



REPUBLIC OF CYPRUS
MINISTRY OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

Circular No. 1/2015

5 January 2015

TEN 5.13.09
TEN 4.2.12.3.15

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 Instruments concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol adopted on 18 December 2014

1. I refer to the above subject and further to DMS Circulars No. 20/2014 and No. 22/2014 I wish to inform you of the very recent adoption by the European Union of the following instruments concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol:

- **EU Council Decision 2014/933/CFSP of 18 December 2014** amending **Decision 2014/386/CFSP**;
- **Council Regulation (EU) No. 1351/2014 of 18 December 2014** amending **Regulation (EU) No. 692/2014**.

2. The text of the aforementioned European Union instruments may be found on <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.

3. The impact of the aforementioned instruments is the amendment of existing measures as well as the introduction of additional ones. in response to the illegal annexation of Crimea and Sevastopol. Newly amended Article 4b (previously 4a) of **EU Council Decision 2014/386/CFSP**¹, as well as newly amended Article 2b (previously 2c) of **Council Regulation (EU) No. 692/2014**² prohibit the supply or transfer of goods and technology, including those listed in **Annex II of Council Regulation (EU) No. 692/2014 as amended lastly by Council Regulation (EU) No.**

¹ as amended by the effect of Article 1(1) of amending EU Council Decision 2014/933/CFSP.

² as amended by the effect of Article 1(2) of amending Council Regulation (EU) No. 1351/2014.

1351/2014, by nationals of Member States, or from the territories of Member States, or using vessels under the jurisdiction of Member States,

- (a) to entities in Crimea or Sevastopol, or
- (b) for use in Crimea or Sevastopol,

in the following sectors,

- (i) transport;
- (ii) telecommunications;
- (iii) energy;
- (iv) prospection, exploration and production of oil, gas and mineral resources.

By the effect of the same provisions the said prohibition shall not apply where there are no reasonable grounds to determine that the goods and technology are to be used in Crimea or Sevastopol. In addition, such prohibition shall be without prejudice to the execution until 21 March 2015 of contracts concluded before 20 December 2014, or ancillary contracts necessary for the execution of such contracts.

4. Newly amended Article 4e of **EU Council Decision 2014/386/CFSP**³, respective newly amended Article 2d of **Council Regulation (EU) No. 692/2014**⁴ introduces a new restrictive measure. By virtue thereof the provision of services directly related to **tourism activities** in Crimea or Sevastopol, by nationals of Member States, or from the territories of Member States, or using vessels under the jurisdiction of Member States is prohibited. Such prohibition however shall be without prejudice to the execution until 21 March 2015 of contracts concluded before 20 December 2014, or ancillary contracts necessary for the execution of such contracts.

By the effect of the same provisions it is prohibited also for any **ship providing cruise services to enter into or call at any port situated in the Crimean Peninsula**, as per the list of ports of **Annex III of Council Regulation (EU) No. 692/2014 as lastly amended by Council Regulation (EU) No. 1351/2014**, namely the ports of:

- (i) Sevastopol;
- (ii) Kerch;
- (iii) Yalta;
- (iv) Theodosia;
- (v) Evpatoria;
- (vi) Chernomorsk; and
- (vii) Kamysh-Burun.

Such prohibition however shall not apply when such ship enters or calls at one of the ports situated in the Crimean Peninsula for reasons of maritime safety in cases of emergency.

5. In addition according to newly amended Article 2e of **Council Regulation (EU) No. 692/2014**⁵, the following authorizations may be granted relating to the goods and technology referred to in paragraph 3 above as follows:

³ as amended by the effect of Article 1(1) of amending EU Council Decision 2014/933/CFSP.

⁴ as amended by the effect of Article 1(2) of amending Council Regulation (EU) No. 1351/2014

⁵ as amended by the effect of Article 1(2) of amending Council Regulation (EU) No. 1351/2014

“1.The competent authorities may grant, under such terms and conditions as they deem appropriate, an authorisation in relation to the activities referred to in Article 2a(1) and Article 2b(2), and to the goods and technology referred to in Article 2b(1) provided that they are:

(a) necessary for official purposes of consular missions or international organisations enjoying immunities in accordance with international law located in Crimea or Sevastopol;

(b) related to projects exclusively in support of hospitals, or other public health institutions providing medical services or civilian education establishments located in Crimea or Sevastopol; or

(c) appliances or equipment for medical use.

2.The competent authorities may also grant, under such terms and conditions as they deem appropriate, an authorisation in relation to the activities referred to in Article 2a(1), provided that the transaction is for the purpose of the maintenance in order to ensure safety of existing infrastructure.

3.The competent authorities may also grant, under such terms and conditions as they deem appropriate, an authorisation in relation to the activities referred to in Article 2a(1) and in Article 2b(2), and to the goods and technology referred to in Article 2b(1) and to the services referred to in Article 2c, where the sale, supply, transfer or export of the items or the carrying out of those activities is necessary for the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety, including the safety of existing infrastructure, or the environment. In duly justified cases of emergency, the sale, supply, transfer or export may proceed without prior authorisation, provided that the exporter notifies the competent authority within five working days after the sale, supply, transfer or export has taken place, providing detail about the relevant justification for the sale, supply, transfer or export without prior authorisation.”

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.

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



Andreas I. Chrysostomou
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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