

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 68/2017 號行政長官公告****Aviso do Chefe do Executivo n.º 68/2017**

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二零一七年六月二十九日通過的關於利比亞局勢的第2362(2017)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 2362 (2017), adoptada pelo Conselho de Segurança das Nações Unidas em 29 de Junho de 2017, relativa à situação na Líbia, nos seus textos autênticos em línguas chinesa e inglesa.

二零一七年十二月十八日發佈。

Promulgado em 18 de Dezembro de 2017.

行政長官 崔世安

O Chefe do Executivo, *Chui Sai On*.

第 2362 (2017) 號決議

安全理事會 2017 年 6 月 29 日第 7988 次會議通過

安全理事會，

回顧第 1970 (2011)、1973 (2011)、2009 (2011)、2040 (2012)、2095 (2013)、2144 (2014)、2146 (2014)、2174 (2014)、2213 (2015)、2278 (2016)、2292 (2016) 和 2357 (2017) 號決議規定和修訂的武器禁運、旅行禁令、資產凍結和關於非法出口石油的措施 (“措施”)，並回顧第 2278 (2016) 號決議將第 1973 (2011) 號決議第 24 段規定並經第 2040 (2012)、2146 (2014)、2174 (2014) 和 2213 (2015) 號決議修訂的專家小組任務期限延長至 2017 年 7 月 31 日，

重申對利比亞主權、獨立、領土完整和國家統一的堅定承諾，

回顧第 2259 (2015) 號決議歡迎 2015 年 12 月 17 日在摩洛哥斯希拉特簽署了《利比亞政治協議》，認可 2015 年 12 月 13 日《羅馬公報》，公報支持民族團結政府為利比亞唯一合法政府並應設在的黎波里，還為此表示決心支持民族團結政府，

歡迎利比亞政治對話 2016 年 3 月 10 日會議重申它決心維護《利比亞政治協議》，還歡迎最近在利比亞鄰國和區域組織支持下為加強利比亞人之間的對話而進行的努力，指出聯合國主持、利比亞主導的進程對於推動包容各方的政治對話十分重要，

着重指出民族團結政府對採取適當行動防止從利比亞非法出口石油（包括原油和精煉石油產品）負有首要責任，重申國際社會支持利比亞對其領土和資源享有主權十分重要，

表示關切從利比亞非法出口石油（包括原油和精煉石油產品）破壞民族團結政府，威脅利比亞的和平、安全和穩定，

表示支持利比亞努力以和平方式解決利比亞能源出口中斷的問題，重申應將所有設施的掌管權交給有關當局，

還再次關切可能損害利比亞國家金融機構和國家石油公司的完整統一的活動，重點指出這些機構必須繼續為惠及所有利比亞人而運作，強調民族團結政府需要在不妨礙日後根據《利比亞政治協議》做出憲政安排的情況下，迅速對國家石油公司、利比亞中央銀行和利比亞投資管理局進行專屬有效監管，

還回顧第 2259（2015）號決議呼籲會員國停止對自稱是合法當局但不在《利比亞政治協議》開列機構之列的平行機構的支持和官方接觸，

回顧 1982 年 12 月 10 日《聯合國海洋法公約》所體現的國際法規定了適用於海洋活動的法律框架，

還回顧第 2292（2016）和 2357（2017）號決議，二者為執行武器禁運，授權在這兩項決議規定的時限內，在利比亞沿岸公海對據信違反安全理事會相關決議載有運自或運往利比亞的武器或有關物資的船隻進行檢查，並沒收和處置此類物項，但條件是會員國在依據這兩項決議採取行動時，須誠意努力在進行任何檢查前先獲得船旗國同意，

重申必須追究應對侵犯踐踏人權或違反國際人道主義法行為、包括襲擊平民行為負責者的責任，強調需要把被拘留者移交國家當局，

再次表示按第 2259（2015）號決議第 3 段所述支持民族團結政府，在這方面注意到本決議向民族團結政府提出的具體要求，

再次請所有會員國充分支持秘書長特別代表的努力，並與利比亞當局和聯合國利比亞支助團（聯利支助團）合作，以便按利比亞的優先目標並根據各項援助請求，制定經過協調的一攬子支助辦法，建立民族團結政府的能力，

