



PERMANENT MISSION OF THE REPUBLIC OF CYPRUS TO THE OSCE  
VIENNA

FSC.EMI/170/18

1 June 2018

ENGLISH only

REF:24.32.014  
No OSCE14/18

NOTE VERBALE

The Permanent Mission of the Republic of Cyprus to the OSCE, presents its compliments to the Permanent Missions and Delegations of all participating States to the OSCE and to the Conflict Prevention Center and in accordance with the FSC Decision 2/09, has the honor to submit the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security, valid as of May 30, 2018.

The Permanent Mission of the Republic of Cyprus avails itself of this opportunity to renew to all Permanent Missions and Delegations of the participating States and to the Conflict Prevention Center, the assurances of its highest consideration.



To: -Permanent Missions and Delegations of all Participating States to the OSCE  
-Conflict Prevention Centre

# QUESTIONNAIRE ON THE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY\*

## Section I: Inter-State elements

### 1. Account of measures to prevent and combat terrorism

#### 1.1 To which agreements and arrangements (universal, regional, sub regional and bilateral) related to preventing and combating terrorism is your State a party?

Cyprus has, to date, ratified or acceded to several international conventions pertaining to international terrorism, as well as the relevant conventions of the Council of Europe.

#### A. Conventions

- (1) Convention on Offences and Certain Other Acts Committed on Board Aircraft – Tokyo 14/09/1963 - **Ratification Law No. 31/1972**
- (2) Convention for the Suppression of Unlawful Seizure of Aircraft – The Hague 16/12/1970 - **Ratification Law No. 30/1972**
- (3) Convention for the Suppression of the Unlawful Acts against the Safety of Civil Aviation – Montreal 23/09/1971 - **Ratification Law No. 37/1973**
- (4) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, Including Diplomatic Personnel – New York 14/12/1973 - **Ratification Law No. 63/1975**
- (5) European Convention for the Suppression of Terrorism – Strasbourg 27/01/1977 - **Ratification Law No. 5/1979**
- (6) Convention against the Taking of Hostages – New York 17/12/1979 - **Ratification Law No. 244/90**
- (7) Convention on the Physical Protection of Nuclear Materials – Vienna 03/03/1980 - **Ratification Law No. 3(III)/98**
- (8) Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation – Rome 10/03/1988 - **Ratification Law No. 17(III)/99**
- (9) International Convention for the Suppression of Terrorist Bombings 15/12/1997 - **Ratification Law No. 19(III)/2000**
- (10) International Convention for the Suppression of the Financing of Terrorism – New York 10/01/2000 - **Ratification Law No. 29(III)/01**

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\* Participating States are encouraged to highlight major changes or updates in their replies to the questionnaire, as appropriate

- (11) International Convention on the Marking of Plastic Explosives for the Purpose of Detection - Montreal 01/03/1991. – **Ratification Law No. 19(III)/2002**
- (12) Offences against the Safety of Civil Aviation – Montreal 23/09/1971 - **Ratification Law No. 79/1973**
- (13) European Convention on the Compensation of Victims of Violent Crimes- 24/11/1983- **Ratification Law No. 51(I)/1997**
- (14) United Nations Convention against Transnational Organized Crime and the Protocols Thereto - Palermo – 12/12/2000 - **Ratification Law No. 11(III)/2003**
- (15) International Convention for the Suppression of Acts of Nuclear Terrorism- New York 13.04.2005 - **Ratification Law No. 44(III)/2007**
- (16) European Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime - Strasbourg 8.11.1990 – **Ratification Law No. 18(III)/1995**
- (17) European Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime and on the Financing of Terrorism, Warsaw, 16 May 2005 - **Ratification Law 51(III)/2007**
- (18) European Convention on the Prevention of Terrorism, -**Ratification Law 22(III)/2010**
- (19) European Convention on Cybercrime – Budapest 23/11/2001 – **Ratification Law No.22 (III)/2004**

## **B. Protocols**

- (1) Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms on the Continental Shelf – Rome 10/03/1988 - **Ratification Law No. 17(III)/99**
- (2) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Aviation, complementary to the Convention for the Suppression of Unlawful Acts against the Safety of Aircraft – Montreal 24/02/1988. - **Ratification Law No. 33(III)/01**
- (3) The Protocol amending the European Convention on the Suppression of Terrorism, Strasbourg 15.05.2003- **Ratification Law No.18 (III)/2004.**
- (4) Additional Protocol to the Convention on Cybercrime, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems – Ratification Law No.26 (III)/2004

## **International Cooperation**

- (1) European Convention on Extradition-Paris, 13.12.1957 – Ratification Law No. 95/1970

- (2) Additional Protocol to the European Convention on Extradition-Strasbourg 15.10.1975 – Ratification Law No. 23/1979
- (3) Second Additional Protocol to the European Convention on Extradition 17.3.1978 – Ratification Law No. 17/1984
- (4) European Convention on Mutual Assistance in Criminal Matters, Strasbourg 20.4.1959 – Ratification Law No. 2(III)/2000
- (5) Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters-Strasbourg 17.03.1978 – Ratification Law No. 2(III)/2000
- (6) Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters-Strasbourg 8.11.2001 – Ratification Law No. 5(III)/2012
- (7) The Extradition of Fugitives Law No. 97/1970
- (8) The International Cooperation in Criminal Matters Law No.23(I)/2001
- (9) The European Arrest Warrant Law No.133(I)/2004
- (10) Joint Investigation Teams Law No.244(I)/2004
- (11) European Convention on the Transfer of Proceedings in Criminal Matters - 09/02/2000 – Ratification Law No.20(III)/2000
- (12) The European Police Office (Europol) Law No. 102(I)/2011
- (13) Convention on Mutual Judicial Assistance in Criminal matters among Member States ( EEC 197 of 12.7.2000) and its protocol (EEC 326 of 21.11.2001) – Ratification Law 25(III)/2004 as amended by Law No.9(III)/2008

### **CBRN terrorism**

Concerning the area of CBRN terrorism, Cyprus has ratified a series of relevant Conventions:

- (1) Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction (OPCW) – Geneva, 3 September 1992, **Ratification Law No. 8(III)/1998**
- (2) The Comprehensive Nuclear – Test – Ban–Treaty adopted by the General Assembly of the United Nations - New York, 24 September 1996, **Ratification Law No. 32(III)/2003**
- (3) Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal – Basel, 22 March 1989

- (4) Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal- Geneva 22 September 1995
- (5) Treaty Banning Nuclear Weapon Tests in Atmosphere, in Outer Space and Underwater- Moscow, 5 August 1963, **Ratification Law No. 13/1965**
- (6) Treaty on the Non-Proliferation of Nuclear Weapons-London, Moscow and Washington, 1 July 1968, **Ratification Law No. 8/1970**
- (7) Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil thereof-London, Moscow and Washington, 29 March 1972, **Ratification Law No.63/1974**
- (8) Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and their Destruction - London, Moscow and Washington, 10 April 1972, **Ratification Law No.56/1973**
- (9) Convention on Early Notification of a Nuclear Accident-Vienna, 26 September 1986
- (10) Convention on Nuclear Safety-Vienna, 20 September 1994, **Ratification Law No.20 (III)/98**

#### **Protocols regarding CBRN Terrorism**

- (1) Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime- New York 31 May 2001, **Ratification Law No. 11(III)/2003**
- (2) Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare- Paris 17 June 1925

#### **Other commitments**

Other commitments undertaken by the Republic of Cyprus in the field of arms control, disarmament and non-proliferation since 1960 are the following:

- (1) On 1 August 1975, Cyprus signed the concluding Document of the Conference on Security and Cooperation in Europe known as the Helsinki Final Act.
- (2) On 25 July 2005 the Government of the Republic of Cyprus and Government of the United States of America signed a bilateral agreement concerning Cooperation to suppress the proliferation of Weapons of Mass Destruction, their delivery systems and related materials by sea, **Law No. 38(III)/2005**
- (3) It became in 1965 a member of the International Atomic Energy Agency (IAEA), **Ratification Law No. 21/1965**

- (4) An Agreement was signed between the Republic of Cyprus and the International Atomic Energy Agency for the Application of Safeguards in connection with the NPT Treaty on 26 June 1972, **Ratification Law No. 3/1973**
- (5) Cyprus signed in 1999 the Additional Protocol to the Agreement with the IAEA for the Application of Safeguards in connection with the NPT Treaty.
- (6) Cyprus co-sponsored the United Nations General Assembly Resolution No. 46/36L, as well as the subsequent ones, regarding the establishment and functioning of the United Nations Register of Conventional Arms.
- (7) The Minister of Commerce, Industry and Tourism issued the Defence (Arms Export Control) Order of 26 July 2002 for the compliance of the Republic of Cyprus to the EU Code of Conduct on Arms Export and to the Council Declaration of 13 June 2000. The order was replaced by Ministerial Order 257/2005 of 20 May 2005.
- (8) In June 2007, Cyprus joined the Global Initiative to Combat Acts of Nuclear Terrorism initiated by Russia and the USA that is an international partnership of 82 nations and 4 official observers working to improve capacity on a national and international level for prevention, detection, and response to a nuclear terrorist event.
- (9) Cyprus is a member of the International Initiative for Combating Nuclear Terrorism, which numbers 31 member-states
- (10) Cyprus is a member of the Australia Group (AG) as of October 2000 and also participates to Nuclear Suppliers Group (NSG) as of April 2000.
- (11) Cyprus as a Member of the European Union applies EU Regulation 1334/2000 that establishes a system for the control of dual use goods. For the implementation of Regulation 1334/2000 the Ministry of Commerce, Industry and Tourism issued Ministerial Order 355/2002.
- (12) The Republic of Cyprus, in collaboration with the Organization for Security and Cooperation in Europe (OSCE), proceeded with the destruction of 324 Man Portable Air Defense Systems, 2SA – 7, from the 9th to the 12th of June 2009.
- (13) In 2002 a primary step was made towards the eradication of Small Arms and Light Weapons in surplus when approximately 4,500 weapons were destroyed. These arms included both pistols and rifles that were imported in early 1972 and were stockpiled in appropriate warehouses, which complied with all the safety specifications, until their destruction took place. This endeavour was undertaken in close cooperation with the United Nations Peacekeeping Force in Cyprus, which also provided invaluable technical assistance and aid for this purpose.
- (14)
- (14) On 14/02/2002 the Criminal Code was amended by Law 12(1)/2002 to include a definition of a criminal organization according to the Common Act adopted by the Council of the European Union.
- (15) In June of 2007, Cyprus joined the Global Initiative to Combat Acts of Nuclear Terrorism, initiated by Russia and the USA.

