



## 2016年2月1日监察员给安全理事会主席的信

安全理事会第 2253(2015)号决议附件二第 20(c)段规定，监察员应一年两次向安理会提交报告，概述其活动。依照这一要求，谨随函递交办公室的第十一次报告。本报告介绍了办公室自上次报告印发以来的活动，所述期间为 2015 年 7 月 14 日至 2016 年 1 月 31 日。

请提请安全理事会成员注意本信和报告并将其作为安理会文件印发为荷。

监察员

凯瑟琳·玛琪-乌海尔(签名)



## 监察员办公室依照安全理事会第 2253(2015)号决议提交的报告

### 一. 背景

1. 安全理事会 2015 年 12 月 17 日通过第 2253(2015)号决议，将监察员办公室的任期延长至 2019 年 12 月 17 日。
2. 首任监察员金伯利·普罗斯的任期于 2015 年 7 月 13 日结束。
3. 秘书长于 2015 年 7 月 13 日任命凯瑟琳·玛琪-乌海尔担任监察员(S/2015/534)，她于 2015 年 7 月 27 日正式就任。
4. 本报告介绍了自 2015 年 7 月 13 日监察员第十次报告(S/2015/533)印发以来监察员办公室开展活动的最新情况。

### 二. 有关除名案件的活动

#### 概况

5. 在本报告所述期间，监察员办公室的主要活动是处理个人和实体提交的除名申请。

#### 除名案件

6. 在本报告所述期间，监察员办公室收到并受理了 2 宗新案。监察员还收到另外 1 宗除名申请，但认定申请没有充分述及第 2161(2014)号决议第 2 段规定的列名标准，已依照同项决议附件二第 1(d)段要求提供进一步资料。在编写本报告期间，尚未收到答复。截至 2016 年 1 月 31 日，自办公室设立以来收到的除名申请总数为 66 宗。除非申请人另有请求，所有名称在审议期间以及在申请被驳回或撤回的情况下保持机密。
7. 总体而言，自办公室设立以来，监察员依照安全理事会关于伊拉克和黎凡特伊斯兰国(达伊沙)、基地组织及关联个人、团体、企业和实体的第 1267(1999)、第 1989(2011)和第 2253(2015)号决议向安全理事会委员会提交了 63 份综合报告。在本报告所述期间，监察员提交了 2 份报告，并 3 次出席委员会会议，介绍 6 宗案件。
8. 自印发第十次报告以来，已通过监察员程序将 4 人除名<sup>1</sup> 并保留了 3 人列名。

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<sup>1</sup> Al Sayyid Ahmed Fathi Hussein Eliwah、Mohammed Ahmed Shawki al Islambolly、Yasser Mohamed Ismail Abu Shaweesh 和 Abd al Wahab Abd al Hafiz。

9. 办公室自设立以来，通过监察员程序或委员会的单独裁决累计解决了 63 宗案件，其中涉及个人、实体或两者结合向监察员提出的申请。在通过监察员程序全面了结的 59 宗案件中，43 名个人和 28 个实体被除名，1 个实体作为某列名实体的别称被除名，11 份除名申请被驳回。此外，3 名个人在完成监察员程序前被委员会除名，在提交综合报告后有 1 份申请被撤回。截至 2016 年 1 月 31 日的所有案件状况说明载于本报告附件。

10. 在编写本报告时，监察员收到的 3 宗待决案件处于收集信息/对话阶段。本报告所述期间向办公室提交的 2 份申请均由个人提出。迄今为止，在总共 66 宗案件中，58 宗由个人提出，2 宗由个人与 1 个或多个实体共同提出，6 宗由实体单独提出。在 66 宗案件中，32 宗案件的申请人现在或曾经得到法律顾问协助。

### 从各国收集信息

11. 在 2 宗新案中，迄今向 10 个国家发送了 10 项提供资料的请求。就本报告所述期间向委员会提交的综合报告所涉 2 宗案件而言，没有任何国家不答复提供资料的请求。除了从请求其提供资料的具体对象国收到的答复外，委员会一些成员也因看到普遍分发的申请而提供了资料。

12. 在本报告所述期间，监察员就 1 宗具体案件在有关国家首都两次会见官员，直接收集资料。

13. 在本报告所述期间，监察员没有依照第 2161(2014)号决议附件二第 3 段的规定，在被征询意见的所有指认国均不反对除名的情况下，酌情缩短收集资料的期限。

### 与申请人对话

14. 在本报告所述期间，监察员及其办公室在待决案件的对话阶段与所有申请人进行了沟通，包括电子邮件交流、电话讨论和面谈。监察员还前往当面约谈了 2 名申请人。

### 向有关国家提供综合报告

15. 安全理事会第 2253(2015)号决议附件二第 13 段规定，监察员在收到请求并获得委员会批准后，可将综合报告副本提供给有关国家(指认国、国籍国、居住国或公司注册国)，同时作出保护机密材料所需的任何编辑。在本报告所述期间，监察员收到了有关国家提出的 3 份披露信息请求。委员会批准并递送了所有请求。

### 查阅保密或机密信息

16. 在本报告所述期间，与美利坚合众国达成了查阅保密或机密信息的 1 项新安排。此外，叙利亚表示愿意临时分享机密信息。迄今为止，与奥地利达成了一项正式协议，与澳大利亚、比利时、哥斯达黎加、丹麦、芬兰、法国、德国、爱尔兰、列支敦士登、卢森堡、荷兰、新西兰、葡萄牙、瑞士、大不列颠及北爱尔兰

