

**澳門特別行政區****REGIÃO ADMINISTRATIVA ESPECIAL  
DE MACAU****行政長官辦公室****GABINETE DO CHEFE DO EXECUTIVO****第 198/2016 號行政長官批示****Despacho do Chefe do Executivo n.º 198/2016**

行政長官行使《澳門特別行政區基本法》第五十條賦予的職權，並根據經第69/2010號及第92/2016號行政長官批示修改的第69/2007號行政長官批示第五款及第六款的規定，作出本批示。

Usando da faculdade conferida pelo artigo 50.º da Lei Básica da Região Administrativa Especial de Macau e nos termos dos n.ºs 5 e 6 do Despacho do Chefe do Executivo n.º 69/2007, com a redacção dada pelos Despachos do Chefe do Executivo n.º 69/2010 e n.º 92/2016, o Chefe do Executivo manda:

一、委任下列人士為“公共服務評審委員會”成員，為期三年：

1. São nomeados membros da Comissão de Avaliação dos Serviços Públicos, com mandato de três anos, as seguintes individualidades:

(一) 澳門理工學院代表：嚴肇基，並由其擔任主席；

1) Representante do Instituto Politécnico de Macau: Im Sio Kei, que preside;

(二) 澳門大學代表：盛力；

2) Representante da Universidade de Macau: Sheng Li;

(三) 旅遊學院代表：程綺文；

3) Representante do Instituto de Formação Turística: Cheng I Man;

(四) 澳門生產力暨科技轉移中心代表：李藹倫；

4) Representante do Centro de Produtividade e Transferência de Tecnologia de Macau: Helena Lei;

(五) 龐川；

5) Pang Chuan;

(六) 丘竹。

6) Yau Chuk Askey.

二、本批示自公佈翌日起生效。

2. O presente despacho entra em vigor no dia seguinte ao da sua publicação.

二零一六年六月十三日

13 de Junho de 2016.

行政長官 崔世安

O Chefe do Executivo, *Chui Sai On*.

**第 46/2016 號行政長官公告****Aviso do Chefe do Executivo n.º 46/2016**

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二零一五年十一月十日通過的關於索馬里局勢的第2246 (2015) 號決議的中文及英文正式文本。

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 2246 (2015), adoptada pelo Conselho de Segurança das Nações Unidas em 10 de Novembro de 2015, relativa à situação na Somália, nos seus textos autênticos em línguas chinesa e inglesa.

二零一六年六月六日發佈。

Promulgado em 6 de Junho de 2016.

行政長官 崔世安

O Chefe do Executivo, *Chui Sai On*.

**第 2246 (2015) 號決議****Resolution 2246 (2015)**

安全理事會 2015 年 11 月 10 日第 7554 次會議通過

**Adopted by the Security Council at its 7554th meeting, on 10 November 2015**

安全理事會，

*The Security Council,*

回顧其以往關於索馬里局勢的各項決議，尤其是第1814 (2008)、第1816 (2008)、第1838 (2008)、第1844 (2008)、

*Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1814 (2008), 1816 (2008), 1838 (2008), 1844 (2008), 1846 (2008), 1851 (2008), 1897 (2009), 1918*

第1846 (2008)、第1851 (2008)、第1897 (2009)、第1918 (2010)、第1950 (2010)、第1976 (2011)、第2015 (2011)、第2020 (2011)、第2077 (2012)、第2125 (2013) 和第2184 (2014) 決議，以及安理會主席2010年8月25日聲明 (S/PRST/2010/16) 和2012年11月19日聲明 (S/PRST/2012/24)。

**歡迎**秘書長按第2184 (2014) 號決議要求提交的關於該決議執行情況和索馬里沿海海盜和海上武裝搶劫情況的報告 (S/2015/776)。

**重申**尊重索馬里的主權、領土完整、政治獨立和統一，包括索馬里根據國際法對漁業等近海自然資源享有的主權。

**指出**由於各國家、區域、組織、海運界、私營部門、智囊團和民間社會共同努力反海盜，海盜襲擊以及劫持自2011年以來一直在減少，但安理會仍然嚴重關切海盜和海上武裝劫船行為一直對迅速、安全和有效地向索馬里和該區域運送人道主義援助物資，對海員和其他人安全，對國際航運和海上商業航線安全，以及對其他船舶，包括對依照國際法從事捕撈活動，構成威脅。

**表示關切**有報道稱兒童參與索馬里沿海的海盜活動，海盜分子控制地區的婦女和兒童遭受性剝削，被迫參加支持海盜的活動。

**還重申**，1982年12月10日《聯合國海洋法公約》(“公約”) 所體現的國際法確立了適用於海洋活動、包括打擊海盜和海上武裝搶劫行為的法律框架。

**認識到**不僅需要調查和起訴在海上抓獲的嫌疑人，而且需要調查和起訴任何煽動或蓄意協助海盜活動的人，包括海盜犯罪網路中策劃、組織、協助或非法資助這些襲擊或從中受益的關鍵人物，再次對海盜嫌疑人未接受司法審判便被釋放**表示關切**，重申如果不起訴要對索馬里沿海海盜和海上武裝搶劫行為負責的人，就會破壞反海盜努力。

**關切地注意到**有助於在抓獲海盜嫌疑人後對他們進行拘押和起訴的能力和國內立法依然有限，影響了對索馬里沿海的海盜採取更為有力的國際行動，往往導致海盜未經審判即被釋放，而不管是否有足夠的證據對其進行起訴，重申依循《聯合國海洋法公約》關於打擊海盜行為的規定，1988年《制止危及海上航行安全非法行為公約》規定締約方須訂立刑事罪名，確立管轄權，並接收向其移交的以武力或武力威脅或任何其他形式脅迫手段扣押或控制船隻或涉嫌這樣做的人。