***The Republic of Cyprus has also acceded to and participates in other bilateral agreements or measures undertaken to prevent and combat terrorist activities:***

The antiterrorism policy of Cyprus lies on its commitment to join forces with all governments on a bilateral level as well as in international fora in the struggle to eliminate terrorism. Cyprus concluded bilateral police cooperation agreements, which, inter alia, provide for the exchange of information on terrorism or other related matters.

Furthermore, several of these agreements provide for cooperation on combating terrorism while others for police and/or judicial cooperation in criminal matters in general. These agreements are listed below:

- (1) Memorandum of Understanding between the Cyprus Police and the Australian Federal Police on Combating Transnational Crime and Developing Police Cooperation (27/09/2017)
- (2) Agreement between the Ministries of Interior of Cyprus and the **Syrian Arab Republic** in the fields of Crime and Illicit Trafficking and Smuggling of Drugs (4/04/1989) and its Protocols, **Ratification Law 6(VII)/1992**
- (3) Agreement on co-operation between the Ministry of Justice and Public Order of the Republic of Cyprus and the Ministry of the Interior of the **Russian Federation** (16/11/1999), **Ratification Law No. 16 (VII)/1999**
- (4) Agreement between Cyprus and **Italy** on Co-operation in the fight against terrorism, organized crime and other forms of Crime (28/06/2002), **Ratification Law 22 (III)/2003**
- (5) Agreement between the Government of the Republic of Cyprus and the Government of the Republic of **Hungary** on Cooperation in Combating Terrorism, Illicit Drug Trafficking and Organized Crime, (13/06/1996), **Ratification Law No. 6 (VII)/1996**
- (6) Agreement on Co-operation between Cyprus and **Poland** on co-operation in Combating Organized and other Forms of Crime (18/02/2005), **Ratification Law No.34(III)/2005**
- (7) Agreement on Co-operation between Cyprus and **Greece** on Security Matters and police cooperation (3/12/2007), **Ratification Law No. 13 (III)/2008**
- (8) Agreement between the Ministry of Justice and Public Order of the Republic of Cyprus and the Ministry of Public Security of the People's Republic of **China** on Public Security Matters, (18/10/1994), **Ratification Law 24(VII)/1994**
- (9) Agreement between the Ministry of Justice and Public Order of the Republic of Cyprus and the Ministry of Interior of the Arab Republic of **Egypt** on Security Matters (7/6/1994), **Ratification Law 16(VII)/1994**
- (10) Agreement on Co-operation between Cyprus and **Israel** in Combating Illicit Trafficking and Abuse of Narcotic Drugs and Psychotropic Substances, Terrorism and other Serious Crimes (09/01/1995), **Ratification Law 2(VII)/1995**

- (11) Agreement between Cyprus and **Romania** on Co-operation in the Fight Against International Crime (07/06/1995), **Ratification Law No. 16(VII)/1995**
- (12) Agreement for Co-operation between the Ministry of Interior of the Republic of Cyprus and the Federal Ministry of Interior of the **Czech and Slovak Federal Republic** and Protocol, (7/12/1992), (**Ratification Law No. 1(VII)/1993**), which remains in force between **Cyprus and the Czech Republic** in accordance with the Exchange of Letters of 19 January 1999
- (13) Agreement on Co-operation between Cyprus and **Malta** in Combating Terrorism, Illicit Drug Trafficking and Organized Crime (17/09/1999), **Ratification Law No. 15(VII)/1999**
- (14) Agreement Between the Government of the Republic of Cyprus and the Government of Montenegro on Cooperation in Fighting Terrorism, Organized Crime, illicit Trafficking in Narcotic Drugs, Psychotropic Substances and their Precursors, Illegal Migration and Other Criminal Offences (20/03/2015) Ratification Law 5(III)/2016
- (15) Agreement between the Government of the Republic of Cyprus and the Government of **Ireland** on Cooperation in Combating Illicit Drug Trafficking, Money Laundering, Organised Crime, Trafficking in Persons, Terrorism and other Serious Crime (8/3/2002), **Ratification Law No. 34(III)/2002**
- (16) Agreement on Co-operation between Cyprus and **Slovenia** in the Fight Against Terrorism, Illicit Drug Trafficking and Organized Crime (04/12/2002), **Ratification Law No. 28 (III)/2003**
- (17) Agreement on Co-operation between Cyprus and **Estonia** on co-operation in Combating Organized Crime and other forms of Crime (08/01/2004), **Ratification Law No.13(III)/2004**
- (18) Agreement between the Republic of Cyprus and the Republic of **Lebanon** on cooperating in combating the illicit use of and trafficking in narcotic drugs and psychotropic substances and Organized Crime (19/07/2002), **Ratification Law No. 5(III)/2004**
- (19) Agreement between the Government of the Republic of Cyprus and the Government of the Republic of **Bulgaria** on Cooperation in the Fight Against Transborder and Organized Crime, Terrorism, Illegal Migration, Trade in Human Beings and Illicit Trafficking in Narcotic Substances (02/12/2003), **Ratification Law No. 48 (III)/2004**
- (20) Agreement between the Government of the Republic of Cyprus and the Government of **Slovak Republic** on Co-operation in Combating Organised Crime, Terrorism, Illicit Trafficking in Narcotic Drugs and Psychotropic Substances as well as other Types of Crime (26/02/2004), **Ratification Law No. 5(III)/2005**
- (21) Agreement on Co-operation between the Republic of Cyprus and the Republic of **France** on security matters, (04/03/2005), **Ratification Law No. 49(III)/2005**
- (22) Agreement between the Government of the Republic of Cyprus and the Government of the Republic of **Latvia** on Co-operation in Combating Terrorism, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors and Organized Crime, (11/04/2005), **Ratification Law No. 48(III)/2005**



- (23) Agreement between the Republic of Cyprus and the Republic of **Armenia** on Co-operation in Combating Organized Crime and other Forms of Crime, (23/11/2006), **Ratification Law No. 42(III)/2007**
- (24) Agreement between the Republic of Cyprus and the Government of the Republic of **India** on Combating Organized Crime, International Terrorism and Illicit Trafficking in Narcotic Drugs, (25/05/2007), **Ratification Law No. 43(III)/2007**
- (25) Agreement between the Government Republic of Cyprus and the Kingdom of **Spain** on Cooperation in Combating Organised Crime, (30/04/2007), **Ratification Law No. 41(III)/2007**
- (26) Agreement between the Government of the Republic of Cyprus and the Cabinet of Ministers of **Ukraine** on Cooperation in Combating Crime, (16/06/2006), **Ratification Law No. 20(III)/2006**
- (27) Agreement between the Government of the Republic of Cyprus and the Government of the Republic of **Serbia** on Cooperation in Fighting Terrorism, Organized Crime, Illicit trafficking in Narcotic Drugs, Psychotropic Substances and their Precursors, Illegal Immigration and Other Criminal Offences, (23/02/2009), **Ratification Law 8(III)/2010**
- (28) Agreement between the Government of the Republic of Cyprus and the Government of the Republic of **South Africa** on Police Cooperation.(14/07/2010) **Ratification Law 20(III)/2011.**
- (27) Agreement between the Government of the Republic of Cyprus and the Government of the State of **Kuwait** on cooperation in fighting terrorism, organized crime, illicit trafficking in narcotic drugs, psychotropic substances and their precursors, illegal migration and other criminal offences” (08/10/2013), **Ratification Law No. 3(III)/2014**
- (28) Agreement between the Government of the Republic of Cyprus and the Government of Uzbekistan (05/04/2012), **Ratification Law No. 18(III)/2014. Note: this agreement shall enter into force following the exchange of Verbal Notes between the contracting parties**
- (29) Agreement on Co-operation between Cyprus and **Libyan Arab Jamahiriya** in Combating the Illicit Use of and the Trafficking in Narcotic Drugs and Psychotropic Substances, and Organized Crime, (15/05/2001) **Ratification Law No. 7(VII)/2002.**
- (30) Agreement between the Government of the Republic of Cyprus and the Government of **Russian Federation** on Cooperation in Fighting Crime Especially in its Organized Form, (05/04/2016) **Ratification Law No. 3(III)/2017.(Note: this agreement shall enter into force following the exchange of Verbal Notes between the contracting parties.**
- (31) **Agreement between the Government of the Republic of Cyprus and the Government of the Russian Federation on Cooperation in Combating Terrorism (25/02/2015) Ratification Law No. 17(III)/2016**
- (32) Agreement between the Government of the Republic of Cyprus and the Government of the **United States of America** on enhancing Cooperation in Preventing and Combating Serious Crime,

(10/03/2017), Ratification Law No.5(III)/2017. (Note: Articles 8 to 10 shall enter into force following the conclusion of the implementing agreement referenced in Article 10).

**1.2 What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?**

The Ratification Laws stated in answer 1.1 above, entail implementing provisions including the criminalization of certain acts.

Furthermore the Combating of Terrorism Law of 2010 (No.110(I)/2010) was enacted to provide a comprehensive legal framework in the area of terrorism. This legislation aligns national law with the *acquis communautaire*, in particular it transposes “*Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism*” as amended by “*Framework Decision 2008/919/JHA*” and contains an extensive list of the offences constituting a terrorist act, including the definition and offences on terrorist groups and the offences linked to terrorist activities. It also includes provisions regarding, inter alia, (a) the liability of legal persons, (b) inciting, aiding or abetting and attempting a terrorist act, (c) provision of support to terrorist groups etc including financing, (d) effective, proportionate and dissuasive criminal penalties, (e) extraterritorial jurisdiction, (f) the protection of and assistance to victims and (g) international cooperation.

