

三、本批示自二零二三年六月五日起產生效力。

二零二三年二月九日

行政長官 賀一誠

3. O presente despacho produz efeitos a partir de 5 de Junho de 2023.

9 de Fevereiro de 2023.

O Chefe do Executivo, *Ho Iat Seng*.

第 3/2023 號行政長官公告

按照中央人民政府的命令，行政長官根據第3/1999號法律《法規的公佈與格式》第六條第一款的規定，命令公佈聯合國安全理事會於二零二二年十二月九日通過的關於制裁相關問題的第2664 (2022) 號決議的中文和英文正式文本。

二零二三年二月七日發佈。

行政長官 賀一誠

Aviso do Chefe do Executivo n.º 3/2023

O Chefe do Executivo manda publicar, nos termos do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas), por ordem do Governo Popular Central, a Resolução n.º 2664 (2022) relativa às questões relacionadas com as sanções, adoptada pelo Conselho de Segurança das Nações Unidas em 9 de Dezembro de 2022, nos seus textos autênticos em línguas chinesa e inglesa.

Promulgado em 7 de Fevereiro de 2023.

O Chefe do Executivo, *Ho Iat Seng*.

第 2664 (2022) 號決議

2022 年 12 月 9 日安全理事會第 9214 次會議通過

安全理事會，

回顧其以往針對威脅國際和平與安全行為實行制裁措施的各項決議，

重申需要根據《聯合國憲章》和國際法，包括適用的國際人權法、國際難民法和國際人道法，採取一切手段抗擊對國際和平與安全的威脅，在此方面強調指出聯合國在領導和協調這項努力方面發揮着重大作用，包括利用其制裁制度，

強調制裁是《聯合國憲章》規定的維護和恢復國際和平與安全、包括支持開展和平進程、打擊恐怖主義和促進不擴散的一個重要手段，在這方面強調需要按照國際人道法，全面執行安理會規定的所有此類措施，

銘記在安理會決定設立制裁制度之前評估潛在人道影響的重要性，同時承認安理會有必要迅速採取行動，對付國際和平與安全所受威脅，

回顧第 2462 (2019) 號決議，其中決定，所有國家應以符合根據國際法、包括國際人道法、國際人權法和國際難民法承擔的義務的方式，確保國內法律法規確立相關的嚴重罪行，足以能據此以適當反映罪行嚴重性的形式起訴和懲處直接或間接地蓄意提供或籌集資金、金融資產或經濟資源或提供金融服務或其他相關服務、意圖供恐怖主義組織或恐怖主義分子用於或知悉將被他們用於任何目的的行為，這些

目的包括但不限於招募、訓練或旅行，即便它與某一具體恐怖主義行為無關，敦促各國在制定和實行打擊資助恐怖主義行為的措施時考慮到這些措施可能對公正的人道主義行為體以符合國際人道法方式開展純屬人道主義活動、包括醫務活動的影響；

回顧指出，會員國需確保為執行制裁而採取的所有措施，包括在反恐方面採取的措施，均符合其根據國際法，包括根據適用的國際人道法、國際人權法和國際難民法承擔的義務，在這方面注意到國際人道法關於尊重和保護人道救援行動人員和物資以及不對任何從事符合醫德的醫護活動者實施懲罰的適用規則，

強調此類措施無意對平民造成不利的人道後果，也無意對人道主義活動或開展這些活動的人造成不利後果，注意到人道需求和人的基本需求因具體情況而異，

表示隨時準備結合當地局勢的演變情況以及儘可能減少負面人道影響的需要，在適當時審查、調整和取消其制裁制度，着重指出制裁措施是臨時性的，確認區域和次區域組織在這方面的看法，

鼓勵聯合國酌情發揮積極作用，在適用制裁的局勢中協調人道主義活動，回顧大會第 46/182 號決議關於緊急人道主義援助的聯合國指導原則，包括人道、中立、公正和獨立等原則，並注意到本決議的意圖是澄清問題，以確保今後繼續進行人道主義活動，指出本決議的意圖是作出明確規定，確保今後繼續開展人道主義活動，

