

## 第 12/2013 號行政長官公告

## Aviso do Chefe do Executivo n.º 12/2013

按照中央人民政府的命令，行政長官根據澳門特別行政區第3/1999號法律第六條第一款的規定，命令公佈聯合國安全理事會於二零一二年十二月十七日通過的關於恐怖活動對國際和平與安全構成威脅的第2083 (2012) 號決議的中文及英文正式文本。

二零一三年四月二十三日發佈。

行政長官 崔世安

## 第 2083 (2012) 號決議

安全理事會 2012 年 12 月 17 日第 6890 次會議通過

安全理事會，

回顧其第1267 (1999)、第1333 (2000)、第1363 (2001)、第1373 (2001)、第1390 (2002)、第1452 (2002)、第1455 (2003)、第1526 (2004)、第1566 (2004)、第1617 (2005)、第1624 (2005)、第1699 (2006)、第1730 (2006)、第1735 (2006)、第1822 (2008)、第1904 (2009)、第1988 (2011) 和第1989 (2011) 號決議，以及有關的安理會主席聲明，

重申一切形式和表現的恐怖主義都是對和平與安全的最嚴重威脅之一，任何恐怖主義行為，不論其動機為何，在何時發生，何人所為，都是不可開脫的犯罪行為，再次斷然譴責基地組織以及與之有關聯的其他個人、團體、企業和實體不斷多次犯下恐怖主義罪行，其目的是造成無辜平民和其他受害者死亡，財產損毀，嚴重破壞穩定，

重申不能也不應將恐怖主義與任何宗教、國籍或文明聯繫起來，

回顧安全理事會主席2012年5月4日關於恐怖行為威脅國際和平與安全的聲明 (S/PRST/2012/17)，

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、難民法和人道主義法，採取一切手段抗擊恐怖行為對國際和平與安全造成的威脅，並為此強調聯合國在領導和協調這項努力方面的重大作用，

表示關切恐怖主義團體為籌集資金或贏得政治讓步，製造了更多的綁架和劫持人質事件，重申仍然需要解決這一問題，

強調只有採取持久、全面的對策，並有所有國家、國際組織和區域組織的積極參與和協作，以遏止、削弱、孤立恐怖主義威脅並使其喪失能力，才能戰勝恐怖主義，

O Chefe do Executivo manda publicar, nos termos do n.º 1 do artigo 6.º da Lei n.º 3/1999 da Região Administrativa Especial de Macau, por ordem do Governo Popular Central, a Resolução n.º 2083 (2012), adoptada pelo Conselho de Segurança das Nações Unidas, em 17 de Dezembro de 2012, relativa às ameaças à paz e segurança internacionais causadas por actos terroristas, nos seus textos autênticos em línguas chinesa e inglesa.

Promulgado em 23 de Abril de 2013.

O Chefe do Executivo, *Chui Sai On*.

## Resolution 2083 (2012)

Adopted by the Security Council at its 6890th meeting, on 17 December 2012

*The Security Council,*

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), and 1989 (2011), and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and reiterating its unequivocal condemnation of Al-Qaida and other individuals, groups, undertakings and entities associated with it, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property and greatly undermining stability,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality or civilization,

Recalling the Presidential Statement of the Security Council (S/PRST/2012/17) of 4 May 2012 on threats to international peace and security caused by terrorist acts,

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, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Expressing concern at the increase in incidents of kidnapping and hostage-taking by terrorist groups with the aim of raising funds, or gaining political concessions, and reiterating the continued need for this issue to be addressed,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

**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的重要手段之一，在這方面強調，需要大力執行本決議第1段所述措施，將其作為打擊恐怖活動的重要工具，

**敦促**所有會員國積極參與維持和更新根據第1267（1999）、第1333（2000）和第1989（2011）號決議編製的名單（“基地組織制裁名單”），提供關於現有列名的補充資料，酌情提出除名請求，查明應受本決議第1段所述措施制裁的其他個人、團體、企業和實體並提出名字供列入名單，

**提醒**第1267（1999）和第1989（2011）號決議所設委員會（“委員會”）迅速逐一將不再符合本決議所述列名標準的個人和實體除名，

**認識到**會員國根據本決議第1段採取措施時面臨法律及其他挑戰，**歡迎**委員會的程序和基地組織制裁名單的質量有所改進，**表示打算**繼續努力，確保這些程序是公正和明確無誤的，

**歡迎**根據第1904（2009）號決議設立監察員辦公室並在第1989（2011）號決議中加強了監察員的任務規定，**注意到**監察員辦公室在加強公平性和透明度方面做出重大貢獻，**回顧**安全理事會堅定承諾，將確保監察員辦公室能夠繼續根據任務規定有效發揮作用，**又回顧**2011年2月28日安全理事會主席聲明（S/PRST/2011/5），

**歡迎**監察員向安全理事會提交半年期報告，包括2011年1月21日、7月22日和2012年1月20日及7月30日提交的報告，

**重申**本決議第1段所述措施是預防性的，沒有依循各國法律規定的刑事標準，

**歡迎**聯合國大會在2012年6月對2006年9月8日的“全球反恐戰略”（A/RES/60/288）進行第三次審查，並歡迎設立反恐執行工作隊，以確保聯合國系統反恐工作的總體協調一致，

**歡迎**委員會與國際刑警組織、聯合國毒品和犯罪問題辦公室（尤其是在技術援助和能力建設方面）以及所有其他聯合國機構持續開展合作，鼓勵進一步與反恐執行工作隊進行互動，以確保聯合國系統反恐工作的總體協調一致，

*Emphasizing* that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, and stressing in this regard the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

*Urging* all Member States to participate actively in maintaining and updating the list created pursuant to resolutions 1267 (1999), 1333 (2000) and 1989 (2011) (“the Al-Qaida Sanctions List”) by contributing additional information pertinent to current listings, submitting delisting requests when appropriate, and by identifying and nominating for listing additional individuals, groups, undertakings and entities which should be subject to the measures referred to in paragraph 1 of this resolution,

*Reminding* the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) (“the Committee”) to remove expeditiously and on a case-by-case basis individuals and entities that no longer meet the criteria for listing outlined in this resolution,

*Recognizing* the challenges, both legal and otherwise, to the measures implemented by Member States under paragraph 1 of this resolution, *welcoming* improvements to the Committee’s procedures and the quality of the Al-Qaida Sanctions List, and *expressing* its intent to continue efforts to ensure that procedures are fair and clear,

*Welcoming* the establishment of the Office of the Ombudsman pursuant to resolution 1904 (2009) and the enhancement of the Ombudsman’s mandate in resolution 1989 (2011), *noting* the Office of the Ombudsman’s significant contribution in providing additional fairness and transparency, *recalling* the Security Council’s firm commitment to ensuring that the Office of the Ombudsman is able to continue to carry out its role effectively, in accordance with its mandate, and *recalling also* the Presidential Statement of the Security Council (S/PRST/2011/5) of 28 February 2011,

*Welcoming* the Ombudsman’s biannual reports to the Security Council, including the reports submitted on 21 January 2011, 22 July 2011, 20 January 2012 and 30 July 2012,

*Reiterating* that the measures referred to in paragraph 1 of this resolution are preventative in nature and are not reliant upon criminal standards set out under national law,

*Welcoming* the third review in June 2012 by the General Assembly of the United Nations Global Counter-Terrorism Strategy (A/RES/60/288) of 8 September 2006 and the creation of the Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

*Welcoming* the continuing cooperation between the Committee and INTERPOL, the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity-building, and all other United Nations bodies, and *encouraging* further engagement with the CTITF to ensure overall coordination and coherence in the counter-terrorism efforts of the UN system,

**認識到**需要採取措施防止和制止向恐怖主義和恐怖組織提供資助，包括來自有組織犯罪，特別是來自非法生產和販運毒品及其化學前體所得收入的資助，並認識到必須繼續為此目的開展國際合作，

**關切地注意到**基地組織和其他與之有關聯的個人、團體、企業和實體繼續對國際和平與安全構成威脅，**重申**安理會決心在所有方面應對這一威脅，

**注意到**，在一些情況下，符合本決議第4段所述列名標準的某些個人、團體、企業和實體也可能符合第1988 (2011) 號決議第3段或其他相關制裁決議規定的列名標準，

根據《聯合國憲章》第七章**採取行動**，

### 措施

1. **決定**，所有國家均應對基地組織以及與之有關聯的其他個人、團體、企業和實體，採取第1333 (2000) 號決議第8 (c) 段、第1390 (2002) 號決議第1和第2段和第1989 (2011) 號決議第1和4段早先規定的措施：

(a) 毫不拖延地凍結這些個人、團體、企業和實體的資金和其他金融資產或經濟資源，包括他們、代表其行事的人或按照其指示行事的人直接或間接擁有或控制的財產所衍生的資金，並確保本國國民或本國境內的人不直接或間接為這些人的利益提供此種或任何其他資金、金融資產或經濟資源；

