

Letter dated 1 August 2016 from the Ombudsperson to the President of the Security Council

I have the honour to submit herewith the twelfth report of the Office of the Ombudsperson, pursuant to paragraph 20 (c) of Annex II to Security Council resolution [2253 \(2015\)](#), according to which the Ombudsperson shall submit biannual reports to the Council summarizing her activities. The report describes the activities of the Office of the Ombudsperson in the period since the previous report was issued, covering the period from 2 February to 31 July 2016.

I would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Catherine Marchi-Uhel
Ombudsperson

Report of the Office of the Ombudsperson pursuant to Security Council resolution 2253 (2015) (Advance unedited version of the report submitted to the Security Council)

I. Background

1. The present report provides an update on the activities undertaken by the Office of the Ombudsperson since the issuance of the Eleventh report of the Office (S/2016/96) on 1 February 2016.

II. Activities related to delisting cases

General

2. The primary activities of the Office of the Ombudsperson during the reporting period related to delisting requests submitted by individuals and entities.

Delisting cases

3. During this reporting period, four new cases were submitted to the Office of the Ombudsperson and accepted, including a repeat request. One further repeat request for delisting was submitted, but the Ombudsperson considered that it did not contain any additional information, and returned it to the Petitioner with an explanation for his consideration pursuant to paragraph 1(e) of Annex II to resolution 2253 (2015). No response has been received as of the date of this report. The Ombudsperson also received an additional new delisting request but determined that it did not sufficiently address the listing criteria set forth in paragraph 3 of resolution 2253 (2015) and further information has been sought in accordance with paragraph 1(d) of Annex II to the same resolution. No response had been received as of the time of the preparation of this report. The total number of delisting petitions submitted to the Office since its establishment is 70 as of 31 July 2016. Unless the petitioner requests otherwise, all names remain confidential while under consideration and in the case of denial or withdrawal of a petition.

4. In total, the Ombudsperson has submitted 65 Comprehensive Reports¹ to the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011), and 2253 (2015) concerning Al-Qaida and associated individuals and entities (“the Committee”) since the Office was established. During the reporting period, she submitted four reports and appeared before the Committee on three occasions to present six cases.

5. Since the issuance of the Eleventh Report, two individuals² have been delisted and the name of one individual has been retained through the Ombudsperson process.

¹ This number includes one case concluded in 2013, in which the Committee decided to delist the petitioner after the Ombudsperson had submitted her report to the Committee but before she had presented it to the same. In two additional cases concluded in 2013, the Ombudsperson case became moot following a decision by the Committee to delist the petitioners before the Ombudsperson had submitted her report.

² Farid Aider and Daniel Martin Schneider.

6. Cumulatively, since the Office was established, 65 cases involving requests made to the Ombudsperson from an individual, an entity or a combination of both have been resolved through the Ombudsperson process or through a separate decision of the Committee. In the 62 cases fully completed through the Ombudsperson process, 45 individuals and 28 entities have been delisted, one entity has been removed as an alias of a listed entity, and twelve delisting requests have been refused. In addition, three individuals were delisted by the Committee before the Ombudsperson process was completed and one petition was withdrawn following the submission of the Comprehensive Report. A description of the status of all of the cases, as at 31 July 2016, is contained in the Annex to the present report.

7. There are three cases pending before the Ombudsperson in the information gathering/dialogue phase and one case pending before the Committee. The four requests submitted to the Office during the reporting period were presented by individuals. To date, in total, 62 of the 70 cases have been brought by individuals, two by an individual together with one or more entities and six by entities alone. In 35 of the 70 cases, the petitioner is or was assisted by legal counsel.

Gathering of information from States

8. In the four new cases, 17 requests for information have been sent so far, to 16 States. With respect to the four cases for which Comprehensive Reports were submitted to the Committee during the reporting period, there were four instances when a State from which information had been requested failed to respond. In addition to the responses received from States to which requests were specifically directed, some Committee members provided information as a result of the general circulation of petitions.

9. During the reporting period, the Ombudsperson met on two occasions with officials in capital on a specific case to gather information directly.

