



REPUBLIC OF CYPRUS
MINISTRY
OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF
MERCHANT SHIPPING
LIMASSOL

Circular No. 51/2012

08 October 2012

TEN 5.13.09
TEN 4.3.08.6

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

Subject: Implementation Assistance Notice of the UN Security Council concerning Libya

I refer to the above subject and further to DMS Circulars No. 10/2011, No. 29/2011, No. 32/2011 and No. 33/2012, I wish to inform you as follows:

2. In July 2012, the United Nations Security Council ("UNSC") Committee established pursuant to UNSC Resolution 1970(2011) issued an *Implementation Assistance Notice* containing information pertaining to the implementation of the arms embargo on Libya, whilst, focusing in particular on the following aspects of the exceptions currently provided under UNSC Resolutions 1970(2011) and 2009 (2011):

- Provision of security sector-related support to the Libyan authorities;
- Temporary transfers of small arms, light weapons and related to certain categories of entities;
- Other transfers of military related material or provision of training;
- Private security firms' compliance with the arms embargo.

3. The *Implementation Assistance Notice* is attached hereto. It is noted that the exceptions to the arms embargo are described in paragraph 3 of DMS Circular No. 33/2012.

4. All recipients of this Circular are invited to take note of its content and are reminded that they should strictly abide by the European Union* and United Nations restrictive measures against Libya as well as by Order P.I. 195/2012 and preceding DMS Circulars on the matter.

Ioannis Efstratiou
Acting Director
Department of Merchant Shipping

* European Union Council Decision 2011/137/CFSP as amended and European Union Council Regulation (EU) No. 204/2011, as amended.



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 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

LMK

**SECURITY COUNCIL COMMITTEE ESTABLISHED
PURSUANT TO RESOLUTION 1970 (2011)
CONCERNING LIBYA**

Implementation Assistance Notice #2

This note contains information aimed at assisting Member States in the implementation of the arms embargo on Libya and focuses particularly on some aspects of the exemptions contained in paragraphs 9 and 13, respectively, of Security Council resolutions 1970 (2011) and 2009 (2011).

Provision of security sector-related support to the Libyan authorities

Several Member States have initiated or are planning to provide security-related support programs to the Libyan security sector. The Committee would like to remind Member States that pursuant to paragraph 13(a) of Security Council Resolution 2009 (2011), Member States are required to notify the Committee should that Member State or a private company seek to supply, sell or transfer arms and related materiel of all types, including technical assistance, training, financial and other assistance from or through their territory intended solely for security or disarmament assistance to the Libyan authorities. This includes security-related training of Libyans within Libya or abroad. A notification should be sent to the Committee with the following information: precise end-user,¹ exact quantity of items and a detailed list of equipment to be provided,² a note from the Libyan body responsible for dealing with requests for support and intended dates of delivery. After submitting the notification and in the absence of a negative decision by the Committee within 5 working days of having received it, the Member State may proceed.

Temporary transfers of small arms, light weapons and related to certain categories of entities

Pursuant to paragraph 13(b) of Security Council resolution 2009 (2011) Member States are required to notify the Committee through the Permanent Mission to the UN of the relevant Member State should that Member State or a private company seek to temporarily transfer small arms, light weapons and related materiel to Libya for the sole use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel. All requests should include the following

¹ The supplying party is not obliged to present a copy of the end-user certificate; a confirmation that an end-user certificate has been signed by the relevant Libyan authorities and the indication of the identity of this end-user are sufficient.

² The provision of a detailed list bears relevance only insofar as any types of the supplied equipment are included in the UN Register of Conventional Arms or the Wassenaar Arrangement.

information: name and details of the company, precise end-user,³ exact quantity of items and detailed list of equipment to be provided⁴ and the intended dates of delivery. After submitting the notification and in the absence of a negative decision by the Committee within 5 working days of having received it, the Member State may proceed.

Other transfers of military related material or provision of training

If the Member State or private company is seeking to transfer military related materiel or provide training to categories of individuals or entities not covered by paragraph 13(b), the relevant Member State shall request from the Committee an exemption to the arms embargo according to paragraph 9 of resolution 1970 (2011). All requests should include the following information: name and details of the company, precise end-user,⁵ exact quantity of items and detailed list of equipment to be provided⁶ and the intended dates of transfer. Only after the request has been submitted and approved by the Committee, the Member State may proceed.

Private security firms' compliance with the arms embargo

The Committee would like to remind Member States to ensure compliance with the arms embargo by private security firms. Any private security firm active in Libya should check with its relevant national authorities to ensure full compliance with domestic laws or regulations put in place to implement the UN arms embargo.

³ See footnote 1.

⁴ See footnote 2.

⁵ See footnote 1.

⁶ See footnote 2.