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Paper for the House Committee meeting on 29 June 2012

**Further Report of the Subcommittee to
Examine the Implementation in Hong Kong of Resolutions of
the United Nations Security Council in relation to Sanctions**

Purpose

This paper provides a further report on the work of the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions (the Subcommittee) since it last reported to the House Committee on 25 June 2010.

Background

2. Under the current mechanism, when the Security Council of the United Nations (UNSC) makes a resolution regarding sanctions and calls on Member States including the People's Republic of China to enforce those sanctions, the Ministry of Foreign Affairs (MFA) may issue instructions to the Chief Executive (CE) to implement the sanctions specified in the resolutions. CE has to make regulations to give effect to such instructions under section 3(1) of the United Nations Sanctions Ordinance (UNSO) (Cap. 537).

3. Under section 3(5) of the UNSO, sections 34 and 35 of the Interpretation and General Clauses Ordinance (Cap.1) shall not apply to regulations made under the UNSO (the Regulations). These Regulations are therefore not required to be laid before the Legislative Council (LegCo) and are not subject to approval or amendment by LegCo.

4. On 1 December 2008, the Subcommittee was formed under the House Committee to deal with the Regulations and follow up the recommendations made by the previous Subcommittee formed in the Third LegCo. After holding seven meetings with the Administration, the Subcommittee submitted

its first report (LC Paper No. CB(1)2327/09-10) to the House Committee on 25 June 2010.

The Subcommittee

5. Since September 2010, the House Committee has referred to the Subcommittee a total of 16 Regulations made and gazetted. Under the Chairmanship of Dr Hon Margaret Ng, the Subcommittee has subsequently held four meetings with the Administration, bringing the total number of meetings held by the Subcommittee to 11. The updated membership list of the Subcommittee is in **Appendix I**.

Deliberations of the Subcommittee

6. The deliberations of the Subcommittee at its last four meetings with the Administration are summarized in the ensuing paragraphs.

Study of 16 Regulations gazetted since September 2010

7. Apart from briefings on the background of the Regulations, the Subcommittee has requested the Administration to provide mark-up copies of the Regulations showing any change in the drafting of the Regulations from the existing ones to assist members to conduct section-by-section examination at the meetings. The Subcommittee has noted that most of the Regulations were drafted in similar terms. A summary of the salient provisions of each Regulation is given in **Appendix II**.

8. The Subcommittee has found that the following are the more common subjects of prohibition as stipulated in the gazetted Regulations:

- (a) the supply, sale, transfer or carriage of arms or related materiel;
- (b) provision of advice, assistance or training related to military activities under certain circumstances;
- (c) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;
- (d) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by,

certain persons or entities; and

- (e) entry into or transit through the Hong Kong Special Administrative Region (HKSAR) by certain persons.

Model law approach

9. The Subcommittee has noted that while different sanction measures, targets and subjects of the sanctions may be formulated for different countries or places, the drafting approach adopted in most of these Regulations made under the UNSO is broadly similar. The Chairman agrees with the previous Subcommittee that the use of a model law approach (or developing different models for different scenarios) is conducive to improving efficiency in the Administration's preparation and the Subcommittee's study of the Regulations. She is aware that the same approach has been adopted in the preparation of the orders made under the Fugitive Offenders Ordinance (Cap.503) and the Mutual Legal Assistance in Criminal Matters Ordinance (Cap. 525), which provides LegCo a role in scrutinizing the orders made under the Ordinances. She has reiterated her view that the Administration should reconsider using the model law approach when preparing future Regulations to be made under the UNSO.

UN sanctions against Iran

10. According to the Administration, Iran's nuclear programme has aroused much international concerns. Being a signatory to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)¹, Iran hid its uranium-enrichment programme for 18 years until its discovery by the International Atomic Energy Agency (IAEA) in 2003. The concealed enrichment activities were seen as Iran's military ambitions that went beyond the permitted civil use of nuclear power. Found in violation of the obligations under the NPT, Iran refused to render full support to subsequent inspections by the IAEA to verify Iran's compliance with the NPT's requirements and safeguards. In July 2006, the UNSC adopted Resolution 1696 to demand Iran's suspension of its nuclear enrichment and reprocessing activities, threatening sanctions for non-compliance.