10. In this reporting period, on one occasion the Ombudsperson shortened the information gathering period pursuant to paragraph 3 of Annex II to resolution 2253 (2015), which provides the Ombudsperson with the discretion to shorten the information gathering period in cases where all the Designating States consulted do not object to delisting.

Dialogue with the petitioner

11. During the period under review, the Ombudsperson and her Office interacted with all petitioners during the dialogue phase of pending cases, including through e-mail exchanges, telephone discussions and face-to-face interviews. During the reporting period, the Ombudsperson travelled to interview three petitioners in person.

Provision of Comprehensive Reports to interested States

12. Paragraph 13 of Annex II of resolution 2253 (2015) stipulates that, if requested, the Ombudsperson may provide a copy of the Comprehensive Report to an interested State (designating State, State of nationality, residence or incorporation) with the approval of the Committee and any redactions needed to

protect confidential material. In the reporting period, the Ombudsperson received five requests for disclosure from States, which were all approved by the Committee.

Access to classified or confidential information

13. No new arrangement for access to classified or confidential information was entered into during the reporting period. To date, there is one formal agreement with Austria and 16 arrangements with Australia, Belgium, Costa Rica, Denmark, Finland, France, Germany, Ireland, Liechtenstein, Luxembourg, the Netherlands, New Zealand, Portugal, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States. One arrangement concluded with the former Ombudsperson contains language clearly indicating that the arrangement was between the State and the previous Ombudsperson personally. The Ombudsperson engaged with this State and is yet to obtain confirmation that the arrangement remains in force with her.

14. Efforts have continued to expand the list of arrangements/agreements in this reporting period and hopefully further progress will be made in the upcoming months. One State has confirmed that it is willing to enter into an information sharing agreement and a draft is currently being finalised by the authorities of that State following engagement by the Ombudsperson with the Office of Legal Affairs and with the Permanent Mission of the State. Several other States have confirmed that they are considering the possibility of entering into an information sharing arrangement.

III. Summary of activities related to the development of the Office of the Ombudsperson

General

15. Activities to further develop and strengthen the Office of the Ombudsperson continued during the reporting period to the extent possible.

Outreach and publicizing of the Office

16. The Ombudsperson participated in some outreach activities, as far as possible given the limitations on time and resources.

17. On 8 February 2016, the Ombudsperson participated in the conference held by Chatham House on 'Countering Terrorist Financing' and addressed limitations and challenges she faces from a human rights standpoint in the context of reviewing delisting requests. During an Open Briefing to Member States on 29 March 2016, the Ombudsperson provided an update on the status of cases in her office as well as on recent progress made with respect to increasing transparency of the Ombudsperson mechanism while respecting the requirement set by the Security Council to treat comprehensive reports as confidential. On 6 May 2016, the Ombudsperson attended the annual conference of the Toronto Group for the Study of International, Transnational and Comparative Law. She addressed the parallel development of modern forms of internationalized criminal justice and sanctions, and compared the role of the Ombudsperson with that of international criminal justice practitioners.

18. In this reporting period, the Ombudsperson engaged extensively with representatives of the Council of Europe and the European Union. On 4 March 2016, the Ombudsperson addressed the Committee of Legal Advisors on Public International Law (CAHDI) of the Council of Europe during its 51st meeting in Strasbourg. She briefed the CAHDI on the transition with her predecessor and on positive developments with respect to some of the challenges she faces as Ombudsperson. On 15 April 2016, the Ombudsperson participated in a Seminar on sanctions jointly held by the European Union and the United Nations in New York. In this context, she measured the Ombudsperson mechanism against European standards. She also explored existing channels for disclosure of information and the use in domestic and regional proceedings of information from her comprehensive reports to the Committee, including unclassified information gathered by the Ombudsperson and her analysis of the same. On 2 June 2016, the Ombudsperson engaged with members of the European Union Council Working Group on Public International Law (COJUR) and the European Union Working Party of Foreign Relations Counsellors (RELEX) in Brussels. The topics that were discussed included the ways to create better conditions for information sharing with the Ombudsperson. Participants also explored ways to improve the awareness by domestic and European Courts of the elements of fairness that the Ombudsperson mechanism has promoted. The Ombudsperson also followed up with representatives of the Commission of the European Union on issues raised during the above mentioned Seminar on Sanctions.

