



REPUBLIC OF CYPRUS
MINISTRY
OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF
MERCHANT SHIPPING
LIMASSOL

Circular No. 46/2012

11 September 2012

TEN: 5.13.09
TEN: 4.3.08.12

To all Registered owners, Registered bareboat charterers
Managers and Representatives 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) (Amending) Order of 2012**

1. I refer to the above subject and further to my Circular No. 21/2012, regarding the issuing of P.I. 123/2012¹, 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) (Amending) Order of 2012* (P.I. 313/2012²), which implements the following instruments:
 - (a) United Nations Security Council Resolution 2045 (2012);
 - (b) European Union Council Decision 2012/371/CFSP amending European Union Council Decision 2010/656/CFSP; and
 - (c) European Union Council Regulation (EU) No. 617/2012 amending European Union Council Regulation (EU) No. 174/2005.
2. Order P.I. 313/2012 provides for the following amendments of P.I. 123/2012:
 - (i) In paragraph 2 of P.I. 123/2012 the phrase “and of any technical assistance” (line 6) is deleted (see corresponding paragraph 2 of my Circular No. 21/2012);

¹ Published in the Official Gazette of the Republic No. 4556, Supplement III (I), dated 30.03.2012.

² Published in the Official Gazette of the Republic No. 4589, Supplement III (I), dated 31.08.2012.



- (ii) Paragraph 3 of P.I. 123/2012, (see corresponding paragraph 3 of my Circular No. 21/2012), which provides for the list of exceptions to the general transportation prohibition, is replaced with the following paragraph:

“The prohibition of paragraph 2 does not apply in respect of the transportation by Cyprus ships of:

- (a) supplies intended solely for the support of or use by the United Nations Operation in the Ivory Coast (UNOCI) and the French forces who support them;
- (b) the following, as approved in advance by the United Nations Security Council Committee established pursuant paragraph 14 of Security Council Resolution 1572 (2004) (the Sanctions Committee):
 - (i) non-lethal military equipment intended solely for humanitarian or protective use, including such equipment intended for the European Union, the United Nations, the African Union and the Economic Community of West African States (ECOWAS) crisis management operations;
 - (ii) supplies temporarily exported to 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 Ivory Coast;
 - (iii) non-lethal military equipment related to law enforcement intended to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order;
- (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) arms and related material to the security forces of the Ivory Coast intended solely for the support of the Ivorian process of Security Sector Reform, as approved in advance by the Sanctions Committee;

- (e) 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 for maintaining public order, and
 - (f) equipment capable of being used for internal repression by the security forces of the Ivory Coast which is intended solely for the support of the Ivorian process of Security Sector Reform, or for use during such reform.”
3. All recipients of the present Circular are invited take 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 Orders P.I. 123/2012 and P.I. 313/2012, as well as, by the provisions of the aforesaid United Nations and European Union instruments.

The above-mentioned EU instruments have a direct effect and are binding on ship owners / ship operators and any violation may expose them to relevant penalties under the Cyprus legislation.

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.

4. The text of the aforementioned United Nations Security Council Resolution 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>.

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

5. The present circular partly amends Circular No. 21/2012.

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



Costas Costaras
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- 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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