11. Following Iran's failure to comply, the UNSC made several resolutions imposing a range of sanctions against Iran. In September 2007,

¹ The NPT is an international treaty with an objective to prevent the spread of nuclear weapons and weapons technology, to promote cooperation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament and general and complete disarmament. The Treaty represents the only binding commitment in a multilateral treaty to the goal of disarmament by the nuclear-weapon States. The Treaty entered into force in 1970 and a total of 190 parties have joined the Treaty.

the United Nations Sanctions (Iran) Regulation (Cap. 537 sub. leg. AF) (Iran Regulation) was made to implement sanctions specified in the UNSC Resolutions 1737 and 1747 adopted in 2006 and 2007 respectively. The Iran Regulation was amended in May 2008 to give effect to the UNSC Resolution 1803 adopted in 2008 which was to expand the sanctions regime against Iran. In view of Iran's continued refusal to cooperate with the IAEA in respect of matters concerning non-proliferation of nuclear weapons and non-compliance with the resolutions of the UNSC mentioned above, and the concerns with the security risks posed by Iranian nuclear programme, the United Nations Sanctions (Iran) (Amendment) Regulation 2011 (Amendment Regulation) was made to amend the Iran Regulation to give effect to the UNSC Resolution 1929 adopted in 2010.

Timeliness of implementing UN sanctions against Iran

12. The Subcommittee has noted that while the relevant instruction from the MFA was received in June 2010, the Amendment Regulation was only gazetted in March 2011. The Subcommittee has requested the Administration to explain the reason for such a long time gap.

13. The Administration has advised that under the existing legal framework provided under the UNSO, the CE shall make regulations to give effect to an instruction by the MFA to implement sanctions decided by the UNSC. The Administration strives to ensure the prompt implementation of the UN sanctions in Hong Kong pursuant to the MFA's instructions. The current regulation-making process to implement UN sanctions has been working well and most of the Regulations involving straightforward renewals and minor amendments to the sanctions have been made around three months after receipt of the MFA's instructions. The UNSC adopted Resolution 1929 on 9 June 2010 to strengthen and expand the current sanctions against Iran. Since Resolution 1929 covers a number of new prohibitions and strengthened measures that are not commonly found in previous UNSC decisions, more time is required to examine how best the Administration should include the new provisions in the new subsidiary legislation.

14. The Chairman has expressed concern whether legal framework has been provided to implement the UN sanctions in Hong Kong against Iran between receipt of MFA's instructions and the gazettal of the Amendment Regulation. She has also enquired whether any sanctions could not be implemented through existing laws during the said period.

15. The Administration has advised that a majority of the decisions made in Resolution 1929 concern the updating or strengthening of the existing

sanctions relating to nuclear materials, technology or items as well as conventional arms, which have been and continued to be enforced through the Iran Regulation prior to the making of the Amendment Regulation. The export or import of nuclear materials, technology or items are also subject to the control regime under the Import and Export (Strategic Commodities) Regulations (Cap. 60 sub. leg. G). On the other hand, Resolution 1929 widened the scope of entities and individuals subject to the financial sanctions. To give effect to the decisions of the UNSC, specific amendments to the Iran Regulation are required to empower the CE to specify these additional entities and individuals for the purpose of the financial measures. Amendments to the Iran Regulation are also necessary to prohibit the provision of bunkering services to certain suspected vessels and the sale and acquisition of interest in any commercial activity that relate to uranium mining, as decided under Resolution 1929. These changes were implemented through the making of the Amendment Regulation on 25 March 2011.