19. On 2 July 2016, the Ombudsperson took part in a round table discussion on “Terrorism, State of Emergency Law and International Humanitarian Law” during the International symposium on Terrorism and criminal policy, organised by the Max-Planck Institute for Foreign and International Criminal Law in Freiburg, Germany. The objective of the symposium was to develop new approaches to the prevention and prosecution of terrorism, taking into account international experiences. On 4 July 2016, the Ombudsperson shared her thoughts on various aspects of the forms of confidentiality applying to the Ombudsperson’s process, including fairness issues arising from the use of confidential information to a selected group of academics gathered by the same Institute.

Interaction with the Security Council ISIL (Da’esh) and Al-Qaida Sanctions Committee

20. Since 2 February 2016, the Ombudsperson has appeared before the Committee on two occasions. On 20 April 2016, she presented her reports in one case in which the Petitioner was retained on the List and in the case of Farid Aider (delisted; formerly QDi. 161). On 17 June 2016 she presented her report in the case of Daniel Martin Schneider (delisted; formerly QDi.260). On the same day, the Ombudsperson took part in the discussion which followed the update by the Security Council Affairs Division (SCAD) of the Department of Political Affairs on actions taken by the Secretariat to strengthen the capacity of the Office of the Ombudsperson to carry out its mandate in an independent, effective and timely manner.³ The Ombudsperson commented on options, including possible administrative arrangements, presented by SCAD with a view to guarantee the independence of the Office of the Ombudsperson.

³ Update mandated by paragraph 59 of Security Council resolution 2253 (2015).

21. As previously, the Ombudsperson and staff supporting her have continued to engage regularly with the Coordinator and members of the Monitoring Team. The Monitoring Team has continued to provide relevant information in accordance with paragraph 4 of Annex II to Security Council resolution 2253 (2015). During this reporting period, the Monitoring Team assisted the Office of the Ombudsperson in reviewing delisting requests and supporting materials which were in German. The Team also provided assistance with gathered information which was in Arabic. It also helped the Office with German and Arabic-language communication with petitioners and other individuals contacted by the Office. Finally, the Monitoring Team gave expert advice on issues relevant to particular delisting requests.

Liaison with States, intergovernmental organizations, United Nations bodies and non-governmental organizations

22. The Ombudsperson and staff supporting her continued to interact with States during the reporting period, in particular States of relevance to the pending delisting petitions. In this reporting period they had several bilateral meetings with States interested in the work of the Office in order to discuss general issues, including issues related to possible options to increase the independence of the Office. The Ombudsperson continued discussions with a number of States concerning agreements or arrangements on access to confidential or classified information. She also maintained contacts with the informal Group of Like-Minded States on Targeted Sanctions⁴ and with representatives of the European Union and of the European Commission. As noted above, the Ombudsperson also met with some State officials in their capitals for general discussions and to obtain information regarding particular cases.

23. The Ombudsperson and staff supporting her continued to interact with representatives of the Counter-Terrorism Committee Executive Directorate and the Office of the High Commissioner for Human Rights. The Ombudsperson also discussed general legal issues of relevance with staff in the Office of Legal Affairs and that Office has continued to provide assistance to the Ombudsperson on various matters.

24. The Ombudsperson further interacted with non-government organizations including the International Centre for Transitional Justice.

Working methods and research

25. As previously, casework in this reporting period involved open-source research and contacts with journalists, to collect information and verify sources for publically available case-related material.

26. The Ombudsperson continued to follow developments and collected information with regard to relevant national and regional legal cases.

⁴ Comprising Austria, Belgium, Costa Rica, Denmark, Germany, Finland, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland.