联合王国和美国达成了 16 项安排。此前作出的少数安排载有明确表明或提出是有关国家与前任监察员本人间安排的措辞。现任监察员与这些国家接触，获得了关于这些安排在其任期内依然有效的确认。有一个国家尚未正式提供此类确认。

17. 在本报告所述期间，继续努力扩大了安排/协议清单，并希望在今后数月内取得进一步进展。一些国家已经确认正在考虑是否有可能签订资料分享协定，与此同时，他们将考虑临时提供资料的可能性。

### 三. 有关监察员办公室发展的活动综述

#### 概况

18. 在本报告所述期间尽可能继续开展了进一步发展和加强监察员办公室的活动。

#### 办公室的外联和宣传工作

19. 鉴于时间和资源的限制，监察员尽量参加了一些外联活动。

20. 2015 年 10 月 8 日，监察员在布加勒斯特参加了联合国毒品和犯罪问题办公室与地中海议会大会共同举办、罗马尼亚议会承办的关于在采取预防性刑事司法对策应对恐怖主义和外国恐怖主义战斗人员方面构成的挑战的讲习班，并介绍了基地组织制裁制度和办公室工作。2015 年 12 月 17 日，监察员在马耳他举行的最后一轮圆桌会议上介绍了监察员办公室的工作，并协助制定了关于处理恐怖主义案件时保障人权的指南。这项活动的背景是欧洲联盟资助的名为“支持高级司法官员牵头采取刑事司法对策应对恐怖主义：欧洲、中东和北非”的项目。上述会议由全球合作安全中心以及安全研究所举办，并得到了反恐怖主义委员会执行局的专家支持。

#### 与伊拉克和黎凡特伊斯兰国(达伊沙)和基地组织制裁委员会的互动

21. 自 2015 年 7 月 14 日以来，监察员 5 次出席了委员会会议。2015 年 7 月 16 日，她被介绍给委员会。随后，她出席了委员会会议，并介绍了 6 宗案件：2015 年 7 月 27 日，她介绍了一宗申请人被保留列名的案件；2015 年 8 月 24 日，她介绍了 Yasser Mohamed Ismail Abu Shaweesh 案(除名；此前为 QIA.201.05)和 Mohammed Ahmed Shawki al Islambolly 案(除名；此前为 QDi.194)，以及一宗申请人被保留列名的案件；2015 年 12 月 23 日，她介绍了 Abd al Wahab Abd al Hafiz 案(除名；此前为 QDi.157)以及一宗申请人被保留列名的案件。在上述 6 宗案件中的 4 宗案件中，综合报告是前任监察员编写的。在这些案件中，现任监察员介绍案件，前任监察员口头介绍其报告并回答了委员会成员的问题。2016 年 1 月 27 日，监察员非正式地通报委员会，打算更新网站上题为“资料评估方法”的章

节(见下文第 36 段)并说明了更新原因。此外，她在各案的不同阶段向委员会提交了一些书面的最新情况通报。

22. 与以往一样，监察员及其办公室工作人员继续与协调员和监测组成员定期接触。监测组继续根据安全理事会第 2253(2015)号决议附件二第 4 段的规定，提供相关资料。在本报告所述期间，监测组协助监察员办公室审查了收集的阿拉伯文资料，并帮助办公室用阿拉伯文与申请人以及办公室联系的其他个人沟通。监测组还就有关具体除名请求的问题提供了专家意见。

### 与国家、政府间组织、联合国机构和非政府组织联络

23. 在本报告所述期间，监察员及其办公室工作人员继续与各国互动，特别是与待决除名申请所涉国家互动。在本报告所述期间，监察员及其办公室工作人员与关心办公室工作的国家举行了数次双边会议，讨论一般问题，包括与前任和现任监察员之间过渡有关的问题。监察员继续进行其前任发起的与一些国家关于查阅机密或保密资料协定或安排的讨论，并与其他国家就这一问题进行了接触。在这些协商中，监察员强调指出，各国还必须与办公室分享相关公共和解密资料。这将使监察员能将独立研究重点放在案件的其他重要方面。监察员还与在定向制裁问题上观点一致非正式国家集团<sup>2</sup> 以及欧洲联盟和欧盟委员会代表建立了联系。如上文所述，监察员还在一些国家首都与国家官员会晤，讨论一般问题，并获取关于具体案件的资料。

24. 监察员及其办公室工作人员继续与反恐怖主义执行工作队和反恐怖主义委员会执行局代表，以及联合国人权事务高级专员办事处互动。她与法律事务厅工作人员讨论了相关的一般法律问题，法律事务厅继续就各种问题向监察员提供援助。监察员还与单方面强制性措施对享有人权的不良影响问题特别报告员讨论了关于基地组织制裁制度框架内正当程序的具体问题。她还与强迫失踪问题委员会以及任意拘留问题工作组成员和前成员进行了互动，获取有关一宗具体案件的资料。