Notification arrangement

16. The Subcommittee has enquired about the channels to notify the relevant parties affected by the Amendment Regulation, including the trade and those involved in the provision of professional and financial services in Hong Kong. The Administration has advised that apart from issuing press releases, it is the standing practice for the Commerce and Economic Development Bureau, upon the gazettal of relevant Regulations which implement sanctions against certain places imposed by the UNSC, to disseminate such information to bureaux/departments concerned, such as the Financial Services and the Treasury Bureau, the Civil Aviation Department (CAD), the Hong Kong Police Force, the Immigration Department, the Marine Department, the Trade and Industry Department, etc. These bureaux/departments will then notify the stakeholders under their purview (e.g. financial regulators, the industry and trade sector, ship owners, ship managers and masters, etc) as appropriate. The notification arrangement effectively ensures timely dissemination of information as well as implementation of relevant Regulations.

United Nations Sanctions (Iran)(Amendment) Regulation 2011

17. Section 18 of the Amendment Regulation seeks to add a new section 8AA which provides for the prohibition against the sale and acquisition of interest in commercial activity involving uranium mining.

18. Under section 8AA(1), a specified person must not sell or otherwise make available, directly or indirectly, an interest in a specified commercial activity to a prohibited person. While the Subcommittee has raised no queries to the definitions of "specified person", "specified commercial activity" and "prohibited person" under section 8AA(9), some members have enquired why the word "Iran" is used in the definition of "prohibited person".

19. According to the Administration, UNSC Resolutions in relation to Iran to date have not made a distinction between Iran as a country in its geographical sense or Iran as a political entity (meaning its government and governmental authorities). The meaning of the word "Iran" would therefore have to be interpreted in the light of the context of the provisions in which it appeared. Section 2 pertains to the supply, sale or transfer of prohibited items. It is thus reasonable to conclude that the word "Iran" appearing in subsection (1A)(a) means Iran as a destination and therefore in its geographical sense. Section 8AA, on the other hand, pertains to acquisition of interest in commercial activities involving uranium mining. Such acquisition requires interaction between a vendor and a purchaser and where the purchaser is said to be Iran (as provided for in subsection (9)), it is reasonable to conclude that the word "Iran" is used in the sense of a political entity (meaning its government and governmental authorities) as it is only in this sense that Iran (the country) could be party to a commercial transaction. With this in context and in such a transaction, Iran would be represented by "Iranian authorities/Iranian Government".

20. Sections 24 and 25 of the Amendment Regulation amend sections 9 and 10 of the Iran Regulation which seeks to provide for the granting of licences by the CE for the supply, sale, transfer or carriage of certain items and provision of certain training, services or assistance to Iran. Hon Cyd HO has expressed grave doubts whether the commitment by the Iranian Government under sections 9 and 10 would suffice to ensure the non-proliferation of Iran's sensitive nuclear activities.

21. The Administration has advised that as provided under sections 9 and 10, it would be up to the Committee of the Security Council under the UNSC to determine on a case-by-case basis that the supply, sale, transfer or carriage of the regulated prohibited items, or the provision of the technical training, financial resources or services, advice, other services or assistance would clearly not contribute to the development of Iran's technologies in support of Iran's proliferation of sensitive nuclear activities or the development of Iran's nuclear weapons delivery systems. Applicants of licences under these sections would also have to demonstrate to the satisfaction of the CE in this respect before licences would be granted.

UN sanctions against Libya

22. In February 2011, UNSC expressed concerns over the situation at Libya (formally known as Libyan Arab Jamahiriya) and condemned the Libyan authorities for the violence and use of force against Libyan civilians. Resolution 1970 was adopted by UNSC on 26 February 2011 imposing sanctions against the Libyan authorities, and certain Libyan persons and entities. The Resolution also demanded an immediate end to the violence. In March 2011, UNSC expressed concerns over the failure of the Libyan authorities to comply with Resolution 1970, the deteriorating situation, the escalation of violence, and the heavy civilian casualties. Resolution 1973 was adopted on 17 March 2011, permitting the use of all necessary measures, including the imposition of a ban on all flights in the country's airspace and authorizing the use of force to protect civilians and civilian areas under the threat of attack in Libya. The resolution also tightened measures on arms embargo and assets freeze imposed by Resolution 1970 and decided that all States should deny permission to any Libyan commercial aircraft to take off from, land in or overfly their territory.

