

Ould Mahri Ahmed Daya **Também conhecido por, insuficiente para identificação.:**  
**a)** Mohamed Rougie **b)** Mohamed Rougyy **c)** Mohamed Rouji **Nacionalidade:** Mali  
**Passaporte n.º:** **a)** AA00272627 **b)** AA0263957 **c)** AA0344148, emitido em 21 de Março de 2019 (data de validade: 20 de Março de 2024) **N.º de identificação nacional:**  
 — **Endereço:** Bamako, Mali **Data de inclusão:** 10 de Julho de 2019 (alterada em 19 de Dezembro de 2019, 14 de Janeiro de 2020, 5 de Outubro de 2022) **Outras informações:** Mohamed Ben Ahmed Mahri é um homem de negócios da comunidade árabe Lehmar na região de Gao, que colaborou anteriormente com o Movimento para a União e a Jihad na África Ocidental (MUJAO) (QDe.134). Incluído na lista nos termos dos n.ºs 1 a 3 da Resolução n.º 2374 (2017) (proibição de viajar, congelamento de bens). Fotografia disponível para inclusão no Aviso Especial da INTERPOL-Conselho de Segurança das Nações Unidas.

**MLi.008 Nome:** 1: MOHAMED 2: OULD 3: MATALY 4: —

**Título:** — **Cargo:** Deputado **Data de nascimento:** 1958 **Local de nascimento:** —  
**Também conhecido por, suficiente para identificação:** — **Também conhecido por, insuficiente para identificação:** — **Nacionalidade:** Mali **Passaporte n.º:** **a)** D9011156 **b)** AA0260156, emitido em 3 de Agosto de 2018 (data de validade: 2 de Agosto de 2023) **N.º de identificação nacional:** — **Endereço:** **a)** Golf Rue 708 Door 345, Gao, Mali **b)** Almoustarat, Gao, Mali **Data de inclusão:** 10 de Julho de 2019 (alterada em 19 de Dezembro de 2019, 14 de Janeiro de 2020, 5 de Outubro de 2022) **Outras informações:** Mohamed Ould Mataly, antigo presidente da câmara de Bourem, é actualmente deputado pelo círculo de Bourem e pertence ao *Rassemblement pour le Mali* (RPM, o partido político do Presidente Ibrahim Boubacar Keita). Pertence à comunidade árabe Lehmar e é um membro influente da ala pró-governamental do Movimento Árabe de Azawad (MAA), associado à coligação Plataforma dos movimentos de 14 de Junho de 2014 de Argel (Plataforma). Incluído na lista nos termos dos n.ºs 1 a 3 da Resolução n.º 2374 (2017) (proibição de viajar, congelamento de bens). Fotografia disponível para inclusão no Aviso Especial da INTERPOL-Conselho de Segurança das Nações Unidas.

(...) »

### 第 31/2022 號行政長官公告

按照中央人民政府的命令，行政長官根據第3/1999號法律《法規的公佈與格式》第六條第一款的規定，命令公佈聯合國安全理事會於二零二二年十月二十一日通過有關海地的問題的第2653 (2022) 號決議的中文和英文正式文本。

二零二二年十一月二十三日發佈。

行政長官 賀一誠

### Aviso do Chefe do Executivo n.º 31/2022

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 2653 (2022) relativa à questão do Haiti, adoptada pelo Conselho de Segurança das Nações Unidas em 21 de Outubro de 2022, nos seus textos autênticos em línguas chinesa e inglesa.

Promulgado em 23 de Novembro de 2022.

O Chefe do Executivo, *Ho Iat Seng*.

## 第 2653 (2022) 號決議

### 2022 年 10 月 21 日安全理事會第 9159 次會議通過

**安全理事會，**

**重申**對海地主權、獨立、領土完整和統一的堅定承諾，

**回顧**其以往關於海地的所有決議，特別是第 2645 (2022) 號決議，該決議除其他外將聯合國海地綜合辦事處（聯海綜合辦）任務期限延長一年，要求立即停止幫派暴力和犯罪活動，並表示安理會隨時準備天內對參與或支持幫派暴力、犯罪活動或踐踏人權行為或者以其他行動方式破壞海地和該區域和平、穩定與安全的人，採取必要的適當措施，

**深為關切地注意到**海地長期不斷惡化的政治、體制、經濟、安全、人權、人道主義和糧食安全危機，重申國際社會承諾繼續支持海地人民，

**認識到**排斥和不平等作為加重因素，在海地局勢中產生影響，

**強調指出**海地政府須擔負首要責任，應對不穩定和不平等狀況的長期驅動因素，

**重申**需要達成緊急協議，為展開一個由海地人主導的政治進程建立可持續、有時限和得到普遍接受的框架，以便在安全條件和後勤準備工作允許的情況下，儘快以透明的方式舉行包容各方、自由和公正的立法和總統選舉，並讓婦女充分、平等和切實參加，讓青年、民間社會和其他相關利益攸關方參與，回顧安理會請海地政府提供關於政治進程的最新情況；