25. 监察员还与安全理事会报告组织和人权监察等非政府组织进行了互动。

26. 在本报告所述期间，监察员还与其前任在过渡期间进行了广泛接触，确保方针连续性。

### 工作方法和研究

27. 与以往一样，在本报告所述期间的办案工作要求利用开放源进行研究，并与记者、专家和学者联系，收集可公开获得的案件相关材料信息并核实来源。

<sup>2</sup> 由奥地利、比利时、哥斯达黎加、丹麦、德国、芬兰、列支敦士登、荷兰、挪威、瑞典和瑞士组成。

28. 监察员继续关注相关国家和地区法律案件的发展，并收集相关信息。

#### 网站

29. 监察员办公室继续修订和更新网站([www.un.org/en/sc/ombudsperson](http://www.un.org/en/sc/ombudsperson))。办公室还编写了网站上题为“资料评估方法”章节的更新内容(见下文第 36 段)。监察员表示希望尽快在网站刊登这一更新文件。

## 四. 意见和结论

### 公正程序

#### 过渡

30. 本报告标志着在监察员办公室执行任务五年后，前任和现任监察员之间的过渡。

31. 当前任监察员于 2015 年 7 月 13 日结束任期时，仍有 8 宗待决案件处于程序的不同阶段。其中 4 宗案件所处的阶段要求前任和现任监察员实质参与。在这些案件中，前任监察员提交了综合报告，但案件的口头介绍被安排在其任期结束后。

32. 监察员与其前任商定，出于对申请人公平起见，后者应参与向委员会口头介绍这些过渡案件。这些案件于 2015 年 7 月 27 日和 8 月 24 日提交委员会。现任监察员正式介绍了每宗案件，其前任根据程序要求，<sup>3</sup>介绍了她提交的关于除名请求的综合报告并出面回答了委员会成员的问题。因此，所有这些案件均在安全理事会规定的时限内提交委员会。这包括前任监察员在提交安全理事会的上次报告中具体提到的案件(见 [S/2015/533](#))。委员会现已按照监察员的审查和建议处理了所有这些案件。有一人于 2015 年 8 月 18 日在规定时限内被除名。其余三宗案件由于在过渡之时所处阶段，没有受到过渡的影响。

33. 因此，任务负责人之间过渡及两人任期间 13 天空缺没有影响过渡期间处理任何待决案件的公正性。然而，监察员强调指出，今后必须作出及时的安排，避免下次过渡对申请人享有的公正性产生任何严重影响。

#### 在本报告所述期间的评估

34. 委员会在本报告所述期间就除名申请做出的所有决定完全依据监察员收集的信息，并采纳了她的建议。委员会没有以协商一致的方式对任何案件做出与建议相反的决定，也没有将任何问题提交安全理事会。在本报告所述期间，虽然在 2 宗过渡案件中审议了机密材料，监察员仍满意于申请人了解将要决定的案件实质内容。在了解和回应案件并受益于独立审查以及获得有效补救方面，所有案件满足了公平性的上述基本要求。

<sup>3</sup> 委员会准则第 3(d)段要求主席请监察员就任何除名请求提交综合报告。

### 方法的一致性

35. 监察员在过渡期间亲自了解了 8 宗待决案件，并与其前任就此进行了广泛交流。此外，监察员审查了其前任在委员会已处理的 58 宗案件中编写的综合报告所载事实和分析。审查目标是确保方法的一致性。如果监察员在任何阶段即使稍微偏离了以前办法，此举必定是完全了解案情而且有令人信服的理由，而不是缺乏知情和理由。在进行这一审查时，监察员确定了相关摘录并按照关键词和主题整理，以便随着案件进展进行更新。这还可用作内部数据库以及留给今后的监察员及办公室工作人员的遗产工具。

### 程序的透明度

#### 程序的一般资料

36. 监察员在任期头几个月与申请人及其律师的互动中，衡量了如果没有公开可得的案例法，或与之相当的监察员的做法，申请人高效介绍案情的能力会如何受到影响。鉴于无法公开获得综合报告，连尽职调查律师都无法审查监察员的以往做法，以协助客户。前任监察员在办公室网站刊登了关于其工作方法的两个重要问题的说明，内容涉及审查除名申请和评估资料的适用标准。前任监察员 2012 年 11 月就反恐主义过程中促进和保护人权与基本自由问题特别报告员表达的严重关切发表了第二份文件。发表该文件时仅有 22 宗案件通过监察员程序结案，截至目前有近三分之一的案件结案。在当前情况下，综合报告及其内容是绝密的。出于对申请人公平起见，有必要尽可能公开有关监察员程序的资料。为此，监察员决定扩大并更新第二份说明，述及目前没有涵盖的资料评估工作的其他方面，其中包括进行推论和分析关联性和非关联性的办法。2016 年 1 月 27 日，监察员非正式地向委员会通报了这一举措。她还就文件草案征询了监测组、法律事务厅和联合国人权事务高级专员办事处的意见。该文件现已分发委员会成员参考。在今后几周，监察员将审查在文件定稿并刊登到办公室网站前收到的所有评论。预计增强监察员程序透明度将为申请人及其律师提供一个宝贵工具。监察员还表示希望这将为本机制带来更高的信度和公信力。

#### 有关国家

37. 正如第八、第九和第十次报告(见 S/2014/553; S/2015/80, 第 39 段和 S/2015/533, 第 38 段)所述，应考虑允许各国更普遍地查阅监察员综合报告。在本报告所述期间，有三个相关国家寻求获取一份综合报告，说明了对本程序的持续关注。监察员完全同意其前任的提议，即作为最初步骤，可将有关国家的群体从具体案件的指认国和居住国/国籍国/公司注册国扩充到向其索要资料或由其提供资料的任何国家。这些国家出于各种原因通常在具体案件中有重大利益，允许其查阅综合报告会对国家当局有价值 and 有帮助。所涉的任何机密问题可通过编辑轻易解决。