認定利比亞局勢繼續對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，

防止非法出口石油、包括原油和精煉石油產品

1. 譴責企圖從利比亞非法出口石油（包括原油和精煉石油產品）的行為，包括未獲民族團結政府授權行事的平行機構的此類行為；
2. 決定將第 2146（2014）號決議規定的各項授權和實施的各項措施延長至 2018 年 11 月 15 日，還決定該決議規定的各項授權和實施的各項措施應適用於裝載、運輸、或卸載非法從利比亞出口或企圖從利比亞出口的石油（包括原油和精煉石油產品）的船隻；
3. 欣見民族團結政府任命一名負責就第 2146（2014）號決議所述措施與委員會進行溝通的協調員並將此任命通知第 1970（2011）號決議第 24 段所設委員會，並請協調員繼續向委員會通報任何運送從利比亞非法出口的石油（包括原油和精煉石油產品）的船隻，敦促民族團結政府定期向委員會通報它掌控的港口、油田和設施的最新情況，並向委員會通報用於證明石油（包括原油和精煉石油產品）出口合法的機制；
4. 促請民族團結政府根據關於此類出口或出口企圖的信息，首先迅速與有關船旗國聯繫以解決問題，指示委員會立即將民族團結政府協

調員發出的關於運送非法從利比亞出口的石油（包括原油和精煉石油產品）的船隻的通知情況告知所有相關會員國；

對金融機構的有效監管

5. 請民族團結政府在對國家石油公司、利比亞中央銀行和利比亞投資管理局行使專屬有效監管權後，馬上向委員會確認；

武器禁運

6. 欣見民族團結政府依據第 2278（2016）號決議第 6 段任命了一位協調員，表示注意到協調員向委員會通報情況，說明民族團結政府掌控的安全部隊結構、現有用於確保政府安全部隊安全儲存、登記、維護和分發軍事裝備的基礎設施以及培訓需求，繼續強調民族團結政府在國際社會的支持下掌控和安全儲存武器的重要性，並強調指出依照《利比亞政治協議》，保障安全和不讓利比亞遭受恐怖主義危害應是經過統編和加強、由民族團結政府專屬管轄的國家安全部隊的任務；

7. 申明，民族團結政府可根據第 2174（2014）號決議第 8 段申請准許向其供應、出售或轉讓武器和相關物資，包括相關彈藥和零配件，供其掌控下的安全部隊使用，以便打擊伊拉克和黎凡特伊斯蘭國（伊黎伊斯蘭國，亦稱“達伊沙”）、已宣佈效忠伊黎伊斯蘭國的團體、伊斯蘭教法輔士組織以及在利比亞境內活動的其他與基地組織有關聯的團體，促請委員會迅速審議此類申請，並申明安全理事會願意在適當時考慮審查這一武器禁運；

8. 敦促會員國在接獲民族團結政府要求時，針對利比亞安全受到的威脅，為擊敗伊黎伊斯蘭國、已宣佈效忠伊黎伊斯蘭國的團體、伊斯蘭教法輔士組織和在利比亞境內活動的其他與基地組織有關聯的團體，向民族團結政府提供必要的安保和能力建設援助；

9. 敦促民族團結政府進一步改進依照第 1970 (2011) 號決議第 9 (c) 段或第 2174 (2014) 號決議第 8 段供應、出售或轉讓給利比亞的武器或相關物資的監測和監管工作，包括為此使用民族團結政府頒發的最終用戶證書，請第 1973 (2011) 號決議第 24 段所設專家小組與民族團結政府就安全地採購和妥善地保管武器和相關物資方面的保障措施進行協商，敦促會員國和區域組織在接獲民族團結政府請求時向其提供援助，以加強目前為此設立的基礎設施和機制；

10. 促請民族團結政府改進武器禁運的執行工作，包括在所有入境點一旦行使監管權即加以改進，促請所有會員國在這些工作中開展合作；

旅行禁令和資產凍結

11. 重申第 1970 (2011) 號決議第 15、16、17、19、20 和 21 段明文規定並經第 2009 (2011) 號決議第 14、15 和 16 段及第 2213 (2015) 號決議第 11 段修訂的旅行禁令和資產凍結措施適用於依照該決議和第 1973 (2011) 號決議指認以及由第 1970 (2011) 號決議第 24 段所設委員會指認的個人和實體，重申這些措施也適用於該委員會認定參與或支持其他危及利比亞和平、穩定或安全或阻礙或破壞利比亞順利完成政治過渡行為的個人和實體，決定，除第 2213 (2015) 號第 11 (a) 至 (f) 段所列行為外，此種行為也包括，但不限於規劃、指揮、支持或參與對聯合國人員，包括第 1973 (2011) 號決議第 24 段所設並經第 2040 (2012)、2146 (2014)、2174 (2014)、2213 (2015) 號決議及本決議修訂其任務規定的專家小組 (小組) 成員的襲擊；