**表示嚴重關切**幫派暴力和其他犯罪活動極端猖獗，包括綁架、販運人口、偷運移民、殺人以及強姦和性奴役等性暴力和性別暴力，而且犯罪人

一直逍遙法外，腐敗現象和幫派招募兒童行為持續存在，海地局勢對該區域產生影響，

**關切**非法販運和轉用各類軍火及相關物資導致法治和尊重人權原則受到破壞，可能妨礙人道主義援助的提供並產生廣泛、不利的人道主義和社會經濟後果，

**指出**需要禁止向海地境內從事或支持幫派暴力、犯罪活動或踐踏人權行為的非國家行為體轉讓輕小武器和彈藥，並防止其非法販運和移挪，

**鼓勵**會員國相互合作，防止非法販運和移挪武器，包括為此及時提供和交流最新信息，以查明和取締非法販運來源和供應鏈，

**確認**迫切需要阻止非法資金流入海地，使武裝幫派得以從事活動，對該國的穩定構成日益嚴重的威脅，包括為此優先切斷政治和經濟行為體與幫派之間的聯繫，

**表示關切**海地國家警察無法進入主要由幫派控制的重要港口，進一步要求制止各幫派對港口和燃料碼頭的非法佔領，

**歡迎**聯合國毒品和犯罪問題辦公室（毒品和犯罪問題辦公室）啟動技術方案，協助國家當局推行邊境和港口管制，追蹤非法資金流動，開展跨界合作打擊跨國犯罪、腐敗以及毒品和武器販運，包括通過毒品和犯罪問題辦公室-世界海關組織海地集裝箱管制方案和邊境管理方案，此外還歡迎加勒比共同體（加共體）打擊火器販運區域路線圖，

**確認**鄰國、加共體等區域和次區域組織以及其他國際夥伴的重要作用，

**表示深為關切**武裝幫派在海地境內持續進行破壞穩定的犯罪活動，而且向參與或支持幫派暴力的行為體轉讓小武器、輕武器和彈藥的現象有增

無減，

**譴責**襲擊和綁架聯合國人員、暴力攻擊外交館舍和搶劫人道主義援助物資的行為，回顧東道國對聯合國人員和財產的安全保障負有首要責任，

**呼籲**海地所有行為體明令禁止一切侵犯踐踏人權行為，強調所有行為體都必須確保人道主義組織能立即、安全無阻地通行，

**強調指出**，本決議規定的措施無意對海地平民產生不利的人道主義後果，

**確認**需要確保有公平和明確的程序將根據本決議指認的個人、團體、企業和實體除名，並表示打算考慮授權監察員接收此類除名請求，

**認定**海地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. **要求**立即停止破壞海地和該區域和平、穩定與安全的暴力、犯罪活動和踐踏人權行為，包括綁架、性暴力和性別暴力、販運人口和偷運移民、殺人、法外殺戮以及武裝團夥和犯罪網絡招募兒童；

2. **敦促**所有政治行為體建設性地參與有意義的談判，以打破目前的政治僵局，從而在當地安全局勢允許的情況下，儘快舉行包容各方、自由和公正的立法和總統選舉；

### **旅行禁令**

3. **決定**，自本決議通過之日起初步為期一年，所有會員國應採取必要措施，防止經下文第 19 段所設委員會指認的任何個人在本國入境或過境，但本段的規定絕不強制一國拒絕本國國民入境；

4. **注意到**被指認的個人可能有多重國籍或護照，表示關切被指認個人的國籍國或護照簽發國的兩個國家之間的旅行可能有損第 3 段規定的旅行禁令之目的，請本決議第 21 段所設專家小組（“專家小組”）向委員會報告此類旅行的信息；

5. **決定**上文第 3 段規定的措施不適用於下列情況：

a. 委員會根據個案情況認定，此類旅行是出於人道主義需求包括履行宗教義務，因而具有正當理由；

b. 為履行司法程序而必須入境或過境；

c. 委員會根據個案情況認定，給予豁免會促進在海地實現和平與穩定的目標；

#### **資產凍結**

6. **決定**，自本決議通過之日起初步為期一年，所有會員國應從速凍結本國領土內由本決議附件所列或委員會所指認任何個人或實體、或代表此類個人或實體或根據其指示行事的任何個人或實體、或經指認個人或實體所擁有或控制的實體直接或間接擁有或控制的所有資金、其他金融資產和經濟資源，還決定所有會員國應確保沒有本國國民或本國境內人員直接或間接為這些個人或實體的利益而提供此種或任何其他資金、金融資產和經濟資源；