**1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?**

Cyprus Police is continuously fighting terrorism by all means. The Counter Terrorism Office of Cyprus Police was established after the events of September 11<sup>th</sup>, 2001 due to the demands that followed both on the National and International level. The Counter Terrorism Office operates under the Combating Crime Department of Police Headquarters.

The Counter Terrorism Office is dealing with the analyzing, evaluation and utilization of intelligence, the enforcement of measures on Combating Terrorism deriving from International Conventions, the United Nations Security Council Resolutions, the Lisbon Treaty, Regulations, Decisions,, as well as other primary or subsidiary legislation of the European Union.

Furthermore, if it is necessary, the Assistant Chief of Police (Operations) has the power to involve additional Police Units/Departments/Services for the prevention and combating terrorism related matters.

Following the attacks on September 11, 2001, Cyprus Police have taken the following additional preventive measures:

- Increased security measures at the entry and exit points of the Republic of Cyprus including additional checks of passengers and hand luggage at departure gates.
- Upgraded the already existing mechanisms and continues and reinforces the co-operation with other countries, both at the bilateral and multilateral levels

- Increased the guarding/patrolling and continuous surveillance of vulnerable and possible targets.
- Patrolling and surveillance of the coastal areas and territorial waters of Cyprus, by air and sea, so as to prevent and combat any illegal activity including the unlawful entry of terrorists into the Country.
- Checking/Surveillance of suspected illegal immigrants.
- Close cooperation with other relevant organizations and services.

The Cyprus Police also gives great emphasis in the area of international cooperation. Indeed the Counter Terrorism Office as well as the offices of Interpol and Europol of the Cyprus Police are closely cooperating with counterpart units of other countries in the framework of the universal effort to combat terrorism.

Additionally, in Cyprus Police, the Special Antiterrorist Squad (S.A.S.) of the Emergency Response Unit (E.R.U.) is specially trained in order to meet emergency situations such as terrorist acts. The S.A.S. Unit is trained alongside other International and European antiterrorist units.

#### **1.4 Provide information on national efforts to prevent and combat terrorism not mentioned above, e.g., those pertaining *inter alia* to:**

##### **— Financing of terrorism**

With regard to financing of terrorism, the national competent authority is the Unit for Combating Money Laundering (MOKAS) which is the national centre (FIU) for receiving, requesting, analyzing and disseminating disclosures of suspicious transactions reports and other relevant information concerning suspected money laundering or financing of terrorism activities. MOKAS was assigned with this task or authority through the provisions of the Ratification Law of the UN Convention on the Suppression of the Financing of Terrorism (Law No.29(III)/2001).

The National FIU was established according to section 54 of the Prevention and Suppression of Money Laundering Activities Laws of 2007 to 2013 and became operational in January 1997. It functions under the Attorney General of the Republic and is composed of representatives of the Attorney General, the Chief of Police, and the Director of the Department of Customs and Excise. The members of the Unit are appointed by detachment and the Unit is headed by a representative of the Attorney General. In relation to the composition of the Unit, the Law was amended in 2003 in order to include other professionals. As a result, the Unit recruited accountants and financial analysts.

The Unit, *inter alia*, has the following powers:

- It cooperates and exchanges information with other FIUs
- Issues guidance directives and provides training to financial institutions, the Police, professionals and others
- Issues administrative orders for the postponement of transactions
- Members of the Unit can apply and obtain court orders, ie, disclosure orders, freezing orders, confiscation orders

- Protect the privacy of the information it possesses

The Prevention and Suppression of Money Laundering Activities Law provides for a mandatory reporting of suspicious transactions to MOKAS and the obligation to take the appropriate preventive measures (e.g. identification of customers, record keeping, and mandatory reporting) applied to all persons who are engaged in financial business, including lawyers and accountants. The Unit may apply to the Court to obtain freezing, confiscation and disclosure orders. In addition, the Unit is engaged in policy issues in the area of anti-money laundering measures as well as in various awareness raising and training initiatives on the subject, involving both the public and the private sector. There is close co-operation between the credit and other financial institutions on the one hand and the Unit on the other, based on the relevant provisions of the Law as well as on guidance notes issued by the supervisory authorities of the financial institutions.

The Head of the FIU chairs the meeting of the "Advisory Authority for Combating Money Laundering and Terrorist Financing". The functions of this Authority are the following:

- I. Inform the Council of Ministers of any measures taken and the general policy applied against money laundering and financing of terrorism offences;
- II. Advise the Council of Ministers about additional measures which, in its opinion, should be taken for the better implementation of this Law;
- III. Promote the Republic internationally as a country, which complies with all the conventions, resolutions and decisions of international bodies in respect of combating laundering and financing of terrorism offences.
- IV. Designate the third countries outside the European Economic Area which impose procedures and take measures for preventing money laundering and financing of terrorism equivalent to those laid down by the EU Directive. For this purpose, it applies the relevant decision of the European Commission according to Article 40(4) of the EU Directive. Furthermore, it notifies the competent Supervisory Authorities who in turn notify the persons falling under their supervision of the said decision.

The Advisory Authority is composed of representatives of:

- a. The Unit of Combating Money Laundering;
- b. The Central Bank of Cyprus;
- c. All other Supervisory Authorities;
- d. The Ministry of Finance;
- e. The Ministry of Justice and Public Order;
- f. The Police;
- g. The Customs and Excise Department;
- h. The Association of Cyprus Commercial Banks;
- i. The Association of International Banks;
- j. The Cyprus Bar Association;
- k. the Institute of Certified Public Accountants of Cyprus
- l. The Registrar of Companies;
- m. Any other Organization or Service the Council of Ministers may prescribe.

MOKAS strongly supports international co-operation and to this end priority is given to requests for legal assistance submitted from foreign authorities, through formal rogatory letters and with the exchange of information with the counterparts of other countries.

Formal rogatory letters are received by the Unit via the Ministry of Justice and Public Order.

The Unit co-operates with foreign counterpart Units and can exchange information with any type of foreign Units, (judicial, police, administrative). The Cyprus FIU signed Memoranda of Understanding with the counterparts of the following countries: Belgium, France, Slovenia, Czech Republic, Israel, Ireland, Malta, Georgia, Australia, Poland, Ukraine, Albania, Bulgaria, Canada, Russian Federation, Moldova, South Africa, USA, Romania, Chile, Netherlands Antilles, Korea, Syria, Aruba, Serbia, Jordan, Japan, Armenia, Montenegro, Kazakhstan and the Holy See/Vatican City State.

Moreover, there is a specific provision in the Law, which enables MOKAS to co-operate with foreign counterparts without the need of a Memorandum of Understanding.

MOKAS actively participates in international fora in the area of money laundering and terrorist financing. In particular, MOKAS is a member of the "EGMONT Group" since June 1998 and participates also to the CARIN (Camden Assets Recovery Inter-Agency) Network since 2005.

Furthermore, in the framework of the Council of Europe, MOKAS is a member of the Moneyval Committee. It is to be noted that in November 2009 Cyprus hosted the Moneyval 8<sup>th</sup> Typologies Meeting and, amongst others, the following topic was discussed: "The use of internet gambling for money laundering and terrorist financing purposes". In the framework also of the Council of Europe, the Head of the FIU has been elected in March 2001 as the Chairperson of the Conference of the Parties to the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the proceeds from Crime and on the Financing of Terrorism.

In the framework of the European Union, the FIU Unit has been designated by the Council of Ministers on 18 March 2009, as the Asset Recovery Office (ARO) for the purposes of implementing the "*Council Decision 2007/845/JHA of 6 December 2007 concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identification of proceeds from, or other property related, to crime*". Additionally, the Head of the FIU Unit is also the Head of the Cyprus Delegation to the "Committee on the Prevention of Money Laundering and Terrorist Financing" of the European Commission which elaborated the 3<sup>rd</sup> AML/CFT Directive. In implementation of the "*Council Decision 2000/642/JHA of 17 October 2000 concerning arrangements for cooperation between FIUs of Member States in respect of exchanging information*", MOKAS participates in the FIU.NET Task Force, which is a fully decentralized EU wide system whereby FIUs join a computer network to exchange information in a secure environment. Finally, MOKAS participates in the FIU Platform which was set up by the European Commission to enable EU FIUs to exchange views and experiences on technical issues related to relevant provisions of the 3<sup>rd</sup> AML/CFT Directive.

Regarding legislation pertaining in particular to terrorism financing, the Law Ratifying the International Convention for the Suppression of the Financing of Terrorism which was enacted on 22.10.2001 (Ratification Law No. 29(III)/2001 as amended by Law No. 18(III)/2005) includes:

- (1) Settings of penalties for relevant criminal acts in the fulfillment of the obligations arising from provisions of the convention.

(2) Inclusion in the National legislation, of provisions necessary for the enactment of provisions in the Convention, which are not self- implemented.

(3) Determining, with the view to facilitating conformity with the provisions of the Convention, those criminal acts defined as such by the provisions of National legislation on concealment, investigation, and confiscation of assets from certain crimes.

The Suppression of Terrorism Law of 2010 (No.110(I)/2010) was enacted and came into force on 22.11.2010, to provide a comprehensive legal framework in the area of terrorism. This legislation aligns national law with the EU acquis in this respect and in particular “Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism” as amended by “Framework Decision 2008/919/JHA” and provides an extensive analysis of the offences constituting a terrorist act, including the offences relating to a terrorist group and the offences linked to terrorist activities. It also entails adequate provisions regarding, inter alia, (a) the liability of legal persons, (b) inciting, aiding or abetting and attempting a terrorist act, (c) provision of support to terrorist groups etc including financing, (d) effective, proportionate and dissuasive criminal penalties, (e) extraterritorial jurisdiction, (f) the protection of and assistance to victims and (g) international cooperation.