(2010), 1950 (2010), 1976 (2011), 2015 (2011), 2020 (2011), 2077 (2012), 2125 (2013), and 2184 (2014) as well as the Statement of its President (S/PRST/2010/16) of 25 August 2010 and (S/PRST/2012/24) of 19 November 2012,

*Welcoming* the report of the Secretary-General (S/2015/776), as requested by resolution 2184 (2014), on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia,

*Reaffirming* its respect for the sovereignty, territorial integrity, political independence, and unity of Somalia, including Somalia's sovereign rights in accordance with international law, with respect to offshore natural resources, including fisheries,

*Noting* that the joint counter-piracy efforts of States, regions, organizations, the maritime industry, the private sector, think tanks, and civil society have resulted in a steady decline in pirate attacks as well as hijackings since 2011, and *continuing* to be gravely concerned by the ongoing threat that piracy and armed robbery at sea poses to the prompt, safe, and effective delivery of humanitarian aid to Somalia and the region, to the safety of seafarers and other persons, to international navigation and the safety of commercial maritime routes, and to other ships, including fishing activities in conformity with international law,

*Expressing concern* about the reported involvement of children in piracy off the coast of Somalia, reported sexual exploitation of women and children in areas controlled by pirates, as well as their reported coercion to participate in activities that support piracy,

*Further reaffirming* that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (“The Convention”), sets out the legal framework applicable to activities in the ocean, including countering piracy and armed robbery at sea,

*Recognizing* the need to investigate and prosecute not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks, and *reiterating* its concern over persons suspected of piracy having been released without facing justice, reaffirming that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts,

*Noting* with concern that the continuing limited capacity and domestic legislation to facilitate the custody and prosecution of suspected pirates after their capture has hindered more robust international action against pirates off the coast of Somalia, too often has led to pirates being released without facing justice, regardless of whether there is sufficient evidence to support prosecution, and reiterating that, consistent with the provisions of The Convention concerning the repression of piracy, the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (“SUA Convention”) provides for parties to create criminal offences, establish jurisdiction, and accept delivery of persons responsible for, or suspected of seizing, or exercising control over, a ship by force or threat thereof, or any other form of intimidation,

**着重指出**索馬里當局在打擊索馬里沿海海盜和海上武裝搶劫行為方面的首要責任，注意到索馬里當局數次請求國際社會提供援助，以打擊其沿海的海盜行為，包括索馬里常駐聯合國代表在2014年11月4日的信中表達索馬里當局對安全理事會援助的感謝，表示該國當局願意考慮與其他國家和區域組織合作，打擊索馬里沿海的海盜和海上武裝搶劫行為，並請求將第2125 (2013) 號決議各項規定的有效時間再延長12個月，

**歡迎**索馬里聯邦政府和區域夥伴參加歐洲聯盟(歐盟)2015年7月在紐約市主持召開的索馬里沿海海盜問題聯絡小組(海盜問題聯絡組)第十八次全體會議，

**確認**海盜問題聯絡組和執法工作隊開展工作，協助起訴海盜嫌犯，並確認海盜問題聯絡組能力建設工作組開展工作，協調司法、刑法和海事能力建設工作，以便該區域各國更好地處理海盜問題，

**歡迎**支持各國採取舉措打擊索馬里沿海海盜行為信託基金(信託基金)提供資金，以加強區域能力，起訴海盜嫌犯和關押根據有關國際人權法定罪的人，**讚賞地注意到**聯合國毒品和犯罪問題辦公室(毒品和犯罪問題辦公室)海上犯罪方案提供的援助，決心繼續做出努力，確保追究海盜的責任，

**讚揚**歐盟海軍行動的阿塔蘭特行動、北大西洋公約組織的海洋盾行動、海上聯合部隊第151聯合特遣隊做出努力，讚揚非洲聯盟在索馬里陸地開展反海盜活動，並讚揚南部非洲發展共同體以及其他國家在與索馬里當局合作和相互開展合作的情況下自己開展海軍活動，以制止海盜行為，保護通過索馬里沿海水域的船隻，**歡迎**提高警覺消除衝突舉措並歡迎中國、印度、伊朗伊斯蘭共和國、日本、大韓民國和俄羅斯聯邦等國家各自作出努力，在該區域部署反海盜海軍艦船，

**注意到**各船旗國採取措施，允許懸掛其旗幟通過高風險海區的船隻部署護航分遣隊和私營承包的武裝保安人員，並允許願意做出採用這些措施的安排的包租船運營，同時鼓勵各國根據相關國際法管理這類活動，

**注意到**高風險地區的界線由保險業和海運業劃出和界定，並在2015年10月進行了重新界定，

**歡迎**國際海事組織(海事組織)的《吉布提行為守則》信託基金在該區域開展能力建設工作，並歡迎歐洲聯盟通過歐盟非

*Underlining* the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, noting the several requests from Somali authorities for international assistance to counter piracy off its coast, including the letter of 4 November 2014, from the Permanent Representative of Somalia to the United Nations *expressing* the appreciation of Somali authorities to the Security Council for its assistance, *expressing* their willingness to consider working with other States and regional organizations to combat piracy and armed robbery at sea off the coast of Somalia, and *requesting* that the provisions of resolution 2125 (2013) be renewed for an additional twelve months,

*Welcoming* the participation of the Federal Government of Somalia and regional partners in the 18th plenary session of the Contact Group on Piracy off the Coast of Somalia (CGPCS), hosted by the European Union (EU) in New York City, July 2015,

*Recognizing* the work of the CGPCS and the Law Enforcement Task Force to facilitate the prosecution of suspected pirates, and of the Working Group on Capacity Building of the CGPCS to coordinate judicial, penal, and maritime capacity-building efforts to enable regional states to better tackle piracy,