(b) 阻止這些個人入境或過境，但本段的規定絕不強制任何國家拒絕本國國民入境或要求本國國民離境，本段也不適用於為履行司法程序而必須入境或過境的情況，或委員會在逐一審查後認定有正當理由入境或過境的情況；

(c) 阻止從本國境內、或境外本國國民、或使用懸掛本國國旗的船隻或飛機向這些個人、團體、企業和實體直接或間接供應、銷售或轉讓軍火和各種有關物資，包括武器和彈藥、軍用車輛和裝備、準軍事裝備及上述物資的備件，以及與軍事活動有關的技術諮詢、援助或培訓；

2. **重申**，表明個人、團體、企業或實體與基地組織有關聯的行為或活動包括：

(a) 參與資助、籌劃、協助、籌備或實施基地組織或其任何基層組織、下屬機構、從中分裂或衍生出來的團體實施、夥同其實施、以其名義實施、代表其實施或為向其提供支持而實施的行動或活動；

*Recognizing* the need to take measures to prevent and suppress the financing of terrorism and terrorist organizations, including from the proceeds of organized crime, inter alia, the illicit production and trafficking of drugs and their chemical precursors, and the importance of continued international co-operation to that aim,

*Noting with concern* the continued threat posed to international peace and security by Al-Qaida and other individuals, groups, undertakings and entities associated with it, *reaffirming* its resolve to address all aspects of that threat,

*Noting* that, in some instances, certain individuals, groups, undertakings and entities that meet the criteria for listing set forth in paragraph 3 of resolution 1988 (2011) or other relevant sanctions resolutions may also meet the criteria for listing set forth in paragraph 4 of this resolution,

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

### Measures

1. *Decides* that all States shall take the measures as previously imposed by paragraph 8 (c) of resolution 1333 (2000), paragraphs 1 and 2 of resolution 1390 (2002), and paragraphs 1 and 4 of resolution 1989 (2011), with respect to Al-Qaida and other individuals, groups, undertakings and entities associated with them:

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities;

2. *Reaffirms* that acts or activities indicating that an individual, group, undertaking or entity is associated with Al-Qaida include:

(a) Participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) 為其供應、銷售或轉讓軍火和有關物資；

(c) 為其招募人員；或以其他方式支持基地組織或其任何基層組織、下屬機構、從中分裂或衍生出來的團體的行為或活動；

3. **確認**，任何由基地組織直接或間接擁有或控制、或以其他方式向其提供支持的個人、團體、企業或實體，任何與基地組織有關聯的個人、團體、企業和實體，包括被列入基地組織制裁名單者，均可被指認；

4. **確認**上文第1段(a)的規定適用於所有類別的金融和經濟資源，其中包括但不限於用來提供因特網託管服務或相關服務，以支持基地組織以及其他與之有關聯的個人、團體、企業或實體的資源；

5. **指出**，此種資助或支持手段包括但不限於使用包括非法種植、生產及販運毒品及其前體在內的犯罪行為所得收入；

6. **還確認**上文第1段(a)的規定還應適用於向基地組織制裁名單所列個人、團體、企業或實體支付的贖金；

7. **決定**會員國可允許在已依照上文第1段的規定予以凍結的帳戶中存入任何以被列名的個人、團體、企業或實體為受益人的付款，但任何此種付款仍受上文第1段的規定制約並應被凍結；

8. **鼓勵**會員國利用第1452(2002)號決議第1和2段做出的並經第1735(2006)號決議修正的上文第1(a)段規定的措施可以有豁免的規定，授權第1730(2006)號決議設立的協調人機制按下文第37段所述，接受基地組織制裁名單上的個人、團體、企業或實體提交的或其法律代理人或財產代管人代表他們提交的豁免申請，以供委員會審議；

9. **指示**委員會與安全理事會其他有關制裁委員會、特別是第1988(2011)號決議所設委員會合作；

#### 開列名單

10. **鼓勵**所有會員國向委員會提交第1617(2005)號決議第2段所述、經上文第2段重申的以任何手段參與資助或支持基地組織的行為或活動的個人、團體、企業和實體以及與基地組織有關聯的其他個人、團體、企業和實體的名字，供委員會列入基地組織制裁名單；

11. **重申**會員國在向委員會提名以供列入基地組織制裁名單時，應根據第1735(2006)號決議第5段和第1822(2008)號決議第12段的規定行事，並提供案情說明，列出擬列入名單的詳細理

(b) Supplying, selling or transferring arms and related materiel to;

(c) Recruiting for; or otherwise supporting acts or activities of Al-Qaida or any cell, affiliate, splinter group or derivative thereof;

3. *Confirms* that any individual, group, undertaking or entity either owned or controlled, directly or indirectly, by, or otherwise supporting, any individual, group, undertaking or entity associated with Al-Qaida, including on the Al-Qaida Sanctions List, shall be eligible for designation;

4. *Confirms* that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida and other individuals, groups, undertakings or entities associated with it;

5. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from crime, including the illicit cultivation, production and trafficking of narcotic drugs and their precursors;

6. *Confirms* further that the requirements in paragraph 1 (a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Al-Qaida Sanctions List;

7. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

8. *Encourages* Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1 (a) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and authorizes the Focal Point mechanism established in resolution 1730 (2006) to receive exemption requests submitted by, or on behalf of, an individual, group, undertaking or entity on the Al-Qaida Sanctions List, or by the legal representative or estate of such individual, group, undertaking or entity, for Committee consideration, as described in paragraph 37 below;

9. *Directs* the Committee to cooperate with other relevant Security Council Sanctions Committees, in particular that established pursuant to resolution 1988 (2011);

#### Listing

10. *Encourages* all Member States to submit to the Committee for inclusion on the Al-Qaida Sanctions List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, and other individuals, groups, undertakings and entities associated with them, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 2 above;

11. *Reaffirms* that, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and paragraph 12 of resolution 1822 (2008), and provide

由，**還決定**該案情說明除會員國向委員會指明應予保密的部分外，應可根據請求予以公開，並可用於編寫下文第14段所述的列名理由簡述；

12. **決定**，提出新指認的會員國以及在本決議通過之前提名以供列入基地組織制裁名單的會員國應說明，委員會或監察員可否公開它們是指認國；

13. **回顧**安理會決定，會員國在向委員會提名以供列入基地組織制裁名單時，應使用標準列名表格，儘可能向委員會提供關於提名的信息，特別是充分的識別信息，以便準確和肯定地識別有關個人、團體、企業和實體，並儘量提供國際刑警組織發特別通告所需要的信息，並**指示**委員會根據本決議的規定，在必要時更新標準列名表格；**還指示**監測組向委員會報告還可以採取哪些步驟改進識別信息，並確保為名單上的所有人頒發了國際刑警組織—聯合國特別通告；

14. **歡迎**委員會在基地組織制裁名單中增列名字的同時，在監察組的協助下並與相關指認國協調，在委員會網站上就相應條目登載列名理由簡述，指示委員會在監察組協助下並與相關指認國協調，繼續努力在委員會網站上提供所有被列名者的列名理由簡述；

15. **鼓勵**會員國及相關國際組織和機構將任何相關法院裁定和訴訟程序通知委員會，以便委員會能夠在審查相應列名或更新列名理由簡述時將其考慮在內；

16. **呼籲**委員會和監察組所有成員向委員會提供其可能掌握的任何關於會員國的列名申請的信息，以便這些信息有助於委員會就有關指認作出知情決定，並為第14段所述列名理由簡述提供更多材料；

17. **重申**，秘書處應根據第1735（2006）號決議第10段的規定，在進行公佈後，但在把某個名字列入基地組織制裁名單後三個工作日內，通知有關個人或實體據信所在國家的常駐代表團，如為個人，還應通知此人的國籍國（如已掌握此信息），**要求**秘書處在把某個名字列入基地組織制裁名單後，立即在委員會網

a statement of case, which should include detailed reasons on the proposed basis for the listing, and *decides further* that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 14 below;

12. *Decides* that Member States proposing a new designation, as well as Member States that have proposed names for inclusion on the Al-Qaida Sanctions List before the adoption of this resolution, shall specify if the Committee or the Ombudsperson may not make known the Member State's status as a designating State;

13. *Recalls* its decision that Member States, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List shall use the standard form for listing, and provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue a Special Notice, and *directs* the Committee to update, as necessary, the standard form for listing in accordance with the provisions of this resolution; and *further directs* the Monitoring Team to report to the Committee on further steps that could be taken to improve identifying information, as well as steps to ensure that INTERPOL-UN Special Notices exist for all listed individuals, groups, undertakings, and entities;

14. *Welcomes* efforts by the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the Al-Qaida Sanctions List, a narrative summary of reasons for listing for the corresponding entry, and *directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to continue its efforts to make accessible on the Committee's website narrative summaries of reasons for all listings;

15. *Encourages* Member States and relevant international organizations and bodies to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing;

16. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 14;

17. *Reaffirms* that the Secretariat shall, after publication but within three working days after a name is added to the Al-Qaida Sanctions List, notify the Permanent Mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), in accordance with paragraph 10 of resolution 1735 (2006), *requests* the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after