## 申请人

38. 申请人在案件中无法查阅综合报告仍然令人关切，并成为监察员机制在公正性方面的缺陷(见 S/2015/80，第 40 段和 S/2015/533，第 39-40 段)。

39. 如果委员会按照监察员建议维持列名或考虑将申请人从伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)(达伊沙)和基地组织制裁名单中除名，申请人会收到一封并非来自委员会或委员会任何个体成员信函，概述作为监察员建议依据的理由。

40. 与第九次报告详述的在载列除名案理由的信函实质内容方面遇到的严重问题不同(见 S/2015/80，第 43 段)，第十次报告介绍了在确保说明委员会决定理由的信函普遍提供作为决定依据的充分事实材料方面取得的一些有限进展(见 S/2015/533，第 41 段)。

41. 在本报告所述期间，状况继续得到改善。说明综合报告所载分析的概要解答了申请人在相关除名申请中提出的大多数论点；通过与监察员的交流也回应了他们的论点。不过，概要并未传达出报告的综合性。要做到这一点，就必须在进行编辑的基础上递送报告全文或至少递送载有分析、意见和主要论点的章节全文。

42. 监察员重申第十次报告的建议，即解决在维持列名情况下不及时通知申请人的后果(见 S/2015/533，第 47 段)。出现延误是因为委员会向监察员传达维持列名理由后适用第 2253(2015)号决议规定的具体正式通知程序。作出维持列名决定后，通知程序可能需要长达 60 天。出于公平和效率，应考虑授权监察员在作出维持列名决定后立即通知申请人，并说明将在 60 天期限内提供理由。

## 国家合作/国家对监察员办公室的支持

43. 在本报告所述期间，各国向监察员办公室提供了通力合作，并表示坚决支持。几乎所有国家对提供信息请求作了回复，所有指认国和居住国/国籍国在所有的案件中提供了答复。此外，各区域集团国家在双边会议和最近关于制裁的辩论中表示坚决支持办公室的工作。<sup>4</sup>

## 监察员办公室的独立性

44. 前任监察员在提交安全理事会的第七至第十次报告中极其详细地强调了目前结构和合同安排的缺陷以及解决这些缺陷的必要性。

45. 安全理事会在第 2161(2014)号决议第 46 段中请秘书长继续加强监察员办公室的能力，确保它能够继续独立、有效和及时地执行任务。

<sup>4</sup> 例如，见安全理事会基地组织制裁委员会监察员凯瑟琳·玛琪-乌海尔 2015 年 11 月 23 日为联合国会员国举行的公开通报会；2015 年 8 月 4 日奥地利、比利时、哥斯达黎加、丹麦、芬兰、德国、列支敦士登、荷兰、挪威、瑞典和瑞士驻联合国代表给秘书长的信。



46. 尽管安全理事会先前提出了要求，相关缺陷依然存在。特别是，第十次报告认为约束监察员的咨询合同条款完全不符合监察员的独立作用和职能。这一咨询合同的另一缺陷在过渡期显而易见。由于合同性质，无法向任期结束后就委员会议程上各案编写并介绍综合报告的前任监察员提供适足报酬。她的出席被视为必要且符合监察员应向委员会口头介绍综合报告的程序要求。<sup>5</sup> 为了保证对待申请人的公平性以及程序的完整性，必须确保委员会有机会接触并询问掌握案件独特情况的综合报告作者。

47. 此外，根据征聘现任监察员的合同安排，她无法充分参与支助办公室的唯一法律干事产假期间接替人员的征聘流程。监察员在确定候选人短名单前被征询了意见，并与征聘小组最终认为合适的少数几名候选人分别交谈。在征聘前考虑了监察员的意见，但她无法参与(即使作为观察员)该职位短名单候选人的胜任能力面试。

48. 2015年，编写了两份文件，提出了解决监察员独立性的机制保障不足的建议。第一份文件是对联合国制裁的高级别审查简编(A/69/941-S/2015/432，2015年6月印发)。它特别建议秘书长提出备选办法，确保为监察员所作的行政、合同和其他支助安排符合监察员的独特作用，并采取机制保障措施，使监察员办公室能真正达到独立办公室的要求。第二份文件是在定向制裁问题上观点一致国家集团递送安全理事会主席的一份提案(见 S/2015/867)。该提案呼吁“采取公正和明确的程序促进更有效的联合国制裁制度”，其中建议调整监察员办公室使其机制化，将其转为秘书处内部的常设办公室或特别政治任务办公室。<sup>6</sup>

49. 安全理事会第 2253(2015)号决议第 59 段请秘书长继续加强监察员办公室的能力并作出必要的安排，确保它能够继续独立、有效和及时地执行任务，并在 6 个月后就采取的行动向委员会提供最新报告。监察员对这一要求感到鼓舞，期待采取具体行动以充分解决上述缺陷并为确保办公室独立性提供机制保障。