United Nations Sanctions (Libya) Regulation 2011

23. Sections 11 and 12 of the United Nations Sanctions (Libya) Regulation 2011 (Libya Regulation) seek to provide for the prohibition against aircraft carrying arms or related materiel or armed mercenary personnel or Libyan aircraft to take off from or land in the HKSAR or fly within the HKSAR air space.

24. The Subcommittee has discussed the administrative procedures formulated by the CAD for the implementation of the prohibition against aircraft taking off from or landing in HKSAR under sections 11 and 12. According to the Administration, if the Director-General of Civil Aviation (DGCA) receives information that provides reasonable grounds for him to believe that an aircraft is the one to which sections 11 and 12 applies the DGCA would deny permission for the aircraft to take off from or land in the HKSAR, unless for emergency landing. If the pilot of the aircraft ignores the DGCA's order, he would be arrested upon landing. In practice, the pilot would have great difficulty landing the aircraft if the Air Traffic Control Tower of Hong Kong International Airport refuses to provide guidance to the aircraft. In the case of emergency landing, the Control Tower would maintain close liaison with the management of the CAD on the handling of the incident. The CAD has been consulted on the drafting of the Libya Regulation and is fully aware of the necessary procedures to follow under

such circumstances. The CAD has also been reminded to explain the Libya Regulation to its staff again and put in place internal guidelines on the handling of such incidents.

25. The Subcommittee has subsequently noted that with the improved situation in Libya, the UNSC adopted Resolution 2009 on 16 September 2011 to establish a mission in the country to support the Libyan transitional authorities in their reconstruction efforts, including restoring the rule of law, drafting a new constitution, promoting reconciliation and preparing for elections. In support of those objectives, Resolution 2009 also partly lifted the arms embargo imposed on Libya and the assets freeze targeting entities connected to the previous regime, and terminated the measures on banning Libyan aircrafts from taking off from, landing in or overflying the territory of all States. The UNSC subsequently ordered the end to authorized international military action in Libya and terminated a no-fly zone over Libya that had been imposed in March 2011 through the adoption of Resolution 2016 on 27 October 2011. As such, the United Nations Sanctions (Libya) Regulation 2011 (Amendment) Regulation 2012 was made to give effect to the UNSC Resolutions 2009 and 2016.

UN sanctions against Afghanistan

26. Since 1999, UNSC has passed several resolutions to impose sanctions against Afghanistan condemning the use of certain areas of Afghanistan controlled by the Taliban for the sheltering and training of terrorists and planning of terrorist acts. These sanctions have been implemented in Hong Kong through the United Nations Sanctions (Afghanistan) Regulation (Cap. 537 sub. leg. K) (Afghanistan Regulation) since June 2000. Noting the security situation in Afghanistan has evolved and that some members of the Taliban have reconciled with the Government of Afghanistan and have rejected the terrorist ideology of Al-Qaida and its followers, UNSC considers that the situation in Afghanistan remains a threat to international peace and security. On 17 June 2011, UNSC adopted Resolution 1988, upon a review of the sanctions imposed since 1999.

United Nations Sanctions (Afghanistan) Regulation 2012

27. According to the Administration, the structure and style of the Afghanistan Regulation are very different from other Regulations that have since been made under UNSO in recent years. Substantial amendments to the Afghanistan Regulation will be required to bring its structure and style in line with those of more recent Regulations. In order to implement Resolution 1988, the Administration considers that the United Nations

Sanctions (Afghanistan) Regulation 2012 (Afghanistan Regulation 2012) should be made instead of amending the Afghanistan Regulation.