站公佈所有可公開發表的相關信息，包括列名理由簡述，並**著重指出**及時用聯合國所有正式語文公佈列名理由簡述的重要性；

18. **還重申**第1822 (2008) 號決議第17段的規定，即要求會員國根據本國法律和慣例，採取一切可能措施，將列名一事及時通知或告知被列名的個人或實體，並在通知中附上列名理由簡述、關於按相關決議列入名單的後果的說明、委員會審議除名申請的程序，包括可否根據第1989 (2011) 號決議第21段和本決議附件二向監察員提出這一申請，以及第1452 (2002) 號決議關於可於豁免的規定；

### 除名/監察員

19. **決定**，將本決議附件二所列程序規定的、第1904 (2009) 號決議所設監察員辦公室的任務自本決議通過之日起延長30個月，決定監察員應繼續獨立、公正地收取個人、團體、企業或實體提出的基地組織制裁名單除名申請，不得尋求或接受任何政府的指示，並**決定**監察員應就個人、團體、企業或實體通過監察員辦公室提交的基地組織制裁名單除名申請向委員會提出意見和建議，要麼建議保留列名，要麼建議委員會考慮除名；

20. **回顧**安理會決定，如監察員根據附件二就除名申請提出的監察員綜合報告建議保留列名，則要求各國對有關個人、團體、企業或實體採取本決議第1段所述措施的規定繼續有效；

21. **回顧**安理會決定，如監察員建議委員會考慮除名，在委員會完成對監察員根據本決議附件二、包括其中第6段 (h) 項所提交綜合報告的審議60天後，要求各國對有關個人、團體、企業或實體採取本決議第1段所述措施的規定即行終止，除非委員會在60天期限結束前以協商一致方式決定，這一規定對有關個人、團體、企業或實體繼續有效；並**規定**，如無法達成協商一致，主席應在委員會一名成員提出請求時，把是否將有關個人、團體、企業或實體除名的問題提交安全理事會，以便在60天內作出決定；**還規定**，如有成員提出這樣的請求，要求各國採取本決議第1段所述措施的規定在這一期間內仍對有關個人、團體、企業或實體有效，直至安全理事會就此問題做出決定；

a name is added to the Al-Qaida Sanctions List, and *highlights* the importance of making the narrative summary of reasons for listing available in all official languages of the United Nations in a timely manner;

18. *Reaffirms* further the provisions in paragraph 17 of resolution 1822 (2008) regarding the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification the narrative summary of reasons for listing, a description of the effects of designation, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraph 21 of resolution 1989 (2011) and annex II of this resolution, and the provisions of resolution 1452 (2002) regarding available exemptions;

### Delisting/Ombudsperson

19. *Decides* to extend the mandate of the Office of the Ombudsperson, established by resolution 1904 (2009), as reflected in the procedures outlined in annex II of this resolution, for a period of thirty months from the date of adoption of this resolution, *decides* that the Ombudsperson shall continue to receive requests from individuals, groups, undertakings or entities seeking to be removed from the Al-Qaida Sanctions List in an independent and impartial manner and shall neither seek nor receive instructions from any government, and *decides* that the Ombudsperson shall present to the Committee observations and a recommendation on the delisting of those individuals, groups, undertakings or entities that have requested removal from the Al-Qaida Sanctions List through the Office of the Ombudsperson, either a recommendation to retain the listing or a recommendation that the Committee consider delisting;

20. *Recalls* its decision that the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, where the Ombudsperson recommends retaining the listing in the Comprehensive Report of the Ombudsperson on a delisting request pursuant to annex II;

21. *Recalls* its decision that the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity sixty days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with annex II of this resolution, including paragraph 6 (h) thereof, where the Ombudsperson recommends that the Committee consider delisting, unless the Committee decides by consensus before the end of that sixty-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; *provided* that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of sixty days; and *provided further* that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

22. 請秘書長繼續加強監察員辦公室的能力，包括酌情提供必要資源，包括用於翻譯的資源，確保它能夠繼續有效和及時地執行任務；

23. 大力敦促會員國向監察員提供所有相關信息，包括酌情提供任何相關保密信息，鼓勵會員國及時提供相關信息，歡迎會員國同監察員辦公室做出有助於分享保密信息的安排，鼓勵會員國進一步在這方面提供合作，確認監察員必須遵守提供信息的會員國為這種信息規定的保密限制；

24. 請會員國和相關國際組織及機構鼓勵正考慮對其列名提出異議或已開始通過國家和區域法院對其列名提出異議的個人和實體向監察員辦公室提交除名申請，以尋求從基地組織制裁名單上除名；

25. 注意到本決議第44段提到的金融行動任務組的國際標準，包括關於定向金融制裁的最佳做法；

26. 回顧安理會決定，如指認國提交除名申請，要求各國對有關個人、團體、企業或實體採取本決議第1段所述措施的規定將在60天後即行終止，除非委員會在60天期限結束前以協商一致方式決定，這一規定對有關個人、團體、企業或實體繼續有效；並規定，如無法達成協商一致，主席應在委員會一名成員提出請求時，把是否將有關個人、團體、企業或實體除名的問題提交安全理事會，以便在60天內作出決定；還規定，如有成員提出這樣的請求，要求各國採取本決議第1段所述措施的規定在這一期間內仍對有關個人、團體、企業或實體有效，直至安全理事會就此問題做出決定；

27. 回顧安理會決定，在有多個指認國時，為提出第26段所述除名申請，所有指認國之間須達成協商一致；還回顧安理會決定，為第26段之目的，共同提出列名申請的國家不應視為指認國；

28. 大力敦促指認國允許監察員對已向監察員提交了除名申請的被列名個人和實體披露它們是指認國；

29. 指示委員會繼續根據其準則開展工作，審議會員國提出的關於把據稱不再符合相關決議以及本決議第2段所規定標準的個人、團體、企業和實體從基地組織制裁名單上除名的申請，

22. Requests the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson by providing necessary resources, including for translation services, as appropriate, to ensure its continued ability to carry out its mandate in an effective and timely manner;

23. Strongly urges Member States to provide all relevant information to the Ombudsperson, including any relevant confidential information, where appropriate, encourages Member States to provide relevant information in a timely manner, welcomes those national arrangements entered into by Member States with the Office of the Ombudsperson to facilitate the sharing of confidential information, encourages Member States' further cooperation in this regard, and confirms that the Ombudsperson must comply with any confidentiality restrictions that are placed on such information by Member States providing it;

24. Requests that Member States and relevant international organizations and bodies encourage individuals and entities that are considering challenging or are already in the process of challenging their listing through national and regional courts to seek removal from the Al-Qaida Sanctions List by submitting delisting petitions to the Office of the Ombudsperson;

25. Notes the Financial Action Task Force (FATF) international standards and, inter alia, best practices relating to targeted financial sanctions, as referenced in paragraph 44 of this resolution;

26. Recalls its decision that when the designating State submits a delisting request, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity after sixty days unless the Committee decides by consensus before the end of that sixty-day period that the measures shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of sixty days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

27. Recalls its decision that, for purposes of submitting a delisting request in paragraph 26, consensus must exist between or among all designating States in cases where there are multiple designating States; and further recalls its decision that co-sponsors of listing requests shall not be considered designating States for purposes of paragraph 26;

28. Strongly urges designating States to allow the Ombudsperson to reveal their identities as designating States, to those listed individuals and entities that have submitted delisting petitions to the Ombudsperson;

29. Directs the Committee to continue to work, in accordance with its guidelines, to consider delisting requests of Member States for the removal from the Al-Qaida Sanctions List of individuals, groups, undertakings and entities that are alleged to no longer meet the criteria established in the relevant resolu-

在委員會一名成員提出要求時，應將除名申請列入委員會議程，並**大力敦促**會員國提供提交除名申請的理由；

30. **鼓勵**各國為那些已被正式確認死亡的個人提交除名申請，特別是在未查出任何資產時這樣做，並為那些據說或經證實已不復存在的實體提出除名申請，同時採取一切合理措施，確保曾屬於這些個人或實體的資產沒有或不會被轉移或分發給基地組織制裁名單上的其他個人、團體、企業和實體；

31. **鼓勵**會員國在因除名而解凍已死亡個人或據說或經證實已不復存在的實體的資產時，回顧第1373 (2001) 號決議所規定的義務，特別要防止解凍資產被用於恐怖主義目的；

32. **決定**，會員國在解凍因烏薩馬·本·拉丹被列入名單而凍結的資產前，應向委員會提交解凍這些資產的申請，並應根據安全理事會第1373 (2001) 號決議，向委員會保證有關資產不會被直接或間接移交給列入名單的個人、團體、企業或實體，或以其他方式用於恐怖主義目的，**還決定**，這些資產只有在委員會成員在收到有關申請30天內沒有表示反對的情況下才能解凍，並**強調**本規定是一個例外，不應被視為創建先例；