In particular, with regard to criminalisation of the financing of terrorism, Section 8 of the Combating of Terrorism Law of 2010 (No.110(I)/2010) criminalizes the provision of support in any way, including financing, to:

- (a) a terrorist group, or
- (b) a member of a terrorist group, or
- (c) any other person for the benefit of a terrorist group or a member of a terrorist group, or
- (d) any other person for the commission of a terrorist act, or
- (e) persons included in the catalogues,

with knowledge of the fact that such support will contribute to the activities of that terrorist group, person, etc without the need to be connected with a particular terrorist act/offence.. The penalties provided for in this Section in case of conviction are imprisonment not exceeding eight years and/or fine not exceeding €85.000. Consequently this offence is considered as a predicate offence for the purposes of the AML/CFT Law.

For the purposes of this Law, “catalogues” means the updated lists of persons, groups or entities for which the relevant EU instruments and as well as the Resolutions of the UN Security Council on the imposition of sanctions apply.

Section 17 of this Law provides for the distribution of the updated catalogues to all competent national authorities by way of a notification issued by the Minister of Justice and Public Order and published in the Official Gazette of the Republic which is publicly accessible. In particular, these catalogues include:

- (a) the list of persons, groups and entities referred to in Articles 2-4 of “Council Common Position of 27 December 2001 on the application of specific measures to combat terrorism (2001/931/CFSP)”,

- (b) the list of persons, groups and entities referred to in Article 4 of “Council Common Position of 27 December 2001 on the application of specific measures to combat terrorism (2001/931/CFSP)”,
- (c) the List established and maintained by the 1267 Committee (UN) with respect to individuals, groups, undertakings and other entities associated with Al-Qaida
- (d) the List of individuals and entities established pursuant to UN Security Council Resolution 1988 (2011)

The Suppression of Terrorism Law of 2010 (No.110(I)/2010), entails also implementing provisions regarding “Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism”, as well as “Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan”. In particular, Sections 15 and 16 of Law No.110(I)/2010 criminalise the infringement of the provisions of these Regulations and determine the penalties to be imposed to natural persons as well as to legal persons in these cases. The penalties provided for in these Sections in case of conviction are imprisonment not exceeding eight years and/or fine not exceeding €50.000 with regard to natural persons and a fine not exceeding €500.000 with regard to legal persons.

The provisions introduced by Sections 8, 15, 16 and 17 of the Suppression of Terrorism Law of 2010 (No.110(I)/2010), establish in essence an obligation to all competent authorities and persons in the Republic to proceed with the necessary enquiries in order to identify whether persons and/or entities included in the UN and EU lists have any assets in the Republic and if such assets are identified, these are frozen immediately.

In addition, and irrespective of the procedure provided for in the Suppression of Terrorism Law of 2010 (No.110(I)/2010), the Ministry of Foreign Affairs circulates the updates of the UN and EU lists received from the Permanent Representations of the Republic of Cyprus to the United Nations and the European Union to the competent authorities and in particular to the Central Bank of Cyprus, the Police, the Ministry of Justice and Public Order, the Ministry of Finance, the Ministry of Interior, the Ministry of Defence, the Ministry of Communications and Works, the Ministry of Commerce, Industry and Tourism, the Central Intelligence Service, the Cyprus Ports Authority, the Cyprus Securities and Exchange Commission, the Cyprus Bar Association, the Institute of Certified Public Accountants of Cyprus and the FIU. Relevant notification to all the above mentioned authorities takes place regarding also the de-listing of certain persons/entities from the UN and EU lists.

It is noted that a person or entity whose funds, other financial assets or other economic resources have been frozen pursuant to the UN and EU lists, may challenge such a measure before the Supreme Court of Cyprus under Article 146 of the Constitution, acting as an Administrative Court and may claim damages or compensation for any costs or damage sustained. In particular, Article 146 of the Constitution, which is the principal provision creating competence in administrative law, provides that the Supreme Court “shall have exclusive jurisdiction to adjudicate finally on a recourse made to it on a complaint that a decision, act or omission of any organ, authority, or person exercising any executive or administrative authority is contrary to any of the provisions of this

Constitution or of any law or is made in excess or in abuse of powers vested in such organ or authority or person”.

With regard to the implementation of certain provisions of the EU and UN sanctions instruments, the Council of Ministers of the Republic of Cyprus, pursuant to a relevant proposal of the Ministry of Foreign Affairs, decided to establish an Advisory Committee with competency to grant specific authorisations for (a) use of frozen funds for essential human needs, (b) payments from frozen funds for specified purposes, or (c) unfreeze funds, other financial assets or other economic resources (Council of Ministers Decision No.72.222A, dated 17/6/2011). This is consistent with S/Res/1452 (2002). This Committee is chaired by the Minister of Finance and is composed of representatives from the Ministry of Finance, the Ministry of Commerce, Industry and Tourism, the Ministry of Justice and Public Order, the Ministry of Foreign Affairs, the Central Bank of Cyprus, the Cyprus Securities and Exchange Commission and the Unit for Combating Money Laundering (MOKAS).

It is noted that the Central Bank of Cyprus has in place a strict regulatory framework aimed at preventing abuse within the financial sector for terrorist financing purposes.

Furthermore, it should be noted that the eight Special recommendations of the Financial Action Task Force (FATF) on Terrorism Financing are fully implemented in the Republic of Cyprus.

#### — **Border controls**

The details of individuals that are sanctioned for terrorist activities by the United Nations Council Resolutions or by primary or subsidiary legislation of the European Union, are registered on the national database “Stop-list” by the Counter-Terrorism Office of Crime Combating Department. Further, the details of people that are suspected for terrorist purposes are registered on the national database “Alert-list.”

The Cyprus Police Counter Terrorism Office also co-operates with the Police Aliens and Immigration Unit (Headquarters of the Department, the District Immigration Departments and the Airports and Ports).

The major duties and responsibilities of the Aliens and Immigration Department are:

- Effectively control aliens at entry and exit points (Airports and Ports) of the Republic of Cyprus
- Combat illegal immigration and illegal employment of aliens by locating, apprehending and deporting illegal or wanted aliens
- Prevent illegal immigration to the territory of the Republic of Cyprus
- Control aliens who are employed in Cyprus
- Combat illegal immigration flows to Cyprus as well as to other member states of the EU by collecting and exchanging intelligence



Border control is carried out by Police Aliens and Immigration Department, Police Security Services, Port and Marine Police and the Air Aviation Unit.

The border surveillance at the sea borders where the Government of the Republic of Cyprus exercises effective control is carried out by a common Radar System and in case where a vessel is moving suspiciously, Cyprus Police Aviation Unit and Port and Marine Police are immediately informed and measures are taken in order to investigate the case.

#### — **Travel document security**

The border control at the entry/exit points of the Republic of Cyprus is carried out by the Aliens and Immigration Unit. Within this framework, border control officers carry out checks in order to prevent and combat the use of false/falsified documents. If it is necessary travel documents checks are carried out on two levels according to EU standards.

Any information for forged/falsified documents that may be used for terrorist activities are forwarded by the Counter-Terrorism Office to the Aliens and Immigration Unit.

#### **Container and supply chain security**

##### **Security of radioactive sources**

Security of the limited number of radioactive sources that exist in the Republic of Cyprus is provided by the Ministry of Labor. This Ministry has prepared an action plan for this purpose.

#### — **Use of the Internet and other information networks for terrorist purposes**

The Counter-Terrorism Office of Crime Combating Department is nominated as contact point to the EU IRU, and participates in the Analytical File “Check the Web” of Europol by contributing and exchanging information for the prevention of the communication of terrorists or terrorism messages through the internet.

##### **Legal co-operation including extradition**

Please refer to point 1.1 (International cooperation)

##### **Safe havens and shelter to terrorists and terrorist organizations**

Please refer to points 1.3 and 1.4.

#### — **Other information**

#### - **The National Counter Terrorism Coordinator:**

On 2010, the Council of Ministers of the Republic of Cyprus appointed the Permanent Secretary of the Ministry of Justice and Public Order as the National Counter-

Terrorism Coordinator (NCTC), to enable Cyprus to better fulfil its obligations that emanate particularly from EU actions in this field.

The NCTC is responsible for:

- Advising the Government on policymaking with regard to the prevention / combating terrorism.
- Representing the Government on EU and International fora
- Coordinating and supervising the implementation of the international and European obligations of the Republic on issues of terrorism, including EU Action Plans related to terrorism. For this purpose the NCTC decided the establishment of a National Counterterrorism Strategy and is supervising the work of the ad hoc team to which he assigned this project.

- National Counter Terrorism Strategy

In 2015, the national CT Strategy was officially approved by the Council of Ministers. The strategy complies with the EU Counter Terrorism Strategy and is focused on four main pillars: prevent, protect, pursue and respond. Some actions implementing the four pillars of the strategy are currently ongoing while others are under development/consideration.

- Prevent

A systematic training of first line officers and NGOs on preventing radicalization is implemented with special emphasis attributed to community policing, prisons and social services.

The Republic of Cyprus continues to benefit from its participation to the Radicalization Awareness Network of the European Commission (RAN POLICE, RAN HEALTH, RAN PRISON) in gaining further knowledge and expertise in countering radicalization and recruitment.

Cyprus is also an active participant in a multilateral program on reducing the use of the internet by terrorists through the exchange of best practices with other countries.

- Protection

The exchange of information between competent national authorities through their participation in a newly established forum “fusion center” has resulted in the identification of potential threats and also advocated for the adoption of security measures especially at critical infrastructures, soft targets embassies, West Countries’ interests etc.

- Pursue

The aim of the third pillar is to pursue terrorists across borders and bringing them to justice, while respecting human rights and international law.

Cyprus Police implements the necessary instruments available to obtain and analyze information, arrest and prosecute terrorist suspects.

A process has also been initiated for reviewing the national legal framework for countering terrorism in light of the worrying developments in the field of terrorism and also to effectively address the phenomenon of foreign fighters.

- Respond

Contingency plans are prepared and revised accordingly by all competent authorities. These plans are ready to be implemented in order to face the consequences of a possible terrorist attack.