28. The Subcommittee has noted that UNSC has imposed separate sanctions regimes on Al-Qaida and the Taliban (Resolution 1988 dealt with sanctions relating to the Taliban, while Resolution 1989 adopted in 2011 addressed sanctions on Al-Qaida). The Administration has taken more time to determine the coverage of the Afghanistan Regulation 2012 during the drafting process. Considering that it would be ultra vires to implement the UNSC Resolutions in Hong Kong against Al-Qaida under the UNSO, which is an international terrorist organization and not a place, the Administration has decided not to make a regulation under the UNSO to implement Resolution 1989.

Recommendation

29. Given that Regulations would be submitted by the Government to LegCo from time to time, the Subcommittee has recommended setting up a dedicated subcommittee under the House Committee in the Fifth LegCo to deal with these Regulations. Under this arrangement, future Regulations made and gazetted would be considered by Members at the House Committee meetings for the whole LegCo term, and where necessary, these Regulations would be referred to the dedicated subcommittee for study. The Subcommittee has agreed that for Regulations which involve minor amendments such as date of commencement and UNSC resolution numbers, the dedicated subcommittee may adopt a streamlined approach to study the Regulations by circulating the information papers provided by the Administration instead of going through the Regulations by conducting section-by-section examination at the meetings.

Advice sought

30. Members are invited to note the deliberations of the Subcommittee and endorse the Subcommittee's recommendation in paragraph 29 above.

Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions

Membership List

Chairman Dr Hon Margaret NG

Members Hon LEE Cheuk-yan (since 4 April 2011)
Hon LAU Kong-wah, JP
Hon Cyd HO Sau-lan
Hon LEUNG Kwok-hung (since 4 April 2011)

(Total : 5 members)

Clerk Ms YUE Tin-po

Legal Advisers Mr Kelvin LEE
Ms Wendy KAN (since 12 October 2011)

**Regulations made under section 3 of the United Nations Sanctions Ordinance (Cap. 537)
(since September 2010)**

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council <i>[Date of expiry]</i> | Remarks |
|--|--|--|---|
| <p>1. United Nations Sanctions (Eritrea) Regulation (the Eritrea Regulation)</p> <p>24 September 2010 (L.N. 111 of 2010)</p> | <p>January 2010</p> | <p>Resolution 1907 of 23 December 2009</p> | <p>- to implement the prohibitions against-</p> <p>(a) the supply, sale, transfer or carriage of arms or related materiel to Eritrea or certain persons;</p> <p>(b) the provision of certain assistance or training in certain circumstances;</p> <p>(c) the procurement of certain items, assistance or training from Eritrea or a person connected with Eritrea;</p> <p>(d) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;</p> <p>(e) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities; and</p> <p>(f) entry into or transit through the HKSAR by certain persons.</p> <p>- to provide for the seizure and forfeiture of any document, cargo or article which is evidence in relation to the commission of an offence under the Eritrea Regulation.</p> |
| <p>2. United Nations Sanctions (Côte d'Ivoire) Regulation 2011</p> | <p>November 2010</p> | <p>Resolution 1946 of 15 October 2010 <i>[30 April 2011]</i></p> | <p>- to renew the prohibitions against-</p> <p>(a) the supply, sale, transfer or carriage of arms or related materiel to Côte d'Ivoire;</p> <p>(b) the provision of advice, assistance or training related to military activities</p> |