7. **決定**上文第 6 段規定的措施不適用於相關會員國認定的下列資金、其他金融資產和經濟資源：

a. 為基本開支所必需，包括用於支付食品、租金或抵押貸款、藥品和醫療、稅款、保險費及公用事業費，或完全用於支付與提供國家法律規

定的法律服務有關的合理專業服務費和償付由此引起的相關費用，或國家法律規定的為例行置存或保管凍結資金、其他金融資產和經濟資源所應收取的規費或服務費，但相關國家須先把酌情授權動用這類資金、其他金融資產和經濟資源的意向通知委員會，且委員會在接到此通知後 5 個工作日內未作出反對的決定；

b. 為非常開支所必需，前提是相關國家或會員國已將這一認定通知委員會並已獲得委員會批准；

c. 屬於司法、行政或仲裁留置或裁決之標的，如屬此種情況，則這些資金、其他金融資產和經濟資源可用於執行留置或裁決，但該項留置或裁決須在本決議通過之日前已作出，受益者不是被委員會指認的個人或實體，且相關國家或會員國已就此通知委員會；

8. **決定**會員國可允許在已依照上文第 6 段規定凍結的帳戶中存入這些帳戶的利息或其他收益，或根據這些帳戶在受本決議各項規定制約之前訂立的合同、協議或義務應該收取的任何付款，但任何此種利息、其他收益和付款仍須受這些規定的制約並予以凍結；

9. **決定**上文第 6 段中的措施不應妨礙被指認的個人或實體根據其在被列名前簽訂的合同支付應該支付的款項，條件是相關國家已認定該項付款不是直接或間接付給根據上文第 6 段被指認的個人或實體；且相關國家已在批准前提前 10 個工作日，將其進行支付或接受付款或酌情為此目的批准解凍資金、其他金融資產或經濟資源的意向通知委員會；

10. **決定**，在不影響其他地方人道主義援助方案執行工作的情況下，本決議第 6 段規定的措施不適用於為確保聯合國、其專門機構或方案、在聯合國大會具有觀察員地位的提供人道主義援助的人道主義組織以及其

執行夥伴（包括參加聯合國海地人道主義應急計劃的雙邊或多邊供資非政府組織）在海地及時提供急需人道主義援助或支持開展其他活動以幫助滿足人們基本需求而需要的資金付款、其他金融資產或經濟資源；

### 定向軍火禁運

11. **決定**，自本決議通過之日起初步為期一年，所有會員國應立即採取必要措施，防止從本國境內或經由本國領土或由本國國民或使用懸掛本國國旗的船隻或飛機，直接或間接向委員會所指認個人和實體，或為其利益，供應、出售或轉讓所有類別武器或相關軍用物資，包括武器和彈藥、軍用車輛和裝備、准軍事裝備及上述物項的備件，以及與軍事活動有關或與提供、維修或使用任何武器和相關軍用物資有關的技術援助、培訓、財政及其他援助，包括提供武裝僱傭軍人員（無論是否來自本國境內）；

12. **鼓勵**會員國確保按照其所加入的國際和區域文書的要求制定適當的標識和保存記錄措施，以追蹤輕小武器等軍火，考慮如何酌情並應請求為鄰國提供最佳協助，以防止和發現違反本決議第 6 段所定措施的非法販運和轉用行為；

13. **促請**所有國家，特別是區域國家，根據本國授權和立法並遵循國際法，在有情報提供合理理由認為貨物中有本決議第 11 段禁止供應、銷售、轉移或出口的物項時，在其境內，包括在其港口和機場，檢查運往海地的所有貨物，以確保此類規定得到嚴格執行；

14. **鼓勵**酌情在陸地、空中和海上開展區域合作，以發現和防止違反本決議第 11 段所定措施的行為，並及時向下文第 19 段所設委員會報告違反行為；

## 制裁指認標準

15. **決定**，第 3 段的規定適用於相關個人，第 6 和 11 段的規定適用於相關個人和實體，他們被本決議第 19 段所設委員會指認負責、共謀或直接或間接參與威脅海地和平、安全或穩定的行動，因而應受此類措施制約；

16. **決定**，上文第 15 段所述行動包括但不限於：

a. 直接或間接參與或支持涉及武裝團夥和助長暴力的犯罪網絡的犯罪活動和暴力，包括此類團夥和網絡強行招募兒童、綁架、販運人口和偷運移民、殺人以及性暴力和性別暴力；

b. 支持非法販運和轉用軍火及相關物資，或與此有關的非法資金流動；

c. 為因從事上文（a）和（b）分段所述活動而被指認的個人或實體行事或代為行事或按其指示行事，或以其他形式給予支持或資助，包括通過直接或間接使用有組織犯罪所得收入，包括非法生產和販運毒品及其源自海地境內或從海地過境的前體、從海地販運人口和偷運移民、或偷運和販運軍火進出海地所得的收入；