Website

27. The website of the Office of the Ombudsperson (<https://www.un.org/sc/suborg/en/ombudsperson>) has continued to be revised and updated. An update to the Approach to Assessment of Information was posted on the website in February 2016.⁵

IV. Observations and conclusions

Fairness of the process

28. All the Committee decisions on delisting petitions made during the reporting period were premised solely on information gathered by the Ombudsperson and followed her recommendation. In no case did the Committee take a decision by consensus contrary to the recommendation and no matter was referred to the Security Council. While confidential material was considered in two cases during the reporting period, the Ombudsperson remained satisfied that the Petitioner was still aware of the substance of the case to be met. Therefore, in terms of knowing and answering the case and benefiting from an independent review and the availability of an effective remedy, all of cases met these fundamental requirements of fairness.

Transparency of the Process

General information about the Process

29. As anticipated in the Eleventh Report, the Website of the Office of the Ombudsperson has been updated to provide petitioners and their counsel with information on the practice of the Ombudsperson in relation to the use of information and the analysis of association and disassociation. It also notably addresses the mental element required for retaining the listing, the use of cumulative information and inferences. It is expected that beyond assisting Petitioners, the information in question will increase the transparency of the process *vis a vis* a broader interested public. During the above-mentioned seminar on sanctions, representatives of the European Union welcomed this update and indicated that they are currently making use of the increased transparency of the mechanism in their submissions before the courts of the European Union.

The petitioner

30. The Committee's positive trend toward including substantial excerpts of the analysis contained in the Comprehensive Report in reasons letters, both in retention and delisting cases, continued during the reporting period. The Committee's consistency and reliability in transmitting extensive reasons to petitioners are a major step towards making the process more transparent and fair. The Ombudsperson hopes this trend will continue in the next reporting period.

31. In the Eleventh report, the Ombudsperson reiterated her predecessor's suggestion to address the situation resulting from the delay in notifying the

⁵ Announced in the Eleventh Report, para. 36.

Petitioner in the event of retention.⁶ Empowering the Ombudsperson to advise the Petitioner of the decision to retain the listing immediately after the decision is taken, with a note that reasons will follow within the 60-day deadline, is even more needed in light of the increased delay in notifying the Petitioner in the event of retention. There was previously no need to separate the informal notice of a retention and the formal notification containing reasons, as reasons letters in retention cases were previously submitted reasonably quickly after the decision to retain the listing (on average 22 days after the Committee's decision). However, since the introduction of a 60-day deadline for transmittal of the reasons in resolution 2161 (2014), it has taken the Committee 52 days on average to transmit retention reasons to the Ombudsperson, for transmittal to the petitioner.⁷ In practice in delisting cases, there is already a timing difference in the communication to the petitioner of the outcome of the petition and the reasons for the decision. In these cases, the Ombudsperson informs successful petitioners of their delisting as soon as she is notified by the Committee of the decision (and before they would learn of the same through a press release). She does so before receiving the reasons letter from the Committee, which follows within 60 days, pursuant to paragraph 16 of resolution 2253 (2016). It would be in the interest of fairness and efficiency, to treat successful and unsuccessful petitioners alike in this respect. There is no rationale for treating them any differently.

Cooperation of States/State support to the Office of the Ombudsperson

32. State cooperation and expressions of support for the Office of the Ombudsperson remained strong during this reporting period. All but one State provided a response to requests for information presented and all Designating States and States of Residence/Nationality replied in all completed cases. In addition, States across regional groupings have expressed strong support for the work of the Office of the Ombudsperson both during bilateral meetings and at recent debates concerning sanctions.⁸

Independence of the Office of the Ombudsperson

33. Resolution 2253 (2015) specifies that the Ombudsperson shall neither seek nor receive instructions from any government. The independent and impartial review of delisting requests is at the core of the Ombudsperson's mandate. The Ombudsperson must not only act in an independent and impartial manner when conducting reviews of delisting requests, she must also be seen to do so. The Ombudsperson's role, functions, reporting responsibilities which relate specifically to delisting requests and reasons for independence are profoundly different from that of the experts.⁹

⁶ Tenth report, paragraph 47 and Eleventh report, paragraph 42.

