



**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 States Parties of the International Criminal Court and has the honour to refer to the latter's note verbale under reference ICC-ASP/12/S/008, dated 13 February 2013, relating to Plan of action for achieving universality and full implementation of the Rome Statute and provide information requested therein.

In relation to information referred to in paragraph 6, subparagraph h of the Plan of action, as well as the relevant recommendations of the Bureau, the Embassy would like to inform that the Republic of Cyprus submitted on 25 September 2013, the instrument of ratification of the amendments to the Rome Statute on the crime of aggression and Article 8.

Moreover, the Republic of Cyprus is honoured to have undertaken in October 2013 the duties of co-focal point for the Plan of action, with a view to making a contribution to the promotion of universality and full implementation of the Rome Statute.

The Embassy also wishes to inform that the national contact point for matters related to promotion of ratification and full implementation is:

Mr. Nikos PANAYIOTOU
Embassy of the Republic of Cyprus, The Hague

In relation to the "Implementing legislation questionnaire" the Embassy wishes to refer to its response of 2012, attached herewith for easy reference.

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 to the International Criminal Court the assurances of its highest consideration.



The Hague, 9 January 2014

**To the
Secretariat of the Assembly of States Parties
International Criminal Court
The Hague**

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.