d. 違反本決議第 11 段規定的軍火禁運，或直接或間接向海地境內武裝團夥或犯罪網絡供應、出售或轉讓或接收軍火或任何相關物資，或提供任何與海地境內武裝團夥或犯罪網絡暴力活動相關的技術諮詢、培訓或援助，包括資助和財務援助；

e. 策劃、指揮或實施違反國際人權法的行為或構成踐踏人權的行為，包括涉及法外殺戮婦女和兒童等的行為，以及在海地實施暴力、綁架、強迫失蹤或綁架勒索行為；



f. 在海地策劃、指揮或實施涉及性暴力和性別暴力，包括強姦和性奴役等行為；

g. 阻礙向海地運送人道主義援助物資，或阻礙在海地境內獲取或分發人道主義援助物資；

h. 攻擊聯合國駐海地特派團和行動的人員或駐地，為此類攻擊提供支持；

17. **要求**會員國確保為執行本決議而採取的所有措施都符合其根據國際法，包括適用的國際人道法、國際人權法和國際難民法承擔的義務；

18. **決定**對本決議附件所列個人採取上文第 3、6 和 11 段規定的措施；

### 制裁委員會

19. **決定**根據安理會暫行議事規則第 28 條設立一個由安理會全體成員組成的安全理事會委員會（下稱“委員會”），負責執行以下任務：

a. 監測上文第 3、6 和 11 段所定措施的執行情況，以便加強、促進和改進會員國對這些措施的執行，審議有關給予本決議第 5 和 7 段所述豁免的請求並就這些請求作出決定；

b. 尋找和審查可能從事上文第 15 和 16 段所述行為的個人和實體的相關信息；

c. 指認受上文第 3、6 和 11 段所定措施限制的個人和實體；

d. 制訂和頒佈必要的準則，便利執行上述措施；

e. 在 60 天內向安全理事會報告工作，並提出意見和建議，特別是關於如何加強本決議第 3、6 和 11 段所定措施的效力，其後每年提交報告；

- f. 鼓勵委員會與有關會員國對話，特別是與該區域的會員國對話，包括邀請這些國家的代表與委員會舉行會議，討論各項措施的執行；
  - g. 向所有會員國索取它認為有用的任何信息，以了解會員國為切實執行所述措施而採取的行動；
  - h. 審查關於據稱違反或不遵守第 3、6 和 11 段所載措施的情況的信息，並採取適當行動；
20. 指示委員會與其他相關的安全理事會制裁委員會合作；

## 報告

21. 請秘書長與委員會協商設立一個由 4 名專家組成、接受委員會指導的小組（“專家小組”），最初任期為 13 個月，並作出必要的財政和安保安排，以支持專家小組開展工作，決定專家小組應執行以下任務：
- a. 協助委員會執行本決議規定的任務，包括隨時為委員會提供相關信息，用於日後指認可能參與上文第 15 和 16 段所述活動的個人和實體；
  - b. 收集、審查和分析各國、聯合國相關機構、區域組織和其他有關各方提供的關於本決議所定措施執行情況的信息，尤其是與向海地販運武器的來源和路線所涉事件以及破壞政治過渡事件有關的信息；
  - c. 在與委員會討論後，最遲於 2023 年 3 月 15 日向安理會提交中期報告，並於 2023 年 9 月 15 日提交最後報告，其間定期提交最新資料；
  - d. 協助委員會完善和更新受本決議第 3、6 和 11 段所定措施限制的個人和實體的名單信息，包括提供身份識別信息和公開公佈的列名理由簡述的補充信息；
22. 指示專家小組酌情與聯海綜合辦、毒品和犯罪問題辦公室、加共

體和安全理事會為支持各制裁委員會工作而設的相關專家組合作；

23. **敦促**所有當事方和所有會員國以及國際、區域和次區域組織確保與專家小組合作，還敦促所有有關會員國確保專家小組成員安全、通行不受阻礙，尤其是在接觸人員、獲取文件和進入場地方面，以便專家小組執行任務；

24. **指出**在甄選組成專家小組的各位專家過程中，應優先任命資歷最強的人，以履行上述職責，同時在徵聘過程中適當考慮區域代表性和男女比例的重要性；

### 審查

25. **申明**安理會將不斷審查海地局勢，並隨時準備審查本決議所載措施是否得當，包括根據在下列關鍵基準方面取得的進展，隨時視需要加強、修改、暫停或取消這些措施：