33. **呼籲**委員會在審議除名申請時適當考慮指認國、居住國、國籍國、所在國或公司註冊國以及委員會確定的其他相關國家的意見，**指示**委員會成員在對除名申請表示反對時提出反對理由，並**籲請**委員會酌情將這些理由告知相關會員國、國家和區域法院及機構；

34. **鼓勵**包括指認國、居住國和國籍國在內的所有會員國向委員會提供與委員會審查除名申請有關的所有信息，並在收到請求時與委員會進行會晤，以表達對除名申請的意見，**還鼓勵**委員會酌情會見掌握了除名申請相關信息的國家或區域組織和機構的代表；

35. **確認**秘書處應在把一個名字從基地組織制裁名單上刪除後3天內（根據已知信息）通知居住國、國籍國、所在國或公司註冊國的常駐代表團，並**決定**，收到這種通知的國家應根據本國法律和慣例採取措施，及時將除名之事通知或告知有關個人或實體；

#### 豁免

36. **決定**，如果監察員無法在申請人居住國面見申請人，可在獲得申請人同意後，請委員會僅為允許申請人在進行這一面見

tions, and set out in paragraph 2 of the present resolution, which shall be placed on the Committee's agenda upon request of a member of the Committee, and *strongly urges* Member States to provide reasons for submitting their delisting requests;

30. *Encourages* States to submit delisting requests for individuals that are officially confirmed to be dead, particularly where no assets are identified, and for entities reported or confirmed to have ceased to exist, while at the same time taking all reasonable measures to ensure that the assets that had belonged to these individuals or entities have not been or will not be transferred or distributed to other individuals, groups, undertakings and entities on the Al-Qaida Sanctions List;

31. *Encourages* Member States, when unfreezing the assets of a deceased individual or an entity that is reported or confirmed to have ceased to exist as a result of a delisting, to recall the obligations set forth in resolution 1373 (2001) and, particularly, to prevent unfrozen assets from being used for terrorist purposes;

32. *Decides* that, prior to the unfreezing of any assets that have been frozen as a result of the listing of Usama bin Laden, Member States shall submit to the Committee a request to unfreeze such assets and shall provide assurances to the Committee that the assets will not be transferred, directly or indirectly, to a listed individual, group, undertaking or entity, or otherwise used for terrorist purposes in line with Security Council resolution 1373 (2001), and *decides further* that such assets may only be unfrozen in the absence of an objection by a Committee member within thirty days of receiving the request, and *stresses* the exceptional nature of this provision, which shall not be considered as establishing a precedent;

33. *Calls upon* the Committee when considering delisting requests to give due consideration to the opinions of designating State(s), State(s) of residence, nationality, location or incorporation, and other relevant States as determined by the Committee, *directs* Committee members to provide their reasons for objecting to delisting requests at the time the request is objected to, and *calls upon* the Committee to share its reasons with relevant Member States and national and regional courts and bodies, where appropriate;

34. *Encourages* all Member States, including designating States and States of residence and nationality, to provide all information to the Committee relevant to the Committee's review of delisting petitions, and to meet with the Committee, if requested, to convey their views on delisting requests, and further *encourages* the Committee, where appropriate, to meet with representatives of national or regional organizations and bodies that have relevant information on delisting petitions;

35. *Confirms* that the Secretariat shall, within 3 days after a name is removed from the Al-Qaida Sanctions List, notify the Permanent Mission of the State(s) of residence, nationality, location or incorporation (to the extent this information is known), and *decides* that States receiving such notification shall take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner;

#### Exemptions

36. *Decides* that, in cases in which the Ombudsperson is unable to interview a petitioner in his or her state of residence, the Ombudsperson may request, with the agreement of the pe-



所需要的時間內前往另一個國家面見監察員之目的，考慮免除本決議第1 (b) 段中的旅行限制，但條件是過境國和目的地國都不反對這一旅行，**還指示**委員會將其決定通知監察員；

37. **決定**，第1730 (2006) 號決議建立的協調人機制可：

(a) 接受列入名單的個人、團體、企業和實體提出的免除第1452 (2002) 號決議規定的本決議第1 (a) 段所述措施的申請，但有關申請須先提交居住國審議，**還決定**，協調人應把申請交給委員會做決定，**指示**委員會審議這些申請，包括與居住國和其他任何相關國家進行協商，**還指示**委員會通過協調人將其決定通知這些個人、團體、企業或實體；

(b) 接受列入名單的個人提出的免除本決議第1 (a) 段所述措施的申請並轉交給委員會，以便逐一決定是否有合理的入境或過境理由，**指示**委員會與過境國、目的地國和其他任何相關國家協商，審議這些申請，**還決定**，委員會只應在過境和目的地國同意時，方同意免除本決議第1 (a) 段所述措施，**還指示**委員會通過協調人將其決定通知這些個人；

#### 審查和維持基地組織制裁名單

38. **鼓勵**所有會員國，特別是指認國和居住國或國籍國，向委員會提交剛剛獲得的有關被列名個人、團體、企業或實體的更多識別信息和其他信息及證明文件，包括關於被列名實體、團體和企業的運作情況以及被列名個人的搬遷、入獄或死亡和其他重大動向的最新信息；

39. **請**監察組每六個月向委員會分發一份清單，列出基地組織制裁名單上因沒有必要識別信息而無法有效對其執行規定措施的個人和實體，**指示**委員會審查這些列名以決定它們是否仍然得當；

40. **重申**，監察組應每六個月向委員會分發基地組織制裁名單上的據說已經死亡的個人的清單，同時附上對死亡證書等相關信息的評估意見，並儘可能附上被凍結資產的狀況和地點以及能夠接收解凍資產的個人或實體的名字，**指示**委員會審查這些列名，以決定它們是否仍然得當，**呼籲**委員會在有可信的死亡信息時，刪除這些列名；

tioner, that the Committee consider granting an exemption to the restriction on travel in paragraph 1 (b) of this resolution for the sole purpose of allowing the petitioner to travel to another State to be interviewed by the Ombudsperson for a period no longer than necessary to participate in this interview, provided that all States of transit and destination do not object to such travel, and further *directs* the Committee to notify the Ombudsperson of the Committee's decision;

37. *Decides* that the Focal Point mechanism established in resolution 1730 (2006) may:

(a) Receive requests from listed individuals, groups, undertakings, and entities for exemptions to the measures outlined in paragraph 1 (a) of this resolution, as defined in resolution 1452 (2002) provided that the request has first been submitted for the consideration of the State of residence, and *decides* further that the Focal Point shall transmit such requests to the Committee for a decision, *directs* the Committee to consider such requests, including in consultation with the State of residence and any other relevant States, and *further directs* the Committee, through the Focal Point, to notify such individuals, groups, undertaking or entities of the Committee's decision;

(b) Receive requests from listed individuals for exemptions to the measures outlined in paragraph 1 (b) of this resolution and transmit these to the Committee to determine, on a case-by-case basis, whether entry or transit is justified, *directs* the Committee to consider such requests in consultation with States of transit and destination and any other relevant States, and *decides further* that the Committee shall only agree to exemptions to the measures in paragraph 1 (b) of this resolution with the agreement of the States of transit and destination, and *further directs* the Committee, through the Focal Point, to notify such individuals of the Committee's decision;

#### Review and maintenance of the Al-Qaida Sanctions List

38. *Encourages* all Member States, in particular designating States and States of residence or nationality, to submit to the Committee additional identifying and other information, along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

39. *Requests* the Monitoring Team to circulate to the Committee every six months a list of individuals and entities on the Al-Qaida Sanctions List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them, and *directs* the Committee to review these listings to decide whether they remain appropriate;

40. *Reaffirms* that the Monitoring Team should circulate to the Committee every six months a list of individuals on the Al-Qaida Sanctions List who are reportedly deceased, along with an assessment of relevant information such as the certification of death, and to the extent possible, the status and location of frozen assets and the names of any individuals or entities who would be in a position to receive any unfrozen assets, *directs* the Committee to review these listings to decide whether they remain appropriate, and *calls upon* the Committee to remove listings of deceased individuals, where credible information regarding death is available;

41. **重申**，監察組應每六個月向委員會分發基地組織制裁名單上的據說或經證實已不復存在的實體的清單，同時附上對任何相關信息的評估意見，**指示**委員會審查這些列名以決定它們是否仍然得當，**呼籲**委員會在有可信的信息時，刪除這些列名；

42. **還指示**委員會，根據第1822（2008）號決議第25段所述審查已經完成的情況，對基地組織制裁名單上的已有三年或三年以上未獲審查（“三年期審查”）的名字進行年度審查，根據委員會準則規定的程序把相關名字分發給指認國和（已知的）居住國、國籍國、所在國或公司註冊國，通過確定哪些列名不再得當和哪些列名仍然得當，確保基地組織制裁名單儘可能跟上情況的變化和準確無誤，並**指出**，自本決議通過之日起，委員會依照本決議附件二規定的程序對除名申請的審議應被視為等同於依照第1822（2008）號決議第26段進行的審查；