*Welcoming* the financing provided by the Trust Fund to Support Initiatives of States Combating Piracy off the Coast of Somalia (the Trust Fund) to strengthen regional ability to prosecute suspected pirates and imprison those convicted in accordance with applicable international human rights law, *noting* with appreciation the assistance provided by the United Nations Office of Drugs and Crime (UNODC) Maritime Crime Programme, and being determined to continue efforts to ensure that pirates are held accountable,

*Commending* the efforts of the EU Naval Force (EUNAVFOR) Operation ATALANTA, North Atlantic Treaty Organization Operation Ocean Shield, Combined Maritime Forces' Combined Task Force 151, the counter-piracy activities of the African Union onshore in Somalia and the naval activities of the Southern Africa Development Community, and other States acting in a national capacity in cooperation with Somali authorities and each other to suppress piracy and to protect ships transiting through the waters off the coast of Somalia, and *welcoming* the Shared Awareness and Deconfliction Initiative (SHADE) and the efforts of individual countries, including China, India, the Islamic Republic of Iran, Japan, Republic of Korea, and the Russian Federation, which have deployed naval counterpiracy missions in the region,

*Noting* the efforts of flag States for taking measures to permit vessels sailing under their flag transiting the High Risk Area (HRA) to embark vessel protection detachments and privately contracted armed security personnel (PCASP), and to allow charters that favour arrangements that make use of such measures, while urging States to regulate such activities in accordance with applicable international law,

*Noting* that HRA boundaries are set and defined by the insurance and maritime industry, and have been redefined in October 2015,

*Welcoming* the capacity-building efforts in the region made by the International Maritime Organization (IMO) funded Djibouti Code of Conduct, the Trust Fund and the European Union's activities under the EU Mission on Regional Maritime

洲之角區域海上能力建設特派團開展活動，該特派團正與索馬里聯邦政府合作，以加強其刑事司法制度，**認識到**所有參與此事的國際和區域組織都要充分開展協調與合作，

**支持**組建海岸警察部隊，**讚賞地注意到**海事組織和航運業做出努力，制定和更新準則、最佳管理做法和建議，協助船舶防止和打擊索馬里沿海、包括亞丁灣和仍在高風險海域內的印度洋相關海域的海盜襲擊，**確認**海事組織和海盜問題聯絡組以及國際標準化組織開展的工作，並在這方面**注意到**國際標準化組織作出努力，制定了私營海上保安公司在高風險海區提供私營承包的船上武裝保安人員的培訓和認證行業標準，還歡迎歐洲聯盟的歐盟非洲之角區域海上能力建設特派團開展工作，培養索馬里的海事安保能力，

**着重指出**，必須繼續進一步收集、保存並向有關當局遞交索馬里沿海海盜和海上武裝搶劫行為的證據，**歡迎**海事組織、國際刑警組織和航運團體不斷開展工作，以制定指南，協助海員在發生海盜行為後保護犯罪現場，並**指出**讓海員在刑事訴訟中提供證據對於起訴海盜行為至關重要，

**還認識到**海盜網路繼續依靠綁架和劫持人質來獲取資金，以購買武器、招募人員和繼續其活動，危害無辜平民的安全保障，限制商業自由流通，**歡迎**國際社會做出努力，包括通過執法工作隊協調調查人員和檢察官的工作，收集和分享信息，以打亂海盜活動，例如國際刑警組織建立了海上海盜行為全球數據庫，注意到設在塞舌爾的海上安全和安保區域匯總和執法中心不斷做出努力，打擊海盜行為和跨國有組織犯罪，

**重申**國際社會譴責綁架和劫持人質行為，包括《反對劫持人質國際公約》界定的罪行，**強烈譴責**在索馬里沿海活動的海盜繼續劫持人質，嚴重關切人質在關押期間遭受不人道待遇，**認識到**對人質家人產生的有害影響，**要求**立即釋放所有人質，**注意到**會員國在劫持人質問題上相互合作和起訴劫持人質的海盜嫌犯的重要性，

**讚揚**肯尼亞、毛里求斯、坦桑尼亞和塞舌爾做出努力，在本國法庭起訴海盜嫌犯，**讚賞地注意到**毒品和犯罪問題辦公室的海上犯罪方案、信託基金和其他國際組織與捐助方與海盜問題聯絡組協調提供援助，支持肯尼亞、毛里求斯、塞舌爾、坦桑尼亞、索馬里和該區域其他國家努力根據有關國際人權法，起訴海

Capacity in the Horn of Africa (EUCAP Nestor), which is working with the Federal Government of Somalia to strengthen its criminal justice system, and *recognizing* the need for all engaged international and regional organizations to coordinate and cooperate fully,

*Supporting* the development of a coastal police force, *noting* with appreciation the efforts made by the IMO and the shipping industry to develop and update guidance, best management practices, and recommendations to assist ships to prevent and suppress piracy attacks off the coast of Somalia, including in the Gulf of Aden, and in relevant parts of the Indian Ocean that are still within the High Risk Area and *recognizing* the work of the IMO and the CGPCS in this regard, *noting* the efforts of the International Organization for Standardization, which has developed industry standards of training and certification for Private Maritime Security Companies when providing PCASP on board ships in high-risk areas, and further welcoming the European Union's EUCAP Nestor, which is working to develop the maritime security capacities of Somalia,

*Underlining* the importance of continuing to enhance the collection, preservation, and transmission to competent authorities of evidence of acts of piracy and armed robbery at sea off the coast of Somalia, and *welcoming* the on-going work of the IMO, INTERPOL, and industry groups to develop guidance to seafarers on preservation of crime scenes following acts of piracy, and *noting* the importance of enabling seafarers to give evidence in criminal proceedings to prosecute acts of piracy,