a. 海地政府已發展足夠的司法和法治能力，可對付武裝團體和與犯罪有關活動；

b. 從本決議通過後的最初 12 個月開始，按年度計算，武裝團夥和犯罪網絡實施的暴力，包括蓄意殺人、綁架以及性暴力和性別暴力事件逐步減少；

c. 在秘書長 2022 年 6 月 13 日報告（S/2022/481）所述基準 2、3、4 和相關目標方面取得進展；

d. 從本決議通過後的最初 12 個月開始，按年度計算，非法販運和轉用軍火事件的次數和由此產生的非法資金流動逐步減少，包括增加繳獲武器的次數和數量；

26. 為此請秘書長與專家小組密切協調，至遲於 2023 年 9 月 15 日對上一段所列關鍵基準方面的落實進展進行評估；

27. 請毒品和犯罪問題辦公室酌情與聯海綜合辦和專家小組合作，並向委員會提出報告，提出制止海地境內非法資金流動以及販運和轉用軍火相關物資的建議；

28. 決定繼續積極處理此案。

## 附件

吉米·謝里齊耶 (Jimmy Cherizier) (又名“燒烤”(“Barbeque”)) 從事了威脅海地和平、安全和穩定的行為，並策劃、指揮或實施了構成嚴重踐踏人權的行為。

吉米·謝里齊耶是海地最有影響力的幫派頭目之一，領導着一個被稱為“G9 家族和盟友”的海地幫派聯盟。

謝里齊耶在擔任海地國家警察 (國家警察) 警官期間，策劃並參與了 2018 年 11 月針對太子港一個名為 La Saline 的社區平民的致命襲擊。在這次襲擊中，至少有 71 人被打死，400 多所房屋被毀，至少有 7 名婦女被武裝幫派強姦。在整個 2018 年和 2019 年，謝里齊耶領導武裝團夥在太子港一些社區實施了協調而野蠻的襲擊。2020 年 5 月，謝里齊耶率領武裝團夥在太子港多個社區實施了長達 5 天的襲擊，導致平民被殺，房屋遭焚。截至 2022 年 10 月 11 日，謝里齊耶和他的 G9 幫派聯盟一直在竭力阻擋燃料從海地最大的燃料碼頭——瓦勒碼頭——自由流動。他的所作所為直接造成了海地的經濟癱瘓和人道主義危機。

## Resolution 2653 (2022)

**Adopted by the Security Council at its 9159th meeting, on  
21 October 2022**

*The Security Council,*

*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

*Recalling* all its previous resolutions on Haiti, in particular its resolution 2645 (2022), which *inter alia* extended the mandate of the United Nations Integrated Office in Haiti (BINUH) for one year, demanded an immediate cessation of gang violence and criminal activity, and expressed the Council's readiness to take appropriate measures, as necessary, against those engaged in or supporting gang violence, criminal activities or human rights abuses, or who otherwise take action that undermines the peace, stability, and security of Haiti and the region,

*Noting* with deep concern the protracted and deteriorating political, institutional, economic, security, human rights, humanitarian and food security crises in Haiti and reaffirming the commitment of the international community to continue to support the people of Haiti,

*Recognizing* that exclusion and inequality have an impact as aggravating factors in the situation concerning Haiti,

*Stressing* the primary responsibility of the Government of Haiti to address longstanding drivers of instability and inequality,

*Reiterating* the need to reach an urgent agreement on a sustainable, time-bound and commonly accepted framework for a political process led by Haitians to permit the organization of inclusive, free and fair legislative and presidential elections, carried out in a transparent manner, as soon as security conditions and logistical preparations permit, and with the full, equal and meaningful participation of women and the engagement of youth, civil society, and other relevant stakeholders, and recalling its request to the Government of Haiti to provide an update on the political process,

*Expressing* grave concern about the extremely high levels of gang violence and other criminal activities, including kidnappings, trafficking in persons and the smuggling of migrants, and homicides, and sexual and gender-based violence including rape and sexual slavery, as well as ongoing impunity for perpetrators, corruption and recruitment of children by gangs and the implications of Haiti's situation for the region,

*Concerned* that illicit trafficking and diversion of arms and related materiel of all types contributes to undermining the rule of law and respect for human rights, and

can impede the provision of humanitarian assistance and have wide ranging negative humanitarian and socioeconomic consequences,

*Noting* the need to prohibit the transfer of small arms, light weapons, and ammunition to non-state actors engaged in or supporting gang violence, criminal activities, or human rights abuses in Haiti, as well as to prevent their illicit trafficking and diversion,

*Encouraging* cooperation between Member States to prevent illicit arms trafficking and diversion, including through providing and exchanging timely and up to date information in order to identify and combat illicit trafficking sources and supply chains,

*Acknowledging* the urgent need to address the illicit financial flows to Haiti enabling armed gangs to operate and posing a growing threat to the country's stability, including by prioritizing breaking links between political and economic actors and gangs,

*Expressing* concerns about the Haitian National Police's lack of access to vital ports which are largely under the control of gangs, and further demanding to stop the illegal occupation of ports and fuel terminals by gangs,

