

Subject: The Cyprus Ships (Prohibition of Transportation of Goods, Arms and Related Materiel to and from Burma/Myanmar) Order of 2011

1. I refer to the above subject and further to my previous Circular No. 7/2005 (dated 5.05.2005) regarding the issuing of P.I. 206/2005, I wish to inform you that the Council of Ministers of the Republic of Cyprus, in exercising its powers under section 3 of the Cyprus Ships (Prohibition of Transportation) Laws 1966-1971, issued the Cyprus Ships (Prohibition of Transportation of Goods, Arms and Related Materiel to and from Burma/Myanmar) Order of 2011, P.I. 487/2011¹, which implements the European Council Regulation (EC) No. 194/2008, as amended, and Decision 2010/232/CFSP, as amended.
2. In implementing the aforementioned instruments, Order P.I. 487/2011 prohibits the transportation by Cyprus ships to and from Burma/Myanmar of arms and related materiel, irrespective of origin, 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 in Burma/Myanmar as listed in Annex II of EU Council Regulation (EC) No. 194/2008 as amended and as may be amended from time to time, irrespective of origin, to any person, entity or body in Burma/Myanmar or for use in Burma/Myanmar.
3. In conformity with the aforementioned instruments, Order P.I. 487/2011 further provides that this prohibition does not apply in respect of the transportation of the following:
 - (a) non-lethal military equipment or equipment which might be used for internal repression, intended solely for humanitarian or protective use, or for institution building programs of the United Nations (UN) and the European Union, or for European Union and UN crisis management operations;

¹ published in the Official Gazette of the Republic No. 4533, Supplement III (I), dated 25.11.2011.



(b) demining equipment and materiel for use in demining operations

provided that the said exports have been approved in advance by the competent authorities of the Republic of Cyprus;

(c) protective clothing, including flak jackets and military helmets, temporarily exported to Burma/Myanmar by United Nations personnel, by personnel of the European Union or its member States, representatives of the media and humanitarian or development workers and associated personnel, for their personal use only.

4. In addition, P.I. 487/2011 further prohibits the transportation by Cyprus ships from Burma/Myanmar of goods as listed in Annex I of EU Council Regulation (EC) No. 194/2008 as amended and as may be amended from time to time belonging to the following categories:

- (a) round logs, timber and timber products;
- (b) gold, tin, iron, copper, tungsten, silver, coal, lead, manganese, nickel and zinc;
- (c) precious and semi-precious stones, including diamonds, rubies, sapphires, jade and emeralds.

The origin of goods shall be determined in accordance with the relevant provisions of Regulation (EEC) No. 2913/92.

However this prohibition does not apply with respect to the transportation by Cyprus ships of goods which:

- (a) are occasional and consist solely of products for the personal use of the recipients or travellers or their families;
- (b) apply to humanitarian aid projects and programs or to non-humanitarian aid or development projects and programs conducted in Burma/Myanmar in support of the objectives described in Article 8(2)(a), (b) and (c) of EU Council Decision 2010/232/CFSP as amended.

5. Moreover P.I. 487/2011 prohibits the transportation by Cyprus ships to Burma/Myanmar of relevant equipment, goods and technology, irrespective of origin, as listed in Annex III of EU Council Regulation (EC) No. 194/2008 as amended and as may be amended from time to time, provided that they are destined to enterprises in Burma/Myanmar engaged in the following industries:

- (a) logging and timber processing;
- (b) mining of coal, gold, silver, iron, tin, copper, tungsten, lead, manganese, nickel and zinc;
- (c) mining and processing of precious and semi-precious stones, including diamonds, rubies, sapphires, jade and emeralds.

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. 487/2011 and the provisions of the aforesaid instruments.
7. The text of the aforementioned European Union instruments may be found on <http://eur-lex.europa.eu>.

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



Serghios S. Serghiou
Director
Department of Merchant Shipping

- Cc:** - Attorney General of the Republic
- Permanent Secretary, Ministry of Communications and Works
 - 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
 - General Manager, Cyprus Ports Authority
 - Director, Department of Customs and Excise
 - Commander, Cyprus Port and Marine Police
 - Maritime Offices of the Department of Merchant Shipping abroad
 - Cyprus Shipping Chamber
 - Cyprus Union of Shipowners
 - Cyprus Shipping Association
 - Cyprus Bar Association

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