*Further recognizing* that pirate networks continue to rely on kidnapping and hostage-taking to help generate funding to purchase weapons, gain recruits, and continue their operational activities, thereby jeopardizing the safety and security of civilians and restricting the flow of commerce, and *welcoming* international efforts to coordinate the work of investigators and prosecutors, inter alia, through the Law Enforcement Task Force and collect and share information to disrupt the pirate enterprise, as exemplified by INTERPOL's Global Database on Maritime Piracy, and taking note of the ongoing efforts of the Regional Fusion and Law Enforcement Centre for Safety and Security at Sea, hosted by Seychelles to combat piracy and transnational organized crime,

*Reaffirming* international condemnation of acts of kidnapping and hostage-taking, including offences contained within the International Convention against the Taking of Hostages, strongly *condemning* the continuing practice of hostage-taking by pirates operating off the coast of Somalia, expressing serious concern at the inhumane conditions hostages face in captivity, *recognizing* the adverse impact on their families, *calling* for the immediate release of all hostages, and *noting* the importance of cooperation between Member States on the issue of hostage-taking and the prosecution of suspected pirates for taking hostages,

*Commending* Kenya, Mauritius, Tanzania, and Seychelles, for their efforts to prosecute suspected pirates in their national courts, and *noting* with appreciation the assistance provided by the UNODC Maritime Crime Programme, the Trust Fund, and other international organizations and donors, in coordination with the CGPCS, to support Kenya, Mauritius, Seychelles, Tanzania, Somalia, and other States in the region with their

盜，包括起訴岸上的協助者和資助者，或在別處起訴他們後，將其監禁在第三國，並**強調**各國和國際組織需要進一步加強這方面的國際努力，

**歡迎**索馬里國家和地區當局準備相互開展合作並同已經起訴海盜嫌犯的國家合作，以便能依循適用的國際法，包括國際人權法，根據適當的囚犯移交安排，將被定罪的海盜遣返回索馬里，**知悉**那些願意並可以在索馬里服刑的已定罪犯人已從塞舌爾送回索馬里，

**歡迎**設立海事安全協調委員會，作為一個分享情報的重要機制，鼓勵委員會儘快開始工作，

**嚴重關切**最近接報有人在索馬里專屬經濟區進行非法捕撈，**注意到**非法捕撈與海盜行為之間的關係很複雜，

**確認**索馬里聯邦政府正做出努力，以建立一個頒發捕撈許可證的法律制度，鼓勵在國際社會的支持下在這方面進一步作出努力，

**回顧**秘書長的報告表明索馬里沿海的海盜和海上武裝搶劫行為的嚴重性，並為調查和起訴海盜，包括就反海盜特別法庭，提供了有用的指導意見，

**強調**各國要考慮可採用哪些方法來協助受海盜侵害的海員，為此歡迎“人質支助方案”和海盜問題聯絡組2014年啟動的海盜事件倖存者家庭基金做出努力，在人質獲釋和返回家園期間為其提供人道主義支助，並在整個人質扣押期間為其家人提供支助，

**確認**海盜問題聯絡組和毒品和犯罪問題辦公室在利用公開信息工具提高對海盜危險的警惕方面取得的進展，重點指出消除這種犯罪的最佳做法，

**還讚賞地注意到**毒品和犯罪問題辦公室正做出努力，支持努力加強索馬里保障海事安全和開展執法的能力，並注意到毒品和犯罪問題辦公室和開發署做出努力以及信託基金、歐洲聯盟、聯合王國、美國和其他捐助方提供資金，以建立區域司法和執法能力，調查、逮捕和起訴海盜嫌犯，並根據有關國際人權法關押已定罪的海盜，

**銘記**《關於打擊西印度洋和亞丁灣海盜和武裝搶劫船舶的吉布提行為守則》，**注意到**也門、肯尼亞和坦桑尼亞的信息分享中心開展工作，**確認**各簽字國已作出努力，以建立適當管制和立

efforts to prosecute, or incarcerate in a third State after prosecution elsewhere, pirates, including facilitators and financiers ashore, consistent with applicable international human rights law, and *emphasizing* the need for States and international organizations to further enhance international efforts in this regard,

*Welcoming* the readiness of the national and regional administrations of Somalia to cooperate with each other and with States who have prosecuted suspected pirates with a view to enabling convicted pirates to be repatriated back to Somalia under suitable prisoner transfer arrangements, consistent with applicable international law, including international human rights law, and *acknowledging* the return from Seychelles to Somalia of convicted prisoners willing and eligible to serve their sentences in Somalia,

*Welcoming* the establishment of the Maritime Security Co-ordination Committee (MSCC), as an important mechanism of information sharing and encourages it to begin work as soon as possible,

*Expressing* serious concern over recent reports of illegal fishing in Somalia's Exclusive Economic Zone (EEZ), and *noting* the complex relationship between illegal fishing and piracy,

*Recognizing* the ongoing efforts of the Federal Government of Somalia towards the development of a legal regime for the distribution of fishing licenses, and encouraging further efforts in this regard, with the support of the international community,

*Recalling* the reports of the Secretary General which illustrate the seriousness of piracy and armed robbery at sea off the coast of Somalia and provide useful guidance for the investigation and prosecution of pirates, including on specialized anti-piracy courts,

*Stressing* the need for States to consider possible methods to assist the seafarers who are victims of pirates, and welcoming in this regard the efforts of the “Hostage Support Programme” and the Piracy Survivor Family Fund launched at the 2014 CGPCS to provide support to hostages during their release and return home, as well as to their families throughout the hostage situation,

*Recognizing* the progress made by the CGPCS and UNODC in the use of public information tools to raise awareness of the dangers of piracy and highlight the best practices to eradicate this criminal phenomenon,

*Further noting* with appreciation the on-going efforts by UNODC to support efforts to enhance Somalia's maritime security and law enforcement capacities, and also *noting* efforts by UNODC and UNDP and the funding provided by the Trust Fund, the European Union, the United Kingdom, the United States, and other donors to develop regional judicial and law enforcement capacity to investigate, arrest, and prosecute suspected pirates and to incarcerate convicted pirates consistent with applicable international human rights law,

