



REPUBLIC OF CYPRUS
MINISTRY OF
COMMUNICATIONS AND WORKS

Circular No. 18/2013

TEN 5.13.09
TEN 4.2.12.3.06

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



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

19th June 2013

Subject: - New EU Council Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea repealing EU Council Decision 2010/800/CFSP;
- UN Security Council Resolutions 2087 (2013) and 2094 (2013).

1. I refer to the above subject and further to DMS Circulars No. 6/2010, No. 18/2011 and 13/2013, 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 People's Republic of Korea (DPRK):

- ***UN Security Council Resolution 2087 (2013);***
- ***UN Security Council Resolution 2094 (2013);***
- ***EU Council Decision 2013/183/CFSP repealing EU Council Decision 2010/800/CFSP.***

2. In essence **EU Council Decision 2013/183/CFSP** consolidates for the sake of clarity the measures imposed by Council Decision 2010/800/CFSP as amended and consequently repeals the latter Decision as well as takes note of the provisions imposed by UN Security Council Resolutions 2087 (2013) and 2094 (2013).

3. Under the aforesaid instruments as well as previously adopted **EC Council Regulation (EC) No. 329/2007 as amended**, the following prohibitions on transportation, are in force:

(A) Arms and related materiel

The transportation of the following arms and related materiel, from and to the DPRK, irrespective of origin, is prohibited:

(a) arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, including arms and related materiel as described in paragraphs 8 (a) and (b) of UNSCR 1718 (2006) as well as Annex III of UNSCR 2094 (2013), with the exception of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use of personnel of the Union and its Member States in the DPRK;

(b) all items, materials, equipment, goods and technology as determined by the Security Council or the Committee established pursuant to paragraph 12 of UNSCR 1718 (2006) (the 'Sanctions Committee') in accordance with paragraph 8(a)(ii) of UNSCR 1718 (2006), paragraph 5(b) of UNSCR 2087 (2013) and paragraph 20 of UNSCR 2094 (2013), which could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes;

(c) certain other items, materials, equipment, goods and technology which could contribute to the DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes or which could contribute to its military activities, which shall include all dual-use goods and technology listed in Annex I to EC Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as well as those listed in Annex Ia of EC Council Regulation (EC) No. 329/2007;

(d) certain key components for the ballistic-missile sector, such as certain types of aluminum used in ballistic-missile related systems, including those listed in Annex Ib of EC Council Regulation (EC) No. 329/2007;

(e) any other item that could contribute to the DPRK's nuclear or ballistic missile programmes, activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013) or 2094 (2013) or by EU Council Decision 2013/183/CFSP, or to the evasion of measures imposed by these UNSCRs or by EU Council Decision 2013/183/CFSP.

(B) Luxury Goods

The transportation by Cyprus ships to the DPRK, of luxury goods, irrespective of origin, including those set out in Annex III of EC Council Regulation (EC) No. 329/2007 as well as in Annex IV of UNSCR 2094 (2013) is prohibited.

(C) Gold, precious metals and diamonds

The transportation by Cyprus ships of gold and precious metals, as well as of diamonds, to, from or for the Government of the DPRK, its public bodies, corporations and agencies, the Central Bank of the DPRK, as well as to, from or for persons and entities acting on their behalf or at their direction, or entities owned or controlled by them is prohibited.

(D) North Korean denominated banknotes and coinage

The transportation by Cyprus ships of newly printed or minted or unissued DPRK denominated banknotes and coinage to or for the benefit of the Central Bank of the DPRK is prohibited.

4. The aforementioned instruments also set out further obligations related to cargo information and inspection as well as further prohibitions relating to insurance and reinsurance and to bunkering and other services. In particular:

(a) With respect to cargo information:

The merchant vessels sailing to and from DPRK shall be required to submit pre-arrival or pre-departure information, for all goods brought into or out of the Union, to the competent authorities of the EU Member State concerned;

(b) With respect to cargo inspection:

(i) the competent authorities of the EU Member States shall inspect, in accordance with their national laws and consistent with international law, all cargo to and from the DPRK in their territory, or transiting through their territory, including their ports, if they have information that provides reasonable grounds to believe that the cargo contains items whose supply, sale, transfer or export is prohibited under these instruments;

(ii) the competent authorities of the EU Member States shall inspect vessels, with the consent of the flag State, on the high seas, if they have information that provides reasonable grounds to believe that the cargo of such vessels contains items whose supply, sale, transfer or export is prohibited under these instruments;

(iii) In cases where inspection referred to in paragraphs (b) (i) and (ii) is undertaken, the competent authorities of the EU Member States shall seize and dispose of items whose supply, sale, transfer or export is prohibited under these Instruments in accordance with paragraph 14 of UNSCR 1874 (2009) and paragraph 8 of UNSCR 2087 (2013).

(iv) Member States shall deny entry into their ports of any vessel that has refused to allow an inspection after such an inspection has been authorized by the vessel's flag State, or if any DPRK-flagged vessel has refused to be inspected pursuant to paragraph 12 of UNSCR 1874 (2009).

The above paragraph shall not apply where entry is required for the purpose of an inspection, or in the case of an emergency or in the case of return to its port of origin.

(c) With respect to bunkering and other services:

The provision by nationals of the Republic of Cyprus or from the territory of the Republic of Cyprus of bunkering or ship supply services, or other servicing of vessels, to DPRK vessels shall be prohibited if they have information that provides reasonable grounds to believe that the vessels carry items whose supply, sale, transfer or export is prohibited under these instruments unless provision of such services is necessary for humanitarian purposes or until the

cargo has been inspected, and seized and disposed of if necessary, in accordance with section 10 paragraphs 1,2 and 5 of EU Council Decision 2013/183/CFSP and as described above.

(d) With respect to Insurance and Reinsurance:

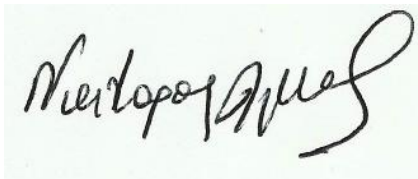
It is prohibited to provide insurance and reinsurance, for any sale, supply, transfer or export of items and technology, the sale, supply, transfer or export is prohibited by the aforesaid instruments, directly or indirectly to any person, entity or body in, or for use in, the DPRK.

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/Docs/sc/>.

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 UN & EU Instruments.

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 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