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council <i>[Date of expiry]</i> | Remarks |
|---|--|--|--|
| 14 January 2011 (L.N. 9 of 2011) | | | <p>in certain circumstances;</p> <p>(c) importation of rough diamonds from Côte d'Ivoire;</p> <p>(d) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;</p> <p>(e) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities; and</p> <p>(f) entry into or transit through the HKSAR by certain persons.</p> <p>- to add a provision to the effect that the above prohibition against supply, sale or transfer of arms or materiel does not apply to the supplies of non-lethal equipment intended solely to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order as approved in advance by a committee of UNSC.</p> |
| 3. United Nations Sanctions (Arms Embargoes) Regulation (Repeal) Regulation 14 January 2011 (L.N. 10 of 2011) | November 2010 | Resolution 1940 of 29 September 2010 | - to repeal the United Nations Sanctions (Arms Embargoes) Regulation (Cap. 537 sub. leg. E) to give effect to the decision of UNSC in Resolution 1940 to terminate the sanctions against Sierra Leone. |

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council <i>[Date of expiry]</i> | Remarks |
|---|--|--|---|
| <p>4. United Nations Sanctions (Sierra Leone) (Immigration Control) Regulation (Repeal) Regulation</p> <p>14 January 2011 (L.N. 11 of 2011)</p> | <p>November 2010</p> | <p>Resolution 1940 of 29 September 2010</p> | <p>- to repeal the United Nations Sanctions (Sierra Leone) (Immigration Control) Regulation (Cap. 537 sub. leg. G) to give effect to the decision of UNSC in Resolution 1940 to terminate the sanctions against Sierra Leone.</p> |
| <p>5. United Nations Sanctions (Democratic Republic of the Congo) Regulation 2011</p> <p>25 March 2011 (L.N. 46 of 2011)</p> | <p>February 2011</p> | <p>Resolution 1952 of 29 November 2010 <i>[30 November 2011]</i></p> | <p>- to renew the prohibitions against-</p> <p>(a) the supply, sale, transfer or carriage of arms or related materiel to certain persons (operating in the territory of Congo);</p> <p>(b) the provision of advice, assistance or training related to military activities in certain circumstances;</p> <p>(c) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;</p> <p>(d) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities; and</p> <p>(e) entry into or transit through the HKSAR by certain persons.</p> |

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council [Date of expiry] | Remarks |
|--|--|---|--|
| <p>6. United Nations Sanctions (Iran) (Amendment) Regulation 2011</p> <p>25 March 2011 (L.N. 49 of 2011)</p> | <p>June 2010</p> | <p>Resolution 1929 of 9 June 2010</p> | <ul style="list-style-type: none"> - to amend the definition of certain terms in section 1 of the United Nations Sanctions (Iran) Regulation (Cap. 537 sub. leg. AF) (Iran Regulation) to cover additional items, equipment and technologies; - to expand the prohibition against the carriage and procurement of certain items using ships, aircraft or vehicles to cover foreign vessels and aircraft within the territory of the HKSAR; - to extend to additional persons and entities the prohibition against making available to certain persons or entities any funds, or other financial assets or economic resources, and dealing with funds or other financial assets or economic resources owned or held by certain persons or entities; - to extend the prohibition against the entry into or transit through the HKSAR to additional persons; - to provide for the prohibitions against- <ul style="list-style-type: none"> (a) the transfer to Iran and certain persons of technology or technical assistance related to an activity that relates to ballistic missiles capable of delivering nuclear weapons; (b) the sale to, and acquisition by, certain persons of an interest in a commercial activity which involves uranium mining and the provision of financial services to facilitate the acquisition of such interest by certain persons; and (c) the provision of certain services to ships which are owned or contracted by, or chartered to, a person connected with Iran or a national of Iran. - to empower a magistrate or judge to make an order for forfeiture and disposal of seized items on application by an authorized officer, and to provide for procedures for the owner of the seized items to object to the proposed forfeiture; |