*Bearing in mind* the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, *noting* the operations of information-sharing centres in Yemen, Kenya, and Tanzania, *recognizing* the efforts of signatory States to develop the appropriate regulatory and legislative frameworks to combat piracy, enhance their capacity to patrol the waters of

法框架，打擊海盜行為，加強在該區域海域巡邏的能力，攔截有嫌疑的船隻，起訴海盜嫌犯，

**強調**必須在索馬里境內實現和平與穩定，加強國家機構，實現經濟社會發展，尊重人權和法治，以創造條件，促進一勞永逸地剷除索馬里沿海海盜和海上武裝搶劫行為，**還強調**，索馬里要實現長治久安，索馬里當局就必須有效地發展索馬里國家安全部隊，

**歡迎**環印度洋聯盟第十五屆部長理事會通過《巴東公報》和《海事合作宣言》，促請成員國支持和加強合作，處理海盜和非法販運毒品等海上挑戰，並注意到索馬里在理事會下一屆會議前很快就會加入環印度洋聯盟，因此要加強索馬里與鄰國在海上安全與安保方面的合作，

**確認**索馬里境內持續存在的不穩定局勢難免與索馬里沿海的海盜和海上武裝搶劫行為有關，強調國際社會需要繼續採取綜合對策，以解決海盜和海上武裝搶劫問題，消除其根源，**還確認**需要長期不斷做出努力來打擊海盜行為，並需要為索馬里公民提供足夠的經濟機會，

**認定**索馬里沿海的海盜和海上武裝搶劫行為以及索馬里境內海盜集團的活動是加劇索馬里局勢的一個重要因素，而索馬里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**安理會譴責並痛斥索馬里沿海的一切海盜和海上武裝搶劫行為；

2. **在指出**索馬里情況有所改善的同時，**確認**海盜行為產生大量非法現金，在索馬里助長其他犯罪和腐敗行為，加劇了不穩定；

3. **強調**國際社會需要採用全面對策，防止和打擊海盜行為，消除其根源；

4. **着重指出**索馬里當局在打擊索馬里沿海海盜和海上武裝搶劫行為方面的首要責任，**歡迎**索馬里當局在歐洲聯盟海軍行動的阿塔蘭特行動和聯盟非洲之角區域海洋能力建設特派團的支持下，向部長理事會提交了海岸警衛隊法案，供議會通過，**敦促**索馬里當局繼續開展工作，迅速通過一整套反海盜法和海事法，組建有明確的職責和管轄權的安全部隊來執行這些法律，繼續酌情在國際社會的支持下培養索馬里閱體調查和起訴要對海盜和武裝劫持行為負責的人，包括海盜犯罪網路中的非法籌劃、組織、協助或非法資助這些襲擊或從中獲益的主要人物；

the region, interdict suspect vessels, and prosecute suspected pirates,

*Emphasizing* that peace and stability within Somalia, the strengthening of State institutions, economic and social development, and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and further *emphasizing* that Somalia's long-term security rests with the effective development by Somali authorities of the Somali National Security Forces,

*Welcoming* the Padang Communique and Maritime Cooperation Declaration adopted by the Indian Ocean Rim Association (IORA) at its 15th Council of Ministers meeting, which call upon members to support and strengthen cooperation to address maritime challenges including piracy and illegal trafficking of drugs, and which note Somalia's impending membership in the IORA before its next Council of Ministers meeting, thereby strengthening Somalia's cooperation with its neighbours on maritime safety and security,

*Recognizing* that the ongoing instability in Somalia and the acts of piracy and armed robbery at sea off its coast are inextricably linked, and stressing the need to continue the comprehensive response by the international community to repress piracy and armed robbery at sea and tackle its underlying causes, and further *recognizing* the need to undertake long-term and sustainable efforts to repress piracy and the need to create adequate economic opportunities for the citizens of Somalia,

*Determining* that the incidents of piracy and armed robbery at sea off the coast of Somalia, as well as the activity of pirate groups in Somalia, are an important factor exacerbating the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

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

1. *Reiterates* that it condemns and deplors all acts of piracy and armed robbery at sea off the coast of Somalia;

2. *While noting* improvements in Somalia, *recognizes* that piracy exacerbates instability in Somalia by introducing large amounts of illicit cash that fuels additional crime and corruption;

3. *Stresses* the need for a comprehensive response to prevent and suppress piracy and tackle its underlying causes by the international community;

4. *Underlines* the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, *welcomes* the draft coast guard law which the Somali authorities, with the support of the European Union Naval Force (EUNAVFOR) Operation Atalanta and EUCAP Nestor have submitted to the Council of Ministers for approval by Parliament and *urges* the Somali authorities, to continue their work to pass a comprehensive set of anti-piracy and maritime laws without further delay and establish security forces with clear roles and jurisdictions to enforce these laws and to continue to develop, with international support as appropriate, the capacity of Somali courts to investigate and prosecute persons responsible for acts of piracy and armed robbery, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks;

5. **認識到**需要繼續調查和起訴所有那些籌劃、組織或非法資助索馬里沿海的海盜襲擊或從中獲益的人，包括海盜犯罪網路的關鍵人物，敦促各國同相關國際組織合作，通過立法以協助起訴索馬里沿海的海盜嫌犯；

6. **促請**索馬里當局進行攔截，在攔截後建立安全送還海盜繳獲物品的機制，調查和起訴海盜，並在索馬里沿海的領海中進行巡邏，以防止和打擊海盜和海上武裝搶劫行為；

7. **促請**索馬里當局作出一切努力，將利用索馬里領土策劃、協助或從事海盜和海上武裝搶劫等犯罪活動的人繩之以法，促請會員國應索馬里當局請求並在知會秘書長的情況下，協助索馬里，包括各州當局加強海事能力，並強調，根據本段採取的任何措施都應符合有關國際法，尤其是國際人權法；

