

20 April 2010

ENGLISH only



PERMANENT MISSION OF THE REPUBLIC OF CYPRUS
TO THE OSCE
VIENNA

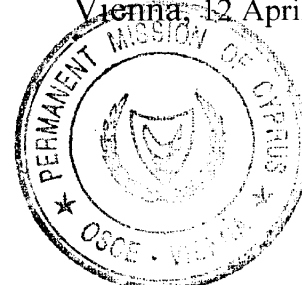
REF: 24.32.022/ 05 /10

NOTE VERBALE

The Permanent Mission of the Republic of Cyprus to the Organization for Security and Cooperation in Europe (OSCE), presents its compliments to the Permanent Missions and Delegations of all participating States to the OSCE and to the Conflict Prevention Center (CPC) and has the honor to provide the reply of Cyprus on the Questionnaire on the Code of Conduct on Politico – Military Aspects of Security, in accordance to the Forum for Security Cooperation Decision 2/09.

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.

Vienna, 12 April 2010



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

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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 the relevant conventions of the Council of Europe.

Conventions

A series of International Conventions, which the Republic of Cyprus has ratified by law or embodied in the domestic legal order. These Conventions include offences which constitute *per se* a terrorist act or activity. The following Laws have ratified such 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 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 as amended**
- (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**

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

- (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**
- (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- Palermo – 12/12/2000 - **Ratification Law No. 11(III)2003**
- (15) The International Convention for the Suppression of Acts of Nuclear Terrorism- New York 14.09.2005 - **Ratification Law No. 44(III)/2007**
- (16) European Convention on Prevention of Terrorism – Warsaw , 16 May 2005
- (17) Revised 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**

Protocols

- 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**
- 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**
- The Protocol amending the European Convention on the Suppression of

International Cooperation

- European Convention on Extradition-Paris,13.12.1957
- Additional Protocol to the European Convention on Extradition-Strasbourg 15.10.1975
- Second Additional Protocol to the European Convention on Extradition 17.3.1978
- European Convention on Mutual Assistance in Criminal Matters, Strasbourg 20.4.1959
- Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters-Strasbourg 17.03.1978
- The extradition of Fugitives Law 97/1970
- The International Cooperation in Criminal Matters (Ratification Law No.23(I)/2001)
- The European Arrest Warrant Law No.133(I)/2004
- Joint Investigation Teams Law No.244(I)/2004
- 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)

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

- 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),
- 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:

- On 1 August 1975, Cyprus signed the concluding Document of the Conference on Security and Cooperation in Europe known as the Helsinki Final Act.

- 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).
- It became in 1965 a member of the International Atomic Energy Agency (IAEA) (Ratification Law No. 21/1965)
- 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).
- Cyprus signed in 1999 the Additional Protocol to the Agreement with the IAEA for the Application of Safeguards in connection with the NPT Treaty.
- 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.
- 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.
- In June 2007, Cyprus joined the Global Initiative to Combat Acts of Nuclear Terrorism initiated by Russia and the USA.
- Cyprus is a member of the Australia Group (AG) as of September 2000 and also participates to Nuclear Suppliers Group (NSG) as of April 2000.
- 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.
- 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 Defence Systems, 2SA – 7, from the 9th to the 12th of June 2009.
- 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.

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 agreements, which inter alia provide for the exchange of information on terrorism or other related matters, with the following countries:

- (1) Agreement on Co-operation between Cyprus and **Syria** in the fields of Crime and Illicit Trafficking and Smuggling of Drugs (14/05/1991),
- (2) 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** (3.12.1999), Ratification Law No. 16(VII)/1999
- (3) 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 No. 22 (III)/2003,
- (4) Agreement between Cyprus and **Hungary** on Cooperation in Combating Terrorism, illicit Drug Trafficking and Organized Crime (13.6.1996), Ratification Law No. 6 (VII)/1996
- (5) 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
- (6) Agreement on Co-operation between Cyprus and **Greece** on Security Matters and police cooperation (3/12/2007), Ratification Law No. 13 (III)/2008
- (7) Agreement of Co-operation between Cyprus and **Egypt** on Security Matters (07/06/1994),
- (8) Agreement on Co-operation between Cyprus and The People's Republic of **China** on Public Security Matters (18/10/1994),
- (9) 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),