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council <i>[Date of expiry]</i> | Remarks |
|--|--|---|---|
| | | | - to enable the Chief Executive to specify additional persons or entities as a relevant person or a relevant entity for the purpose of the financial sanctions under the Iran Regulation. |
| 7. United Nations Sanctions (Liberia) Regulation 2011 25 March 2011 (L.N. 47 of 2011) | February 2011 | Resolution 1961 of 17 December 2010 [The following provisions expire at midnight on 16 December 2011: the definitions of "arms or related materiel", "Commissioner", "master", "operator", "pilot in command", "prohibited goods", "Resolution 1961" and "UNMIL" in section 2, paragraphs (a) and (b) of the definition of "licence" in | - to renew or continue the prohibitions against- (a) the supply, sale, transfer or carriage of arms or related materiel to certain persons (operating in the territory of Liberia); (b) the provision to certain persons of advice, assistance or training related to military activities in certain circumstances; (c) entry into or transit through the HKSAR by certain persons. (d) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources; and (e) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities. |

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council <i>[Date of expiry]</i> | Remarks |
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| | | section 2, sections 3, 4, 5, 7, 8, 9 and 10, and Part 5.] | |
| 8. United Nations Sanctions (Liberia) Regulation 2010 (Repeal) Regulation 25 March 2011 (L.N. 48 of 2011) | February 2011 | -- | - L.N. 48 repeals the United Nations Sanctions (Liberia) Regulation 2010 that contains the remaining provisions relating to financial sanctions, as other provisions of the Regulation expired on 16 December 2010. |
| 9. United Nations Sanctions (Côte d'Ivoire) (No. 2) Regulation 2011 30 June 2011 (L.N. 113 of 2011) | April and June 2011 | Resolution 1975 of 30 March 2011 <i>[30 April 2012]</i> Resolution 1980 of 28 April 2011 <i>[30 April 2012]</i> | - to renew the prohibitions against – (a) the supply, sale, transfer or carriage of arms or related materiel to Côte d'Ivoire; (b) the provision of advice, assistance or training related to military activities in certain circumstances; (c) importation of rough diamonds from Côte d'Ivoire; (d) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources; (e) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities; and (f) entry into or transit through Hong Kong by certain persons. |

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council <i>[Date of expiry]</i> | Remarks |
|--|--|--|--|
| | | | <p>- to add a new provision to the effect that the supply, sale, transfer or carriage of vehicles to the Ivorian security forces without a licence is prohibited.</p> |
| <p>10. United Nations Sanctions (Libya) Regulation 2011</p> <p>30 June 2011 (L.N. 114 of 2011)</p> | <p>March 2011</p> | <p>Resolution 1970 of 26 February 2011</p> <p>Resolution 1973 of 17 March 2011</p> | <p>- to implement the prohibitions against-</p> <p>(a) the supply, sale, transfer or carriage of arms and related materiel to Libya;</p> <p>(b) the provision of assistance or training related to military activities etc, in certain circumstances;</p> <p>(c) procurement of arms or related materiel from Libya;</p> <p>(d) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;</p> <p>(e) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities;</p> <p>(f) entry into or transit through Hong Kong by certain persons;</p> <p>(g) aircraft registered in Hong Kong from flying into Libya;</p> <p>(h) aircraft carrying arms or related materiel or armed mercenary personnel to take off from or land in Hong Kong, or fly within Hong Kong air space; and</p> <p>(i) Libyan aircraft to take off from or land in Hong Kong, or fly within Hong Kong air space.</p> |
| <p>11. United Nations Sanctions (Libya) Regulation</p> | <p>October and December 2011</p> | <p>Resolution 2009 of 16 September 2011</p> | <p>- to amend the 2011 Regulation to implement the prohibitions against -</p> <p>(a) the supply, sale, transfer or carriage of arms of related materiel to Libya; the prohibition does not apply to, among other things, provision of arms or</p> |

