



REPUBLIC OF CYPRUS  
MINISTRY OF  
COMMUNICATIONS AND WORKS



DEPARTMENT  
OF MERCHANT SHIPPING  
LEMESOS

Circular No. 01 /2013

9 January 2013

TEN 5.13.09

TEN 4.2.12.3.11

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 EU Council Decision 2012/739/CFSP concerning restrictive measures against  
Syria repealing EU Council Decision 2011/782/CFSP**

1. I refer to the above subject and further to DMS Circulars No.13/2012, No.30/2012, No. 37/2012 and No. 52/2012, I wish to inform you of the adoption on 29 November 2012 of **EU Council Decision 2012/739/CFSP** concerning restrictive measures against Syria. Said Council Decision consolidates for the sake of clarity the measures imposed by Council Decision 2011/782/CFSP as amended and consequently repeals the latter Decision. **Council Decision 2012/739/CFSP** does not introduce any prohibitions additional to those provided under the repealed Council Decision 2011/782/CFSP, therefore the national transposition **Order P.I. 281/2012\*** remains in force. Under **Council Decision 2012/739/CFSP**, **EU Council Regulation (EU) No. 36/2012 as amended** and **Order P.I. 281/2012**, the following prohibitions on transportation are in force:

**(A) Arms and related materiel**

(A.1.) Prohibition:

The transportation by Cyprus ships from and to Syria of the following is prohibited:

- a. arms and related materiel, whether or not originating in the Union, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts as well as equipment which might be used for internal repression in Syria;

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\* published in the Official Gazette of the Republic No. 4583, Supplement III (I), dated 27.07.2012 and repealing previous prohibition Order P.I. 426/2011.

- b. equipment which might be used for internal repression, whether or not originating in the Union, to any person, entity or body in Syria or for use in Syria.

(A.2.) Exemptions:

The prohibition does not apply to-

- a. supplies and technical assistance intended solely for the support of or use by the United Nations Disengagement Observer Force (UNDOF);
- b. the sale, supply, transfer or export of non-lethal military equipment or of equipment which might be used for internal repression, intended solely for humanitarian or protective use, or for institution building programmes of the United Nations (UN) and the European Union, or for European Union and UN crisis management operations;
- c. the sale, supply, transfer or export of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for the protective use of personnel of the European Union and its Member States in Syria;

on condition that such exports have been approved in advance by the competent authorities of the Republic of Cyprus.

- d. protective clothing, including flak jackets and military helmets, temporarily exported to Syria by UN 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.

(A3.) Transportation of certain other equipment

The transportation by Cyprus ships from and to Syria of equipment, other than those referred to in paragraph (A.1.) b. which might be used for internal repression or for the manufacture and maintenance of products which could be used for internal repression, shall be subject to authorisation on a case-by-case basis by the competent authorities of the exporting Member State.

**(B) Equipment used for monitoring or interception of internet or telephone communications in Syria**

(B.1.) Prohibition:

The transportation by Cyprus ships to any person, entity or body in Syria or for use in Syria, of equipment as identified in Annex V of **EU Council Regulation (EU) No. 36/2012 as amended**, which may be used for monitoring or interception, by the Syrian regime or on its behalf, of internet or telephone communications in Syria, is prohibited.

(B.2.) Exemptions:

The competent authorities of the Republic may authorise the transportation of such equipment, unless they have reasonable grounds to determine that the equipment in question would be used for monitoring or interception, by the Syrian regime or on its behalf, of internet or telephone communications in Syria.

### (C) Syrian denominated banknotes and coinage

#### (C.1.) Prohibition:

The transportation by Cyprus ships from and to the Central Bank of Syria of Syrian denominated banknotes and coinage printed or minted in the Union is prohibited.

### (D) Crude Oil and Petroleum Products

#### (D.1.) Prohibition:

The transportation by Cyprus ships of crude oil or petroleum products is prohibited if such originate in Syria, or are being exported from Syria to any other country.

#### (D.2.) Exemptions:

This prohibition is without prejudice to the execution, until 15 November 2011, of obligations provided for in contracts concluded before 2 September 2011.

### (E) Equipment for sectors of the oil and gas industry in Syria

#### (E.1.) Prohibition under EU Council Decision 2012/739/CFSP:

The transportation by Cyprus ships of key equipment for the following key sectors of the oil and natural gas industry in Syria, or to Syrian or Syrian-owned enterprises engaged in those sectors outside Syria, is prohibited:

- a. refining;
- b. liquefied natural gas;
- c. exploration;
- d. production.

#### (E.2.) Exemptions:

The prohibitions are without prejudice to the execution of an obligation-

- a. relating to the delivery of goods provided for in contracts awarded or concluded before 1 December 2011.
- b. arising from contracts awarded or concluded before 1 December 2011 and relating to investments made in Syria before 23 September 2011 by enterprises established in EU Member States.

