



EMBASSY OF THE REPUBLIC OF CYPRUS
SURINAMESTRAAT 15
2585 GG THE HAGUE

Ref. 284.7.96

NOTE VERBALE

The Embassy of the Republic of Cyprus to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of State Parties and in response to the latter's Note Verbale under reference ICC-ASP/11/SP/PA/12, dated 26 June 2012, has the honor to enclose herewith the completed questionnaire as regards to the measures undertaken in respect of implementing legislation.

Regarding the request to convey the information referred to in paragraph 6, sub-paragraph (h) of the Plan of action, the Embassy has the honor of inform that the national contact point for matters related to the promotion and ratification and full implementation of the Plan of action is the:

Ministry of Foreign Affairs
Department of Multilateral Affairs and International Organizations
Mr. Neophytos Christodoulides

The Embassy of the Republic of Cyprus to the Kingdom of the Netherlands avails itself of this opportunity to renew to the Secretariat of the Assembly of State Parties the assurances of its highest consideration.

The Hague, 10 November 2012

To the
Secretariat of the Assembly of State Parties
International Criminal Court
The Hague



Post Received

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ASP/2012/188

Implementing legislation questionnaire for States Parties

1. *Has your government adopted any national legislation implementing the Rome Statute (“the Statute”), or otherwise enacted legislation pertaining to the Rome Statute?*

Yes, it has adopted the International Court (Ratifying) Law of 2002, N.8(III)/2002, which *implements* the Rome Statute in its *entirety*, as subsequently amended in 2006 by the International Court (Ratifying) (Amending) Law of 2006, N.23(III)/2006, so that (a) the crimes of genocide, the crimes against humanity and the war crimes that are stipulated in Art. 6, 7 and 8.2 of the Statute are covered verbatim by the national law through reference to the Statute and (b) the Court’s jurisdiction is explicitly extended to any offence regardless of where (within or outside the Republic) and by whom (Cypriot or non - Cypriot) it was committed.

IF NOT

Part A: Non – Applicable

IF YES

Part B:

5. *In implementing the Statute, did your Government draft a stand-alone legislation or did it incorporate the articles or substantive provisions of the Statute into pre-existing law?*

It has drafted a stand-alone legislation. However, it should be noted that the implementation of the Statute is facilitated by other pieces of pre - existing legislation such as the “Extradition of Fugitives Law”, N. 97/70, which contains provisions for arrest and surrender and which was subsequently amended, by broadening the definition of “other countries”, in order to provide a clear legal basis for extradition to the ICC. A second example of pre-existing legislation is the Mutual Legal Assistance Law of 2001 (N.23(I)/2001), which provides a similar basis for extradition to the ICC and regulates, amongst others, issues pertaining the taking of evidence, the transit of detained persons and the service of documents.

6. *Does the implementing legislation incorporate the substantive crimes through reference to the Statute or by incorporating the crimes into domestic law?*

Please see answer 1, above.

7. *Does the implementing legislation incorporate the following aspects of cooperation with the Court and if yes, how?*

(a) Arrest and surrender;

(b) Interim release;

(c) Cooperation with OTP investigation;

(d) Cooperation with the Court on identification, tracing and freezing or seizure of proceeds, property and assets and instrumentalities of crimes;

(e) Enforcement of sentences;

(f) Other forms of cooperation (see in particular article 93 of the Rome Statute).

All forms of cooperation are incorporated in the implementing legislation by way of incorporation of the Statute in its entirety.

In addition to the implementing law, cooperation with the Court is further enhanced by other pieces domestic legislation, as expounded in answer 5 above.

8. *Does the implementing legislation designate a channel of communication with the Court?*

No. It incorporates the channels of communication designated by the Statute by way of incorporation of the Statute in its entirety.