### 措施的執行

43. **重申**所有國家都必須制訂並在必要時採用適當程序，全面執行上文第1段所述措施的各個方面；回顧第1617（2005）號決議第7段，大力敦促所有會員國執行金融行動任務組關於洗錢、資助恐怖主義和擴散的四十項修訂建議，特別是關於對恐怖主義和資助恐怖主義行為進行定向金融制裁的建議6中的綜合國際標準；

44. **大力敦促**會員國採用金融行動任務組關於建議6的解釋性說明中的所有內容，並除其他外，**注意到**相關最佳做法，以切實對恐怖主義和資助恐怖主義行為進行定向金融制裁，**注意到**要有適當的法律依據和程序來採用和執行不以刑事訴訟為前提的定向金融制裁，採用證明有“合理理由”或“合理依據”的證據標準，並要有在必要時利用保密信息進行和提出指認和防止洩漏這些敏感信息的能力；

45. **指示**委員會繼續確保有公正和明確的程序，以便把個人和實體列入基地組織制裁名單，將其除名以及根據第1452（2002）號決議給予豁免，並指示委員會為支持這些目標不斷積極審查其準則；

46. **指示**委員會優先審查與本決議的規定有關的準則，特別是與第8、10、12、13、19、22、23、32、36、37、59、60、61和62段有關的準則；

47. **鼓勵**會員國（包括其常駐代表團）和相關國際組織與委員會舉行會議，以深入討論任何相關問題；

41. *Reaffirms* that the Monitoring Team should circulate to the Committee every six months a list of entities on the Al-Qaida Sanctions List that are reported or confirmed to have ceased to exist, along with an assessment of any relevant information, *directs* the Committee to review these listings to decide whether they remain appropriate, and *calls upon* the Committee to remove such listings where credible information is available;

42. *Further directs* the Committee, in light of the completion of the review described in paragraph 25 of resolution 1822 (2008), to conduct an annual review of all names on the Al-Qaida Sanctions List that have not been reviewed in three or more years (“the triennial review”), in which the relevant names are circulated to the designating States and States of residence, nationality, location or incorporation, where known, pursuant to the procedures set forth in the Committee guidelines, to ensure the Al-Qaida Sanctions List is as updated and accurate as possible through identifying listings that no longer remain appropriate and confirming listings that remain appropriate, and *notes* that the Committee’s consideration of a delisting request after the date of adoption of this resolution, pursuant to the procedures set out in annex II of this resolution, should be considered equivalent to a review conducted pursuant to paragraph 26 of resolution 1822 (2008);

### Measures implementation

43. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above; and recalling paragraph 7 of resolution 1617 (2005), *strongly urges* all Member States to implement the comprehensive international standards embodied in the Financial Action Task Force’s (FATF) revised Forty Recommendations on Combating Money Laundering and the Financing of Terrorism and Proliferation, particularly Recommendation 6 on targeted financial sanctions related to terrorism and terrorist financing;

44. *Strongly urges* Member States to apply the elements in FATF’s Interpretive Note to Recommendation 6, and to take note of, inter alia, related best practices for effective implementation of targeted financial sanctions related to terrorism and terrorist financing, and *takes note* of the need to have appropriate legal authorities and procedures to apply and enforce targeted financial sanctions that are not conditional upon the existence of criminal proceedings, and to apply an evidentiary standard of proof of “reasonable grounds” or “reasonable basis”, as well as the ability to collect or solicit as much information as possible from all relevant sources;

45. *Directs* the Committee to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Al-Qaida List and for removing them as well as for granting exemptions per resolution 1452 (2002), and *directs* the Committee to keep its guidelines under active review in support of these objectives;

46. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of this resolution, in particular paragraphs 8, 10, 12, 13, 19, 22, 23, 32, 36, 37, 59, 60, 61 and 62;

47. *Encourages* Member States, including through their permanent missions, and relevant international organizations to meet the Committee for in-depth discussion on any relevant issues;

48. 請委員會向安理會報告它關於會員國執行工作的結論，查找並提出必要措施來改進執行情況；

49. 指示委員會查明可能未遵守上文第1段所述措施的情況，針對每一種情況提出適當的行動方針，請主席在根據下文第59段向安理會提交的定期報告中彙報委員會在這個問題上開展工作的進展；

50. 敦促所有會員國在執行上文第1段所述措施時，確保儘快根據本國法律和慣例註銷假冒、偽造、失竊和遺失的護照和其他旅行證件，使其不再流通，並通過國際刑警組織數據庫與其他會員國分享這些證件的信息；

51. 鼓勵各會員國根據本國法律和慣例，與私營部門分享其國家數據庫中與假冒、偽造、失竊和遺失的歸本國管轄的身份證件或旅行證件有關的信息，並在發現有被列名者使用虛假身份（包括為了取得信貸）或假造旅行證件時，向委員會提供這方面的信息；

52. 鼓勵向列入名單的人頒發旅行證件的會員國酌情進行加註，表明持證人被禁止旅行和有相應的豁免手續；

53. 確認，委員會審理的事項最多應在六個月內審理完畢，除非委員會根據它的準則逐一認定因情況特殊而需要更多時間進行審議；

54. 鼓勵指認國通知監察組是否已有國內法院或其他司法主管部門審查了某一個人的案件，是否已經啟動任何司法程序，並在提交其標準列名表格時附上任何其他相關信息；

55. 請委員會在收到會員國請求時，通過監察組或聯合國專門機構協助提供能力建設援助，以加強對各項措施的執行；

#### 協調和外聯

56. 重申有必要加強委員會、反恐主義委員會（反恐委員會）、安全理事會第1540（2004）號決議所設委員會及其專家組之間正在開展的合作，包括酌情加強信息共享和以下方面的協調：在各自任務範圍內對各國的訪問、技術援助的促進和監測、與國際和區域組織及機構的關係以及涉及所有三個委員會的其他問題，表示打算就共同感興趣的領域向這些委員會提供指導，以更好地協調它們的努力和促進這種合作，並請秘書長作出必要安排，使這些機構能儘快在同一地點辦公；

48. *Requests* the Committee to report to the Council on its findings regarding Member States' implementation efforts, and identify and recommend steps necessary to improve implementation;

49. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and *requests* the Chair, in periodic reports to the Council pursuant to paragraph 59 below, to provide progress reports on the Committee's work on this issue;

50. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

51. *Encourages* Member States to share, in accordance with their domestic laws and practices, with the private sector information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions, and, if a listed party is found to be using a false identity including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

52. *Encourages* Member States that issue travel documents to listed individuals to note, as appropriate, that the bearer is subject to the travel ban and corresponding exemption procedures;

53. *Confirms* that no matter should be left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis that extraordinary circumstances require additional time for consideration, in accordance with the Committee's guidelines;

54. *Encourages* designating States to inform the Monitoring Team whether a national court or other legal authority has reviewed an individual's case and whether any judicial proceedings have begun, and to include any other relevant information when it submits its standard form for listing;

55. *Requests* the Committee to facilitate, through the Monitoring Team or specialized United Nations agencies, assistance on capacity-building for enhancing implementation of the measures, upon request by Member States;

#### Coordination and outreach

56. *Reiterates* the need to enhance ongoing cooperation among the Committee, the Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three committees, *expresses its intention* to provide guidance to the committees on areas of common interest in order better to coordinate their efforts and facilitate such cooperation, and *requests* the Secretary-General to make the necessary arrangements for the groups to be co-located as soon as possible;

57. 鼓勵監察組和聯合國毒品和犯罪問題辦公室繼續與反恐主義委員會執行局（反恐執行局）和1540委員會的專家合作開展聯合活動，通過舉辦區域和次區域講習班等方式，協助會員國努力履行相關決議規定的義務；

58. 請委員會考慮在適當的時候由主席和（或）委員會成員訪問選定國家，以進一步全面和有效地執行上文第1段所述措施，從而鼓勵各國全面遵守本決議和第1267（1999）、第1333（2000）、第1390（2002）、第1455（2003）、第1526（2004）、第1617（2005）、第1735（2006）、第1822（2008）、第1904（2009）和第1989（2011）號決議；

59. 請委員會至少每年一次通過委員會主席並酌情結合反恐執行局主席和第1540（2004）號決議所設委員會主席提交的報告，向安理會通報委員會總體工作的情況，表示打算至少每年根據主席提交給安理會的報告，就委員會的工作舉行一次非正式磋商，還請主席定期為所有感興趣的會員國舉行情況通報會；

#### 監察組

60. 決定，為協助委員會執行其任務和支持監察員開展工作，把依照第1526（2004）號決議第7段在紐約設立的本屆監察組及其成員的任務期限再延長30個月，在委員會指導下履行附件一所述職責，並請秘書長為此作出必要安排；

61. 指示監察組查找、收集不遵守本決議規定措施的情事和相同模式的獨立信息並隨時向委員會進行通報，並在接獲委員會請求時，提供能力建設援助，請監察組與居住國、國籍國、所在國或公司註冊國、指認國和其他相關國家密切合作，還指示監察組就應對不遵守情事採取哪些行動，向委員會提出建議；