⁷ In one case, the period had started to run before the introduction of the 60-day deadline.

⁸ See e.g. discussions with representatives of the Group of Like Minded States (Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, Netherlands, Norway, Sweden and Switzerland) on 11 February and 29 June 2016, following-up on the adoption of resolution 2253 (2015); 51st meeting of the Committee of Legal Advisors on Public International Law (CAHDI) of the Council of Europe on 4 March 2016; Open Briefing to United Nations Member States by Catherine Marchi-Uhel, Ombudsperson, Security Council ISIL (Da'esh) and Al-Qaida Sanctions Committee, held on 29 March 2016; EU/UN Seminar on Sanctions on 15 April 2016; meeting of the EU Council working group on public international law (COJUR) and of the Working party of Foreign Relations Counsellors (RELEX) on 2 June 2016.

⁹ Tenth Report, paragraph 71.

Furthermore, in view of the weight given by the Security Council to the recommendations of the Ombudsperson,¹⁰ the guarantees and respect of the requirements of independence and fairness of the Ombudsperson mechanism are all the more important for its integrity and credibility.

34. In resolution 2253 (2015), the Security Council requested the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson and to make the necessary arrangements to ensure its continued ability to carry out its mandate in an independent, effective and timely manner, and to provide the Committee an update on actions taken in six months.¹¹

Current deficiencies in the status of the Office of the Ombudsperson

35. This request arose from a number of deficiencies identified by the former and current Ombudsperson in the current arrangements with the Secretariat. In particular, these difficulties were highlighted in great detail by the first Ombudsperson in her Seventh to Tenth Reports to the Security Council and by the current Ombudsperson in the Eleventh Report. The main aspects of these deficiencies are summarized below for ease of reference.

36. To date, no separate “Office of the Ombudsperson” has been established. As a result, the budget for the operations of the Ombudsperson mechanism is subsumed in the budget for the Analytical Support and Sanctions Monitoring Team. Furthermore, the two successive Ombudspersons have been recruited as consultants. Absent certification covering both attendance and performance, the Ombudsperson will not be paid. As noted by the former Ombudsperson, the performance of the Ombudsperson is subject to an evaluation with reference to undefined “conditions” by unidentified officials within the Division of the United Nations providing support and assistance to the Security Council and the Committee, including with respect to the imposition, enforcement and implementation of sanctions. These are the very bodies in relation to which the Ombudsperson must maintain independence.¹² The former Ombudsperson recognized that the certification requirement had not been used in practice to attempt to interfere with the performance of functions by the Ombudsperson. Nonetheless, she was of the view that this contractual requirement, in principle and optically, constitutes a significant restriction on the independence of the Ombudsperson.¹³ Furthermore, the consultancy contract pre-empts the structural establishment of any form of “Office of the Ombudsperson”, independently managed by the Ombudsperson, as foreseen by the Security Council.¹⁴ Indeed, as a consultant, the Ombudsperson can neither be a recruiting officer nor a supervisor of the staff members assisting her. The Security Council Subsidiary Organs Branch (SCSOB) has recruited and formally supervises the two staff members in question, a Legal

¹⁰ Under Annex II to resolution 2253 (2015), paragraph 14, the Ombudsperson’s recommendation to maintain a listing stands unless a Committee member submits a delisting request. Under paragraph 15 of the same annex, the Ombudsperson’s recommendation to delist stands by default unless the Committee decides by consensus before the end of the 60-day period to maintain the listing; or, in cases where consensus does not exist, the question of the listing is submitted to the Security Council and the Council decides to maintain de listing.

¹¹ Security Council resolution 2253 (2015), para. 59.

¹² Tenth Report, para. 62.

¹³ Tenth Report, para. 63.

¹⁴ Tenth Report, para. 64.