- Additional measures

Cyprus Police after the last terrorist attacks in Europe (France, Belgium, and Denmark) and the increased threat related with ISIS and foreign fighters phenomenon, has implemented a number of additional measures as shown below:

- Special training programs prepared and delivered to border security and crossing points officers related with the profile and the identification of foreign fighters (jihadists).
- Existing mechanisms were upgraded, and reinforced for a quick and direct exchange of information with other countries and institutions. (installation of the Europol information System (EIS).
- Security measures were increased at the entry and exit points of the Republic and at the crossing points through the Turkish occupied areas.
- Continual guarding, patrolling and surveying of possible identified targets (soft targets, critical infrastructures, embassies, airports e.t.c.).
- Strict passport scrutiny at the arrival and departure of passengers at airports and ports.
- Patrolling and surveying of the coastal areas under the control of Republic of Cyprus by aerial and naval means.
- Increased checking / surveying of suspected illegal immigrants.

## **2. Stationing of armed forces on foreign territory**

### **2.1 Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.**

The Republic of Cyprus does not currently maintain any armed forces stationed on the territory of other participating States.

### **3. Implementation of other international commitments related to the Code of Conduct**

#### **3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence - and security - building as an element of indivisible security are implemented in good faith.**

All actions undertaken by the Republic of Cyprus, in the context of arms control, disarmament and confidence and security building measures, are duly notified to the Member States of the OSCE, through the OSCE communications network, but also at the relevant meetings of the Forum for Security and Cooperation. Thus, in the spirit of good faith, openness and transparency, Cyprus notifies all States of its initiatives in the aforementioned areas.

The Republic of Cyprus has signed and ratified the following Conventions, in the field of disarmament:

- Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction (OPCW) – Geneva, 3 September 1992, Ratification Law No. 8(III)/1998
- The Comprehensive Nuclear – Test – Ban–Treaty adopted by the General Assembly of the United Nations - New York, 24 September 1996, Ratification Law No. 32(III)/2003
- Treaty Banning Nuclear Weapon Tests in Atmosphere, in Outer Space and Underwater- Moscow, 5 August 1963, Ratification Law No. 13/1965
- Treaty on the Non-Proliferation of Nuclear Weapons-London, Moscow and Washington, 1 July 1968, Ratification Law No. 8/1970
- Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil thereof- London, Moscow and Washington, 29 March 1972, Ratification Law No.63/1974
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and their Destruction - London, Moscow and Washington, 10 April 1972, Ratification Law No.56/1973
- Convention on Nuclear Safety-Vienna, 20 September 1994, Ratification Law No.20 (III)/98

In addition:

- An Agreement was signed between the Republic of Cyprus and the International Atomic Energy Agency for the Application of Safeguards in connection with the NPT Treaty on 26 June 1972, Ratification Law No. 3/1973 and in 1999 Cyprus signed the Additional Protocol to the Agreement.

- Cyprus co-sponsored the United Nations General Assembly Resolution No. 46/36L, as well as the subsequent ones, regarding the establishment and functioning of the United Nations Register of Conventional Arms.

- Cyprus signed the Convention on the Prohibition of the Use, Development, Transfer, Production and Stockpiling of Cluster Munitions was signed in New York on the 23<sup>rd</sup> September 2009.

In the field of combating illicit trafficking of Weapons of Mass Destruction, their delivery means and related materials, Cyprus participates in 2 export control regimes, namely «The Australia Group» and «The Nuclear Suppliers Group». It also participates to the Proliferation Security Initiative and on 25 July 2005 the Government of the Republic of Cyprus and Government of the United States of America signed a bilateral agreement concerning Cooperation to suppress the proliferation of Weapons of Mass Destruction, their delivery systems and related materials by sea, Law No. 38(III)/2005 and Finally, the Republic of Cyprus.

### **3.2 Provide information on how your State pursues arms control, disarmament and confidence - and security - building measures with a view to enhancing security and stability in the OSCE area.**

As an active member of the OSCE, the Republic of Cyprus strives to take advantage of all opportunities, in order to achieve arms control, disarmament and confidence and security building measures.

In the context, Cyprus is engaged in the full implementation of the provisions of International Treaties and the Resolutions of International Organizations, to which it is a full member. In addition, Cyprus pursues an export control policy in full compliance with the EU regulations and the Policies of the Export Control Regimes in which it participates.

Confidence – building measures and transparency are promoted through reporting and the exchange of information in the framework of Cyprus' participation in International Organisations, Regimes and Treaties.

In the framework of the OSCE, Cyprus has hosted 4 contact visits for OSCE personnel over the past years. These activities included visits to major military facilities, as well as air bases where appropriate, and are summarized as follows:

- June 2001: 42 Participants from 27 OSCE Member – States.
- June 2006: 36 Participants from 22 OSCE Member – States.
- May 2009: 29 Participants from 17 OSCE Member – States.
- May 2016: 30 Participants from 17 OSCE Member – States.

With regard to arms control and disarmament, the Republic of Cyprus, recognizing the threats from the unauthorized proliferation and use of Man Portable Air Defence Systems,

proceeded with the destruction of 324 Man Portable Air Defence Systems, 2SA – 7, in the period from the 9<sup>th</sup> to the 12<sup>th</sup> of June 2009, in collaboration with the Forum for Security and Cooperation (FSC). In addition, Cyprus in cooperation with specialized companies, removed 2387 tons of obsolete ammunition of various types from its territory, which have been successfully destroyed, in the period from 2013 to 2015.

The National Guard's Centre for the Laboratory Testing of Gunpowder and Ammunition, since the start of its operation, has conducted a significant number of tests on ammunition propellants. These tests are conducted according to international standards, in order to evaluate the chemical stability of ammunition and achieve their categorization based on quality. All tests are conducted on a priority basis for the ammunition which is used in training activities, whilst all testing procedures concerning the accreditation of the Centre are carried out according to the ISO 17025 standard.

As far as the antipersonnel landmines are concerned, the Republic of Cyprus cleared all minefields in the area under its effective control, including within the buffer zone, by the 1<sup>st</sup> July 2013, which was the deadline set by the Anti - personnel Mine Ban Convention.

The only area in Cyprus where mined areas containing anti - personnel mines are known to exist is the part of its territory which remains under Turkish military occupation and which is not accessible to the authorities of the Republic of Cyprus. At least 21 minefields laid and maintained in the occupied areas by the Turkish forces are yet to be cleared of anti - personnel mines and one of them is situated within the buffer zone, in the vicinity of the village Deryneia.

The Republic of Cyprus, having taken concrete steps to ensure the destruction of anti - personnel mines in the areas occupied by Turkey, submitted to the United Nations Peacekeeping Force in Cyprus (UNFICYP) information on 28 known minefields, which were laid prior to the 1974 Turkish invasion. According to information released by UNFICYP, those 28 minefields were subjected to a non - technical survey by the United Nations Mines Action Service (UNMAS).

While the Republic of Cyprus maintains jurisdiction over the whole of the island, it does not have effective control over those areas under Turkish military occupation, and is thus unable to fulfil its obligations stemming from the Anti-personnel Mine Ban Convention (APMBC) due to the fact that Turkey, forcefully denies the authorities of the Republic access to the occupied areas. As a result, Cyprus requested and was granted an extension of the deadline for completing the destruction of anti - personnel mines until the 1<sup>st</sup> of July 2019.

## **Section II: Intra-State elements**

### **1. National planning and decision-making process**

#### **1.1 What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?**

##### **Military Posture**

According to the Constitutional Provision (Article 54), the President and the Council of Ministers exercise the executive power, in matters concerning defence and security.

The Ministry of Defence is responsible for the formation and implementation of Defence Policy. It participates in the wider Policy implemented by the Government and supports the Minister of Defence in fulfilling his responsibilities to the House of Representatives. In this framework, the Minister of Defence maintains the general oversight of the army, and is responsible for the implementation of the National Guard Law.

Additionally, the Chief of the National Guard is responsible to the Minister of Defence for the Command in general and for the supervision of the National Guard, which includes the organization, training, readiness, discipline, safety and order, in the framework of the guidelines given by the Minister of Defence or the Council of Ministers.

The House of Representatives, after consideration and discussion, passes laws concerning the operation and the responsibilities of the members of the Armed Forces.

##### **Defence Expenditure**

According to the provisions of the Constitution, the defence and the defence budget fall under the competence of the President of the Republic, the House of Representatives, the Council of Ministers and the Minister of Defence.

Funds collected by virtue of the Special Contribution (Defence of the Republic) Law (Law No. 5/85) are used for the purchase of defence equipment. According to the Law (Law No. 9(1)/2000), both the Fund for the Defence of the Republic and the Management Committee for the Fund were abolished, and thus, all the Special Contributions for the Defence of the Republic collected now, are deposited in the Consolidated Fund of the Republic.

The procurement process of defence equipment follows the procedures established by the 2011 Law and relevant Regulations, concerning Defence and Security Tenders (No.173(I)/2011), by virtue of which, a Defence and Security Tenders Council is set up, in order to deal with issues concerning the procurement of military equipment.

The Ministry of Defence in cooperation with the National Guard compiles the annual defence budget and submits it to the House of Representatives for approval. The approval

thereof takes place after detailed study of each item concerning the defence planning. Thus, the House of Representatives exercises immediate control over the financial issues of the National Guard.

## **1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?**

The military capabilities of the Republic of Cyprus are strictly designated to provide for the following:

- To preserve peace on the island by creating the necessary level of deterrence against any kind of military threat and to reinforce the required security conditions needed for Cypriot citizens to live, prosper and contribute to the Republic's economic growth and welfare.
- To defend the Republic's territorial integrity, national independence and sovereignty and to provide for the security of its people from any armed attack or threat.

Based on the above requirements, the National Guard Units maintain a defensive arsenal, which does not provide the capabilities for the transfer and deployment of forces outside our National territory, and thus, the legitimate security concerns of other States are not challenged in any manner.

Despite the fact that the primary threat for the Republic of Cyprus is the policy of expansionism adopted by Turkey, and consequently, the Turkish occupation forces situated in the occupied part of Cyprus, the Republic is completely aligned with the Common Security and Defence Policy of the European Union. In this framework, Cyprus acknowledges the following factors, as significant threats to International order and comprehensive security:

- The proliferation of weapons of mass destruction.
- Terrorism.
- Regional conflicts.
- The failure of States.
- Organized Crime.
- Interruption of energy supply.
- Cyber attacks.
- Climate change.