62. 指示委員會在監察組的協助下，酌情與1373委員會及其執行局、反恐執行隊和反恐執行局並與金融行動任務組協商，召開特別會議討論重大專題或區域議題和會員國在能力方面遇到的挑戰，以查明並按輕重緩急列出要提供技術援助的領域，讓會員國能更有效地加以執行；

#### 審查

63. 決定在18個月內，或必要時在更短時間內，審查上文第1段所述措施，以視可能進一步加強這些措施；

64. 決定繼續積極處理此案。

57. Encourages the Monitoring Team and the United Nations Office on Drugs and Crime, to continue their joint activities, in cooperation with the Counter-Terrorism Executive Directorate (CTED) and 1540 Committee experts to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing regional and subregional workshops;

58. Requests the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006), 1822 (2008), 1904 (2009) and 1989 (2011);

59. Requests the Committee to report orally, through its Chair, at least once per year, to the Council on the state of the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with the reports by the Chairs of CTC and the Committee established pursuant to resolution 1540 (2004), expresses its intention to hold informal consultations at least once per year on the work of the Committee, on the basis of reports from the Chair to the Council, and further requests the Chair to hold periodic briefings for all interested Member States;

#### Monitoring Team

60. Decides, in order to assist the Committee in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of the current New York-based Monitoring Team and its members, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of thirty months, under the direction of the Committee with the responsibilities outlined in annex I, and requests the Secretary-General to make the necessary arrangements to this effect;

61. Directs the Monitoring Team to identify, gather information on, and keep the Committee informed of instances and common patterns of non-compliance with the measures imposed in this resolution, as well as to facilitate, upon request by Member States, assistance on capacity-building, requests the Monitoring Team to work closely with State(s) of residence, nationality, location or incorporation, designating States and other relevant States, and further directs the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance;

62. Directs the Committee, with the assistance of its Monitoring Team, to hold special meetings on important thematic or regional topics and Member States' capacity challenges, in consultation, as appropriate, with the 1373 Committee and its Executive Directorate, CTITF, and with the Financial Action Task Force to identify and prioritize areas for the provision of technical assistance to enable more effective implementation by Member States;

#### Reviews

63. Decides to review the measures described in paragraph 1 above with a view to their possible further strengthening in eighteen months, or sooner if necessary;

64. Decides to remain actively seized of the matter.

**附件一**

按照本決議第60段，監察組應在委員會的指導下開展工作，並有下列職責：

(a) 以書面形式向委員會提交兩份全面的獨立報告，第一份最遲在2013年6月30日提交，第二份最遲在2013年12月31日提交，說明各會員國執行本決議第1段所述措施的情況，包括就更好執行這些措施和可能採取的新措施提出具體建議；

(b) 協助監察員執行本決議附件二為其規定的任務，包括提供那些要求從基地組織制裁名單上刪除其名字的個人、團體、企業或實體的最新信息；

(c) 協助委員會定期審查基地組織制裁名單上的名字，包括出差和與會員國聯繫，以編製委員會關於某項列名的事實和情況記錄；

(d) 分析根據第1455 (2003) 號決議第6段提交的報告、根據第1617 (2005) 號決議第10段提交的核對表以及會員國按委員會的指示向後者提供的其他信息；

(e) 協助委員會追查向會員國提出的索取信息、包括索取本決議第1段所述措施執行情況信息的要求；

(f) 向委員會提交一份綜合工作方案，供委員會視需要進行審查和批准，監察組應在方案中詳細說明為履行職責預定開展的活動，包括為避免工作重疊和加強配合，在與反恐執行局和1540委員會專家組密切協調後提出的出差；

(g) 同反恐執行局和1540委員會專家組密切合作和交流信息，以確定共同關注和重疊的工作領域，協助三個委員會進行具體協調，包括在提交報告方面進行協調；

(h) 積極參加並支持根據《聯合國全球反恐戰略》開展的所有相關活動，包括在為確保全面協調和統一聯合國系統反恐工作而設立的反恐執行工作隊內，特別是通過其有關工作組，這樣做；

(i) 代表委員會收集關於不遵守本決議第1段所述措施情事的信息，包括向會員國收集信息，與有不遵守嫌疑的各方接觸，主動並在接獲委員會要求時，將案例研究提交委員會審查；

(j) 向委員會提出可供會員國採用的建議，以幫助會員國執行本決議第1段所述措施和準備擬在基地組織制裁名單中增加的列名；

**Annex I**

In accordance with paragraph 60 of this resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following responsibilities:

(a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 31 June 2013, and the second by 31 December 2013, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(b) To assist the Ombudsperson in carrying out his or her mandate as specified in annex II of this resolution, including by providing updated information on those individuals, groups, undertakings or entities seeking their removal from the Al-Qaida Sanctions List;

(c) To assist the Committee in regularly reviewing names on the Al-Qaida Sanctions List, including by undertaking travel and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(d) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee, as instructed by the Committee;

(e) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(f) To submit a comprehensive program of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with CTED and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;

(g) To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;

(h) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy including within the Counter-Terrorism Implementation Task Force, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups;

(i) To gather information, on behalf of the Committee, on instances of reported non-compliance with the measures referred to in paragraph 1 of this resolution, including by collating information collected from Member States and engaging with suspected non-compliant parties, and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

(j) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Al-Qaida Sanctions List;

(k) 協助委員會審議列名提議，包括彙編與提議的列名有關的信息，在委員會分發，並編寫第XX段提到的簡述；

(l) 提請委員會注意可能成為除名理由的新情況或值得注意的情況，例如公開報導的關於某人死亡的信息；

(m) 根據經委員會核准的監察組工作方案，在前往選定國家訪問之前同會員國進行協商；

(n) 酌情與所訪問國家的全國反恐協調機構或同類協調機構進行協調與合作；

(o) 鼓勵會員國按委員會的指示提名和提交更多用於識別的信息，以供列入基地組織制裁名單；

(p) 向委員會提交更多的識別信息和其他信息，以協助委員會努力使名單儘可能跟上情況變化，儘可能準確；

(q) 研究基地組織的威脅的不斷變化性質和最佳對策，並就此向委員會提出報告，包括協同委員會與有關學者和學術機構開展對話；

(r) 核對、評估、監測及報告各項措施的執行情況，包括本決議第1段(a)開列的有關防止基地組織和其他與之有關聯的個人、集團、企業和實體利用因特網犯罪的各項措施的執行情況，並就此提出建議；酌情進行個案研究；按照委員會的指示深入探討任何其他相關問題；

(s) 與會員國和其他相關組織協商，包括定期在紐約及各國首都同各國代表進行對話，同時考慮到他們的意見，尤其是他們對本附件(a)段所述監察組報告中可能述及的任何問題提出的意見；

(t) 與會員國情報和安全機構協商，包括通過區域論壇進行協商，以便促進信息交流，並加強各項措施的執行工作；

(u) 與包括金融機構在內的私營部門相關代表協商，瞭解資產凍結措施的實際執行情況，並提出旨在加強凍結措施的建議；

(v) 與相關國際和區域組織合作，以提高對各項措施的認識，推動對這些措施的遵守；

(w) 協助委員會應會員國的請求幫助提供能力建設援助，以加強各項措施的實施；

(x) 與國際刑警組織和會員國合作，獲取名單所列個人的相片，以列入國際刑警組織的特別通告，與國際刑警組織合作，確保為名單上的所有人頒發了刑警組織—聯合國特別通告；

(k) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 14;

(l) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly-reported information on a deceased individual;

(m) To consult with Member States in advance of travel to selected Member States, based on its program of work as approved by the Committee;

(n) To coordinate and cooperate with the national counter-terrorism focal point or similar coordinating body in the country of visit, where appropriate;

(o) To encourage Member States to submit names and additional identifying information for inclusion on the Al-Qaida Sanctions List, as instructed by the Committee;

(p) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Al-Qaida Sanctions List as updated and accurate as possible;

(q) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;

(r) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1 (a) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, and other individuals, groups, undertakings and entities associated with it; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(s) To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph (a) of this annex;

(t) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;

(u) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;

(v) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;

(w) To assist the Committee in facilitating assistance on capacity-building for enhancing implementation of the measures, upon request by Member States;

(x) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices, and to work with INTERPOL to ensure that INTERPOL-UN Special Notices exist for all listed individuals, groups, undertakings, and entities;

(y) 在接到請求時協助安全理事會其他附屬機關及其專家組加強第1699 (2006) 號決議所述與國際刑警組織的合作，並與秘書處合作，討論使聯合國所有制裁名單都有標準格式的措施，以協助各國當局的執行工作；

(z) 以口頭和(或)書面情況介紹的形式，定期或應委員會要求，向委員會報告監察組的工作情況，包括報告對會員國的訪問和監察組的活動；

(aa) 酌情定期向委員會報告基地組織與那些可根據第2082 (2012) 號決議第1段或其他任何相關制裁決議進行指認的個人、團體、企業或實體之間的聯繫；和

(bb) 委員會確定的任何其他職責。

## 附件二

按照本決議第19段的規定，監察員辦公室在收到由基地組織制裁名單所列個人、團體、企業或實體(“申請人”)提出或其法律代表或代理人為其提出的除名申請後，有權執行以下任務。