12. 重申打算在晚些時候將根據第 1970 (2011) 號決議第 17 段凍結的資產提供給利比亞人民並讓他們受益，表示注意到作為 S/2016/275 號

文件分發的信函，申明安全理事會願意根據民族團結政府的請求酌情考慮修改資產凍結規定；

專家小組

13. 決定將由第 1973 (2011) 號決議第 24 段設立並經第 2040 (2012)、2146 (2014)、2174 (2014) 和 2213 (2015) 號決議修訂的專家小組 (小組) 的任務期限延長至 2018 年 11 月 15 日，並決定小組的各項規定任務應按第 2213 (2015) 號決議中的規定保持不變，且也適用於經本決議更新的“措施”；

14. 決定小組至遲於 2018 年 2 月 28 日向安理會提交一份中期工作報告，並在與委員會討論後，至遲於 2018 年 9 月 15 日向安理會提交內有結論和建議的最後報告；

15. 敦促所有國家、包括聯利支助團在內的聯合國相關機構以及其他有關各方與委員會和小組通力合作，尤其是提供它們掌握的任何關於由第 1970 (2011)、1973 (2011)、2146 (2014) 和 2174 (2014) 號決議決定並經第 2009 (2011)、2040 (2012)、2095 (2013)、2144 (2014)、2213 (2015)、2278 (2016)、2292 (2016)、2357 (2017) 號決議和本決議修訂的“措施”的執行情況、特別是違反規定情事的信息，促請聯利支助團和民族團結政府支持小組在利比亞境內開展調查工作，包括酌情交流信息、提供過境便利和允許進入武器存儲設施；

16. 促請所有各方和所有國家確保小組成員的安全，還促請所有各方和所有國家，包括利比亞及該區域各國，讓小組成員隨時通行無阻，特別是能夠接觸小組認為與執行其任務相關的人員和文件以及進入有關場地；

17. 申明安理會願意審查本決議中各項“措施”是否適當，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和小組的任務規定；

18. 決定繼續積極處理此案。

Resolution 2362 (2017)

**Adopted by the Security Council at its 7988th meeting, on
29 June 2017**

The Security Council,

Recalling the arms embargo, travel ban, assets freeze and measures concerning illicit oil exports which were imposed and modified by resolutions 1970 (2011), 1973 (2011), 2009 (2011), 2040 (2012), 2095 (2013), 2144 (2014), 2146 (2014), 2174 (2014), 2213 (2015), 2278 (2016), 2292 (2016), and 2357 (2017) (the Measures), and that the mandate of the Panel of Experts established by paragraph 24 of resolution 1973 (2011) and modified by resolutions 2040 (2012), 2146 (2014), 2174 (2014), and 2213 (2015) was extended until 31 July 2017 by resolution 2278 (2016),

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

Recalling resolution 2259 (2015) which welcomed the signing of the 17 December 2015 Libyan Political Agreement of Skhirat, Morocco and endorsed the Rome Communiqué of 13 December 2015 to support the Government of National Accord as the sole legitimate government of Libya, that should be based in Tripoli, and *further expressing* its determination in this regard to support the Government of National Accord,

Welcoming the meeting of the Libyan Political Dialogue on 10 March 2016, which reaffirmed its commitment to uphold the Libyan Political Agreement *further welcoming* recent efforts to strengthen dialogue between Libyans, supported by Libya's neighbours and regional organizations, *noting* the importance of the United Nations-facilitated, Libyan-led process to advance inclusive political dialogue,

Underlining the primary responsibility of the Government of National Accord in taking appropriate action to prevent the illicit export of petroleum, including crude oil and refined petroleum products, from Libya and *reaffirming* the importance of international support for Libyan sovereignty over its territory and resources,

Expressing its concern that the illicit export of petroleum, including crude oil and refined petroleum products, from Libya undermines the Government of National Accord and poses a threat to the peace, security and stability of Libya,

