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The Permanent Representative of the Republic of Cyprus to the United Nations presents his compliments to the Secretary-General of the United Nations and further to the latter's Note of 31 December 2007 with reference LA/COD/50 has the honour to hereby submit the following in respect of the implementation of provisions of General Assembly resolution 62/63 of 6 December 2007 entitled "Criminal accountability of United Nations officials and experts on mission", in accordance with paragraph 10 of that resolution:

In respect of operative paragraph 3 of resolution 62/63, which urges States to consider establishing jurisdiction over crimes committed outside their territory by their nationals, Cyprus has the honour to inform that Section 5 of its Criminal Code renders criminally accountable, all Cypriot citizens for offences committed outside the territory of Cyprus, provided that those offences are punishable under penal laws of the Republic of Cyprus.

Specifically, Cyprus' Criminal Code and any law that prescribes a criminal offence are applicable to all offences which have been committed in any foreign country by a Cypriot citizen if (a) the offence is punishable in Cyprus by imprisonment that exceeds two years and (b) the act or the omission constituting the offence is also criminalized under the law of the country in which it was committed.

Furthermore, applicability of Cyprus' Criminal Code and any other relevant penal law is established with respect to any person, irrespective of where the crime may be committed, in respect of the following offences: (i) treason or an offence directed against the security of the Republic of Cyprus or its Constitutional Order, (ii) piracy, (iii) relates to the currency of Cyprus, (iv) relates to trafficking of illicit narcotic substances, of persons (particularly women and children), to smuggling of migrants by land, sea or air or to illicit manufacturing of and trafficking firearms, their parts and components and ammunition.

Also, the Republic of Cyprus has established application of its criminal laws in respect of the acts criminalized under the Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography to the extent that these acts fall within the scope *ratione materiae* prescribed in paragraph 1 of Article 3 of the said Protocol and in accordance with paragraph 2 of Article 4 thereof.

Lastly, laws on the prevention and suppression of money laundering activities (Law No, 188(I)/2007) and trafficking and exploitation of human beings (Law No. 87(I)/2007) of the Republic of Cyprus provide, respectively, that (a) a person may be prosecuted for a laundering offence in Cyprus irrespective of whether the predicate offence is subject to the jurisdiction of the Cyprus Courts and (b) Cyprus Courts shall have jurisdiction in the prosecution of offences of an international character.

The above provisions of the legislative framework of the Republic of Cyprus are without prejudice to applicable privileges and immunities of such persons under international law.

The Permanent Representative of the Republic of Cyprus to the United Nations avails himself of this opportunity to renew to the Secretary-General of the United Nations the assurances of his highest consideration<sup>^</sup>



New York, 11 July 2008

To the Secretary-General  
of the United Nations  
United Nations Headquarters  
New York

For the attention of the  
Office of Legal Affairs  
Codification Division

Facsimile: 1212 963 1963