- (10) Agreement between Cyprus and **Romania** on Co-operation in the Fight Against International Crime (07/06/1995), Ratification Law No. 16(VII)/1995
- (11) 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, signed in Prague at 7/12/1992, which remains in force between Cyprus and the Czech Republic in accordance with the Exchange of Letters of 19 January 1999
- (12) Agreement on Co-operation between Cyprus and **Malta** in Combating Terrorism, Illicit Drug Trafficking and Organized Crime (17/09/1999).
- (13) 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
- (14) Agreement on Co-operation between Cyprus and the **European Police Office** (Europol) (04/07/2003), Ratification Law No. 36(III)/2003,
- (15) 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,
- (16) Agreement on Co-operation between Cyprus and **Estonia on Cooperation** in Combating Organized Crime and other forms of Crime (08/01/2004), Ratification Law No. 13(III)/2004
- (17) 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 (23/09/2003), Ratification Law No. 5(III)/2004.
- (18) 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 (2/12/2003, Nicosia), Ratification Law No. 48 (III)/2004
- (19) 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 (26/2/2004), Ratification Law No. 5(III)/2005

- (20) Agreement on Co-operation between the Republic of Cyprus and the Republic of **France** on security matters, signed on 14/3/2005, Ratification Law No. 49(III)/2005
- (21) 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, signed in Riga on 11/4/2005, Ratification Law No. 48(III)/2005
- (22) Agreement between the Republic of Cyprus and the Republic of **Armenia** on Co-operation in Combating Organised Crime and other Forms of Crime, Nicosia, 23 November 2006, Ratification Law No. 42(III)/2007
- (23) 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, Ratification Law No. 43(III)/2007
- (24) Agreement between the Government Republic of Cyprus and the Kingdom of **Spain** on Cooperation in Combating Organised Crime, Nicosia, 30 April 2007, Ratification Law No. 41(III)/2007
- (25) Agreement between the Government of the Republic of Cyprus and the Cabinet of Ministers of **Ukraine** on Cooperation in Combating Crime, Ratification Law No. 20(III)/2006

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

The Ratification Laws are stated in answer 1.1 above. Furthermore an Anti-terrorism Law, which will incorporate several multilateral agreements, is before the House of Representatives for enactment.

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 11th, 2001 due to the demands that followed both on the National and International level. The Counter Terrorism Office operates under the Criminal Investigation Department (Department C') 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, Common Positions 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;

On 22.10.2001, the House of Representatives approved, by Law 29(III)/2001, the Bill ratifying the International Convention for the Suppression of the Financing of Terrorism that Cyprus signed on 01/03/2001. In addition, this Bill 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.

Also the Law 29(III)/2001 included a special provision that calls for the enlargement in size and expansion of mandate of the already existing Unit for Combating Money Laundering (MOKAS), accommodate a special department devoted to investigating and acting upon criminal acts, as derived from the Convention.

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.

The Republic of Cyprus has adopted and fully implemented all United Nations Security Council Resolutions regarding Terrorism, i.e. UNSCR 1373 of 28/09/2001 concerning the call for joint action and measures to be taken by each member – state of the International Community in the Common endeavor against International terrorism and also UNSCR 1267, 1333 and 1390 regarding the freezing of potential assets / accounts of any person or entity associated with Osama Bin Laden and Al Qaeda, etc.

In addition the Council of Ministers of the Republic of Cyprus on May 2002 granted authority to the Attorney General to take measures (after informing the President) for the freezing of assets of terrorist organizations whose names appear on lists issued, specifically, by the European Union. The Central Bank of Cyprus has in place a strict regulatory framework aimed at preventing abuse within the financial sector.

In 2007, Cyprus also signed the Revised 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.

— **Border controls;**

(a) The details of people 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 Department C’. Further, the details of people that are suspected for terrorist purposes are registered on the national database “Watch-list”.

- (b) 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.

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

The Counter-Terrorism Office of Department C' participates in the Analytical File "Check the Web" of Europol and contributes and

exchanges information for the prevention of the communication of terrorists or terrorism messages through the internet.

— **Other information**

On 12/12/2001 the Council of Ministers approved the establishment of a coordinating body to combat international terrorism (MOKAT). This Unit concentrates on areas of illegal arms sales and brokerage, illegal trafficking of arms, explosives, weapons of mass destruction and harmful chemical substances.

This Unit has the jurisdiction to conduct questioning and investigations, collecting data and exchanging relevant information with coordinating units of other countries for suppressing activities related to terrorism.

In order to ensure an overall coordination of any information relating to terrorist activities, this unit is comprised of two advocates, members of the Law Office of the Republic, a representative of the Ministry of Foreign Affairs, a representative of the Ministry of Justice and Public Order, three representatives from the Police, a representative from MOKAS, a representative from the Central Information Service, a representative from the Customs & Excise Department and a specialist on analyzing electronic data.

