

**REPUBLIC OF CYPRUS  
DEPARTMENT OF CUSTOMS AND EXCISE  
EXPORT CONTROL POLICY**

The Cyprus Department of Customs and Excise responsibility in relation to export control aspects consists to the control of movement of goods at the entry /exit points of the Republic of Cyprus that could be used in proliferation activities.

In this respect has established the following infrastructure:

**A. ASET (Anti-smuggling Enforcement Team)**

In its effort to become more effective in its controls of movements of sensitive items (Items of proliferation concern such as nuclear, biological and chemical material), the CDC&E has set up a special anti-smuggling team, based at Limassol port with the following main tasks: define the transit cargo, manifest reviewing – targeting, investigative duties, relevant controls and searches of cargo and vessels based on manifest reviewing, use of radioactive detection equipment.

**B. Mobile Units**

Stationed at all Customs Stations have the following main responsibilities and duties: Anti-smuggling Activities, surveillance, risk based controls, random and spot checks, dealing with minor offences, co-operation with Investigators, co-operation with intelligence officers

**C. National Intelligence Unit**

The National Intelligence Unit operates, centrally and regionally, within the framework of the Investigation Section. Among the responsibilities of the Intelligence unit, is to establish the Department's needs and provide borders management with accurate intelligence for the enforcement of Customs Legislation and other laws related to prohibitions and restrictions

**D. THESEAS Computerisation System**

One of the major developments in reinforcing the Department's efforts to extend its control and enforcement abilities, is the ongoing implementation of the 'Theseas' computerisation project (Cyprus Customs Computerised System). 'Theseas' automates the processing of customs import declarations and, in so doing, captures data, which – together with other information and intelligence – can be used to support customs controls based on risk analysis, profiling and targeting. The implementation controls initiated through the 'Theseas' project are based on risk analysis factors. All risk profiles etc. have been defined and fed into the system and are regularly updated.

**LEGAL FRAMEWORK**

The legal framework of Cyprus for export control is composed of:

- various international treaties and commitments against chemical, nuclear and biological weapons;
- various international instruments dealing with non proliferation and disarmament;
- various national laws and regulations providing for prohibitions and restrictions on the importation and exportation of chemicals, sensitive materials, dual use goods and technologies that may be used for production WMD;
- licensing procedures and practice;
- enforcement powers and penalties; and
- national and international co-operation.

The various national laws provide penalties for the violations of existing prohibitions and restrictions. The penalties vary from fines to imprisonment of up to 10 years depending on the gravity of the offence and the goods in question.

In cases where the specific law does not provide any penalty there is a “catch-all” provision, provided by the Customs Code Law of 2004 for which a maximum penalty of two years imprisonment or five thousand pounds or both is provided.

## **LICENSING**

The regulations of exports in the Republic of Cyprus are governed by the Defence (Exportation of Goods) Regulations of 1993. These Regulations empower the Minister of Commerce, Industry and Tourism to issue an order prohibiting or regulating the exportation, re-exportation or transit of goods, in cases where this is deemed necessary for compliance with the commercial obligations of Cyprus or for the purpose of maintaining or restoring peace and security in any part of the world. Such an order may also provide that a licence is required for the exportation of goods set out in the order. If goods are subjected to an export licence, their exportation is prohibited unless the licence is produced to the appropriate Customs officer. The above-mentioned Minister issued the Defence (Regulations and Exportation of Goods) (Amendment 1 and Amendment 2) Orders of 2000, which are applied to all exports, re-exports and transit goods. As a result, Cyprus fully complies with the export control lists of the NSG and AG. Moreover, in 2002 the said Minister issued the Defence (Arms Exports Control) Order of 26.7.2002 as amended in 2005, for the compliance of the Republic of Cyprus to the E.U. Code of Conduct on Arms Export and to the Council Declaration of 13.6.2000, issued on the occasion of the adoption of the common list of Military equipment covered by the European Union code of conduct of arms export, as well as the Defence (Export Control of Dual Use Items and Technology) Order of 2002 as amended in 2005, for the implementation of the Council Regulation (EC) 1334/2000 of 22.6.2000, as amended, setting up a Community regime for the control of exports of dual-use items and technology.

Apart from the above-mentioned orders of the Minister of Commerce, Industry and Tourism, which are based on the Defence (Exportation of Goods) Regulations of 1993, and the Customs and Excise Code of 2004, several national laws have specific provisions on the issue of combating illicit trafficking of nuclear material and other radioactive sources. The violations of these laws are considered as predicated offences according to the Prevention and Suppression of Money Laundering Activities Law 61(I) of 1996. Also the Crime Suppression (Controlled Delivery and other Special Provisions) Law 3(I) of 1995 was amended to include nuclear goods and materials for control delivery purposes.

The legal basis for enforcing the import and export control is the Customs Code Law No. 94(I) of 2004 in combination with other national legislation providing for prohibitions and restrictions on the import and export of sensitive goods as well as the non proliferation treaties ratified by the Republic of Cyprus. The said law defines the requirements to be met and the offences and sanctions in the event of any illegal import or export.