*Welcoming* the launch of technical programmes by the United Nations Office on Drugs and Crime (UNODC) to assist national authorities to promote border and ports control, trace illicit financial flows, collaborate across borders to combat transnational crime, corruption, and drug and arms trafficking, including through the UNODC-World Customs Organization (WCO) Container Control Programme in Haiti and border management programmes, and further welcoming the Caribbean Community's (CARICOM) regional roadmap to combat the trafficking of firearms,

*Recognizing* the important role of neighboring countries, regional and subregional organizations such as CARICOM, and other international partners,

*Expressing deep concern* at the persistent and destabilizing criminal activities perpetrated by armed gangs in Haiti and the unabated transfer of small arms, light weapons, and ammunition to actors engaged in or supporting gang violence,

*Condemning* attacks and kidnappings of UN personnel, violence against diplomatic premises, and the looting of humanitarian aid, and *recalling* that the primary responsibility for the safety and security of United Nations personnel and assets rests with the host state,

*Calling upon* all actors in Haiti to issue clear orders prohibiting all human rights violations and abuses, and *underscoring* the necessity for all actors to ensure immediate, safe and unhindered access by humanitarian organizations,

*Stressing* that the measures imposed by this resolution are not intended to have adverse humanitarian consequences for the civilian population of Haiti,

*Recognizing* the need to ensure that fair and clear procedures exist for delisting individuals, groups, undertakings, and entities designated pursuant to this resolution and expressing its intent to consider authorizing the Ombudsperson to receive such delisting requests,

*Determining* that the situation in Haiti 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. *Demands* an immediate cessation of violence, criminal activities, and human rights abuses which undermine the peace, stability and security of Haiti and the region, including kidnappings, sexual and gender-based violence, trafficking in

persons and the smuggling of migrants, and homicides, extrajudicial killings and recruitment of children by armed groups and criminal networks;

2. Urges all political actors to constructively engage in meaningful negotiations to overcome the current political stalemate in order to allow the holding of inclusive, free and fair legislative and presidential elections, as soon as the local security situation permits;

#### **Travel Ban**

3. *Decides* that, for an initial period of one year from the date of adoption of this resolution, all Member States shall take the necessary measures to prevent the entry into or transit through their territories of any individuals designated by the Committee established pursuant to paragraph 19 below, provided that nothing in the present paragraph shall oblige a State to refuse its own nationals entry into its territory;

4. *Notes* that designated individuals may have multiple nationalities or passports, *expresses* its concern that travel between the two States of which a designated individual has nationality or a passport may undermine the objectives of the travel ban imposed in paragraph 3, and *requests* that the Panel of Experts established in paragraph 21 of this resolution (the “Panel of Experts”) report to the Committee information about such travel;

5. *Decides* that the measures imposed by paragraph 3 above shall not apply:
- a. Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;
  - b. Where entry or transit is necessary for the fulfillment of a judicial process; and
  - c. Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and stability in Haiti;

#### **Asset Freeze**

6. *Decides* that, for an initial period of one year from the date of adoption of this resolution, all Member States shall freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by any individuals or entities listed in the Annex to this resolution or designated by the Committee, or by any individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, and *decides* further that all Member States shall ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, to or for such individuals’ or entities’ benefit, by their nationals or by persons within their territory;

7. *Decides* that the measures imposed by paragraph 6 above do not apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

- a. To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services in accordance with national laws, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the



relevant State to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

- b. To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State or Member States to the Committee and has been approved by the Committee;
- c. To be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated by the Committee, and has been notified by the relevant State or Member States to the Committee;

8. *Decides* that Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 6 above of interests or other earnings due on those accounts or any payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continues to be subject to these provisions and are frozen;

9. *Decides* that the measures in paragraph 6 above shall not prevent a designated individual or entity from making payment due under a contract entered into prior to the listing of such an individual or entity, provided that the relevant States have determined that the payment is not directly or indirectly received by an individual or entity designated pursuant to paragraph 6 above, and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, 10 working days prior to such authorization;

10. *Decides* that without prejudice to humanitarian assistance programmes conducted elsewhere, the measures imposed by paragraph 6 of this resolution shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance or to support other activities that support basic human needs in Haiti, by the United Nations, its specialised agencies or programmes, humanitarian organisations having observer status with the United Nations General Assembly that provide humanitarian assistance, and their implementing partners including bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plan for Haiti;

#### **Targeted Arms Embargo**

11. *Decides* that, for an initial period of one year from the date of adoption of this resolution, all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to, or for the benefit of, the individuals and entities designated by the Committee from or through their territories or by their nationals, 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 assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories;

12. *Encourages* Member States to ensure adequate marking and recordkeeping measures are in place to trace arms, including small arms and light weapons, in accordance with the international and regional instruments to which they are parties, and to consider how best to assist, where relevant and upon their request, neighboring countries in preventing and detecting illicit trafficking and diversion in violation of measures imposed in paragraph 11 of this resolution;