Officer (P-4) and an Administrative Assistant. As reported by the Ombudsperson in the Eleventh Report, she was prevented from fully taking part in the recruitment process to replace the Legal Officer during her maternity leave.¹⁵ Furthermore, in the past the responsibility of supervision and performance appraisal of the staff assisting the Ombudsperson was assigned to the Secretary of the Committee, further exacerbating the potential for conflict.¹⁶ Also, while the views of the Ombudsperson as to the performance of the two staff members have been reflected in the evaluation of their performance for the period 2015-2016, there have been past instances when this was not the case. This exemplifies that guarantees of the independence of the Ombudsperson and her Office cannot be left to the good will of individuals in the Secretariat. Additionally, the former Ombudsperson has described practical challenges having arisen from instructions being given by political affairs officers within SCSOB to staff assisting the Ombudsperson as well as other obstacles to the independent operation of the Office.¹⁷ Finally, the Ombudsperson described in the Eleventh report another aspect of the inadequacy of the consultancy contract which became apparent during the transition period.¹⁸

37. In its November 2015 Compendium, the High Level Review of United Nations Sanctions notably recommended that the Secretary-General propose options for ensuring that the administrative, contractual and other support arrangements for the Ombudsperson be specific to the distinctive role of the Ombudsperson. It recommended that these arrangements include institutional protections to allow the Office to actually meet the definition of an “independent office”. Furthermore, a proposal transmitted to the President of the Security Council by the Group of Like-Minded States on targeted sanctions calls for “Fair and clear procedures for a more effective UN sanctions system”, including a suggestion that the Office of the Ombudsperson should be restructured with a view to institutionalizing the Office, i.e. through its transformation into a permanent office or a Special Political Mission (SPM) office within the Secretariat.¹⁹

¹⁵ Eleventh Report, para. 47. The Ombudsperson was consulted prior to shortlisting the candidates and spoke individually to the few candidates that the recruitment panel ultimately found to be suitable. Her opinion was taken into account before recruiting, but she was denied participation, even as an observer, in the competency based interviews of candidates shortlisted for the position (*ibid*).

¹⁶ Tenth Report, para. 65.

¹⁷ In the past, SCSOB required the Legal Officer to submit substantive trip reports at the conclusion of any official travel undertaken to assist the Ombudsperson and this led the former Ombudsperson to suspend such assistance until such requirement was ultimately discontinued (Seventh Report, para. 70, Eight Report, para. 51). On another occasion, without notice to the former Ombudsperson, the staff of the Office were directed by SCSOB to make a substantive change to the website of the Office of the Ombudsperson. Those instructions were countermanded by the then Ombudsperson (Tenth Report, para. 67). At another time, for reasons entirely unrelated to financial accountability, officials in SCAD temporarily blocked the travel of the Ombudsperson for a core function – the interview of a Petitioner. The former Ombudsperson noted that while the matter was resolved fairly quickly, it illustrates the dangers to independence even with respect to core functions, when it is reliant exclusively on individual actions, without institutional safeguards. Another situation, which occurred apparently by mistake, highlighted the dangers arising from the fact that the Ombudsperson does not have control over who has access to the electronic drives which contain the general material related to the work of the Office (though no State confidential material).

¹⁸ See Eleventh report, paragraph 47, according to which the nature of this contract prevented adequate compensation of the former Ombudsperson who, as required, prepared for and presented her Comprehensive Reports to the Committee in the various cases scheduled on the agenda of the Committee after completion of her term.

¹⁹ Letter dated 12 November 2015 from the Permanent Representatives of Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland to the United Nations addressed to the President of the Security Council (S/2015/867). The Group of Like-Minded States on targeted sanctions had

Update to the Committee by the Secretariat under paragraph 59 of resolution 2253 (2015)

38. During the reporting period, in view of the Security Council's request for an update from the Secretary-General in paragraph 59 of resolution 2253 (2015), the Ombudsperson reviewed several relevant arrangements in place for United Nations officials who exercise functions involving a requirement of independence.²⁰ Thereafter, the Ombudsperson engaged and had fruitful discussions with SCAD on ways to include guarantees of independence in future administrative arrangements pertaining to the Ombudsperson and the Office of the Ombudsperson. The Ombudsperson identified priorities for these possible future arrangements. These priorities are based on the comparison between the functions and administrative arrangements of the Ombudsperson and those of United Nations officials whose functions require independence.

