

第 71/2014 號行政長官公告

Aviso do Chefe do Executivo n.º 71/2014

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二零一四年八月二十七日通過的關於利比亞局勢的第2174 (2014) 號決議的中文及英文正式文本。

二零一四年十月十五日發佈。

行政長官 崔世安

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 2174 (2014), adoptada pelo Conselho de Segurança das Nações Unidas em 27 de Agosto de 2014, relativa à situação na Líbia, nos seus textos autênticos em línguas chinesa e inglesa.

Promulgado em 15 de Outubro de 2014.

O Chefe do Executivo, *Chui Sai On*.

第2174（2014）號決議

安全理事會2014年8月27日第7251次會議通過

安全理事會，

回顧安理會第1970（2011）號決議之後關於利比亞的所有決議以及2013年12月16日（S/PRST/2013/21）的主席聲明，

重申對利比亞的主權、獨立、領土完整和國家統一的堅定承諾，

痛惜利比亞境內暴力不斷增加，特別是在的黎波里和班加西周圍地區，譴責武裝團體不斷交戰和煽動暴力行為，深為關切這種情況對利比亞平民和機構的影響及其對利比亞的穩定和民主過渡的威脅，

歡迎利比亞政府和國民代表大會呼籲立即停火，着重指出所有各方需要參加和平的包容性政治對話，尊重民主進程，鼓勵阿拉伯聯盟、非洲聯盟和所有能對各方施加影響的人，特別是鄰國和該區域的國家，支持立即停止敵對行動和積極參加這一對話，

回顧安理會第1970（2011）號決議將利比亞局勢提交國際刑事法院檢察官審理，重申利比亞政府必須同國際刑事法院和檢察官合作，

重申必須追究應對違反或踐踏人權或違反國際人道主義法行為負責的人、包括參加襲擊平民的人的責任，

表示深切關注利比亞境內武器彈藥未得到安全保管和四處擴散，包括移交給恐怖主義分子和暴力極端分子所構成的威脅，因為它危及利比亞和該區域的穩定，着重指出國際社會協助利比亞和該區域處理這些問題的重要性，

關切利比亞境內與基地組織有關聯的恐怖團體和個人不斷增加，重申需要根據《聯合國憲章》和國際法，包括有關國際人權法、難民法和人道主義法，採用一切手段來消除恐怖行為對國際和平與安全的威脅，為此回顧第2161（2014）號決議規定的義務，

表示決心對那些威脅利比亞穩定和阻礙或破壞它順利完成政治過渡的人和實體實行定向制裁，以求利比亞實現穩定，

銘記《聯合國憲章》為其規定的維護國際和平與安全的首要責任，

根據《聯合國憲章》第七章採取行動，

1. 促請所有各方商定立即停火和結束交戰，表示安理會堅決支持聯合國利比亞支助團（聯利支助團）和秘書長特別代表為此做出的努力；

2. 譴責對平民和平民機構實施暴力的行為，要求追究應對這些行為負責的人的責任；

3. 促請國民代表大會和立憲會議本着包容精神開展工作，促請所有各方開展利比亞主導的包容性政治對話，以幫助恢復穩定，就利比亞過渡的下一步達成協商一致；

4. 重申經第2009（2011）號決議第14、15和16段修訂的第1970（2011）號決議第15、16、17、19、20和21段，適用於根據該決議和第1973（2011）號決議指認和由第1970（2011）號決議第24段所設委員會指認的個人和實體，決定它們還應適用於委員會認定的參與威脅利比亞和平、穩定或安全的行為或為其提供支持，或阻礙或破壞利比亞順利完成政治過渡的個人和實體，決定，這些行為包括但不限於：