8. **促請**各國也酌情在劫持人質和起訴劫持人質的海盜嫌犯問題上開展合作；

9. **呼籲**立即無條件釋放所有被索馬里海盜扣為人質的海員，還促請索馬里當局和所有相關利益攸關方加倍做出努力，以便他們能立即安全獲釋；

10. **歡迎**塞舌爾當局設立一個審理海盜行為和海事罪行的法庭，還歡迎它開始進行首次庭審；

11. **認識到**各個國家、區域組織和其他相關夥伴需要為執行反海盜法的目的交流證據和信息，以有效起訴海盜嫌犯和監禁已定罪海盜，逮捕和起訴海盜犯罪網路中策劃、組織、協助或非法資助海盜行動並從中受益的關鍵人物，不斷審查對符合第2093 (2013) 號決議第43段所述列名標準的策劃、組織、協助或非法資助海盜行動或從中受益的個人或實體實行定向制裁的可能性；**促請**所有國家與索馬里和厄立特里亞問題監察組充分合作，交流關於可能違反軍火禁運或木炭禁令的行為的信息；

12. **再次促請**能夠參加打擊索馬里沿海海盜和海上武裝搶劫行為的國家和區域組織這樣做，尤其是依照本決議和國際法，部署海軍艦隻、武器和軍用飛機，為反海盜部隊提供基地和後勤支助，並扣押和處置被用於或有充分理由懷疑被用於在索馬里沿海從事海盜和海上武裝搶劫行為的船舶、艦艇、武器和其他相關裝備；

5. *Recognizes* the need to continue investigating and prosecuting those who plan, organize, or illicitly finance or profit from pirate attacks off the coast of Somalia, including key figures of criminal networks involved in piracy, *urges* States, working in conjunction with relevant international organizations, to adopt legislation to facilitate prosecution of suspected pirates off the coast of Somalia;

6. *Calls upon* the Somali authorities to interdict, and upon interdiction to have mechanisms in place to safely return effects seized by pirates, investigate and prosecute pirates and to patrol the territorial waters off the coast of Somalia to prevent and suppress acts of piracy and armed robbery at sea;

7. *Calls upon* the Somali authorities to make all efforts to bring to justice those who are using Somali territory to plan, facilitate, or undertake criminal acts of piracy and armed robbery at sea, and calls upon Member States to assist Somalia, at the request of Somali authorities and with notification to the Secretary-General, to strengthen maritime capacity in Somalia, including regional authorities and, stresses that any measures undertaken pursuant to this paragraph shall be consistent with applicable international law, in particular international human rights law;

8. *Calls upon* States to cooperate also, as appropriate, on the issue of hostage taking, and the prosecution of suspected pirates for taking hostages;

9. *Calls for* the immediate and unconditional release of all seafarers held hostage by Somali pirates, and further calls upon the Somali authorities and all relevant stakeholders to redouble their efforts to secure their safe and immediate release;

10. *Welcomes* the initiative of the Seychelles authorities to establish a court for piracy and maritime crime and further *welcomes* the commencing of the first trial before it;

11. *Recognizes* the need for States, international and regional organizations, and other appropriate partners to exchange evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates and with a view to the arrest and prosecution of key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance and profit from piracy operations, and keeps under review the possibility of applying targeted sanctions against individuals or entities that plan, organize, facilitate, or illicitly finance or profit from piracy operations if they meet the listing criteria set out in paragraph 43 of resolution 2093 (2013), and *calls upon* all States to cooperate fully with the Somalia and Eritrea Monitoring Group, including on information-sharing regarding possible violations of the arms embargo or charcoal ban;

12. *Renews* its call upon States and regional organizations that are able to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with this resolution and international law, by deploying naval vessels, arms, and military aircraft, by providing basing and logistical support for counter-piracy forces, and by seizing and disposing of boats, vessels, arms, and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use;

13. **重點**指出各國和國際組織為制止索馬里沿海的海盜和海上武裝搶劫行為相互進行協調的重要性，讚揚海盜問題聯絡組開展工作，與海事組織、船旗國和索馬里當局攜手促進這種協調，敦促繼續支持這些努力；

14. **鼓勵**會員國繼續與索馬里當局合作，打擊海盜和海上武裝搶劫行為，指出索馬里當局在打擊索馬里沿海海盜和海上武裝搶劫行為方面的首要作用，**決定**從本決議通過之日起，將第1846（2008）號決議第10段和第1851（2008）號決議第6段給予在索馬里沿海同索馬里當局合作打擊海盜和海上武裝搶劫行為的國家和區域組織、經第1897（2009）號決議第7段、第1950（2010）號決議第7段、第2020（2011）號決議第9段、第2077（2012）號決議第12段、第2125（2013）號決議第12段和第2184（2014）號決議第13段延長的授權，再延長十二個月，索馬里當局已為此事先知會秘書長；

15. **申明**本決議延長的授權僅適用於索馬里局勢，不影響會員國在其他任何局勢中根據國際法所擁有的權利或義務或責任，包括《公約》所規定的任何權利或義務，尤其強調不得將本決議視作確立習慣國際法；還申明，這一授權是在收到表明索馬里當局表示同意的2014年11月4日信函後延長的；

16. **決定**，第733（1992）號決議第5段規定的、經第1425（2002）號決議第1和第2段進一步闡明並經第2093號決議第33至38段修訂的措施，不適用於只供根據上文第14段採取措施的會員國、國際、區域和次區域組織使用的武器和軍事裝備；

17. **請**合作國家採取適當步驟，確保其根據上文第14段授權從事的活動不會實際上剝奪或損害任何第三國的船隻無害通過的權利；

18. **促請**所有國家，特別是船旗國、港口國和沿海國、海盜和武裝搶劫行為受害者和實施者的國籍國以及國際法和國內立法規定擁有相關管轄權的國家，按照適用的國際法，包括國際人權法，合作確定管轄範圍並調查和起訴所有要對索馬里沿海海盜和武裝搶劫行為負責的人，包括海盜犯罪網路中策劃、組織、協助或非法資助海盜行動或從中受益的關鍵人物，確保交給司法機構的所有海盜都經過司法程序，並提供協助，包括對受其管轄