重申其以往關於對國際和平與安全的威脅的認定，這些威脅促使其實施所有現行制裁措施，

根據《聯合國憲章》第七章採取行動，

1. **決定**，在不影響會員國所承擔的凍結安理會或其制裁委員會所指認個人、團體、企業和實體資金和其他金融資產或經濟資源的義務情況下，聯合國包括其方案、基金和其他實體和機構及聯合國專門機構和有關組織、國際組織、在聯合國大會具有觀察員地位的人道主義組織和這些人道主義組織的成員，或參加聯合國人道主義應急計劃、難民應對計劃、其他聯合國呼籲或人道協調廳協調下人道主義專題群組的雙邊或多邊供資非政府組織或以這些組織身份行事的這些組織僱員、受權方、附屬機構或執行夥伴，或安理會所設任何單獨委員會在各自任務範圍內並根據各自任務規定增加的其他相關方提供、處理或支付資金、其他金融資產或經濟資源，或提供必要貨物和服務以確保及時運送人道援助或支持為幫助滿足人們基本需求而開展其他活動，都是允許的，不違反安理會或其制裁委員會規定的資產凍結；

2. **決定**上文第 1 段所述規定將適用於 1267/1989/2253 伊黎伊斯蘭國（達伊沙）和基地組織制裁制度，自本決議通過之日起，為期兩年，並表示打算在該段對上述制裁制度適用期限本應結束之前，就是否將其適用範圍擴展到此制裁制度作出決定，強調 1267/1989/2253 制裁委員會依照第 6 段在監測本決議第 1 段執行情況方面的作用，促請所有國家與該委員會及其第 1526(2004)號決議所設分析支助和制裁監測組充分合作執行其任務，包括提供該委員會在這方面可能需要的信息，強調安理會需要審議一切信息，包括該委員會或監測組所提供關於第 1267(1999)號決議和其他相關決議所定措施執行情況的信息，包括可能違反制裁行為信息，以及聯合國緊急救濟協調員依照本決議第 5 段提交的簡報；

3. 請援用第 1 段的提供方作出合理努力，儘可能減少制裁措施

所禁止的任何收益通過直接或間接提供或轉移，流向安理會或其任何委員會指認的個人或實體，包括為此強化風險管理和盡職調查戰略與程序；

4. **強調**本決議第 1 段如與安理會以往決議有衝突，就此類衝突而言，應以第 1 段取代以往此類決議，並在這方面澄清，第 1 段應取代和替換安理會第 2607（2021）號決議第 37 段和第 2653（2022）號決議第 10 段，但其第 2615（2021）號決議第 1 段應繼續有效，此外決定，本決議第 1 段應適用於安理會今後實施或延長的所有資產凍結，除非安理會明確作出與此相反的決定；

5. **請**聯合國緊急救濟協調員（緊急救濟協調員）在本決議通過之日起 11 個月內，並在其後每 12 個月，根據每個相關委員會的任務範圍向其通報或安排通報根據本決議提供人道援助和開展其他活動以幫助滿足人們基本需求的情況，包括通報關於向被指認個人或實體或為其利益提供、處理或支付資金、其他金融資產或經濟資源、被指認個人或實體轉移任何資金或經濟資源、既有風險管理和盡職調查程序以及妨礙提供此類援助或妨礙執行本決議的任何障礙，此外請相關提供方協助緊急救濟協調員籌備這類通報，儘可能快速但無論如何應在緊急救濟協調員提出任何要求後 60 天內提供與此相關的資料，此外強調在籌備通報過程中，緊急救濟協調員必須考慮到 1267/1989/2253 制裁委員會或其監測組在其任務範圍內提供的關於第 1267（1999）號決議和其他相關決議所定措施執行情況，包括可能違反制裁行為的任何資料，並回顧這些委員會有能力與會員國接觸，確保安理會的決定得到有效執行，包括請所涉會員國提供必要的補充資料，包括關於其管轄範圍內的提供方的資料，以支持安理會決定的

執行；

6. **指示**安理會為執行制裁而設立的各委員會發出執行援助通知，結合其各自任務所涉制裁的獨特背景，為充分執行第 1 段提供進一步指導，以此協助會員國正確理解和充分執行本決議第 1 段，還指示這些委員會在其各自專家小組的協助下監測本決議第 1 段的執行情況，包括監測任何轉移風險；

7. **要求**秘書長在本決議通過後 9 個月內，就安全理事會制裁措施、包括旅行禁令和軍火禁運措施以及特定制裁制度的特有措施所產生的意外負面人道後果，提出書面報告，要求該報告中提出關於如何儘可能減少和減輕這種意外負面後果，包括為此頒布更多關於此類措施的長期豁免的建議，表示打算考慮結合秘書長的報告和建議，視需要採取更多步驟，進一步減少和減輕這種意外負面後果；

8. **決定**繼續處理此案。

Resolution 2664 (2022)

**Adopted by the Security Council at its 9214th meeting, on
9 December 2022**

The Security Council,

Recalling its previous resolutions imposing its sanctions measures in response to threats to international peace and security,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights law, international refugee law, and international humanitarian law, threats to international peace and security, stressing in this regard, the important role the United Nations plays in leading and coordinating this effort, including through use of its sanctions regimes,