39. On 17 June 2016, SCAD briefed the Committee on the current arrangements for the Ombudsperson and her Office and on issues arising from these arrangements. It presented options for reforming the same. SCAD stressed that the structures retained for the Office of the Internal Oversight Services (OIOS), the United Nations Ombudsman and tribunals, which require dedicated administrative support, would be costly and time consuming to set up for the Office of the Ombudsperson. By contrast, establishing the Office of the Ombudsperson as a stand-alone SPM would require minor adjustments to the "Cluster II SPM" framework²¹ and would not involve a significant cost increase. SCAD highlighted that the Executive Office of the Department of Political Affairs (DPA), which would be supporting such an SPM, is already supporting the Office of the Ombudsperson. In turn, the Office of the Ombudsperson would have to assume some additional administrative work previously performed by SCAD. In terms of possible status and contractual arrangements, SCAD presented two options. The first was that of "Official other than Secretariat Officials". If this option were chosen, the Ombudsperson's conditions of service would have to be specifically spelled out. The second option would be to give the Ombudsperson the status and contractual arrangements of a United Nations staff member. This option would require the inclusion of an operational independence clause in her contract and periodic evaluation of the Ombudsperson's performance by the United Nations Secretariat. Following SCAD's presentation of these possible options, the Chair of the Committee invited the Ombudsperson to share her views on these matters with the Committee.

Options for a new structure and status

previously brought these concerns to the attention of the Security Council in April 2014 and in June 2015 (S/2014/286 and S/2015/459). They noted in the latter document that "the status and privileges of the position should fully reflect the independence required to perform the tasks of the Ombudsperson effectively. Furthermore, the applicable administrative arrangements in place for budgeting, staffing, staff management and resource utilization at the Ombudsperson's Office lack the critical features of autonomy. In fact, structurally no Office of the Ombudsperson has been created despite the decision in Security Council resolution 1904 (2009)."

²⁰ The arrangements reviewed are those in place for Officials having either the status of staff members (Under Secretary General, Office of the Internal Oversight Services (OIOS); the Ombudsman (ASG); the Executive Director of Counter Terrorism Directorate) or the status of Officials other than Secretariat Officials (Permanent and *ad litem* Judges of the International Criminal Tribunal for the former Yugoslavia, Judges of the United Nations Dispute Tribunal and International Judges of the Extraordinary Chambers in the Courts of Cambodia).

²¹ Cluster II comprises 14 special political missions (*i.e.* sanctions monitoring teams, groups and panels).

40. The Ombudsperson agrees with the Secretariat's proposal that the Office of the Ombudsperson be established as a stand-alone SPM, with a dedicated budget. The size of the Office of the Ombudsperson as currently staffed does not justify having an executive office of its own. There would be no adverse consequence in terms of independence of the Office of the Ombudsperson in continuing to rely on DPA's Executive Office, as presently, for logistical and administrative support. The Office would also be able to absorb the additional administrative work previously performed by SCAD as noted above.

41. While neither the status of Official other than Secretariat Official nor the status of United Nations staff member are perfect options for the Ombudsperson, each of them is fully satisfactory provided that a few conditions pertaining to each option are met. However, in the Ombudsperson's view, the status of Official other than Secretariat Official is the best of the two options in terms of real and perceived independence of the Ombudsperson. This is notably the status retained by the United Nations for its international judges,²² and it does not require an evaluation of the Ombudsperson's performance.

42. The status of United Nations staff member would also be acceptable, but there is an important caveat to this option to fully guarantee the independence of the Ombudsperson. It concerns the modalities retained to evaluate the Ombudsperson's performance. If this option were preferred, it would be critical to ensure that the modalities of evaluation, the reporting lines and the goals retained as part of the evaluation would not encroach on the independence of the Ombudsperson. This is a sensitive issue but not an unsurmountable one and there are precedents with the heads of two independent offices (OIOS and the Office of the United Nations Ombudsman and Mediation Services) whose performance is evaluated by the Secretary-General via "Compact"²³. The Ombudsperson is of the view that under this status, the reporting line for the Ombudsperson should be outside of DPA.