13. *Highlights* the importance of coordination among States and international organizations in order to deter acts of piracy and armed robbery at sea off the coast of Somalia, commends the work of the CGPCS to facilitate such coordination in cooperation with the IMO, flag States, and Somali authorities, and urges continued support of these efforts;

14. *Encourages* Member States to continue to cooperate with Somali authorities in the fight against piracy and armed robbery at sea, notes the primary role of Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, and *decides* that, for a further period of twelve months from the date of this resolution to renew the authorizations as set out in paragraph 10 of resolution 1846 (2008) and paragraph 6 of resolution 1851 (2008), as renewed by paragraph 7 of resolution 1897 (2009), paragraph 7 of resolution 1950 (2010), paragraph 9 of resolution 2020 (2011), paragraph 12 of resolution 2077 (2012), paragraph 12 of resolution 2125 (2013), and paragraph 13 of resolution 2184 (2014) granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by Somali authorities to the Secretary-General;

15. *Affirms* that the authorizations renewed in this resolution apply only with respect to the situation in Somalia and shall not affect the rights, obligations, or responsibilities of Member States under international law, including any rights or obligations under The Convention, with respect to any other situation, and underscores in particular that this resolution shall not be considered as establishing customary international law; and affirms further that such authorizations have been renewed based on the receipt of the 4 November 2014 letter conveying the consent of Somali authorities;

16. *Decides* that the arms embargo on Somalia imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 does not apply to supplies of weapons and military equipment or the provision of assistance destined for the sole use of Member States, international, regional, and subregional organizations undertaking measures in accordance with paragraph 14 above;

17. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 14 do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

18. *Calls upon* all States, and in particular flag, port, and coastal States, States of the nationality of victims and perpetrators of piracy and armed robbery, and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining jurisdiction and in the investigation and prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attack, consistent with applicable international law including international human rights law, to ensure that all pirates handed over to judicial authorities are subject to a judicial process, and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons



和控制的人，例如受害人和證人以及在根據本決議開展行動過程中扣留的人，提供處置和後勤方面的協助；

19. 促請所有國家根據本國法律將海盜行為定為犯罪，並積極考慮按照適用的國際法、包括國際人權法，起訴在索馬里沿海抓獲的海盜嫌疑人和他們在岸上的協助者和資助者，並監禁已定罪者，決定不斷審查這些事項，包括在國際社會按第2015（2011）號決議規定大力參與和/或支持的情況下，酌情在索馬里境內設立反海盜特別法庭，鼓勵海盜問題聯絡組繼續為此進行討論；

20. 為此歡迎毒品和犯罪問題辦公室的海上犯罪方案繼續與索馬里當局和鄰近國家合作，確保根據國際法、包括國際人權法起訴海盜嫌犯和監禁已定罪的人；

21. 鼓勵索馬里聯邦政府加入《聯合國打擊跨國有組織犯罪公約》，以此努力打擊海盜網路生存要依靠的洗錢和支助團體；

22. 敦促所有國家根據本國法律採取適當行動，防止非法資助海盜行為和通過洗錢使海盜行為的收入合法化；

23. 敦促各國同國際刑警組織和歐洲刑警組織合作，進一步調查參與索馬里沿海海盜行為的國際犯罪網路，包括應對非法提供資助和協助負責的人；

24. 敦促所有國家確保所有反海盜活動，特別是陸地上的活動，都考慮到需要保護婦女和兒童，不讓他們遭受剝削，包括遭受性剝削；

25. 敦促所有國家與國際刑警組織交流信息，通過適當渠道提供給全球反海盜數據庫使用；

26. 讚揚信託基金和海事組織資助的《吉布提行為守則》做出的貢獻，敦促受海盜行為影響的國家和非國家行為體，特別是國際航運界，為其捐款；

27. 敦促《公約》和《制止海上非法行為公約》締約國全面履行這些公約和習慣國際法為其規定的相關義務，與毒品和犯罪問題辦公室、海事組織和其他國家以及其他國際組織合作，以建立成功起訴索馬里沿海海盜和海上武裝搶劫嫌犯的司法能力；

28. 感謝海事組織就預防和打擊海盜和海上武裝搶劫行為提供建議和指南；敦促各國與航運業、保險業和國際海事組織合作，繼續制定和執行避免、規避和防衛方面的最佳做法和預告，供船隻在索馬里沿岸海域受襲或航行時採用，還敦促各國在

under their jurisdiction and control, such as victims, witnesses, and persons detained as a result of operations conducted under this resolution;

19. *Calls upon* all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of those convicted, pirates apprehended off the coast of Somalia, and their facilitators and financiers ashore, consistent with applicable international law, including international human rights law, and decides to keep these matters under review, including, as appropriate, the establishment of specialized anti-piracy courts in Somalia with substantial international participation and/or support as set forth in resolution 2015 (2011), and encourages the CGPCS to continue its discussions in this regard;

20. *Welcomes*, in this context, the UNODC Maritime Crime Programme's continued work with authorities in Somalia and in neighbouring States to ensure that individuals suspected of piracy are prosecuted and those convicted are imprisoned in a manner consistent with international law, including international human rights law;

21. *Encourages* the Federal Government of Somalia to accede to the United Nations Convention Against Transnational Organized Crime, as part of its efforts to target money laundering and financial support structures on which piracy networks survive;

22. *Urges* all States to take appropriate actions under their existing domestic law to prevent the illicit financing of acts of piracy and the laundering of its proceeds;

