



REPUBLIC OF CYPRUS  
MINISTRY OF TRANSPORT,  
COMMUNICATIONS AND WORKS



DEPARTMENT  
OF MERCHANT SHIPPING  
LEMESOS

SIN. No. 5/2017

2<sup>nd</sup> May 2017

TEN 5.13.10  
TEN 4.3.08.11

### 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 UN and EU instruments concerning restrictive measures against the Democratic Republic of Congo (“DRC”)**

1. I refer to the above subject and further to DMS Circulars No.20/2010, No. 20/2011 and No. 17/2015, I wish to inform you of the adoption by the United Nations Security Council and the European Union of the following instruments:

- (a) United Nations Security Council Resolution 2293 (2016) dated 23<sup>rd</sup> June 2016;**
- (b) EU Council Decision (CFSP) 2016/1173 of 18<sup>th</sup> July 2016 amending decision 2010/788/CFSP;**
- (c) EU Council Decision (CFSP) 2016/2231 of 12<sup>th</sup> December 2016 amending decision 2010/788/CFSP;**
- (d) Council Regulation (EU) 2016/1165 of 18<sup>th</sup> July 2016 amending regulation (EC) No. 1183/2005; and**
- (e) Council Regulation (EU) 2016/2230 of 12<sup>th</sup> December 2016 amending regulation (EC) No. 1183/2005.**

2. As a result the current sanctions regime against DRC is now governed by UNSCRs 1807(2008), 1857(2008), 1896(2009), 1952(2010), 2136 (2014), 2198 (2015) and 2293(2016), EU Council Decision 2010/101/CFSP as amended lastly by EU Council Implementing Decision (CFSP) 2017/399 and Council Regulation (EC) No. 1183/2005 as amended lastly by EU Council Implementing Regulation (EU) 2017/396, as well as National Prohibition Order P.I. 192/2011<sup>1</sup>.

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,

<sup>1</sup> published in the Official Gazette of the Republic No. 4495, Supplement III (I), dated 20.05.2011.

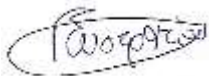


military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, irrespective of origin, to all non- governmental entities and individuals operating in the territory of the DRC.

4. The prohibition of transportation shall not apply to the transportation of:
  - (a) arms and related materiel intended solely for support of or use by *the United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO)*;
  - (b) protective clothing, including flak jackets and military helmets, temporarily exported to the DRC by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;
  - (c) other non-lethal military equipment intended solely for humanitarian or protective use, as notified in advance to the Sanctions Committee established pursuant to UNSCR 1533 (2004);
  - (d) arms and any related materiel intended solely for the support of or use by the African Union-Regional Task Force;
  - (e) arms and related materiel as approved in advance by the Sanctions Committee.
5. It is recalled that according to Article 2(4) of the EU Council Decision 2010/788/CFSP as amended moreover provides that:
  - (a) the transportation of arms and related materiel as described in the preceding paragraph 3 shall be subject to an authorisation granted in advance by the competent authorities of the Member State involved and provided that the necessary information as listed in subparagraph (b) below is submitted:
  - (b) the UN Sanctions Committee shall be notified in advance by the competent authorities of the Member State involved for any shipment of arms and related materiel to the DRC except those referred to in paragraphs 3 (a) and (b) of this Circular. The said notifications should include all relevant information including, where applicable, the end-user, the proposed date of delivery and the itinerary of shipments.
6. In addition, according to Article 2(4) of the EU Council Decision 2010/788/CFSP as amended, the competent authorities of the Member State involved are required to consider deliveries under paragraph 3 on a case-by-case basis, taking full account of the criteria set out in Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment. The competent authorities of the Member State involved shall require adequate safeguards against misuse of authorisations granted pursuant to paragraph 4 (a) and, where appropriate, make provisions for repatriation of the arms delivered and related materiel.
7. The text of the aforementioned European Union instruments may be found on <http://eur-lex.europa.eu> whereas the text of United Nations Security Resolutions may be found on <http://www.un.org/Docs/sc/>.

8. 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](http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf)
9. 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)*.<sup>2</sup>
- 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 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.
10. 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 UN and EU Instruments as well as of relevant national Prohibition Order P.I. 192/2011 and DMS Circulars No.20/2010, No. 20/2011 and No. 17/2015.

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



Ioannis Efstratiou  
Acting Director  
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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<sup>2</sup> Published in the Official Gazette of the Republic of Cyprus No. 4564, Supplement I (I) dated 25/4/2016.