Therefore, Cyprus, being a member of the EU that is situated in the eastern basin of the Mediterranean, which is also a particularly sensitive region, supports within her capabilities, international and regional peace and security, as follows:

- In the framework of Common Security Defence Policy, the Republic of Cyprus supports the maintenance of European Military Capabilities. Thus, Cyprus is a troop contributing



country to the HELBROC European Battlegroup and participates in the EU operations EUNAVFOR MED «SOPHIA» and ATALANTA, with 2 officers.

- Cyprus offers facilities to countries participating in the Maritime Task Force of the UN Peace Keeping Mission in Lebanon, as well as appropriate infrastructure for the encampment and medical treatment of their forces. In addition, 2 National Guard personnel are currently serving at the Naqoura FHQ of UNIFIL in Southern Lebanon.
- Cyprus confirms every 3 months its commitment to contribute to the United Nations Standby Arrangements System with military personnel.

It is worth noting that the Republic of Cyprus contributed to the work of the Joint Mission of the Organization for the Prohibition of Chemical Weapons (OPCW) and the United Nations on eliminating Syria's chemical weapons program by hosting the support base of the Joint OPCW-UN Mission and by providing support to the ships of the countries involved in maritime operations, in the framework of bilateral settlements. Moreover, during the crisis in Lebanon in the summer of 2006, Cyprus contributed by providing infrastructure and other facilities to the United Nations, for the deployment of UNIFIL personnel.

## **2. Existing structures and processes**

### **2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?**

#### **(a) Armed Forces**

The control of the armed forces is ensured by the Constitution and the National Guard Law (2011). According to their provisions:

- The Armed Forces are under civilian control both in peacetime and during time of war.
- The President and the Council of Ministers exercise the executive power, in matters concerning defence and security. The President retains the right, to veto any Law or Decision adopted by the Parliament, provided that they concern the following:
  - The declaration of war or the stipulation of peace.
  - The structure and number of the Armed Forces.
  - The appointment and promotion of personnel.
  - The import of military equipment.
  - The provision of Bases and other facilities to friendly countries.
  - Issues of security, distribution and allocation of security forces, emergency measures and Military Law.

- The Council of Ministers may issue Regulations, concerning matters of promotion, appointment, chain of command, retirement, resignation, disciplinary misconduct and other procedures.

- The Minister of Defence maintains the general oversight of the Armed Forces, as well as the responsibility, for the implementation of the National Guard Law.

- The House of Representatives pass the Laws that concern the Armed Forces.

- The Minister of Defence informs the House of Representatives on all defence issues, and may appear, if requested, before any relevant Parliamentary Committee.

**(b) Paramilitary forces:** Cyprus has no paramilitary forces.

**(c) Internal security forces:** Cyprus has no internal security forces.

**(d) Intelligence Services**

The Cyprus Intelligence Service is the sole intelligence Service of the Republic of Cyprus. The Service is entrusted with the task of collecting, evaluating and disseminating intelligence pertaining to the state security. The CIS was established in 1970 by a decision issued of Council of Ministers and responds directly to the President of the Republic.

**(e) Police**

The Cyprus Police is a governmental body and since 1993 it forms part of the Ministry of Justice and Public Order. Previously (1960- 1993), the Police was under the auspices of Ministry of Interior.

The Cyprus Police functions on the basis of the following legislation:

- The Constitution of the Republic of Cyprus
- The Police Law (73(I)/2004)
- The Police Regulations, including Promotion and Disciplinary Regulations
- The Police Standing Orders, which are issued by the Chief of Police
- The Criminal Law (Cap.154)
- The Criminal Procedure Code (Cap. 155), concerning prosecution and relevant court procedures

It is important to note that in accordance with the Constitution, the Chief of Police and the Deputy Chief of Police are appointed by the President of the Republic of Cyprus.

Also, the Police carries out its duties in conformity with the national legal framework, international treaties and conventions to which the Republic of Cyprus is a party, as well as the European Union acquis related to police matters.

According to the Police Law (article 6, L.73(I)/2004), the Cyprus Police has the authority to carry out its mission throughout the territory of the Republic of Cyprus for:

- The Maintenance of Law and Public Order
- The Preservation of peace
- The Prevention and detection of crime
- The Apprehension and prosecution of offenders

The main powers mentioned in the Police Law include:

- Search
- Arrest
- Detention
- Interrogation
- Other powers specifically vested within the Police by virtue of any law in force.

It should be noted that the Cyprus Police is the main Law enforcement Body in the Republic. The Customs and Excise Department as well as the Unit for Combating Money Laundering (MOKAS) also have law enforcement authorities.

## **2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?**

### **(a) Armed Forces**

The Armed Forces are under political control, both during peace and wartime. The following institutions, foreseen by the Constitution, exercise their democratic control:

The President of the Republic  
The House of Representatives  
The Council of Ministers  
The Minister of Defence

### **(b) Police**

It is ensured through the applicable Constitutional and legislative provisions and their enforcement through the Courts of the Republic of Cyprus if required. The following institutions, foreseen by the Constitution, exercise their democratic control:

The President of the Republic

Attorney General

The House of Representatives

The Council of Ministers

The Ministry of Justice and Public Order

The Ombudsman that provides her consultation on the legitimacy of the administrative acts

Independent Authority for the Investigation of allegation and complaints against the Police

Personal and Data Protection Commissioner

Children Rights Commissioner

Moreover, within the Police there is the Professional Standards, Audit and Inspection Directorate.

### **2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?**

The Cyprus Constitution Article 129 provides for the establishment of a military force, the strength of which should not exceed two thousand men, sixty per cent of which to be Greek Cypriot and forty per cent Turkish Cypriot.

Tasks and powers of the Cyprus Army are defined in the Basic Law (No. 8/1961) providing for the establishment of the Cyprus Army, as well as in the subsequent Laws amending the Basic Law (Nos. 16/1962, 51/1963, 77/1966, 46/1973, 46/1975, 80/1981, 34/1983). The above Laws were amended and unified by Law No. 33/1990.

Due to the situation created in Cyprus, after the outbreak of inter - communal violence in 1963, which continued in 1964, the need to establish a separate military force to support the Cyprus Army and the Security Forces, led to the establishment of the National Guard.

The National Guard Law ( 2011) governs the operation of the Cyprus National Guard for conscripts and reservists, and provides that the National Guard operates under the auspices of the Ministry of Defence, with the stated mission to:

«Provide assistance to the Army and the security forces of the Republic, through the adoption of all necessary measures to safeguard the defence of the Republic, in order to counter the threat of invasion or any other act directed against the independence and sovereignty of the Republic, or that threatens the security of life or property of the citizens of the Republic»

Due to the aforementioned dire situation of 1964, which was exacerbated by the subsequent Turkish invasion of 1974 and the ongoing military occupation of 36.2% of the

territory of the Republic of Cyprus, the need to maintain the National Guard's operational readiness remains to this day.

### **3. Procedures related to different forces personnel**

3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

#### **Military Service**

Compulsory military service was first introduced in 1964 with the National Guard Law (no. 20/1964). According to the current National Guard Law, all citizens of the Republic between the ages of 18 and 50 are obliged to serve in the National Guard of the Republic.

Recruitment procedures or calling up to service in the National Guard of the Republic of Cyprus, are defined in the National Guard Law and the relevant Regulations stipulating the extent of compulsory military service, types of military service and procedures for the calling up of civilians for compulsory military service. Enlistment in the National Guard is conducted upon a decree of the Minister of Defence, which is publicized in the gazette of the Republic.

Military Service is compulsory for all male citizens. Recently, the compulsory conscript service was reduced to 14 months, following a relevant Ministerial Council Decision and the introduction of professional servicemen into the National Guard, in the framework of the restructuring and reorganization of the force. Military Service commences in the year that individuals reach the age of 18. From then on, male citizens who complete their compulsory conscript service, continue to serve in the armed forces as reservists until they reach the age of 50.

#### **Pre-requisites for recruitment in the Cyprus Police**

When there are vacant positions to be filled in the Cyprus Police, these are published in the official gazette of the Republic of Cyprus and any interested individual may apply.

#### **POLICE CONSTABLES**

Candidates must-

- (a) Be citizens of the Republic of Cyprus.
- (b) Submit satisfactory character references. If she/he has previously served in the Army of the Republic of Cyprus, the National Guard, the Public Service or has held any government position or a position in any organization of public law or in any Police Service or Force, then s/he must present satisfactory evidence that during the work period in question s/he was of good conduct.

(c) Be over eighteen years of age and not older than thirty five, unless s/he has served previously as a member of the Cyprus Police up to the date that the current Regulations came into effect:

Provided that the provisions of this subparagraph do not apply for regular special constables or special constables who are candidates for recruitment or appointment to the Police.

(d) Be certified, following an examination by a government medical officer, to be of good health, sound in mind and body and physically and mentally fit to perform his/her duties on recruitment. In addition to other criteria it must also be certified that s/he:

(i) has good eyesight with or without the use of spectacles and good hearing without the use of hearing aids;

(ii) is not colour blind, not flatfooted, does not suffer from any form of physical handicap and does not have any impairment or deformity on his/her body or any part of it, and

(iii) is of general physical and mental fitness.

(e) Be of a height not less than 1.65m for men and 1.60m for women.

(f) Hold a leaving certificate from an accredited secondary school or a diploma or degree from a post secondary, tertiary level institution.

(g) Have a good knowledge of the Greek language and a satisfactory knowledge of one foreign language

(h) Have passed a written examination, conducted in accordance with the provisions of the Police (General) Regulations and has achieved a total score of at least 50% on average, and a score of at least 40% in each of the subjects included in the examination.

(i) Have passed physical fitness tests, conducted by a Committee especially set up for this purpose. The tests and the required standards for success are presented below.