23. *Urges* States, in cooperation with INTERPOL and Europol, to further investigate international criminal networks involved in piracy off the coast of Somalia, including those responsible for illicit financing and facilitation;

24. *Urges* all States to ensure that counter-piracy activities, particularly landbased activities, take into consideration the need to protect women and children from exploitation, including sexual exploitation;

25. *Urges* all States to share information with INTERPOL for use in the global piracy database, through appropriate channels;

26. *Commends* the contributions of the Trust Fund and the IMO-funded Djibouti Code of Conduct and urges both state and non-State actors affected by piracy, most notably the international shipping community, to contribute to them;

27. *Urges* States parties to The Convention and the SUA Convention to implement fully their relevant obligations under these conventions and customary international law and to cooperate with the UNODC, IMO, and other States and international organizations to build judicial capacity for the successful prosecution of persons suspected of piracy and armed robbery at sea off the coast of Somalia;

28. *Acknowledges* the recommendations and guidance provided by the IMO on preventing and suppressing piracy and armed robbery at sea; and urges States, in collaboration with the shipping and insurance industries and the IMO, to continue to develop and implement avoidance, evasion, and defensive best practices and advisories to take when under attack or

發生海盜行為或未遂的海盜行為或海上武裝搶劫行為後，或在  
其公民和船隻被釋放後，立即在第一個停靠港口酌情讓其公民  
和船隻接受法證調查；

29. 鼓勵船旗國和港口國進一步考慮制定船上安全和安保措  
施，包括酌情通過與包括海事組織和國際標準化組織在內的各  
方進行協商，制定關於在船上使用私營承包的武裝保安人員的  
條例，以便防止和制止索馬里沿海的海盜行為；

30. 邀請海事組織繼續協助預防和制止海盜和武裝劫船行  
為，特別是與聯合國毒品和犯罪問題辦公室、世界糧食計劃署  
（糧食署）、航運業和其他相關各方進行協調，並確認海事組織  
在高風險海區航行的船舶聘用私營承包的武裝保安人員方面的  
作用；

31. 指出海路安全運送糧食署援助的重要性，歡迎糧食署、  
歐盟海軍行動的阿塔蘭特行動和船旗國開展工作，在糧食署船  
隻上加派護船分遣隊；

32. 請目前正在同索馬里當局合作的國家和區域組織在九個  
月內向安全理事會和秘書長通報為履行上文第14段所述授權而  
採取的行動的進展情況，還請所有通過索馬里沿海海盜問題聯  
絡小組在索馬里沿海協助打擊海盜行為的國家，包括索馬里和  
該區域其他國家，在同一期限內，報告它們確立調查和起訴海盜  
行為的管轄權和開展合作的情況；

33. 請秘書長在本決議通過後11個月內，向安全理事會報告  
本決議的執行情況以及索馬里沿海海盜和海上武裝搶劫行為的  
情況；

34. 表示打算審視有關局勢，在索馬里當局提出要求時，酌  
情考慮再度延長上文第14段所述授權的期限；

35. 決定繼續處理此案。

when sailing in the waters off the coast of Somalia, and further  
urges States to make their citizens and vessels available for  
forensic investigation as appropriate at the first suitable port of  
call immediately following an act or attempted act of piracy or  
armed robbery at sea or release from captivity;

29. Encourages flag States and port States to further consider  
the development of safety and security measures on board ves-  
sels, including, where applicable, developing regulations for the  
use of PCASP on board ships, aimed at preventing and sup-  
pressing piracy off the coast of Somalia, through a consultative  
process, including through the IMO and ISO;

30. Invites the IMO to continue its contributions to the pre-  
vention and suppression of acts of piracy and armed robbery  
against ships, in coordination, in particular, with the UNODC,  
the World Food Program (WFP), the shipping industry, and  
all other parties concerned, and recognizes the IMO's role  
concerning privately contracted armed security personnel on  
board ships in high-risk areas;

31. Notes the importance of securing the safe delivery of  
WFP assistance by sea, and welcomes the ongoing work by the  
WFP, EUNAVFOR Operation Atalanta, and flag States with  
regard to Vessel Protection Detachments on WFP vessels;

32. Requests States and regional organizations cooperating  
with Somali authorities to inform the Security Council and the  
Secretary-General in nine months of the progress of actions  
undertaken in the exercise of the authorizations provided in  
paragraph 14 above and further requests all States contributing  
through the CGPCS to the fight against piracy off the coast of  
Somalia, including Somalia and other States in the region, to  
report by the same deadline on their efforts to establish juris-  
diction and cooperation in the investigation and prosecution of  
piracy;

33. Requests the Secretary-General to report to the Security  
Council within eleven months of the adoption of this resolution  
on the implementation of this resolution and on the situation  
with respect to piracy and armed robbery at sea off the coast of  
Somalia;

34. Expresses its intention to review the situation and con-  
sider, as appropriate, renewing the authorizations provided in  
paragraph 14 above for additional periods upon the request of  
Somali authority;

35. Decides to remain seized of the matter.

### 第 47/2016 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  
全理事會於二零一六年三月二日通過的有關秘書長關於蘇丹和  
南蘇丹的報告的第2271 (2016) 號決議的中文、英文正式文本及  
以該決議各正式文本為依據的葡文譯本。

二零一六年六月六日發佈。

行政長官 崔世安

### Aviso do Chefe do Executivo n.º 47/2016

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 Resolu-  
ção n.º 2271 (2016), adoptada pelo Conselho de Segurança das  
Nações Unidas em 2 de Março de 2016, relativa aos relatórios  
do Secretário-Geral sobre o Sudão e o Sudão do Sul, nos seus  
textos autênticos em línguas chinesa e inglesa, acompanhados  
da tradução para a língua portuguesa efectuada a partir dos  
seus diversos textos autênticos.

Promulgado em 6 de Junho de 2016.

O Chefe do Executivo, Chui Sai On.