Emphasizing that its sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, including in support of peace processes, countering terrorism, and promoting non-proliferation and stressing in this regard, the need for full implementation of all such measures imposed by this Council, consistent with international humanitarian law,

Bearing in mind the importance of assessing potential humanitarian impacts prior to a Council decision to establish a sanctions regime, while *accepting* the need for the Council to act swiftly in countering threats to international peace and security,

Recalling resolution 2462 (2019), which decides that all States shall, in a manner consistent with their obligations under international law, including international humanitarian law, international human rights law and international refugee law, ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and to penalize in a manner duly reflecting the seriousness of the offense the willful provision or collection of funds, financial assets or economic resources or financial or other related services, directly or indirectly, with the intention that the funds should be used, or in the knowledge that they are to be used for the benefit of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a link to a specific terrorist act, and *urging* States when designing and applying measures to counter the financing of terrorism, to take into account the potential effect of those measures on exclusively humanitarian activities, including medical activities, that are carried out by impartial humanitarian actors in a manner consistent with international humanitarian law,

Recalling the need for Member States to ensure that all measures taken by them to implement sanctions, including in the context of counter-terrorism, comply with their obligations under international law, including international humanitarian law, international human rights law and international refugee law, as applicable, and noting, in this regard, the rules of international humanitarian law, as applicable, regarding respect for, and the protection of, humanitarian personnel and consignments for humanitarian relief operations and the non-punishment of any person for carrying out medical activities compatible with medical ethics,

Emphasizing that such measures are not intended to have adverse humanitarian consequences for civilian populations nor adverse consequences for humanitarian activities or those carrying them out, and *noting* that humanitarian and basic human needs differ depending on the specific context,

Expressing its readiness to review, adjust and terminate, when appropriate, its sanctions regimes taking into account the evolution of the situation on the ground and the need to minimize unintended adverse humanitarian effects, *underlining* that sanctions measures are intended to be temporary, and *acknowledging* the perspectives of regional and subregional organizations in this regard,

Encouraging the United Nations, where appropriate, to take an active role in coordinating humanitarian activities in situations where its sanctions are applicable, recalling the United Nations guiding principles of General Assembly Resolution 46/182 of humanitarian emergency assistance, including humanity, neutrality, impartiality and independence, and noting that the intention of this resolution is to provide clarity to ensure the continuation of humanitarian activities in the future,

Reaffirming its previous determinations regarding the threats to international peace and security that prompted its imposition of all extant sanctions measures,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that without prejudice to the obligations imposed on Member States to freeze the funds and other financial assets or economic resources of individuals, groups, undertakings, and entities designated by this Council or its Sanctions Committees, the provision, processing or payment of funds, other financial assets, or economic resources, or the provision of goods and services necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs by the United Nations, including its Programmes, Funds and Other Entities and Bodies, as well as its Specialized Agencies and Related Organizations, international organizations, humanitarian organizations having observer status with the United Nations General Assembly and members of those humanitarian organizations, or bilaterally or multilaterally funded non-governmental organizations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals, or OCHA-coordinated humanitarian “clusters,” or their employees, grantees, subsidiaries, or implementing partners while and to the extent that they are acting in those capacities, or by appropriate others as added by any individual Committees established by this Council within and with respect to their respective mandates, are permitted and are not a violation of the asset freezes imposed by this Council or its Sanctions Committees;

2. *Decides* that the provisions introduced by paragraph 1 above will apply to the 1267/1989/2253 ISIL (Da’esh) and Al-Qaida sanctions regime for a period of two years from the date of adoption of this resolution, and expresses its intent to make a decision on the extension of its application to that regime prior to the date on which its application to that regime would otherwise expire, *emphasizes* the role of the 1267/1989/2253 Sanctions Committee in monitoring the implementation of paragraph 1 of this resolution as per paragraph 6, *calls upon* all States to cooperate

fully with that Committee and its Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004) in the fulfillment of its tasks, including supplying such information as may be required by that Committee in that respect, and *emphasizes* the importance of this Council's consideration of any information, including that provided by the Committee or Monitoring Team, regarding implementation of the measures imposed by resolution 1267 (1999) and other relevant resolutions, including possible violations thereof, as well as briefings received from the United Nations Emergency Relief Coordinator (ERC) as per paragraph 5 of this resolution;

3. *Requests* that providers relying on paragraph 1 use reasonable efforts to minimize the accrual of any benefits prohibited by sanctions, whether as a result of direct or indirect provision or diversion, to individuals or entities designated by this Council or any of its Committees, including by strengthening risk management and due diligence strategies and processes;