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council [Date of expiry] | Remarks |
|--|--|---|--|
| <p>2011 (Amendment) Regulation 2012</p> <p>16 March 2012 (L.N. 42 of 2012)</p> | | <p>Resolution 2016 of 27 October 2011</p> | <p>related materiel to the Libyan authorities and intended solely for security or disarmament assistance;</p> <p>(b) the provision of assistance or training related to military activities, etc. in certain circumstances; the prohibition does not apply to, among other things, provision of assistance or training to the Libyan authorities and intended solely for security or disarmament assistance;</p> <p>(c) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources; and</p> <p>(d) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities.</p> <p>The prohibition in (c) and (d) do not apply to certain funds made available to certain Libyan entities for, among other things, humanitarian needs, and certain Libyan entities are exempted.</p> |
| <p>12. United Nations Sanctions (Afghanistan) Regulation 2012</p> <p>16 March 2012 (L.N. 43 of 2012)</p> | <p>July 2011</p> | <p>Resolution 1988 of 17 June 2011</p> | <p>- to implement the prohibitions against-</p> <p>(a) the supply, sale, transfer or carriage of arms or related materiel to certain persons or entities;</p> <p>(b) the provision of technical advice, assistance or training related to military activities in certain circumstances;</p> <p>(c) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;</p> <p>(d) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities; and</p> <p>(e) entry into or transit through Hong Kong by certain persons.</p> |

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council [Date of expiry] | Remarks |
|---|--|---|--|
| <p>13. United Nations Sanctions (Afghanistan) Regulation (Repeal) Regulation</p> <p>16 March 2012 (L.N. 44 of 2012)</p> | <p>July 2011</p> | <p>--</p> | <p>- L.N. 44 repeals the United Nations Sanctions (Afghanistan) Regulation (Cap. 537 sub. leg. K) which was made in June 2000.</p> |
| <p>14. United Nations Sanctions (Democratic Republic of the Congo) Regulation 2012</p> <p>30 March 2012 (L.N. 51 of 2012)</p> | <p>December 2011</p> | <p>Resolution 2021 of 29 November 2011 [30 November 2012]</p> | <p>- to renew the provisions for the granting of licences for -</p> <p>(a) the supply, sale, transfer or carriage of prohibited goods;</p> <p>(b) the provision of assistance, advice or training to certain persons; and</p> <p>(c) making available to certain persons or entities funds or other financial assets or economic resources, or dealing with funds or other financial assets or economic resources of certain persons or entities</p> <p>- to renew the prohibitions against-</p> <p>(a) the supply, sale, transfer or carriage of arms or related materiel to certain persons;</p> <p>(b) the provision of assistance, advice or training related to military activities in certain circumstances;</p> <p>(c) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;</p> |

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council <i>[Date of expiry]</i> | Remarks |
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| | | | (d) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities; and (e) entry into or transit through HKSAR by certain persons. |
| 15. United Nations Sanctions (Liberia) Regulation 2012 27 April 2012 (L.N. 71 of 2012) | January 2012 | Resolution 2025 of 14 December 2011 [The following provisions expire at midnight on 13 December 2012: the definitions of "arms or related materiel", "Commissioner", "master", "operator", "pilot in command", "prohibited goods", "Resolution 2025" and "UNMIL" in section 2, paragraphs (a) and (b) of the definition of "licence" in | - to renew or continue the prohibitions against - (a) the supply, sale, transfer or carriage of arms or related materiel to certain persons (operating in the territory of Liberia); (b) the provision to certain persons of advice, assistance or training related to military activities in certain circumstances; (c) entry into or transit through HKSAR by certain persons; (d) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources; and (e) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities. |

| Regulation/ Date of gazettal | Date of receipt of instruction from the Ministry of Foreign Affairs | Resolution of the United Nations Security Council <i>[Date of expiry]</i> | Remarks |
|---|--|--|---|
| | | section 2, sections 3, 4, 5, 7, 8, 9 and 10, and Part 5.] | |
| 16. United Nations Sanctions (Liberia) Regulation 2011 (Repeal) Regulation 27 April 2012 (L.N. 72 of 2012) | January 2012 | | - L.N. 72 repeals the United Nations Sanctions (Liberia) Regulation 2011 (Cap. 537 sub. leg. AU) that contains the remaining provisions relating to financial sanctions, as other provisions of the Regulation expired on 16 December 2011. |