13. *Calls upon* all States, in particular regional countries, to inspect, in accordance with their national authorities and legislation, and consistent with international law, all cargo to Haiti in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by paragraph 11 of this resolution for the purpose of ensuring strict implementation of those provisions;

14. *Encourages* regional land, air, and maritime cooperation, as applicable, to detect and prevent violations of measures imposed in paragraph 11 of this resolution, as well as to report cases of violations in a timely manner to the Committee established pursuant to paragraph 19 below;

#### **Sanctions Designation Criteria**

15. *Decides* that the provisions of paragraph 3 shall apply to individuals, and that the provisions of paragraphs 6 and 11 shall apply to individuals and entities, as designated for such measures by the Committee established pursuant to paragraph 19 of this resolution, as responsible for or complicit in, or having engaged in, directly or indirectly, actions that threaten the peace, security or stability of Haiti;

16. *Decides* that such actions as described in paragraph 15 above include, but are not limited to:

- a. Engaging in, directly or indirectly, or supporting criminal activities and violence involving armed groups and criminal networks that promote violence, including forcible recruitment of children by such groups and networks, kidnappings, trafficking in persons and the smuggling of migrants, and homicides and sexual and gender-based violence;
- b. Supporting illicit trafficking and diversion of arms and related materiel, or illicit financial flows related thereto;
- c. Acting for or on behalf of or at the direction of or otherwise supporting or financing an individual or entity designated in connection with the activity described in subparagraphs (a) and (b) above, including through the direct or indirect use of the proceeds from organized crime, including proceeds from illicit production and trafficking in drugs and their precursors originating in or transiting through Haiti, the trafficking in persons and the smuggling of migrants from Haiti, or the smuggling and trafficking of arms to or from Haiti;
- d. Acting in violation of the arms embargo established in paragraph 11 of this resolution, or as having directly or indirectly supplied, sold, or transferred to armed groups or criminal networks in Haiti, or as having been the recipient of, arms or any related materiel, or any technical advice, training, or assistance, including financing and financial assistance, related to violent activities of armed groups or criminal networks in Haiti;
- e. Planning, directing, or committing acts that violate international human rights law or acts that constitute human rights abuses,

including those involving extrajudicial killing, including of women and children, and the commission of acts of violence, abduction, enforced disappearances, or kidnappings for ransom in Haiti;

- f. Planning, directing or committing acts involving sexual and gender-based violence, including rape and sexual slavery, in Haiti;
- g. Obstructing delivery of humanitarian assistance to Haiti or access to, or distribution of, humanitarian assistance in Haiti;
- h. Attacking personnel or premises of United Nations missions and operations in Haiti, providing support for such attacks;

17. *Demands* that States ensure that all measures taken by them to implement this resolution comply with their obligations under international law, including international humanitarian law, international human rights law and international refugee law, as applicable;

18. *Decides* that the individual listed in the annex of this resolution shall be subject to the measures imposed by paragraphs 3, 6 and 11 above;

#### **Sanctions Committee**

19. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein “the Committee”), to undertake the following tasks:

- a. To monitor implementation of the measures imposed in paragraphs 3, 6, and 11 above with a view to strengthening, facilitating and improving implementation of these measures by Member States, and to consider and decide upon requests for exemptions set out in paragraph 5 and 7 of this resolution;
- b. To seek and review information regarding those individuals and entities who may be engaging in the acts described in paragraph 15 and 16 above;
- c. To designate individuals and entities to be subject to the measures imposed in paragraphs 3, 6, and 11 above;
- d. To establish and promulgate such guidelines as may be necessary to facilitate the implementation of the measures imposed above;
- e. To report within 60 days to the Security Council on its work with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraphs 3, 6, and 11 of this resolution and thereafter to report on an annual basis;
- f. To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;
- g. To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed;
- h. To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in paragraphs 3, 6, and 11;

20. *Directs* the Committee to cooperate with other relevant Security Council Sanctions Committees;

**Reporting**

21. *Requests* the Secretary-General to create for an initial period of 13 months, in consultation with the Committee, a group of 4 experts (“Panel of Experts”), under the direction of the Committee and to make the necessary financial and security arrangements to support the work of the Panel, and *decides* that the Panel shall carry out the following tasks:

- a. Assist the Committee in carrying out its mandate as specified in this resolution, including through providing the Committee at any time with information relevant to the potential designation at a later stage of individuals and entities who may be engaging in the activities described in paragraphs 15 and 16 above;
- b. Gather, examine and analyze information from States, relevant UN bodies, regional organizations and other interested parties regarding the implementation of the measures decided in this resolution, in particular incidents regarding the source and routes of arms trafficking to Haiti and incidents of undermining the political transition;
- c. Provide to the Council, after discussion with the Committee, an interim report by 15 March 2023, a final report no later than 15 September 2023, and periodic updates in between;
- d. To assist the Committee in refining and updating information on the list of individuals and entities subject to measures imposed pursuant to paragraphs 3, 6, and 11 of this resolution, including through the provision of identifying information and additional information for the publicly available narrative summary of reasons for listing;