## 结论

50. 建立并逐步加强监察员机制有助于使伊黎伊斯兰国(达伊沙)和基地组织制裁制度更符合基本人权义务。

51. 在正当程序方面，伊黎伊斯兰国(达伊沙)和基地组织制裁制度肯定是安全理事会针对国际和平与安全所受到的威胁，根据《联合国宪章》第七章实行的最强

<sup>5</sup> 委员会准则第 3(d)段要求主席请监察员就任何除名请求提交综合报告。

<sup>6</sup> 在定向制裁问题上观点一致国家集团曾在 2014 年 4 月和 2015 年 6 月提请安全理事会注意这些问题(S/2014/286 和 S/2015/459)。它们在后来的文件中提出“这一职位的地位和特权应充分体现有效履行监察员任务所需的独立性。此外，监察员办公室关于预算编制、人员配置、工作人员管理和资源利用的适用行政安排缺乏关键的自主特性。事实上，尽管安全理事会第 1904(2009)号决议作出了决定，但监察员办公室在结构上尚未设立”。

有力的定向制裁制度。正当程序无疑会加强这一制度的公信力，进而协助各国执行委员会实施的制裁。

52. 然而，正如本报告和以往报告所强调，仍有需要改进的领域。特别是，监察员赞同其前任关于监察员程序仍被无谓蒙上神秘色彩的评估。如果不能公布综合报告或说明程序合理性的章节，就必须作出一切努力，向申请人和公众通报监察员进程。希望办公室网站上关于监察员评估信息方法的更新资料有助于了解监察员程序。

## Annex

### Status of cases

#### Case 1, one individual (Status: denied)

<i>Date</i>	<i>Description</i>
28 July 2010	Transmission of case 1 to the Committee
28 February 2011	Comprehensive report submitted to the Committee
10 May 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 June 2011	Committee decision
1 September 2011	Formal notification to petitioner with reasons

#### Case 2, Safet Ekrem Durguti (Status: delisted)

<i>Date</i>	<i>Description</i>
30 September 2010	Transmission of case 2 to the Committee
26 April 2011	Comprehensive report submitted to the Committee
31 May 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 June 2011	Committee decision to delist
12 August 2011	Formal notification to petitioner with reasons

#### Case 3, one entity (Status: delisting request withdrawn by petitioner)

<i>Date</i>	<i>Description</i>
3 November 2010	Transmission of case 3 to the Committee
14 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of comprehensive report by the Ombudsperson to the Committee
2 August 2011	Withdrawal of petition

**Case 4, Shafiq Ben Mohamed Ben Mohammed Al Ayadi (Status: delisted)**

<i>Date</i>	<i>Description</i>
6 December 2010	Transmission of case 4 to the Committee
29 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
17 October 2011	Committee decision to delist
8 November 2011	Formal notification to petitioner with reasons

**Case 5, Tarek Ben Al-Bechir Ben Amara Al-Charaabi (Status: delisted)**

<i>Date</i>	<i>Description</i>
30 December 2010	Transmission of case 5 to the Committee
26 April 2011	Comprehensive report submitted to the Committee
31 May 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 June 2011	Committee decision to delist
12 August 2011	Formal notification to petitioner with reasons

**Case 6, Abdul Latif Saleh (Status: delisted)**

<i>Date</i>	<i>Description</i>
14 January 2011	Transmission of case 6 to the Committee
17 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
19 August 2011	Committee decision to delist
8 November 2011	Formal notification to petitioner with reasons

**Case 7, Abu Sufian Al-Salamabi Muhammed Ahmed Abd Al-Razziq  
(Status: delisted)**

<i>Date</i>	<i>Description</i>
28 January 2011	Transmission of case 7 to the Committee
23 September 2011	Comprehensive report submitted to the Committee
15 November 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 November 2011	Committee decision to delist
13 February 2012	Formal notification to petitioner with reasons

**Case 8, Ahmed Ali Nur Jim'ale and 23 entities<sup>a</sup> (Status: delisted)**

<i>Date</i>	<i>Description</i>
17 March 2011	Transmission of case 8 to the Committee
23 September 2011	Comprehensive report submitted to the Committee
13 December 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
27 December 2011	Committee decision to delist six entities
21 February 2012	Committee decision to delist one individual and 17 entities
8 June 2012	Formal notification to petitioner with reasons

<sup>a</sup> Barakaat North America, Inc., Barakat Computer Consulting, Barakat Consulting Group, Barakat Global Telephone Company, Barakat Post Express, Barakat Refreshment Company, Al Baraka Exchange, LLC, Barakaat Telecommunications Co. Somalia, Ltd., Barakaat Bank of Somalia, Barako Trading Company, LLC, Al-Barakaat, Al-Barakaat Bank, Al-Barakaat Bank of Somalia, Al-Barakat Finance Group, Al-Barakat Financial Holding Co., Al-Barakat Global Telecommunications, Al-Barakat Group of Companies Somalia Limited, Al-Barakat International, Al-Barakat Investments, Barakaat Group of Companies, Barakaat Red Sea Telecommunications, Barakat International Companies and Barakat Telecommunications Company Limited.

**Case 9, Saad Rashed Mohammed Al-Faqih and Movement for Reform in Arabia  
(Status: delisted)**

<i>Date</i>	<i>Description</i>
19 April 2011	Transmission of case 9 to the Committee
21 February 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
1 July 2012	Committee decision to delist
13 November 2012	Formal notification to petitioner with reasons

**Case 10, Ibrahim Abdul Salam Mohamed Boyasseer (Status: delisted)**

<i>Date</i>	<i>Description</i>
6 May 2011	Transmission of case 10 to the Committee
9 January 2012	Comprehensive report submitted to the Committee
1 March 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
8 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

**Case 11, Mondher ben Mohsen ben Ali al-Baazaoui (Status: delisted)**

<i>Date</i>	<i>Description</i>
1 June 2011	Transmission of case 11 to the Committee
19 January 2012	Comprehensive report submitted to the Committee
1 March 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 March 2012	Committee decision to delist
10 July 2012	Formal notification to petitioner with reasons