The Republic of Cyprus has adopted and fully implemented all United Nations Security Council Resolutions regarding Terrorism, e.g. UNSCR 1373 of 28/09/2001 concerning the call for joint action and measures to be taken by each member – state of the International Community in the Common endeavor against International terrorism.

Furthermore the Republic of Cyprus aligned itself with all Common Positions of the Council of the European Union on Combating Terrorism and on the application of specific measures to combat terrorism.

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.

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 in 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.

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 of promoting confidence – building measures and transparency, Cyprus has hosted 3 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.

Secondly, in the context of disarmament, the Republic of Cyprus in collaboration with the Forum for Security and Cooperation (FSC), proceeded with the destruction of 324 Man Portable Air Defence Systems, 2SA – 7, from the 9th to the 12th of June 2009. Recognizing the threats from the unauthorized proliferation and use of these weapons, which in the possession of terrorists can be used in a catastrophic manner, Cyprus concluded their destruction as soon as possible. In this framework, a closing ceremony was held on the 12th of June 2009 at the Firing Range of Kalo Chorio, Larnaca, which was attended by the Greek Presidency of the OSCE and the Chairman of the Forum for Security and Cooperation in Europe. (FSC)

Furthermore, the Republic of Cyprus continues to meet its commitments deriving from the Ottawa Convention. In this respect, Cyprus proceeded with the destruction of 794 antipersonnel mines within 2009, which were effectively removed from National Guard minefields, according to the implementation schedule of the Republic's National Plan. In total, the Republic destroyed 48475 stockpiled Anti Personnel mines until 1st of July 2007, whilst according to the aforementioned plan, all antipersonnel mines within minefields under the effective control of the Republic of Cyprus, must be destroyed by the 1st of July 2013.

Finally, the Republic of Cyprus has signed the Oslo Convention in New York on the 23rd September 2009, regarding the prohibition of the use, development, transfer, production and stockpiling of cluster munitions. In this framework, the Republic is proceeding with all the required steps in order to achieve the ratification of the Convention as soon as possible.

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

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.

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 and order, in the framework of the guidelines given by the Minister of Defence or the Council of Ministers.

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

Defence Expenditure

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 and forward order of battle, and thus do not challenge in any manner the legitimate security concerns of other States.

In addition, the Republic of Cyprus contributes to international security and stability through a number of initiatives as follows:

- The Republic of Cyprus supports the maintenance of European Military Capabilities, in the framework of the European Security and Defence Policy, by contributing a Medium Transport Company, of 170 personnel and appropriate equipment and vehicles.

- Cyprus contributes to the European Battlegroups by participating in the HELBROC Battlegroup, which was in readiness during the first six - month period of 2009 and which will again be in readiness, during the 2nd six – month period of 2011. In addition, the Republic of Cyprus contributes to the HELBROC force with a medical platoon of 31 individuals, a military police contingent of 20 individuals, 9 Officers for the General Staff and a liaison Officer.

- During the crisis in Lebanon in the summer of 2006, Cyprus contributed by providing infrastructure and other facilities to the UN, for the deployment of the UNIFIL personnel. Moreover, Cyprus offers facilities and installations 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, over the past two years, 2 National Guard Officers have been serving at the Naqoura FHQ in Southern Lebanon.

- In Operation 'ATALANTA' off the horn of Africa, the Republic of Cyprus participates with 2 National Guard Officers. These Officers are currently serving at the Operational Headquarters (OHQ) in Northwood, United Kingdom.

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 Armed Forces are under civilian control both in peacetime and during time of war.

According to the provisions of the Constitution, 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. As a result of a recent amendment 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 procedure established by the Public Tenders Law (No. 102(1)/1997) by virtue of which a Special Tender Board was set up to deal specifically with this issue.

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 Central Information Service (C.I.S.) is the sole Intelligence Service of the Republic of Cyprus. Operationally, the CIS answers directly to the President of the Republic, while administratively it is under the command of the Chief of Police. The Service is entrusted with the task of collecting, evaluating and disseminating intelligence that affects the State's security. Within the CIS there is an Analysis Department specialized in counter-terrorism issues. The CIS's legal authority is based upon the Police Law, (L.73(I)/2004), and the Police Standing Order 1/65.

