

HIGH COMMISSION FOR THE REPUBLIC OF CYPRUS



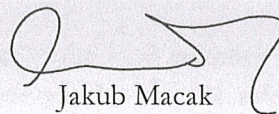
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international law. Under an internationalized armed conflict', I understand an originally non-international armed conflict that has gradually come to meet the criteria of international armed conflict. Widely accepted examples of such situations include the dissolution of a State in which a non-international armed conflict is underway or a foreign military intervention in support of the insurgents in a non-international armed conflict. One of the parties to such a conflict will thus inevitably be—at least at the outbreak of hostilities—a non-State actor.

In order to successfully complete the research project, I would very much appreciate your assistance with a brief set of questions attached below. The purpose of the questions is to determine the States' position on the applicability of the rules governing international armed conflicts to internationalized armed conflicts. The answers provided will be used for academic purposes only; they may be attributed to the responding State in the publication resulting from this research project. I would be most grateful if you could answer these questions according to your State's legal position or forward this request to the relevant department (perhaps at the ministry of foreign affairs or defence of your State) that could assist in answering them. Please do not hesitate to contact me with any questions or concerns.

Yours sincerely,



Jakub Macak

- (1) Does your State distinguish between international and non-international armed conflicts in relation to the application of the law of armed conflicts? **YES**
- (1.1) If your answer to question 1 is negative, please provide the reasons.
- (1.2) If your answer to question 1 is affirmative, please answer the following questions.

(2) If a conflict that arises as a non-international armed conflict subsequently becomes international in nature, which of the following answers best describes the position of your State?

- (A) *All* rules governing international armed conflicts will apply in such a situation. In terms of the scope of applicable law, the situation is to be treated in the same manner as a full-fledged inter-State armed conflict involving the armed forces of two or more sovereign States.
- (B) *Some* rules governing international armed conflicts will apply in such a situation. However, due to the nature of the conflict parties or other attributes of the situation, some other rules governing international armed conflicts are considered impossible or too unwieldy to apply. In spite of their formal applicability, they should not be or are not applied materially to such situations.
- (C) *No* rules governing international armed conflicts will apply in such a situation. In terms of the scope of applicable law, the situation is to be treated in the same manner as an ordinary non-international armed conflict.
- (D) Your State does not make such an assessment.
- (E) Your State makes such an assessment, but does not disclose it with third parties.
- (F) If none of the answers under (A) through (E) reflect accurately your State's position, please provide a description of your State's position.

(2.1) If answer (A) or (C) in question 2 reflects your State's position, please provide the reasons.

(2.2) If answer (B) in question 2 reflects your State's position, please give an example (or several examples) of rules, which your State considers materially inapplicable in the described situation. If possible, please illustrate the examples with instances of practice of your State.

(3) If a conflict that arises as a non-international armed conflict subsequently meets the criteria of international armed conflict only in relation to some (but not all) conflict parties or a part of the State territory, which of the following answers best describes the position of your State?

- (A) The conflict is recognized as international in relation to the *whole* territory of the State, with all potential sub-conflicts in the area being also considered to be subject to rules governing international armed conflicts.
- (B) The conflict is recognized as international only in relation to the *affected* territory of the State and in relation to those sub-conflicts that themselves satisfy the criteria of an international armed conflict.
- (C) The conflict is continued to be considered as a non-international armed conflict.
- (D) Your State does not make such an assessment.
- (E) Your State makes such an assessment, but does not disclose it with third parties.
- (F) If none of the answers under (A) through (E) reflect accurately your State's position, please provide a description of your State's position.