#### (E.3.) Prohibition under EU Council Regulation (EU) no. 36/2012 as amended:

The transportation by Cyprus ships of equipment listed in Annex VI **EU Council Regulation (EU) No. 36/2012 as amended**, relevant to the following key sectors of the oil and natural gas industry in Syria, directly or indirectly, to any Syrian person, entity or body, or for use in Syria is prohibited:

- a. exploration of crude oil and natural gas;
- b. production of crude oil and natural gas;
- c. refining;
- d. liquefaction of natural gas.

#### (E.4.) Exemptions under EU Council Regulation (EU) No. 36/2012 as amended:

For the list of exemptions please see Article 10 (1) of **EU Council Regulation (EU) No. 36/2012 as amended**.

**(F) Gold, precious metals and diamonds**

Prohibition:

The transportation by Cyprus ships of the following is prohibited:

- a. gold, precious metals and diamonds, as listed in Annex VIII **EU Council Regulation (EU) no. 36/2012, as amended**, whether or not originating in the Union, to the Government of Syria, its public bodies, corporations and agencies, the Central Bank of Syria, any person, entity or body acting on their behalf or at their direction, or any entity or body owned or controlled by them;
- b. gold, precious metals and diamonds, as listed in Annex VIII **EU Council Regulation (EU) no. 36/2012 as amended**, whether the item concerned originates in Syria or not, from the Government of Syria, its public bodies, corporations and agencies, the Central Bank of Syria and any person, entity or body acting on their behalf or at their direction, or any entity or body owned or controlled by them.

**(G) Luxury Goods**

Prohibition: The transportation by Cyprus ships of luxury goods, irrespective of origin, to and from Syria is prohibited.

**(H) Equipment for construction or installation in Syria of new power plants for electricity production**

(G.1.) Prohibition:

The transportation by Cyprus ships of equipment for the construction or installation in Syria of new power plants for electricity production, as set out in Annex VII of **EU Council Regulation (EU) no. 36/2012 as amended**, is prohibited.

(G.2.) Exemptions:

For the list of exemptions please see Article 12 (2) of **EU Council Regulation (EU) no. 36/2012 as amended**.

**2. Council Decision 2012/739/CFSP** stipulates that, if Member States have information that provides reasonable grounds to believe that the cargo of vessels bound for Syria contains items whose supply, sale, transfer or export is prohibited or, is subject to authorisation under said Decision, they shall **inspect**, in accordance with their national legislation and consistent with international law, in particular the law of the sea and relevant maritime transport agreements, such vessels in their seaports, as well as in their territorial sea, in accordance with decisions and capabilities of their competent authorities and with the consent, as necessary in accordance with international law for the territorial sea, of the flag State (see Article 23 of the Decision).

**3.** Items discovered to be transported in breach of the prohibition shall be **seized** and **disposed** of by the authorities of the EU Member States in accordance with their national legislation and consistent with international law (see Article 23(2) of **Decision 2012/739/CFSP**).

4. Furthermore, under Decision 2012/739/CFSP all vessels transporting cargo to Syria have an obligation to submit additional **pre-arrival or pre-departure information** for all goods brought into or out of a Member State (see Article 23(4)).

5. It is recalled that other aspects of the EU restrictive measures against Syria (for which the DMS is not the competent authority) are regulated by **Regulation (EU) No. 36/2012 as amended**, namely :

- restrictions on insurance and re-insurance for the transportation of prohibited goods and items (see DMS Circular No. 30/2012) ;
- the listing of Syrian entities subjected to the freezing of their assets and economic resources (see DMS Circular No. 30/2012)
- the rules governing the obligation to provide advance information/ summary declarations as well as customs declarations for all goods leaving the customs territory of the Union to Syria (see DMS Circular No. 52/2012);
- the issue of the expenses arising from the seizure and disposal of prohibited equipment, goods (see DMS Circular No. 52/2012).

It is also recalled that Order P.I. 281/2012 prohibits the transportation by Cyprus ships to and from Syria of cargoes in contravention of **Regulation (EU) No. 36/2012 as amended**.

6. It is further recalled that EU instruments have a direct effect and are binding on shipowners/ship operators and any violation may expose them to relevant penalties under the Cyprus legislation or the legislation of any other Member State.

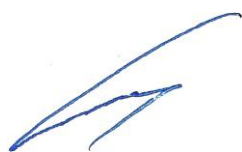
The text of the aforesaid **EU instruments** is obtainable from <http://eur-lex.europa.eu/> whereas a regularly updated list of all the European Union restrictive measures in force can be found at [http://eeas.europa.eu/cfsp/sanctions/docs/measures\\_en.pdf](http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf).

7. This Circular is in essence a recasting of DMS Circular No. 13/2012. This Circular **repeals** DMS Circulars No. 33/2011, No. 38/2011, No. 13/2012, No. 36/2012 and No. 54/2012.

DMS Circulars No. 30/2012, No. 37/2012 and 52/2012 remain valid.

8. All recipients of the present Circular are invited to take note of its content and should strictly abide by the provisions of the aforementioned EU Instruments, other related European Union Instruments on Syria as well as Order P.I. 281/2012.

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



Themis Evriviades  
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 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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