(a) 在利比亞境內籌劃、指揮或實施違反有關國際人權法或國際人道主義法的行為或踐踏人權的行為；

(b) 對利比亞境內任何航空、陸地或海洋口岸的攻擊，或對利比亞國家機構或設施的攻擊，或對利比亞境內的外國使團的攻擊；

(c) 通過在利比亞境內非法開採原油或其他任何自然資源，支持武裝團體或犯罪網絡；

(d) 代表列入名單的個人或實體或以其名義或按其指示行事；

5. 重申委員會認定違反第1970(2011)號決議規定、包括違反武器禁運或協助他人這樣做的個人和實體，要接受指認，指出這包括那些協助違反第1970(2011)號決議中的資產凍結和旅行禁令的個人和實體；

6. 請第1973(2011)號決議第24段設立的專家小組除其現有任務外，提供符合本決議第4和5段規定的指認標準的個人和實體的信息；

7. 請委員會適當注意關於將不再符合指認標準的個人和實體除名的申請；

8. 決定根據經第2095(2013)號決議第10段修訂的第2009(2011)號決議第13(a)段向利比亞供應、銷售或轉移武器和相關材料，包括彈藥和零配件，必須事先得到委員會的批准；

9. 促請所有國家，特別是利比亞的鄰國，根據本國的授權和立法並遵循國際法，特別是海洋法和相關的國際民用航空協議，在有情報提供合理理由認為貨物中有經第2009(2011)號決議第13段和第2095(2013)號決議第9和10段修訂的第1970(2011)號決議第9或第10

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，檢查進出利比亞的所有貨物，以確保此類規定得到嚴格執行；

10. 重申安理會決定授權所有會員國、且所有會員國都應在發現經第2009（2011）號決議第13段和第2095（2013）號決議第9和10段修訂的第1970（2011）號決議第9或第10段所禁止的物項時，予以沒收和處置（例如銷毀、使其無法使用、儲存或移交給原產國或目的地國以外的其他國家處置），還重申安理會決定所有會員國都應為此努力開展合作；

11. 要求任何會員國在按照本決議第9段進行檢查時，立即向委員會提交初步書面報告，特別是說明檢查的理由、這些檢查的結果以及是否獲得合作；如果發現禁止轉移的物項，則進一步要求這些會員國在晚些時候，向委員會提交後續書面報告，提供檢查、沒收和處置的相關細節和轉移的相關細節，包括對物項、其來源和預定目的地進行描述（如果初次報告中沒有這些信息）；

12. 申明安理會願意審查本決議中的措施是否得當，包括加強、修改、暫停或解除這些措施，並願意根據利比亞的事態發展，視需要隨時審查聯利支助團的任務規定；

13. 決定繼續積極處理此案。

Resolution 2174 (2014)

Adopted by the Security Council at its 7251st meeting, on 27 August 2014

The Security Council,

Recalling all its resolutions on Libya since resolution 1970 (2011), as well as the Statement of its President (S/PRST/2013/21) of 16 December 2013,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Deploring the increasing violence in Libya, in particular around Tripoli and Benghazi, *condemning* ongoing fighting by armed groups and incitement to violence, and *expressing* its deep concern at its impact on Libya's civilian population and institutions, as well as the threat it poses to Libya's stability and democratic transition,

Welcoming the calls of the Government of Libya and House of Representatives for an immediate ceasefire, *underlining* the need for all parties to engage in peaceful and inclusive political dialogue and to respect the democratic process, and *encouraging* the Arab League, the African Union and all those with influence on the parties, in particular neighbouring and regional countries, to support an immediate cessation of hostilities and constructive engagement with such a dialogue,

Recalling its decision in resolution 1970 (2011) to refer the situation in Libya to the Prosecutor of the International Criminal Court, and *reaffirming* the importance of the Government of Libya's cooperation with the International Criminal Court and the Prosecutor,

Reaffirming the importance of holding accountable those responsible for violations or abuses of human rights or violations of international humanitarian law, including those involved in attacks targeting civilians,

