



REPUBLIC OF CYPRUS
**MINISTRY OF
COMMUNICATIONS AND WORKS**



**DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS**

Circular No. 12/2009

18th June 2009

TEN 5.13.09
TEN 4.2.12.3.08

To all Owners, Managers and Representatives
of Ships under the Cyprus Flag

Subject: The Cyprus Ships (Prohibition of Transportation of Arms and Related Materiel to Somalia) Order of 2009 / Implementation of UN Security Council Resolutions 1744 (2007), 1844 (2008), 1853 (2008) and the EU Council Common Position 2009/138/CFSP.

1. I refer to the above subject and further to my Circulars dated 19.05.1993, 09.06.1993 and 24.10.2002 (No. 24/2002) with regard to the issuing of P.I. 135/1993 and P.I. 474/2002, 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 1966-1971, issued the Cyprus Ships (Prohibition of Transportation of Arms and Related Materiel to Somalia) Order of 2009 (P.I.237/2009 published in the Official Gazette of the Republic No. 4364, Supplement III (I), dated 12.06.2009).

The said new Order implements the measures imposed by UN Security Council Resolutions 1744 (2007), 1844 (2008), 1853 (2008) and the European Union Council Common Position 2009/138/CFSP of 16th February 2009.

2. In implementing the above instruments, Order P.I. 237/2009 prohibits the supply / carriage by Cyprus ships to Somalia of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned.
3. In conformity with UN Security Council Resolutions, 1744 (2007), 1844 (2008), 1853 (2008) and the EU Council Common Position 2009/138/CFSP, Order P.I. 237/2009 further provides that this prohibition does not apply in relation to the supply / carriage by Cyprus ships to ports of Somalia:
 - (a) of arms and related material of all types related to military activities intended solely for the support of the African Mission in Somalia (AMISOM) or the use by it, as stipulated in paragraph 4 of UNSCR 1744 (2007) or for the sole use of States and regional organisations undertaking measures in accordance with paragraph 6 of UNSCR 1851 (2008) and paragraph 10 of UNSCR 1846 (2008);

(b) of arms and related material of all types intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in paragraphs 1, 2 and 3 of UNSCR 1744 (2007) and in the absence of a negative decision by the Committee established by paragraph 11 of UNSCR 751 (1992) ("Sanctions Committee") within five working days of receiving the relevant notification;

(c) of non-lethal military equipment intended solely for humanitarian or protective use, or of material intended for institution building programmes of the European Union, the European Community or their Member States, including, amongst others, the field of security, carried out within the framework of the peace and reconciliation process, as approved in advance by the Sanctions Committee, and to protective clothing, including flak jackets and military helmets, temporarily exported to Somalia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

4. In implementing the aforementioned Instruments, Order P.I. 237/2009 repeals Orders P.I. 135/1993 and P.I. 474/2002.

The Owners, Managers and Masters of Cyprus Ships should strictly abide by the above new Order.

Serghios S. Serghiou
Director
Department of Merchant Shipping

- cc.
- Permanent Secretary, Ministry of Communications and Works
 - Permanent Secretary, Ministry of Foreign Affairs
 - Maritime Offices of the Department of Merchant Shipping abroad
 - Diplomatic Missions and Honorary Consular Officers of the Republic
 - Cyprus Shipping Chamber
 - Cyprus Union of Shipowners
 - Cyprus Bar Association

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