安理會回顧，不允許會員國代表個人、團體、企業或實體向監察員辦公室提出除名申請。

### 收集信息 (四個月)

1. 在收到除名申請後，監察員應：

(a) 向申請人確認收到除名申請；

(b) 告知申請人處理除名申請的一般程序；

(c) 答覆申請人關於委員會程序的具體提問；

(d) 如所提申請中沒有適當論及本決議第2段規定的最初列名標準，則將此情況告知申請人，並將申請退還申請人，供其考慮；和

(e) 核實有關申請是新的申請還是再次提出的申請，若為再次向監察員提出的申請，且其中不含任何補充資料，應將其退還申請人，供其考慮。

2. 對於沒有退還申請人的除名申請，監察員應立即將除名申請轉遞委員會成員、指認國、居住國、國籍國或公司註冊國、相關聯合國機構及監察員認為相關的任何其他國家。監察員應要求這些國家或相關聯合國機構在四個月內提供一切與除名申

(y) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006), and to work with the Secretariat to discuss measures to standardize the format of all United Nations sanctions lists so as to facilitate implementation by national authorities;

(z) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(aa) To report periodically, as appropriate, to the Committee on linkages between Al-Qaida and those individuals, groups, undertakings or entities eligible for designation under paragraph 1 of resolution 2082 (2012) or any other relevant sanctions resolutions; and

(bb) Any other responsibility identified by the Committee.

## Annex II

In accordance with paragraph 19 of this resolution, the Office of the Ombudsperson shall be authorized to carry out the following tasks upon receipt of a delisting request submitted by, or on behalf of, an individual, group, undertaking or entity on the Al-Qaida Sanctions List or by the legal representative or estate of such individual, group, undertaking or entity (“the petitioner”).

The Council recalls that Member States are not permitted to submit delisting petitions on behalf of an individual, group, undertaking or entity to the Office of the Ombudsperson.

### Information gathering (four months)

1. Upon receipt of a delisting request, the Ombudsperson shall:

(a) Acknowledge to the petitioner the receipt of the delisting request;

(b) Inform the petitioner of the general procedure for processing delisting requests;

(c) Answer specific questions from the petitioner about Committee procedures;

(d) Inform the petitioner in case the petition fails to properly address the original designation criteria, as set forth in paragraph 2 of this resolution, and return it to the petitioner for his or her consideration; and,

(e) Verify if the request is a new request or a repeated request and, if it is a repeated request to the Ombudsperson and it does not contain any additional information, return it to the petitioner for his or her consideration.

2. For delisting petitions not returned to the petitioner, the Ombudsperson shall immediately forward the delisting request to the members of the Committee, designating State(s), State(s) of residence and nationality or incorporation, relevant United Nations bodies, and any other States deemed relevant by the Ombudsperson. The Ombudsperson shall ask these States or relevant United Nations bodies to provide, within four months, any appropriate additional information relevant to the delis-

請有關的適當補充信息。監察員可與這些國家進行對話，以確定：

(a) 這些國家對是否應批准除名申請的意見；和

(b) 這些國家希望向申請人轉達的關於除名申請的信息、問題或澄清要求，包括申請人可為澄清除名申請而提供的信息或採取的步驟。

3. 監察員也應立即向監察組轉遞除名申請，監察組則應在四個月內向監察員提供：

(a) 監察組掌握的與除名申請有關的全部信息，包括法院裁決和訴訟情況、新聞報導以及各國或相關國際組織以前向委員會或監察組提供的信息；

(b) 依據事實對申請人提供的與除名申請有關的信息作出的評估；和

(c) 監察組希望就除名申請向申請人提出的問題或要求其作出的澄清。

4. 在這四個月資料收集期間結束時，監察員應以書面形式向委員會說明當時最新進展情況，包括各國已就其提供信息的有關細節和遇到的重大挑戰。如監察員經評估後認為需要更多時間收集信息，可適當考慮會員國關於延長提供信息時間的請求，將這一期間延長一次，至多延長兩個月。

#### **對話（兩個月）**

5. 在信息收集期結束後，監察員應為兩個月的接觸期提供便利，接觸可包括與申請人進行對話。在適當考慮關於延長時間的請求情況下，如監察員評估後認為，需要更多時間開展接觸和起草下文第7段所述綜合報告，可將接觸期延長一次，至多延長兩個月。如監察員評估後認為不需要那麼長時間，則可縮短接觸期。

6. 在接觸期內，監察員：

(a) 可向申請人提出問題，或要求其提供有助於委員會審議申請的補充信息或澄清說明，包括從相關國家、委員會和監察組收到的任何問題或索取信息的要求；

(b) 應當要求申請人提供一份簽名的聲明，在其中宣佈申請人當前與基地組織及其任何基層組織、下屬機構、從中分裂或衍生出來的團體沒有任何聯繫，並承諾將來不與基地組織建立聯繫；

(c) 應儘可能與申請人會面；

ting request. The Ombudsperson may engage in dialogue with these States to determine:

(a) These States' opinions on whether the delisting request should be granted; and

(b) Information, questions or requests for clarifications that these States would like to be communicated to the petitioner regarding the delisting request, including any information or steps that might be taken by a petitioner to clarify the delisting request.

3. The Ombudsperson shall also immediately forward the delisting request to the Monitoring Team, which shall provide to the Ombudsperson, within four months:

(a) All information available to the Monitoring Team that is relevant to the delisting request, including court decisions and proceedings, news reports, and information that States or relevant international organizations have previously shared with the Committee or the Monitoring Team;

(b) Fact-based assessments of the information provided by the petitioner that is relevant to the delisting request; and

(c) Questions or requests for clarifications that the Monitoring Team would like asked of the petitioner regarding the delisting request.

4. At the end of this four-month period of information gathering, the Ombudsperson shall present a written update to the Committee on progress to date, including details regarding which States have supplied information, and any significant challenges encountered therein. The Ombudsperson may extend this period once for up to two months if he or she assesses that more time is required for information gathering, giving due consideration to requests by Member States for additional time to provide information.

#### **Dialogue (two months)**

5. Upon completion of the information gathering period, the Ombudsperson shall facilitate a two-month period of engagement, which may include dialogue with the petitioner. Giving due consideration to requests for additional time, the Ombudsperson may extend this period once for up to two months if he or she assesses that more time is required for engagement and the drafting of the Comprehensive Report described in paragraph 7 below. The Ombudsperson may shorten this time period if he or she assesses less time is required.

6. During this period of engagement, the Ombudsperson:

(a) May ask the petitioner questions or request additional information or clarifications that may help the Committee's consideration of the request, including any questions or information requests received from relevant States, the Committee and the Monitoring Team;

(b) Should request from the petitioner a signed statement in which the petitioner declares that they have no ongoing association with Al-Qaida, or any cell, affiliate, splinter group, or derivative thereof, and undertakes not to associate with Al-Qaida in the future;

(c) Should meet with the petitioner, to the extent possible;



(d) 應將申請人的答覆反饋相關國家、委員會和監察組，並就申請人做出的不完整答覆再同申請人聯繫；

(e) 應與各國、委員會和監察組協調處理申請人的任何進一步查詢或對申請人作出的答覆；

(f) 在收集信息或對話階段，如果信息提供國同意，監察員可與有關國家分享該國提供的信息，包括該國關於除名申請的立場；

(g) 在收集信息和對話階段以及在編寫報告的過程中，監察員不得披露國家在保密的基礎上提供的任何信息，除非該國以書面形式明確表示同意；和

(h) 在對話階段，監察員應認真考慮指認國家的意見，以及提供有關資料的其他會員國的意見，特別是那些受最初導致指認的行為或聯繫影響最大的會員國的意見。

7. 在上述接觸期結束時，監察員應在監察組協助下起草綜合報告並向委員會分發，報告將專門：

(a) 概述監察員所掌握的與除名申請有關的全部信息，並酌情說明信息來源。報告應尊重會員國與監察員之間往來信函的保密內容；

(b) 說明監察員就這項除名申請開展的活動，包括與申請人進行的對話；和

(c) 根據對監察員所掌握全部資料作出的分析和監察員的建議，為委員會列述與除名申請有關的主要論點。建議應表明監察員在審查除名申請時對列名的看法。

### 委員會的討論

8. 在委員會結束對以所有聯合國正式語文提供的綜合報告的15天審查後，委員會主席應將除名申請列入委員會議程，以供審議。

9. 在委員會審議除名申請時，監察員應酌情在監察組協助下，親自提交綜合報告，並回答委員會成員就除名申請提出的問題。

10. 委員會最遲應在把該綜合報告提交其審查之日起30天內完成對綜合報告的審議。

(d) Shall forward replies from the petitioner back to relevant States, the Committee and the Monitoring Team and follow up with the petitioner in connection with incomplete responses by the petitioner;

(e) Shall coordinate with States, the Committee and the Monitoring Team regarding any further inquiries of, or response to, the petitioner;

(f) During the information gathering or dialogue phase, the Ombudsperson may share with relevant States information provided by a State, including that State's position on the delisting request, if the State which provided the information consents;

(g) In the course of the information gathering and dialogue phases and in the preparation of the report, the Ombudsperson shall not disclose any information shared by a state on a confidential basis, without the express written consent of that state; and,

(h) During the dialogue phase, the Ombudsperson shall give serious consideration to the opinions of designating states, as well as other Member States that come forward with relevant information, in particular those Member States most affected by acts or associations that led to the original designation.