(j) Have fulfilled their military service obligations, or has been legally discharged from them, but not for health reasons;

(k) Not have been discharged or his/her services were not terminated in the Public Service of the Republic in the past, or a body of public law on account of a criminal offence or a breach of discipline;

(l) Be able to provide information which may be requested of them regarding their past or former employment, or any other issue that may relate to their recruitment to

the Police. If any candidate makes any false declaration in his/her application or in relation to his/her application for appointment, and subsequently is appointed to the Police, s/he has committed a criminal offence, and in case of conviction, he/she will be dismissed from the Police;

- (m) Have a Body Mass Index of less than thirty (30): Provided that, the Body Mass Index is calculated by dividing the body weight of the candidate, in kilos, by his/her height in metres, squared ( $BMI = \frac{\text{weight kg}}{\text{m}^2}$ );
- (n) Have passed the psychometric examination conducted by the Committee appointed by the Chief of Police for this purpose and consists of a Senior Police Officer, one (1) registered psychiatrist and two (2) registered clinical psychologists or one (1) registered clinical psychologist and one (1) psychologist holding an academic position, provided that there is one available in the Republic.

## SPECIAL CONSTABLES

Candidates for appointment to the Police as Special Constables must:-

- (a) Be citizens of the Republic of Cyprus.
- (b) Submit satisfactory character and conduct references.
- (c) Be over eighteen years of age.
- (d) Be certified, following an examination by a government medical officer, to be of good health, sound in mind and body and physically and mentally fit to perform the duties s/he will be assigned following recruitment. In addition to other criteria it must also be certified that s/he:
  - (i) has good eyesight with or without the use of spectacles and good hearing without the use of hearing aids;
  - (ii) is not colour blind, not flatfooted, does not suffer from any form of physical handicap and does not have any impairment or deformity on his/her body or any part of it, and
  - (iii) is of general physical and mental fitness.
- (e) Hold a leaving certificate from an accredited secondary school.
- (f) Have passed a written examination, conducted in accordance with the provisions of the Special constables (Procedures for Appointment and Terms of Service) Regulations and has achieved a total score of at least 50% on average, and a score of at least 40% in each of the subjects included in the examination.

- (g) Be able to provide information which may be requested of them regarding their past or former employment, or any other issue that may relate to their appointment to the Police: Provided that if any candidate makes any false declaration in his/her application or in relation to his/her application for appointment, and subsequently is appointed to the Police, s/he has committed a criminal offence, and in case of conviction will be dismissed from the Police.
- (h) Have fulfilled their military service obligations, or have been legally discharged from them, but not due to health reasons.
- (i) Not have been discharged or his/her services were not terminated in the Public Service of the Republic or a body of public law on account of a criminal offence or breach of discipline.
- (j) Have not been convicted of a serious offence that entails lack of integrity or moral indecency.
- (k) Have passed physical fitness tests conducted by a Committee especially set up for this purpose. The tests and the required levels for success are set out below.
- (l) Have a Body Mass Index of less than thirty (30): Provided that, the Body Mass Index is calculated by dividing the body weight of the candidate, in kilos, by his/her height in metres, squared ( $BMI = \frac{\text{weight kg}}{\text{m}^2}$ ).
- (m) Have passed the psychometric examination conducted by the Committee appointed by the Chief of Police for this purpose and consists of a Senior Police Officer, one (1) registered psychiatrist and two (2) registered clinical psychologists or one (1) registered clinical psychologist and one (1) psychologist holding an academic position, provided that there is one available in the Republic.

## SPECIALISED PERSONNEL

Cyprus Police recruits, from time to time according to its needs, specialized personnel for carrying out specialized duties. The Chief of Police may, upon approval by the Minister of Justice and Public Order, appoint as a specialized member of the Police at the combined position of Constable (Scale A5 2nd grade), Sergeant (Scale A8), Inspector (Scale A9), Chief Inspector (Scale A10) and Superintendent B' (Scale A12), as provided for in the current state budget in force, a person who under current legislation is a holder of an accredited University Degree or diploma or other equivalent qualification relevant to the duties of the combined position, as these are set out in its announcement.



In the cases of the specializations of aircraft operator, aircraft mechanical engineer, aircraft electrical engineer, captain of police boats, police boat electrical engineer, police boat electronics engineer and police boat mechanical engineer, the candidates for appointment must be younger than the age of forty (40).

The candidates who meet the pre-requisites as set out in the announcement of the position undergo both a written examination and an interview conducted on the basis of the Law on the Evaluation of Candidates for Appointment to the Public Service.

## PHYSICAL CAPACITY TESTING AND THE MINIMUM SUCCESS THRESHOLD

(Regulation 4(1)(i))

### 1. HAND GRIP STRENGTH TEST

- (a) AIM OF THE TEST: To measure the maximum strength of the forearm muscles for a strong grip and pulling objects.
- (b) EQUIPMENT: A calibrated mechanical or electronic dynamometer, type Jamar, with an adjustable grip.
- (c) PROCEDURE: The applicant squeezes with his/her right hand the grip of the dynamometer as hard as s/he can, for 2-3 seconds, holding the dynamometer at a distance from his/her body and with the reading indicator facing the examiner. During the test the arm and hand holding the dynamometer must not touch the body. The applicant repeats the same procedure with the left hand and then the sum of both scores, for left and right hands is recorded. Before each applicant is tested and after each attempt the dynamometer must be checked and reset to zero.
- (d) RESULTS: The procedure is repeated two times for each hand with a short pause for rest between the first and second attempts. The best result is recorded to the nearest tenth of a kilo.
- (e) MINIMUM PASSING SCORE:
  - (i) For Men: 90kg
  - (ii) For Women: 65kg

### 2. SIT AND REACH TEST

- (a) AIM OF THE TEST: To measure the flexibility of the back muscles and the mobility of the pelvis the hips and hamstrings.

- (b) EQUIPMENT: A calibrated in centimeters (cm) mechanical flexibility metre.
- (c) PROCEDURE: The applicant is seated on the ground with the soles of his/her feet (without shoes) placed in the designated positions of the machine. The applicant bends his/her trunk and extends the arms forward, without bending his/her knees. S/he tries to remain still for two seconds, without making any jerky movements.
- (d) RESULTS: The procedure is executed twice and the best attempt is recorded. The examiner checks that the applicant's knees do not bend. The applicant's score is determined by the point on the calibrated scale that the applicant can reach with the tips of his/her fingers. The results are recorded in centimeters (cm).
- (e) MINIMUM PASSING SCORE:
  - (i) For Men: 0 cm
  - (ii) For Women: 5 cm

### 3. VERTICAL JUMP TEST

- (a) AIM OF THE TEST: To measure the maximum muscle power and explosiveness of the legs and the jumping ability of the lower limbs.
- (b) EQUIPMENT: Electronic Bosco jump mat.
- (c) PROCEDURE: The applicant stands on the electronic mat where s/he performs a vertical jump with a swinging motion and the use of the arms. The electronic mat records the duration of the flight of the jump and on this basis it calculates the vertical jump height, the work produced and leg power. A basic prerequisite is that the applicant must land at the same point on the mat from s/he jumped or began the vertical jump.
- (d) RESULT: The applicant must perform two attempts, with a short period of rest allowed between each of the two attempts. The best attempt is recorded in centimeters and to the nearest tenth of a centimeter.
- (e) MINIMUM PASSING SCORE:
  - (i) For Men: 40 cm
  - (ii) For Women: 30 cm

### 4. 30 METRE RUN

- (a) AIM OF THE TEST: To measure the body's ability for speed and acceleration, that is the ability of the body to move and respond quickly and promptly.
- (b) EQUIPMENT: Two timers (stop watches), two cones marking the finishing line and a flat and clear 50metre surface.

- (c) **PROCEDURE:** Before the test applicants must prepare appropriately by completing a warm up and stretching exercises. The test begins with the applicant standing with his/her feet behind the starting line, one foot behind the other. As soon as s/he is given a signal by the administrator of the test, s/he begins to run alone, in a straight line, a distance of 30 metres, as fast as possible, without competition.
- (d) **RESULT:** The applicant must perform two attempts, with a short period for rest allowed between each of the two attempts. The best attempt is recorded in seconds and to the nearest tenth of a second.
- (e) **MINIMUM PASSING SCORE:**
  - (i) For Men: 4.5 seconds
  - (ii) For Women: 5.0 seconds

#### 5. 12 MINUTE ENDURANCE TEST

- (a) **AIM OF THE TEST:** To evaluate cardiopulmonary performance under fatigue and the ability of the body to produce prolonged physical activity.
- (b) **EQUIPMENT:** 400 metre running track, at least two timers with the capacity to record multiple measurements, a whistle for signaling the start and termination of the test, two boards on which the names of the applicants in each group will be written along with the numbers that will be attached to each applicant during the test, as well as forms for recording the results of the test showing in detail the number of laps completed by each applicant before the overall completion of the test.
- (c) **MEASURING PROCEDURE:** Before the start of the test the applicants are divided into small groups and each is assigned a number that they have to wear on their chest during the test. The first group of applicants to be tested is allowed a few minutes for a warm up and then they line up behind the starting line so as to begin the test. Upon being given a signal the applicants begin to run for a period of 12 minutes and at each interval they are informed by the timekeepers about their pace, until the completion of the 12 minutes. Men must complete six (6) turns (2.400 metres) and women five (5) turns (2.000 metres). The applicants start and finish the test at the same point. The applicants, who do not complete the set distance within the period of 12 minutes, fail the test and cannot proceed to the following stage of the recruitment process.
- (d) **RESULTS:** Each applicant is allowed one attempt at the test.

(e) MINIMUM PASSING SCORE:

(i) For Men: 2.400m

(ii) For Women: 2.000m

### Call up for Service in the Cyprus Police

According to Police Law (L.73(I)/2004), each member of the Cyprus Police from the time of his recruitment, is considered to be on duty at all times and may at any time be called on duty at any place in the Republic of Cyprus. Furthermore, there are emergency or other action plans, on the basis of which the members of Police are called on duty.

## **3.2 What kind of exemptions or alternatives to military service does your State have?**

Exemptions from military service, as well as alternatives, are applicable to certain categories of conscripts and are governed by the relevant provisions of the National Guard Law.

