



REPUBLIC OF CYPRUS
MINISTRY OF TRANSPORT,
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

Circular No. 17/2015

30 July 2015

TEN 5.13.09
TEN 4.3.08.11

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

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

c/o Cyprus Shipping Chamber
c/o Cyprus Union of Shipowners
c/o Cyprus Shipping Association

Subject: Implementation of EU & UN instruments concerning restrictive measures against the Democratic Republic of Congo

1. I refer to the above subject and further to DMS Circulars No. 20/2010, No. 20/2011 and No. 19/2014 I wish to inform you of the adoption by the United Nations and the European Union of the following instruments concerning restrictive measures against the Democratic Republic of Congo (DRC):

- ***UN Security Council Resolution 2198(2015);***
- ***EU Council Decision (CFSP) 2015/620 amending EU Council Decision 2010/788/CFSP.***

2. The aforesaid instruments in essence amend the list of exemptions to the prohibition of transportation of arms and related materiel clause. As a result, the list of exemptions of paragraph 4 of national Prohibition Order P.I. 192/2011, corresponding to Article 2 of ***EU Council Decision 2010/788/CFSP as amended***, consists of the following (new text in *italic fonts*):

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 Democratic Republic of Congo 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;



(d) arms and any related materiel intended solely for the support of or use by the African Union-Regional Task Force.

3. It is recalled that Order P.I. 192/2011 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 Ministry of Transport, Communication and Works of the Republic of Cyprus and provided that the shipowner submits the necessary information as listed in subparagraph (b) below;

(b) the UN Sanctions Committee shall be notified in advance by the Republic of Cyprus for any shipment of arms and related materiel to the Democratic Republic of Congo except those referred to in paragraphs 3 (a) and (b) of this Circular. The said notifications should include all relevant information, which the shipowner of a Cyprus ship is required to provide to the Minister of Transport, Communication and Works, including, where applicable, the end-user, the proposed date of delivery and the itinerary of shipments.

4. Your attention is drawn to the adoption of **EU Council Decision (CFSP) 2015/620** in the Cyprus legal order under paragraph 5(2) of the *Cyprus Ships (Prohibition of Transportation of Arms and Related Materiel to the Democratic Republic of Congo) Order of 2011, P.I. 192/2011*. It is noted that paragraph 5 of Order P.I. 192/2011¹ extends the prohibition of transportation by Cyprus ships to “arms and related materiel to all non- governmental entities and individuals operating in the territory of the Democratic Republic of the Congo in contravention of EU Council Decision 2010/788/CFSP and of any related Regulations or other instruments of the European Union adopted towards the implementation, amendment or replacement of the said Decision.”

5. The text of the aforementioned European Union instrument may be found on <http://eur-lex.europa.eu> whereas the text of United Nations Security Resolution may be found on <http://www.un.org/en/sc/documents/resolutions/> .

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

6. All recipients of the present Circular are invited to take note of its content and should strictly abide by the provisions of the aforementioned instruments, other related European Union Instruments on the Democratic Republic of Congo as well as of national order P.I. 192/2011.

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



Andreas I. Chrysostomou
Acting Director
Department of Merchant Shipping

¹ Published in the Official Gazette of the Republic No. 4495, Supplement III (I), dated 20.05.2011.

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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