Expressing deep concern at the threat posed by unsecured arms and ammunition in Libya and their proliferation, which poses a risk to stability in Libya and the region, including through transfer to terrorist and violent extremist groups and *underlining* the importance of coordinated international support to Libya and the region to address these issues,

Concerned at the growing presence of Al-Qaida linked terrorists groups and individuals operating in Libya, *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, and recalling, in this regard, the obligations under resolution 2161 (2014),

Expressing its determination to use targeted sanctions in pursuit of stability in Libya, and against those individuals and entities who threaten its stability and obstruct or undermine its successful completion of the political transition,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

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

1. *Calls* on all parties to agree to an immediate ceasefire and an end to fighting, and expresses its strong support for the efforts of the United Nations Support Mission in Libya (UNSMIL) and the Special Representative of the Secretary-General in this regard;

2. *Condemns* the use of violence against civilians and civilian institutions and *calls for* those responsible to be held accountable;

3. *Calls on* the House of Representatives and the Constitutional Drafting Assembly to carry out their tasks in a spirit of inclusiveness, and calls on all parties to engage in an inclusive Libyan-led political dialogue in order to help restore stability, and to forge consensus around the next steps in Libya's transition;

4. *Reaffirms* that the measures specified in paragraphs 15, 16, 17, 19, 20 and 21 of resolution 1970 (2011), as modified by paragraphs 14, 15 and 16 of resolution 2009 (2011), apply to individuals and entities designated under that resolution and under resolution 1973 (2011) and by Committee established pursuant to paragraph 24 of resolution 1970 (2011), *decides* that they shall also apply to individuals and entities determined by the Committee to be engaging in or providing support for other acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition, and *decides* that such acts may include but are not limited to:

(a) planning, directing, or committing, acts that violate applicable international human rights law or international humanitarian law, or acts that constitute human rights abuses, in Libya;

(b) attacks against any air, land, or sea port in Libya, or against a Libyan State institution or installation, or against any foreign mission in Libya;

(c) providing support for armed groups or criminal networks through the illicit exploitation of crude oil or any other natural resources in Libya;

(d) acting for or on behalf of or at the direction of a listed individual or entity;

5. *Reiterates* that individuals and entities determined by the Committee to have violated provisions of resolution 1970 (2011), including the arms embargo, or assisted others in doing so, are subject to designation, and *notes* that this includes those who assist in the violation of the assets freeze and travel ban in resolution 1970 (2011);

6. *Requests* the Panel of Experts established pursuant to paragraph 24 of resolution 1973 (2011), in addition to its current mandate, to provide information on individuals and entities who meet the designation criteria specified in paragraphs 4 and 5 of this resolution;

7. *Requests that* the Committee give due regard to requests for delisting of individuals and entities who no longer meet the designation criteria;

8. *Decides* that the supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, to Libya in accordance with paragraph 13 (a) of resolution 2009 (2011) as modified by paragraph 10 of resolution 2095 (2013) must be approved in advance by the Committee;

9. *Calls upon* all States, in particular States neighbouring Libya, to inspect in their territory, including seaports and airports, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from Libya, 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 paragraphs 9 or 10 of resolution 1970 (2011), as modified by paragraph 13 of 2009 (2011) and paragraphs 9 and 10 of 2095 (2013), for the purpose of ensuring strict implementation of those provisions;

10. *Reaffirms its decision* to authorize all Member States to, and that all Member States shall, upon discovery of items prohibited by paragraph 9 or 10 of resolution 1970, as modified by paragraph 13 of 2009 (2011) and paragraphs 9 and 10 of 2095 (2013), seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) of such items and *further reaffirms* its decision that all Member States shall cooperate in such efforts;

11. *Requires* any Member State when it undertakes an inspection pursuant to paragraph 9 of this resolution, to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report;

12. *Affirms* its readiness to review the appropriateness of the measures contained in this resolution, including the strengthening, modification, suspension or lifting of the measures, and its readiness to review the mandate of UNSMIL, as may be needed at any time in light of developments in Libya;

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