**Case 12, Kamal ben Mohamed ben Ahmed Darraji (Status: delisted)**

<i>Date</i>	<i>Description</i>
30 June 2011	Transmission of case 12 to the Committee
28 February 2012	Comprehensive report submitted to the Committee
3 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
4 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

**Case 13, Fondation Secours Mondial (Status: amended<sup>b</sup>)**

<i>Date</i>	<i>Description</i>
7 July 2011	Transmission of case 13 to the Committee
14 December 2011	Comprehensive report submitted to the Committee
24 January 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
17 February 2012	Committee decision to amend
9 July 2012	Formal notification to petitioner with reasons

<sup>b</sup> Amended to be removed as an alias of Global Relief Foundation (QE.G.91.02.).

**Case 14, Sa'd Abdullah Hussein al-Sharif (Status: delisted)**

<i>Date</i>	<i>Description</i>
20 July 2011	Transmission of case 14 to the Committee
29 February 2012	Comprehensive report submitted to the Committee
3 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
27 April 2012	Committee decision to delist
5 June 2012	Formal notification to petitioner with reasons

**Case 15, Fethi ben al-Rebei Absha Mnasri (Status: delisted)**

<i>Date</i>	<i>Description</i>
4 August 2011	Transmission of case 15 to the Committee
9 March 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

**Case 16, Mounir Ben Habib Ben al-Taher Jarraya (Status: delisted)**

<i>Date</i>	<i>Description</i>
15 August 2011	Transmission of case 16 to the Committee
9 March 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

**Case 17, Rachid Fettar (Status: delisted)**

<i>Date</i>	<i>Description</i>
26 September 2011	Transmission of case 17 to the Committee
27 April 2012	Comprehensive report submitted to the Committee
5 June 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 June 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

**Case 18, Ali Mohamed El Heit (Status: delisted)**

<i>Date</i>	<i>Description</i>
5 October 2011	Transmission of case 18 to the Committee
2 May 2012	Comprehensive report submitted to the Committee
3 July 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
19 July 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons



**Case 19, Yassin Abdullah Kadi (listed as Yasin Abdullah Ezzedine Qadi)  
(Status: delisted)**

<i>Date</i>	<i>Description</i>
16 November 2011	Transmission of case 19 to the Committee
11 July 2012	Comprehensive report submitted to the Committee
10 September 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
5 October 2012	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 20, Chabaane ben Mohamed ben Mohamed al-Trabelsi (Status: delisted)**

<i>Date</i>	<i>Description</i>
21 November 2011	Transmission of case 20 to the Committee
23 April 2012	Comprehensive report submitted to the Committee
5 June 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 June 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

**Case 21, Adel Abdul Jalil Ibrahim Batterjee (Status: delisted)**

<i>Date</i>	<i>Description</i>
3 January 2012	Transmission of case 21 to the Committee
10 October 2012	Comprehensive report submitted to the Committee
6 November 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 January 2013	Committee decision to delist
5 September 2013	Formal notification to petitioner with reasons

**Case 22, Ibrahim ben Hedhili ben Mohamed al-Hamami (Status: delisted)**

<i>Date</i>	<i>Description</i>
6 February 2012	Transmission of case 22 to the Committee
25 September 2012	Comprehensive report submitted to the Committee
6 November 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
21 November 2012	Committee decision to delist
7 February 2013	Formal notification to petitioner with reasons

**Case 23, Suliman Hamd Suleiman Al-Buthe (Status: delisted) (Repeated request)**

<i>Date</i>	<i>Description</i>
23 February 2012	Transmission of case 23 to the Committee
30 August 2012	Comprehensive report submitted to the Committee
27 November 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
10 February 2013	Committee decision to delist
30 August 2013	Formal notification to petitioner with reasons

**Case 24, Mamoun Darkazanli (Status: delisted)**

<i>Date</i>	<i>Description</i>
28 February 2012	Transmission of case 24 to the Committee
12 November 2012	Comprehensive report submitted to the Committee
8 January 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
11 March 2013	Committee decision to delist
30 August 2013	Formal notification to petitioner with reasons

**Case 25, Abdullahi Hussein Kahie (Status: delisted)**

<i>Date</i>	<i>Description</i>
28 February 2012	Transmission of case 25 to the Committee
26 July 2012	Comprehensive report submitted to the Committee
10 September 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
26 September 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

**Case 26, Usama Muhammed Awad Bin Laden (Status: delisted)  
Ombudsperson case became moot following the Committee's decision of  
21 February 2013**

<i>Date</i>	<i>Description</i>
23 April 2012	Transmission of case 26 to the Committee
15 February 2013	Comprehensive report submitted to the Committee
21 February 2013	Committee decision to delist

**Case 27, one individual (Status: denied)**

<i>Date</i>	<i>Description</i>
7 May 2012	Transmission of case 27 to the Committee
11 February 2013	Comprehensive report submitted to the Committee
7 May 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
7 May 2013	Committee decision to retain listing
12 June 2013	Formal notification to petitioner with reasons

**Case 28, one individual (Status: denied)**

<i>Date</i>	<i>Description</i>
7 June 2012	Transmission of case 28 to the Committee
20 November 2012	Comprehensive report submitted to the Committee
8 January 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
8 January 2013	Committee decision to retain listing
29 January 2013	Formal notification to petitioner with reasons