7. Upon completion of the period of engagement described above, the Ombudsperson, with the help of the Monitoring Team, shall draft and circulate to the Committee a Comprehensive Report that will exclusively:

(a) Summarize and, as appropriate, specify the sources of, all information available to the Ombudsperson that is relevant to the delisting request. The report shall respect confidential elements of Member States' communications with the Ombudsperson;

(b) Describe the Ombudsperson's activities with respect to this delisting request, including dialogue with the petitioner; and

(c) Based on an analysis of all the information available to the Ombudsperson and the Ombudsperson's recommendation, lay out for the Committee the principal arguments concerning the delisting request. The recommendation should state the Ombudsperson's views with respect to the listing as of the time of the examination of the delisting request.

### Committee discussion

8. After the Committee has had fifteen days to review the Comprehensive Report in all official languages of the United Nations, the Chair of the Committee shall place the delisting request on the Committee's agenda for consideration.

9. When the Committee considers the delisting request, the Ombudsperson, aided by the Monitoring Team, as appropriate, shall present the Comprehensive Report in person and answer Committee members' questions regarding the request.

10. Committee consideration of the Comprehensive Report shall be completed no later than thirty days from the date the Comprehensive Report is submitted to the Committee for its review.

11. 在委員會完成對綜合報告的審議後，監察員可把有關建議通知給所有相關國家。

12. 如果監察員建議保留列名，要求各國採取本決議第1段所述措施的規定對有關個人、團體、企業或實體繼續有效，除非委員會某一成員提出除名請求，委員會應根據其正常的協商一致程序審議該請求。

13. 如監察員建議委員會考慮除名，在委員會完成對監察員根據本決議附件二、包括其中第6段(h)項所提交綜合報告的審議60天後，要求各國對有關個人、團體、企業或實體採取本決議第1段所述措施的規定即行終止，除非委員會在60天期限結束前以協商一致方式決定，這一規定對有關個人、團體、企業或實體繼續有效；並規定，如無法達成協商一致，主席應在委員會一名成員提出請求時，把是否將有關個人、團體、企業或實體除名的問題提交安全理事會，以便在60天內作出決定；又規定，如有成員提出這樣的請求，要求各國採取本決議第1段所述措施的規定在這一期間內仍對有關個人、團體、企業或實體有效，直至安全理事會就此問題做出決定；

14. 在委員會決定接受或駁回除名申請後，委員會應向監察員轉達這一決定，闡述其理由，提供與委員會所作決定相關的其他信息，並酌情提供最新的列名理由簡述，供監察員轉交給申請人。

15. 在委員會把其駁回除名申請的決定告知監察員後，監察員應隨即在15天內致函申請人，並預先將信函發送給委員會，信函應：

(a) 轉達委員會關於繼續列名的決定；

(b) 根據監察員的綜合報告，儘可能說明有關程序和監察員收集到的可以公開的實際信息；和

(c) 轉遞委員會根據上文第14段向監察員提供的與委員會決定相關的全部信息。

16. 監察員在與申請人的所有通信中均應尊重委員會審議過程以及監察員與會員國之間保密通信的保密性。

17. 監察員可通知申請人以及所有與案件相關但不是委員會成員的國家有關程序正處於哪個階段。

11. After the Committee has completed its consideration of the Comprehensive Report, the Ombudsperson may notify all relevant States of the recommendation.

12. In cases where the Ombudsperson recommends retaining the listing, the requirement for States to take the measures in paragraph 1 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, unless a Committee member submits a delisting request, which the Committee shall consider under its normal consensus procedures.

13. In cases where the Ombudsperson recommends that the Committee consider delisting, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity sixty days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with this annex II, including paragraph 6 (h), unless the Committee decides by consensus before the end of that sixty-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; *provided* that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of sixty days; and *provided further* that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council.

14. After the Committee decides to accept or reject the delisting request, the Committee shall convey to the Ombudsperson its decision, setting out its reasons, and including any further relevant information about the Committee's decision, and an updated narrative summary of reasons for listing, where appropriate, for the Ombudsperson to transmit to the petitioner.

15. After the Committee has informed the Ombudsperson that the Committee has rejected a delisting request, then the Ombudsperson shall send to the petitioner, with an advance copy sent to the Committee, within fifteen days a letter that:

(a) Communicates the Committee's decision for continued listing;

(b) Describes, to the extent possible and drawing upon the Ombudsperson's Comprehensive Report, the process and publicly releasable factual information gathered by the Ombudsperson; and

(c) Forwards from the Committee all information about the decision provided to the Ombudsperson pursuant to paragraph 14 above.

16. In all communications with the petitioner, the Ombudsperson shall respect the confidentiality of Committee deliberations and confidential communications between the Ombudsperson and Member States.

17. The Ombudsperson may notify the petitioner, as well as those States relevant to a case but which are not members of the Committee, of the stage at which the process has reached.

**監察員辦公室的其他任務**

18. 除上面規定的任務外，監察員應：

- (a) 散發可以公開的關於委員會程序的信息，包括委員會的準則、概況介紹和委員會編寫的其他文件；
- (b) 如知道其地址，在秘書處已按照本決議第17段規定正式通知有關國家的常駐代表團後，通知有關個人或實體他們已被列入名單；和
- (c) 一年兩次向安全理事會提交報告，概述監察員的活動。

**第 13/2013 號行政長官公告**

中華人民共和國就二零零零年三月十五日訂於倫敦的《2000年有毒有害物質污染事故防備、反應與合作議定書》（下稱“議定書”），於二零零九年十一月十三日向作為保管實體的國際海事組織秘書長交存加入書；

中華人民共和國於交存加入書之日以照會通知議定書適用於澳門特別行政區；

根據議定書第十五條的規定，議定書自二零一零年二月十九日起在國際上對中華人民共和國生效，包括對澳門特別行政區生效。

基於此，行政長官根據澳門特別行政區第3/1999號法律第六條第一款的規定，命令公佈：

——中華人民共和國送交保管實體關於議定書適用於澳門特別行政區的通知書中文文本的適用部分；及

——議定書的中文及英文正式文本。

二零一三年四月二十三日發佈。

行政長官 崔世安

**Other Office of the Ombudsperson Tasks**

18. In addition to the tasks specified above, the Ombudsperson shall:

- (a) Distribute publicly releasable information about Committee procedures, including Committee Guidelines, fact sheets and other Committee-prepared documents;
- (b) Where address is known, notify individuals or entities about the status of their listing, after the Secretariat has officially notified the Permanent Mission of the State or States, pursuant to paragraph 17 of this resolution; and
- (c) Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council.

**Aviso do Chefe do Executivo n.º 13/2013**

Considerando que a República Popular da China efectuou, em 13 de Novembro de 2009, junto do Secretário-Geral da Organização Marítima Internacional, na sua qualidade de depositário, o depósito do seu instrumento de adesão ao Protocolo sobre a Prevenção, Actuação e Cooperação no Combate à Poluição por Substâncias Nocivas e Potencialmente Perigosas de 2000, adoptado em Londres, em 15 de Março de 2000 (doravante designado por Protocolo);

Considerando igualmente que, à data do depósito do seu instrumento de adesão, a República Popular da China notificou, por notas, que o Protocolo se aplica à Região Administrativa Especial de Macau;

Mais considerando que o Protocolo, em conformidade com o seu artigo 15.º, entrou internacionalmente em vigor para a República Popular da China, incluindo a Região Administrativa Especial de Macau, em 19 de Fevereiro de 2010;

O Chefe do Executivo manda publicar, nos termos do n.º 1 do artigo 6.º da Lei n.º 3/1999 da Região Administrativa Especial de Macau:

— a parte útil da notificação efectuada pela República Popular da China relativa à aplicação do Protocolo na Região Administrativa Especial de Macau, em língua chinesa, tal como enviada ao depositário; e

— o texto autêntico em línguas chinesa e inglesa do Protocolo.

Promulgado em 23 de Abril de 2013.

O Chefe do Executivo, *Chui Sai On*.

**通知書**

(二零零九年十一月十三日第D152/09號文件)

“.....

奉政府指示，我謹向閣下交存中華人民共和國加入《2000年有毒有害物質污染事故防備、反應與合作議定書》的加入書，並代表中華人民共和國政府陳述如下：

根據《中華人民共和國香港特別行政區基本法》和《中華人民共和國澳門特別行政區基本法》，中華人民共和國政府決定，本議定書適用於中華人民共和國澳門特別行政區。在中華人民共和國另行通知前，本議定書不適用於中華人民共和國香港特別行政區。

.....”