22. *Directs* the Panel to cooperate with BINUH, the UNODC, CARICOM and relevant expert groups established by the Security Council to support the work of its Sanctions Committees, as appropriate;

23. *Urges* all parties and all Member States, as well as international, regional and subregional organizations to ensure cooperation with the Panel of Experts and further urges all Member States involved to ensure the safety of the members of the Panel of Experts and unhindered access, in particular to persons, documents and sites in order for the Panel to execute its mandate;

24. *Notes* that the selection process of the experts composing the Panel should prioritize appointing individuals with the strongest qualifications to fulfil the duties described above while paying due regard to the importance of regional and gender representation in the recruitment process;

**Review**

25. *Affirms* that it shall keep the situation in Haiti under continuous review and that it shall be prepared to review the appropriateness of the measures contained in this resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at any time in light of progress achieved on the following key benchmarks:

- a. When the Government of Haiti has developed adequate judicial and rule of law capacity to handle armed groups and criminal-related activities;
- b. Progressive reduction in the amount of violence committed by armed groups and criminal networks, including the number of intentional homicides, kidnappings and incidents of sexual and gender-based

violence, as measured on an annual basis, beginning over the initial period of twelve months from adoption of this resolution;

- c. Progress on benchmarks 2, 3, 4, and related targets as outlined in the Secretary-General's report of 13 June 2022 (S/2022/481);
- d. Progressive decrease in the number of incidents of illicit trafficking and diversion of arms, as well as illicit financial flows there from, including by increasing the number and volume of arms seizures, as measured on an annual basis, beginning over the initial period of twelve months from adoption of this resolution;

26. *Requests* in this regard the Secretary-General, in close coordination with the Panel of Experts, to conduct, no later than 15 September 2023, an assessment of progress achieved on the key benchmarks established in the paragraph above;

27. *Invites* the UNODC to work with BINUH and the Panel of Experts, as appropriate, and to report to the Committee on recommendations to stem illicit financial flows and trafficking and diversion of arms related materiel in Haiti;

28. *Decides* to remain actively seized of the matter.

## Annex

Jimmy Cherizier (AKA “Barbeque”) has engaged in acts that threaten the peace, security, and stability of Haiti and has planned, directed, or committed acts that constitute serious human rights abuses.

Jimmy Cherizier is one of Haiti's most influential gang leaders and leads an alliance of Haitian gangs known as the “G9 Family and Allies.”

While serving as an officer in the Haitian National Police (HNP), Cherizier planned and participated in the November 2018 deadly attack against civilians in a Port-au-Prince neighborhood known as La Saline. During this attack, at least 71 people were killed, over 400 houses were destroyed, and at least seven women were raped by armed gangs. Throughout 2018 and 2019, Cherizier led armed groups in coordinated, brutal attacks in Port-au-Prince neighborhoods. In May 2020, Cherizier led armed gangs in a five-day attack in multiple Port-au-Prince neighborhoods in which civilians were killed and houses were set on fire. As of October 11, 2022, Cherizier and his G9 gang confederation are actively blocking the free movement of fuel from the Varreux fuel terminal – the largest in Haiti. His actions have directly contributed to the economic paralysis and humanitarian crisis in Haiti.

二零二二年十一月二十四日於行政長官辦公室

辦公室主任 許麗芳

Gabinete do Chefe do Executivo, aos 24 de Novembro de 2022. — A Chefe do Gabinete, *Hoi Lai Fong*.

## 行政法務司司長辦公室

### 批示摘錄

摘錄自行政法務司司長二零二二年十一月九日批示：

張少雄、周錫強、劉榕、羅瑾瑜、李寶華——根據現行《行政長官及司長辦公室通則》第十八條第一款、第二款及第四款的規定，其擔任行政法務司司長辦公室顧問的定期委任，自二零二二年十二月二十日起續期一年。

## GABINETE DO SECRETÁRIO PARA A ADMINISTRAÇÃO E JUSTIÇA

### Extractos de despachos

Por despachos do Ex.<sup>mo</sup> Senhor Secretário para a Administração e Justiça, de 9 de Novembro de 2022:

Cheong Sio Hong, Chow Seak Keong, Lao Iong, Lo Kan U e Lei Pou Wa — renovadas as comissões de serviço, pelo período de um ano, para o exercício dos cargos de assessor do Gabinete do Secretário para a Administração e Justiça, nos termos dos n.ºs 1, 2 e 4 do artigo 18.º do Estatuto do Gabinete do Chefe do Executivo e dos Secretários, em vigor, a partir de 20 de Dezembro de 2022.