



REPUBLIC OF CYPRUS
MINISTRY
OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF
MERCHANT SHIPPING
LIMASSOL

Circular No. 21/2012
File: DMS 5.13.09 & DMS 4.3.08.12

19 April 2012

Registered owners, registered bareboat charterers,
managers, operators and masters of
ships flying the Cyprus flag

Subject: **The Cyprus Ships (Prohibition of Transportation of Arms, Related Materiel and Rough Diamonds to and from the Ivory Coast) Order of 2012**

1 I refer to the above subject and further to my Circular No. 26/2010, regarding the issuing of P.I. 359/2010¹, 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 of 1966 to 1971, issued *the Cyprus Ships (Prohibition of Transportation of Arms, Related Materiel and Rough Diamonds to and from the Ivory Coast) Order of 2012* (P.I. 123/2012²), which implements the following instruments:

- (a) United Nations Security Council resolutions 1572(2004), 1643(2005), 1893(2009), 1946(2010) and 1980 (2011);
- (b) European Union Council Decision 2010/656/CFSP as amended by European Union Council Decision 2011/412/CFSP; and
- (c) European Union Council Regulation (EU) No. 174/2005 as amended by European Union Council Regulation (EU) No. 668/2011.

2 Order P.I. 123/2012 prohibits the transportation by Cyprus ships to and from the Ivory Coast of arms and related materiel, whether or not originating in the Union, including weapons and ammunition, military vehicles and equipment, paramilitary

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

² Published in the Official Gazette of the Republic No. 4556, Supplement III (I), dated 30.03.2012.



equipment and spare parts for the aforementioned, as well as equipment which might be used for internal repression in the Ivory Coast, as set out in Annex I of European Union Council Regulation (EU) No. 174/2005 as amended and as may be amended from time to time, and any kind of technical assistance.

3 In addition, Order P.I. 123/2012 provides that the aforesaid prohibitions do not apply in respect of the transportation of the following:

- (a) supplies and technical assistance intended solely for the support of or use by the United Nations Operation in the Ivory Coast and the French forces who support them;
- (b) the following, as approved in advance by the United Nations Security Council Committee established pursuant to Security Council 1572(2004) (the 1572 Committee):
 - (i) non-lethal military equipment intended solely for humanitarian or protective use, including such equipment intended for the United Nations, the European Union, the African Union and the Economic Community of West African States (ECOWAS) crisis management operations;
 - (ii) non-lethal military equipment intended solely to enable the security forces of the Ivory Coast to use only appropriate and proportionate force while maintaining public order; and
 - (iii) the provision of technical assistance related to the equipment referred to in subparagraphs (i) and (ii);
- (c) protective clothing, including flak jackets and military helmets, temporarily exported to the Ivory Coast by United Nations personnel, personnel of the European Union or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only;
- (d) supplies temporarily transferred or exported to the Ivory Coast to the forces of a state which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in the Ivory Coast, as notified in advance to the 1572 Committee;
- (e) arms and related material and technical training and assistance intended solely for the support of the Ivorian process of Security Sector Reform, pursuant to a formal request by the Ivorian Government, as approved in advance by the 1572 Committee;
- (f) non-lethal equipment capable of being used for internal repression and which is intended solely to enable the security forces of the Ivory Coast to use only appropriate and proportionate force while maintaining

public order, as well as the provision of financing, financial assistance or technical assistance and training related to such equipment; and

- (g) equipment capable of being used for internal repression and which is intended solely for the support of the Ivorian process of Security Sector Reform, as well as the provision of financing, financial assistance or technical assistance and training related to such equipment.

4 Furthermore, Order P.I. 123/2012 prohibits the transportation by Cyprus ships of rough diamonds from and to the Ivory Coast. However such prohibition does not apply in relation to the transportation of rough diamonds provided that such will be used solely for the purposes of scientific research and analysis to facilitate the development of specific technical information concerning Ivorian diamond production, provided the research is coordinated by the Kimberley Process according to the provisions of paragraphs 16 and 17 of United Nations Security Council resolution 1893(2009).

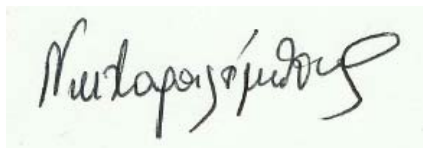
5 Finally, Order P.I. 123/2012 repeals Orders P.I. 278/2005 and P.I. 359/2010.

6 All recipients of the present Circular are invited to note of its content and the registered owners, the registered bareboat charterers, the managers, the operators and the masters of ships flying the Cyprus flag are required to strictly abide by the provisions of Order P.I. 123/2012, as well as, by the provisions of the aforesaid United Nations and European Union instruments. In this respect it is noted that the United Nations Security Council resolutions cited above have been adopted under Chapter VII of the Charter of the United Nations and thus they have a direct and immediate effect upon the Member States of the United Nations.

7 The text of the aforementioned United Nations Security Council resolutions may be found at <http://www.un.org/Docs/sc/> and the text of the European Union instrument may be found at <http://eur-lex.europa.eu>. The United Security Council Committees web-site is at the following address <http://www.un.org/sc/committees/>.

8 The present circular supersedes Circular No. 26/2010, 5/2011 and 16/2011 which are hereby revoked.

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



Nicolaos L. Charalambous
Acting Director
Department of Merchant Shipping

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 and Consular Missions and Honorary Consular Officers of the
Republic
Maritime Offices of the Department of Merchant Shipping abroad
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Registrar of Companies
Commander, Cyprus Marine Police
General Manager, Cyprus Ports Authority
Cyprus Shipping Chamber
Cyprus Union of Shipowners
Cyprus Shipping Association
Cyprus Bar Association

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