**Case 29, Muhammad ‘Abdallah Salih Sughayr (Status: delisted)**

<i>Date</i>	<i>Description</i>
25 July 2012	Transmission of case 29 to the Committee
9 April 2013	Comprehensive report submitted to the Committee
21 May 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 July 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 30, Lajnat Al Daawa Al Islamiya (LDI) (Status: delisted)**

<i>Date</i>	<i>Description</i>
25 July 2012	Transmission of case 30 to the Committee
15 April 2013	Comprehensive report submitted to the Committee
2 July 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 September 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 31, Abd al Hamid Sulaiman Muhammed al-Mujil (Status: delisted)**

<i>Date</i>	<i>Description</i>
1 August 2012	Transmission of case 31 to the Committee
13 March 2013	Comprehensive report submitted to the Committee
30 April 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 June 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 32, Mohamed ben Mohamed ben Khalifa Abdelhedi (Status: delisted)**

<i>Date</i>	<i>Description</i>
19 September 2012	Transmission of case 32 to the Committee
5 March 2013	Comprehensive report submitted to the Committee
16 April 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
1 May 2013	Committee decision to delist

**Case 33, Mohammed Daki (Status: delisted)**

<i>Date</i>	<i>Description</i>
12 October 2012	Transmission of case 33 to the Committee
28 May 2013	Comprehensive report submitted to the Committee
30 July 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
16 August 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 34, Abdelghani Mzoudi (Status: delisted)  
Ombudsperson case became moot following the Committee's decision of 18 March 2013**

<i>Date</i>	<i>Description</i>
8 November 2012	Transmission of case 34 to the Committee
18 March 2013	Committee decision to delist

**Case 35, International Islamic Relief Organization, Philippines, Branch Offices  
(Status: delisted)**

<i>Date</i>	<i>Description</i>
13 December 2012	Transmission of case 35 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 36, International Islamic Relief Organization, Indonesia, Branch Offices  
(Status: delisted)**

<i>Date</i>	<i>Description</i>
13 December 2012	Transmission of case 36 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 37, Jaber Abdullah Jaber Ahmed Al-Jalahmah (Status: delisted)<sup>c</sup>**

<i>Date</i>	<i>Description</i>
4 February 2013	Transmission of case 37 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

<sup>c</sup> Jaber Abdullah Jaber Ahmed Al-Jalahmah was re-listed on the same date by a separate Committee decision.

**Case 38, Moustafa Abbas (listed as Moustafa Abbas) (Status: delisted)**

<i>Date</i>	<i>Description</i>
13 February 2013	Transmission of case 38 to the Committee
12 August 2013	Comprehensive report submitted to the Committee
13 September 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 September 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 39, Atilla Selek (Status: delisted)**

<i>Date</i>	<i>Description</i>
13 February 2013	Transmission of case 39 to the Committee
2 October 2013	Comprehensive report submitted to the Committee
13 December 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
31 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 40, Youssef ben Abdul Baki Ben Youcef Abdaoui (Status: delisted)**

<i>Date</i>	<i>Description</i>
4 March 2013	Transmission of case 40 to the Committee
14 November 2013	Comprehensive report submitted to the Committee
11 February 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 April 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 41, L'hadi Bendebka (listed as Abdelhadi Ben Debka) (Status: delisted)**

<i>Date</i>	<i>Description</i>
12 March 2013	Transmission of case 41 to the Committee
14 October 2013	Comprehensive report submitted to the Committee
3 December 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
18 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 42, Youcef Abbas (listed as Youcef Abbes) (Status: delisted)**

<i>Date</i>	<i>Description</i>
4 March 2013	Transmission of case 42 to the Committee
2 October 2013	Comprehensive report submitted to the Committee
15 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 43, Said Yousef AbouAziz (listed as Said Youssef Ali Abu Aziza) (Status: delisted)**

**Ombudsperson case became moot following the Committee's decision of 26 August 2013**

<i>Date</i>	<i>Description</i>
27 March 2013	Transmission of case 43 to the Committee
26 August 2013	Committee decision to delist



**Case 44, one individual (Status: denied)**

<i>Date</i>	<i>Description</i>
2 May 2013	Transmission of case 44 to the Committee
4 February 2014	Comprehensive report submitted to the Committee
21 April 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
21 April 2014	Committee decision to retain listing
30 July 2014	Formal notification to petitioner with reasons

**Case 45, one individual (Status: denied)**

<i>Date</i>	<i>Description</i>
6 May 2013	Transmission of case 45 to the Committee
9 December 2013	Comprehensive report submitted to the Committee
11 February 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
11 February 2014	Committee decision to retain listing
17 March 2014	Formal notification to petitioner with reasons

**Case 46, Yacine Ahmed Nacer (Status: delisted)**

<i>Date</i>	<i>Description</i>
10 May 2013	Transmission of case 46 to the Committee
30 December 2013	Comprehensive report submitted to the Committee
25 February 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
13 March 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 47, Nabil Benatia (listed as Nabil ben Mohamed ben Ali ben Attia)  
(Status: delisted)**

<i>Date</i>	<i>Description</i>
3 June 2013	Transmission of case 47 to the Committee
12 November 2013	Comprehensive report submitted to the Committee
13 December 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
31 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