### **3.2.1 Special Military Service**

Certain conscripts, who are approved by the competent Medical Committee of the National Guard, will serve a special military service. The duration of the special service is four months more than the compulsory military service the individual would have had. The conscripts following a special military service are placed in Units near their residence and they are assigned specific duties.

### **3.2.2 Alternative Service**

Conscripts, who are recognized as conscientious objectors according to the provisions of the National Guard Law, can choose to serve an alternative military service (unarmed service on military premises) or an alternative communal service within a Department of the Public Sector. It is noteworthy to mention that the conscripts, who wish to be recognized as conscientious objectors, have the opportunity to declare this intention, through an application upon their initial enlistment.

In addition, the conscientious objectors serving an alternative communal service in the Public Sector follow the working hours of the Department/ Division, within which they are placed.

According to the provisions of the National Guard Law, the duration of alternative service for conscientious objectors is as follows:

#### Alternative Communal Service in the Public Sector

The conscripts, who would have served the 14 – month full service are obliged to serve an additional 5 months.

The conscripts, who would have served 6 months or less than the 14 – month full service, are obliged to serve an additional 4 months.

The conscripts, who would have served less than 6 months, are obliged to serve an additional 3 months.

#### Alternative Military Service on Military Premises

The conscripts, who would have served the 14 – month full service are obliged to serve an additional 4 months.

The conscripts, who would have served 6 months or less than the 14 – month full service, are obliged to serve an additional 3 months.

The conscripts, who would have served less than 6 months, are obliged to serve an additional 2 months.

### **3.2.3 Postponements of Military Service Obligation**

Certain categories of conscripts are entitled to postponements of their compulsory military service, according to the provisions of the National Guard Law.

### **3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?**

The international treaties and agreements to which the Republic of Cyprus is a party, the Constitution of the Republic of Cyprus, the National Guard Law and other legislation, ensure that all military personnel are treated fairly and equally in legal and administrative matters. Although military personnel enjoy their constitutional and legal rights during military service, certain rights are limited. In addition, the military personnel of the National Guard have established two associations (one for officers and one for non-commissioned officers).

The rights of all military personnel are protected by the military justice system, consisting mainly of the Military Court, which forms part of the judicial system of the Republic.

### **3.4 Issues pertaining to women, peace and security**

Internal Regulations have been drawn up in the National Guard, which take into account the specific needs of women serving in the Armed Forces. All personnel are informed on these regulations accordingly. The percentage of women serving in the National Guard is as follows: Officers: 4%, Non - commissioned Officers: 20%, Professional Service Women: 15%.

The National Guard participates in the professional guidance process that takes place annually in schools, where students are given the opportunity to be informed, on the possibilities of obtaining a military career in the Armed Forces.

Access to justice is ensured for women serving in the Armed Forces through their constitutional rights, as well as through the National Guard Law.

For issues pertaining to women and the Cyprus Police, please see attached ANNEX «A».

#### **4. Implementation of other political norms, principles, decisions and international humanitarian law**

##### **4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programmes and regulations?**

International Humanitarian Law and the Law of War are taught within the Military Academies and schools that personnel attend, as well as within appropriate seminars and lectures that are conducted within the military service.

In addition, instructions on international humanitarian law and other international rules, conventions and commitments governing armed conflict form part of the training programmes for all military personnel. In this framework, military personnel receive training in aspects regarding the Geneva and Hague Conventions, International Law of Armed Conflict, Peaceful Settlement of international Conflicts, Sanctions against war crimes and crimes against humanity, protection of property and others.

##### **4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?**

The issues of national and international law concerning the administration of military personnel are included within the General Training Guidelines of the National Guard, which are duly publicized to all military personnel. Furthermore, these issues are included within the training modules of all military personnel, whether conscripts or ranking officials.

##### **4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?**

Cyprus provides for the above mentioned issues, through the implementation of Article 28 of the Constitution of the Republic, which refers to the fundamental freedoms and rights. According to Article 28, all individuals are equal before the law, and have the right to equal protection and treatment. Everyone enjoys the rights and the freedoms provided by the Constitution, without any ill – favoured discrimination against any person, whether direct or indirect, on account of that person's community, race, colour, religion, language, gender, political beliefs, national or social descent, birth, wealth, social status or any other reason, except if otherwise stipulated within an explicit provision of the Constitution.

##### **4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?**

The international treaties and agreements to which the Republic of Cyprus is a party, the Constitution of the Republic of Cyprus, the National Guard Law and other legislation ensure that all military personnel are treated fairly and equally in legal and administrative matters. Although military personnel enjoy their constitutional and legal rights during military service, certain rights are subject to restrictions. Military personnel have the right to establish associations (one for officers and one for non-commissioned officers) (Law 55(I)/2005) but have no right to strikes.

The members of the armed forces are allowed to exercise their civilian rights as individuals, through the implementation of Article 31 of the Constitution of the Republic of Cyprus of 1960, which amongst other things, mentions that a citizen has the right to vote in any election, conducted according to the Constitution or other legislation.

The rights of all military personnel are protected by the military justice system consisting mainly of the Military Court, which forms part of the judicial system of the Republic.

The Ministry of Defence disseminates the text of the OSCE Code of Conduct on Politico - Military Aspects of Security to the military personnel who are regularly familiarised with the content of the Code.

In addition, the political neutrality of the armed forces is ensured, through the “National Guard Law” (2011), which explicitly foresees that the goal of the National Guard is to ‘defend the Republic’. Furthermore, in exceptional circumstances, the National Guard may take up activities to confront dangers, which threaten the life or the fortune of the civilians of the Republic.

#### **4.5 How does your State ensure that its defence policy and doctrine are consistent with international law?**

The Defence Policy of the Republic of Cyprus has developed around the following four basic pillars and targets:

- To preserve peace on the island by creating the necessary level of deterrence against any kind of military threat and to reinforce the necessary security conditions needed for Cypriot citizens to live, prosper and contribute to the Republic’s economic growth and welfare.
- To defend the Republic’s territorial integrity, national independence and sovereignty and the security of its people from any armed attack or threat.
- To participate in the Common Security and Defence Policy (CSDP) of the European Union.
- To contribute towards international peace, security and stability.

In this context, the defence policy and doctrine of the Republic is always implemented in a manner that takes into account all the deriving obligations from international law.

All major International Conventions in the area have been ratified by the Republic of Cyprus and have been embodied in the domestic legal order. Cyprus complies fully with their implementation, as far as its defence policy and doctrine is concerned.



## **Section III: Public access and contact information**

### **1. Public access**

#### **1.1 How is the public informed about the provisions of the Code of Conduct?**

The public may receive information from the Ministry of Foreign Affairs or the Ministry of Defence.

#### **1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?**

Any information concerning the Code of Conduct may be obtained from the Ministry of Foreign Affairs or the Ministry of Defence.

#### **1.3 How does your State ensure public access to information related to your State's armed forces?**

The Government is committed by the Constitution to provide public access to information. In this respect, the Ministry of Defence provides information to the public on the role and activities of the National Guard, unless it is restricted from doing so for national security reasons.

The Ministry of Defence in cooperation with the National Guard has created an internet site, which is continuously updated, in the framework of facilitating the unimpeded dissemination of information.

### **2. Contact information**

#### **2.1 Provide information on the national point of contact for the implementation of the Code of Conduct.**

Major (AF) Kyriakos Mouskountis  
Security Policy Department  
Ministry of Foreign Affairs of the Republic of Cyprus  
Presidential Palace Avenue, Nicosia 1447, CYPRUS  
Tel. +357 22 651286  
Fax. +357 22 661881, 22 665313  
E-mail: kmouskoundis@mfa.gov.cy  
Website: www.mfa.gov.cy

**ANNEX A**  
**CYPRUS POLICE**

**Indicative List of Issues Pertaining to Women, Peace and Security to be provided in the Questionnaire on the OSCE Code of Conduct**

**Participation in Missions**

Currently, Cyprus Police does not participate in peacekeeping missions abroad. However, Cyprus Police members have been posted abroad as follow:

- Permanent Representation of Cyprus, in Brussels (2 policewomen (seconded))
- EUROPOL Headquarters, The Hague (Liaison Officers: 2 policewomen (seconded))
- EUROPOL Headquarters, The Hague (1 policewoman (staff))
- Interpol General Secretariat, Lyon (1 policeman -seconded)
- Embassy of Cyprus in Athens (1 policewoman-seconded)
- EUMM Georgia (2 policemen (seconded) and 1 policewoman (seconded))
- EULEX Kosovo (1 policeman(seconded))
- EUBAM Moldova – Ukraine (1 policewoman (seconded))

It should be noted that all vacancies are announced to Police members via the internal network and both, men and women officers have the right to apply.

**Legislative provisions /Staffing**

Cyprus Police Law (L.73(I)/2004) and Regulations' (General, Promotions and Disciplinary) provisions are applied equally to all officers (men and women). Also, men and women officers follow the same training, at all levels.

During 2017 no vacant positions for Police Constables were announced. On 01/12/2017, three specialized vacant positions for Aircraft Mechanical Engineers were announced, and 8 applications were submitted for these positions. One of these applications, that is 12,5% of the overall number was submitted by a woman.

Currently, the Cyprus Police is staffed by 1267 (23%) women police officers. The rank distribution is illustrated in the table below:

<b>RANK</b>	<b>NUMBER</b>	<b>%</b>
Assist. Chief of Police	0	0
Chief Superintendent	0	0
Superintendent A'	0	0
Superintendent B'	4	6
Chief Inspector	9	12
Inspector	23	11
Sergeant	109	16
Constable	743	25

Ordinary Special Constables	37	80
Special Constables	342	39
<b>TOTAL</b>	<b>1267</b>	<b>23%</b>

In 2017, there were no cases reported by female police officers, concerning sexual harassment or discrimination.

Committee for Equality between Men and Women

Based on the Council of Ministers Decision no. 66.496, dated 5/12/2007, the Cyprus Police Committee for Equality between Men and Women was established. The operation of the Committee is governed by the Police Standing Order 5/42, which is issued by the Chief of Police. Currently, the Committee is staffed by two policemen and two policewomen.