Expressing support for Libyan efforts to resolve peacefully the disruptions of Libya's energy exports and *reiterating* that control of all facilities should be transferred back to the proper authorities,

Further reiterating its concern about activities which could damage the integrity and unity of Libyan State financial institutions and the National Oil Corporation, *highlighting* the importance of these institutions continuing to function for the benefit of all Libyans, and *stressing* the need for the Government of National Accord to exercise sole and effective oversight over the National Oil Corporation, the Central Bank of Libya, and the Libyan Investment Authority as a matter of urgency, without prejudice to future constitutional arrangements pursuant to the Libyan Political Agreement,

Further recalling resolution 2259 (2015) which called on Member States to cease support to and official contact with parallel institutions claiming to be the legitimate authority, but which were outside the Libyan Political Agreement, as specified by it,

Recalling that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to activities in the oceans and seas,

Further recalling resolution 2292 (2016) and resolution 2357 (2017) which in relation to the implementation of the arms embargo authorise, for the period of time specified by those resolutions, the inspection on the high seas off the coast of Libya of vessels bound to or from Libya believed to be carrying arms or related materiel in violation of relevant Security Council resolutions, and the seizure and disposal of such items provided that Member States make good faith efforts to first obtain the consent of the vessel's flag State prior to any inspections while acting in accordance with those resolutions,

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 and *stressing* the need to transfer detainees to State authority,

Reiterating its expression of support for the Government of National Accord, as stated in paragraph 3 of resolution 2259 (2015), and *noting* in this regard the specific requests made to the Government of National Accord in this resolution,

Reiterating its request that all Member States fully support the efforts of the Special Representative of the Secretary-General and work with the Libyan authorities and United Nations Support Mission in Libya (UNSMIL) to develop a coordinated package of support to build the capacity of the Government of National Accord, in line with Libyan priorities and in response to requests for assistance,

Determining that the situation in Libya continues to constitute a threat to international peace and security,

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

Prevention of Illicit Exports of Petroleum, including Crude Oil and Refined Petroleum Products

1. *Condemns* attempts to illicitly export petroleum, including crude oil and refined petroleum products, from Libya, including by parallel institutions which are not acting under the authority of the Government of National Accord;

2. *Decides* to extend until 15 November 2018 the authorizations provided by and the measures imposed by resolution 2146 (2014), and *decides further* that

the authorisations provided by and the measures imposed by that resolution shall apply with respect to vessels loading, transporting, or discharging petroleum, including crude oil and refined petroleum products, illicitly exported or attempted to be exported from Libya;

3. *Welcomes* the appointment by the Government of National Accord and notification to the Committee established pursuant to paragraph 24 of resolution 1970 (2011) (the Committee) of a focal point responsible for communication with the Committee with respect to the measures in resolution 2146 (2014), *requests* the focal point to continue to inform the Committee of any vessels transporting petroleum, including crude oil and refined petroleum products, illicitly exported from Libya, and *urges* the Government of National Accord to provide regular updates to inform the Committee on ports, oil fields, and installations that are under its control, and to inform the Committee about the mechanism used to certify legal exports of petroleum, including crude oil and refined petroleum products;

4. *Calls* on the Government of National Accord, on the basis of any information regarding such exports or attempted exports, to expeditiously contact the concerned vessel's flag State, in the first instance, to resolve the issue and *directs* the Committee to immediately inform all relevant Member States about notifications to the Committee from the Government of National Accord's focal point regarding vessels transporting petroleum, including crude oil and refined petroleum products, illicitly exported from Libya;

Effective Oversight of the Financial Institutions

5. *Requests* that the Government of National Accord confirm to the Committee as soon as it exercises sole and effective oversight over the National Oil Corporation, the Central Bank of Libya, and the Libyan Investment Authority;

Arms Embargo

6. *Welcomes* the appointment by the Government of National Accord of a focal point pursuant to paragraph 6 of resolution 2278, *takes note* of the briefing provided by the focal point to the Committee on the structure of the security forces under its control, the infrastructure in place to ensure the safe storage, registration, maintenance and distribution of military equipment by the Government security forces, and training needs, *continues* to emphasise the importance of the Government of National Accord exercising control over and safely storing arms, with the support of the international community, and *stresses* that ensuring security and defending Libya from terrorism must be the task of unified and strengthened national security forces under the sole authority of the Government of National Accord within the framework of the Libyan Political Agreement;