(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:

- a. The President of the Republic
- b. The House of Representatives
- c. The Council of Ministers
- d. 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:

- a. The President of the Republic
- b. The House of Representatives
- c. The Council of Ministers
- d. The Ombudsman that provides her consultation on the legitimacy of the administrative acts

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. 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, by Law No. 20/1964. According to this Law, the Council of Ministers has the power, when it deems necessary, in the event of a threat for invasion or any act directed against the independence and the sovereignty of the Republic, or against the security of life or property, to proceed with the establishment of a force called the "National Guard", with the aim to support the Cyprus Army, the security forces, or both of them, taking every measure to safeguard the defence of the Republic.

The National Guard Law (1964-2007) governs the operation of the Cyprus National Guard for conscripts and reservists. It provides that the National Guard is under the auspices of Ministry of Defence (MOD).

The Armed Forces are under civilian control both in peacetime and during time of war.

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, by the National Guard Law (No. 20/1964). According to this Law, all the citizens of the Republic between the age of 18 and 50 are obliged to join 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.

There are two types of compulsory military service, which refer to male citizens who reach the age of 18, and male citizens who complete their 24 - month compulsory military service. The latter have 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.

The applicant must satisfy the following criteria:

1. Be a Cypriot citizen.

2. Present satisfactory character references. If s/he has previous service 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 Force, then s/he must be able to present satisfactory evidence that during the work period in question s/he was of good conduct.

3. Be over eighteen years of age and not older than twenty eight, unless s/he holds a degree or diploma from a University that is recognized by current law, in which case s/he should not have reached the age of 40 at the time of submitting the application. The above do not apply for the appointment of Regular Special Constables and Special Constables that are candidates for recruitment or appointment in the Police.

4. Be certified after an examination by a Government Medical Officer to be of good health, to be sound of limbs and be physically and mentally suitable to perform his/her duties on recruitment. In addition to other criteria it must also be certified that s/he:

(a) has good eyesight with or without the use of spectacles and good hearing without the use of hearing aids,

(b) is not colour blind, is 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,

(c) is of general physical and mental suitability.

5. Is of height not less than 1.65m for men and 1.60m for women, except in exceptional cases when approval is granted by the Minister following an application submitted by the Chief of Police.

6. Is a holder of a School Leaving Certificate (of a recognized secondary school) or hold a Diploma / Degree from a Tertiary, Post Secondary Level Institution.

7. Has a good knowledge of Greek and a satisfactory knowledge of a foreign language.

8. Has passed a written exam, conducted in accordance with the Regulations of this Law, and has achieved a total mark of at least 50% on average, and a mark of at least 40% in each of the subjects included in the exam.

9. Has passed a fitness test reaching the required standard as defined in Table B of the (General) Police Regulations 2004, carried out by a Committee especially set up for this purpose.

10. Has completed his military service or has been permanently exempted from it, but not for health reasons.

11. Has not been dismissed or his/her services in the Public Service of the Republic or a public law organization were not terminated in the past because of a criminal or disciplinary offence.

12. Is able to provide information that might be asked regarding his/her past or former employment or any other issue that relates to his/her appointment in the Police. If any candidate makes any false statement in his/her application or in relation to his/her application for appointment, and consequently is appointed, s/he commits a criminal offence, and in the case of conviction will be dismissed from the Police.

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?

The exemption from compulsory military service is applicable to certain categories of conscripts and is governed by the relevant provisions of the National Guard Law. Conscripts who are recognized as conscientious objectors (law N.88 (I)/2007), can choose to serve a special military service (unarmed service on military ground) or an alternative service.

The duration of special military service and of alternative service for conscripts recognized as conscientious objectors, is equal to the service that the same individual would have carried out, if he was serving full or reduced military service respectively.

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.

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 of Greece, 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.

Conscripts from various communities are enlisted within the ranks of the National Guard, such as Armenians, Latins and Maronites. These individuals usually carry out their military services within Units that are in close proximity to churches or temples of their religion, so that they may exercise their religious rights in an unimpeded manner.

The course of action and the utilization of the armed forces of the Republic of Cyprus are recorded within both the Constitution and other relevant legislation passed by the House of Representatives. In this context, any issues concerning the limitation of the lawful exercise of human and civilian rights are not included whatsoever in the mission of the National Guard.

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 implementation of Article 3(1) of the “National Guard Law” (1964-2008), 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 and to assist in the fight against terrorism and WMD proliferation.

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. Moreover, since 2004, Cyprus actively participates in the CSDP (formerly known as ESDP- European Security and Defence Policy). [see also Section I, 1, 1.1 above]

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?

Members of the public may obtain 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 connection, 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. All significant decisions and events are issued in press releases.

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.

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