4. *Emphasizes* that where paragraph 1 of this resolution conflicts with its previous resolutions, paragraph 1 shall supersede such previous resolutions to the extent of such conflict, clarifies in that regard that paragraph 1 shall supersede and replace paragraph 37 of its resolution 2607 (2021) and paragraph 10 of its resolution 2653 (2022), but that paragraph 1 of its resolution 2615 (2021) shall remain in effect, and decides that paragraph 1 of this resolution shall apply with respect to all future asset freezes imposed or renewed by this Council in the absence of an explicit decision by this Council to the contrary;

5. *Requests* the United Nations Emergency Relief Coordinator (ERC) to brief or arrange a briefing for each relevant Committee within its mandate 11 months from the date of adoption of this resolution and every 12 months afterwards on the delivery of humanitarian assistance and other activities that support basic human needs provided consistent with this resolution, including on any available information regarding the provision, processing or payment of funds, other financial assets or economic resources to, or for the benefit of, designated individuals or entities, any diversion of funds or economic resources by the same, risk management and due diligence processes in place, and any obstacles to the provision of such assistance or to the implementation of this resolution, *further requests* relevant providers to assist the ERC in the preparation of such briefings by providing information relevant thereto as expeditiously as is feasible and, in any case, within 60 days of any request from the ERC, also *emphasizes* the importance, in the process of preparing its briefing, of the ERC's consideration of any information provided by the 1267/1989/2253 Sanctions Committee or its Monitoring Team, acting within its mandate, regarding implementation of the measures imposed by resolution 1267 (1999) and other relevant resolutions, including possible violations thereof, and *recalls* the Committees' ability to engage with Member States to ensure the effective implementation of this Council's decisions, including by requesting additional information from such Member States, including with respect to providers under their jurisdiction, as needed to support such implementation;

6. *Directs* the Committees established by this Council with respect to sanctions implementation to assist Member States in properly understanding and fully implementing paragraph 1 of this resolution by issuing Implementation Assistance Notices to provide further guidance to give full effect to paragraph 1 that takes into account the unique context of the sanctions falling under their respective mandates, and *further directs* these Committees, assisted by their respective panels of experts, to monitor the implementation of paragraph 1 of this resolution, including any risk of diversion;

7. *Requests* that the Secretary-General issue a written report on unintended adverse humanitarian consequences of Security Council sanctions measures, including travel ban and arms embargo measures, as well as those measures that are sui generis to particular sanctions regimes, within 9 months of the adoption of this resolution, requests that such report contain recommendations on ways to minimize and mitigate such unintended adverse consequences including via the promulgation of additional standing exemptions to such measures, and expresses its intent to consider further steps as necessary, taking into account the Secretary-General's report and recommendations, to further minimize and mitigate such unintended adverse consequences; and

8. *Decides* to remain seized of this matter.

第 4/2023 號行政長官公告

按照中央人民政府的命令，行政長官根據第3/1999號法律《法規的公佈與格式》第六條第一款的規定，命令公佈聯合國安全理事會於二零二二年十二月二十日通過的關於剛果民主共和國局勢（剛果民主共和國制裁）的第2667（2022）號決議的中文和英文正式文本。

二零二三年二月七日發佈。

行政長官 賀一誠

Aviso do Chefe do Executivo n.º 4/2023

O Chefe do Executivo manda publicar, nos termos do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas), por ordem do Governo Popular Central, a Resolução n.º 2667 (2022) relativa à situação na República Democrática do Congo (RDC sanções), adoptada pelo Conselho de Segurança das Nações Unidas em 20 de Dezembro de 2022, nos seus textos autênticos em línguas chinesa e inglesa.

Promulgado em 7 de Fevereiro de 2023.

O Chefe do Executivo, *Ho Iat Seng*.

第 2667（2022）號決議

2022 年 12 月 20 日安全理事會第 9226 次會議通過

安全理事會，

回顧其以往關於剛果民主共和國的各項決議和主席聲明，

認定剛果民主共和國局勢繼續對該區域的國際和平與安全構成威脅，

根據《聯合國憲章》第七章採取行動，

1. 重申第 1807（2008）號決議第 1 段規定的措施繼續適用於在剛果民主共和國境內活動的所有非政府實體和個人；

2. 決定第 1807（2008）號決議第 5 段規定的通知要求不再適用；

3. 請剛果民主共和國政府至遲於 2023 年 5 月 31 日向安全理事會提交一份保密報告，詳細說明它為確保國家武器彈藥庫存的安全有效管理、儲存、標識、監測和保管以及為打擊販運和移挪軍火所作的努力；

4. 決定繼續處理此案。