**Case 48, Wael Hamzah Jelaidan (listed as Wa'el Hamza Abd al-Fatah Julaidan)  
(Status: delisted)**

<i>Date</i>	<i>Description</i>
17 June 2013	Transmission of case 48 to the Committee
19 March 2014	Comprehensive report submitted to the Committee
24 June 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
25 August 2014	Committee decision to delist
29 October 2014	Formal notification to petitioner with reasons

**Case 49, one individual (Status: denied)**

<i>Date</i>	<i>Description</i>
24 June 2013	Transmission of case 49 to the Committee
3 April 2014	Comprehensive report submitted to the Committee
24 June 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
24 June 2014	Committee decision to retain listing
10 September 2014	Formal notification to petitioner with reasons

**Case 50, Al-Haramain Foundation (USA) (Status: delisted)**

<i>Date</i>	<i>Description</i>
5 September 2013	Transmission of case 50 to the Committee
30 June 2014	Comprehensive report submitted to the Committee
26 August 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
25 October 2014	Committee decision to delist
29 December 2014	Formal notification to petitioner with reasons

**Case 51, Aqeel Abdulaziz Aqeel Al-Aqeel (Status: delisted)**

<i>Date</i>	<i>Description</i>
28 October 2013	Transmission of case 51 to the Committee
18 August 2014	Comprehensive report submitted to the Committee
31 October 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 January 2015	Committee decision to delist
3 March 2015	Formal notification to petitioner with reasons

**Case 52, one individual (Status: denied)**

<i>Date</i>	<i>Description</i>
27 May 2014	Transmission of case 52 to the Committee
18 February 2015	Comprehensive report submitted to the Committee
14 April 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 April 2015	Committee decision to retain listing
10 June 2015	Formal notification to petitioner with reasons

**Case 53, Abd al-Rahman Muhammad Jaffar ‘Ali (Status: delisted)**

<i>Date</i>	<i>Description</i>
13 June 2014	Transmission of case 53 to the Committee
9 December 2014	Comprehensive report submitted to the Committee
29 January 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
31 March 2015	Committee decision to delist
12 May 2015	Formal notification to petitioner with reasons

**Case 54, Abdul Rahim Hammad Ahmad al-Talhi (Status: delisted)**

<i>Date</i>	<i>Description</i>
19 June 2014	Transmission of case 54 to the Committee
29 January 2015	Comprehensive report submitted to the Committee
17 March 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
17 May 2015	Committee decision to delist

**Case 55, Ismail Mohamed Ismail Abu Shaweesh (Status: delisted)**

<i>Date</i>	<i>Description</i>
23 June 2014	Transmission of case 55 to the Committee
10 November 2014	Comprehensive report submitted to the Committee
16 December 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 January 2015	Committee decision to delist
17 February 2015	Formal notification to petitioner with reasons

**Case 56, one individual (Status: denied) (Repeated request)**

<i>Date</i>	<i>Description</i>
5 September 2014	Transmission of case 56 to the Committee
21 April 2015	Comprehensive report submitted to the Committee
19 June 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
19 June 2015	Committee decision to retain listing
10 July 2015	Formal notification to petitioner with reasons

**Case 57, one individual (Status: denied) (Repeated request)**

<i>Date</i>	<i>Description</i>
9 September 2014	Transmission of case 57 to the Committee
8 June 2015	Comprehensive report submitted to the Committee
27 July 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
27 July 2015	Committee decision to retain listing
20 August 2015	Formal notification to petitioner with reasons

**Case 58, one individual (Status: denied)**

<i>Date</i>	<i>Description</i>
30 August 2014	Transmission of case 58 to the Committee
29 June 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
24 August 2015	Committee decision to retain listing
30 October 2015	Formal notification to petitioner with reasons

**Case 59, Al Sayyid Ahmed Fathi Hussein Eliwah (Status: delisted)**

<i>Date</i>	<i>Description</i>
30 September 2014	Transmission of case 59 to the Committee
12 May 2015	Comprehensive report submitted to the Committee
19 June 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
18 August 2015	Committee decision to delist
2 September 2015	Formal notification to petitioner with reasons

**Case 60, Mohammed Ahmed Shawki al Islambolly (Status: delisted)**

<i>Date</i>	<i>Description</i>
10 November 2014	Transmission of case 60 to the Committee
13 July 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
26 October 2015	Committee decision to delist
27 October 2015	Formal notification to petitioner with reasons

**Case 61, Yasser Mohamed Ismail Abu Shaweesh (Status: delisted)**

<i>Date</i>	<i>Description</i>
19 January 2015	Transmission of case 61 to the Committee
7 July 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
9 September 2015	Committee decision to delist
6 November 2015	Formal notification to petitioner with reasons

**Case 62, Abd al Wahab Abd al Hafiz (Status: delisted)**

<i>Date</i>	<i>Description</i>
11 March 2015	Transmission of case 62 to the Committee
9 November 2015	Comprehensive report submitted to the Committee
23 December 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
11 January 2016	Committee decision to delist
22 January 2016	Formal notification to petitioner with reasons

**Case 63, one individual (Status: denied)**

<i>Date</i>	<i>Description</i>
12 March 2015	Transmission of case 63 to the Committee
10 November 2015	Comprehensive report submitted to the Committee
23 December 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
23 December 2015	Committee decision to retain listing
12 January 2016	Formal notification to petitioner with reasons

**Case 64, one individual (Status: dialogue phase)**

<i>Date</i>	<i>Description</i>
29 May 2015	Transmission of case 64 to the Committee
29 February 2016	Deadline for completion of the dialogue phase