7. *Affirms* that the Government of National Accord may submit requests under paragraph 8 of resolution 2174 (2014) for the supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, for the use by security forces under its control to combat the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), groups that have pledged allegiance to ISIL, Ansar Al Sharia, and other groups associated with Al-Qaida operating in Libya, *calls* upon the Committee to consider expeditiously such requests, and *affirms* the Security Council's readiness to consider reviewing the arms embargo, when appropriate;

8. *Urges* Member States to assist the Government of National Accord, upon its request, by providing it with the necessary security and capacity-building assistance, in response to threats to Libyan security and in defeating ISIL, groups that have pledged allegiance to ISIL, Ansar Al Sharia, and other groups associated with Al-Qaida operating in Libya;

9. *Urges* the Government of National Accord to improve further the monitoring and control of arms or related materiel that are supplied, sold or transferred to Libya in accordance with paragraph 9 (c) of resolution 1970 (2011) or paragraph 8 of resolution 2174 (2014), including through the use of end user certificates issued by the Government of National Accord, *requests* the Panel of Experts established by paragraph 24 of resolution 1973 (2011) to consult with the Government of National Accord about the safeguards needed to safely procure and secure arms and related materiel, and *urges* Member States and regional organizations to provide assistance to the Government of National Accord upon its request to strengthen the infrastructure and mechanisms currently in place to do so;

10. *Calls upon* the Government of National Accord to improve the implementation of the arms embargo, including at all entry points, as soon as it exercises oversight, and *calls* upon all Member States to cooperate in such efforts;

Travel Ban and Asset Freeze

11. *Reaffirms* that the travel ban and asset freeze 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) and paragraph 11 of resolution 2213 (2015), apply to individuals and entities designated under that resolution and under resolution 1973 (2011) and by the Committee established pursuant to paragraph 24 of resolution 1970 (2011), and *reaffirms* that these measures 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, in addition to the acts listed in paragraph 11 (a)-(f) of resolution 2213 (2015), such acts may also include but are not limited to planning, directing, sponsoring, or participating in attacks against United Nations personnel, including members of the Panel of Experts established by paragraph 24 of resolution 1973 (2011) and modified by resolutions 2040 (2012), 2146 (2014), 2174 (2014), 2213 (2015) and this resolution (the Panel);

12. *Reaffirms* its intention to ensure that assets frozen pursuant to paragraph 17 of resolution 1970 (2011) shall at a later stage be made available to and for the benefit of the Libyan people and taking note of the letter circulated as document S/2016/275, *affirms* the Security Council's readiness to consider changes, when appropriate, to the asset freeze at the request of the Government of National Accord;

Panel of Experts

13. *Decides* to extend until 15 November 2018 the mandate of the Panel of Experts (the Panel), established by paragraph 24 of resolution 1973 (2011) and modified by resolutions 2040 (2012), 2146 (2014), 2174 (2014), and 2213 (2015) and *decides* that the Panel's mandated tasks shall remain as defined in resolution 2213 (2015) and shall also apply with respect to the Measures updated in this resolution;

14. *Decides* that the Panel shall provide to the Council an interim report on its work no later than 28 February 2018, and a final report to the Council, after discussion with the Committee, no later than 15 September 2018 with its findings and recommendations;

15. *Urges* all States, relevant United Nations bodies, including UNSMIL, and other interested parties, to cooperate fully with the Committee and the Panel, in particular by supplying any information at their disposal on the implementation of the Measures decided in resolutions 1970 (2011), 1973 (2011), 2146 (2014) and 2174 (2014), and modified in resolutions 2009 (2011), 2040 (2012), 2095 (2013),

2144 (2014), 2213 (2015), 2278 (2016), 2292 (2016), 2357 (2017) and in this resolution, in particular incidents of non-compliance, and *calls* on UNSMIL and the Government of National Accord to support Panel investigatory work inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate;

16. *Calls* upon all parties and all States to ensure the safety of the Panel's members, and further *calls* upon all parties and all States, including Libya and countries of the region, to provide unhindered and immediate access, in particular to persons, documents and sites the Panel deems relevant to the execution of its mandate;

17. *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 and the Panel, as may be needed at any time in light of developments in Libya;

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

二零一七年十二月十八日於行政長官辦公室

辦公室主任 柯嵐

Gabinete do Chefe do Executivo, aos 18 de Dezembro de
2017. — A Chefe do Gabinete, *O Lam*.