43. Unlike the status of United Nations staff member, the choice of the status of Official other than Secretariat Official would not automatically resolve the managerial aspects arising from the Office of the Ombudsperson functioning as an independent office. With that status, the Ombudsperson could not formally be a hiring officer or supervisor. However, unlike the consultant status, the status of Official other than Secretariat Official is sufficiently flexible to embed satisfactory arrangements to guarantee the involvement of the Ombudsperson in the recruitment, tasking, substantive direction and evaluation of staff members' performance. There are precedents of such arrangements for international judges. Such arrangements are unquestioned in these institutions, so they have not been formalised. But in light of the past practice under the Ombudsperson's consultancy status, it would be necessary to formalise such arrangements for the Ombudsperson. This could be done in the conditions of service, the terms of reference or even in an inter-office memorandum

²² Consideration could be given to subjecting the Ombudsperson to procedures applicable in the United Nations in case of misconduct of an official. Likewise the operations of the Office would be subject to the existing oversight mechanism.

²³ In 2006, the United Nations introduced Senior Managers' Compacts. A "Compact" is an annual agreement between the Secretary General and the senior-most officials setting specific objectives and managerial tasks in each year and outlining clear roles and responsibilities for these officials. In 2010, the compact regime was broadened to include heads of peacekeeping and of SPMs.

between the Ombudsperson and the office formally tasked with the recruitment and evaluation of the staff of the Office of the Ombudsperson.

44. Finally, the maximum term of five years for the Ombudsperson is a consequence of the current status of consultant. The Ombudsperson is of the view that imposing a maximum term of office would not encroach on the independence of the Ombudsperson. It could be considered under any of the two options discussed. Five or even better seven years would be a reasonable term. Also under these options, unlike with a consultancy contract, there would be no implied bar to the Ombudsperson's eligibility for posts in the Secretariat upon completion of her/his mandate. However, the Ombudsperson is of the view that ineligibility for a set duration may increase appearances of independence of the Ombudsperson.

Conclusion

45. The Ombudsperson commends the efforts and steps taken by the Secretariat as requested by operative paragraph 59 of Security Council resolution 2253 (2015). The options presented by SCAD as to arrangements that would be necessary to ensure that the Office of the Ombudsperson has the ability to carry out her mandate in an independent and effective manner provide a sound basis to guarantee the independence of the Office of the Ombudsperson in the future. The Ombudsperson is hopeful that these efforts will not be vain and that one of these options will materialise, thus increasing the credibility of the Ombudsperson's process.

Requests from individuals mistaken for a listed person under another regime

46. In this reporting period, the Ombudsperson received a request from an individual who has similar particulars to those of a listed person on the 1988 Sanctions List (of individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan). He claimed to have been subjected to sanctions measures under that regime as a result of confusion with an individual included on that list. Under the ISIL (Da'esh) and Al-Qaida sanctions regime, individuals experiencing problems as a result of confusion or mistaken identity with someone listed on the sanctions list may have recourse to the Focal Point.²⁴ However, the mandate of the Focal Point under other regimes does not extend to cases of mistaken identity or confusion with an individual listed under another regime. As a result, individuals experiencing such problems resulting from mistaken identity or confusion with an individual listed under another regime have no recourse or depend on their State of nationality of residence to bring the matter to the relevant Committee's attention. This is a question that falls outside the mandate of the Ombudsperson. However, as such requests are sent to the Ombudsperson, it was felt that it was important to highlight it here. It would be beneficial for such individuals to have recourse to the Focal Point, as is the case under the ISIL (Da'esh) and Al-Qaida sanctions regime.

Conclusion

47. The Ombudsperson's mechanism and its progressive reinforcement are instrumental in making the ISIL (Da'esh) and Al-Qaida sanctions regime more consistent with fundamental human rights obligations. It no doubt reinforces the credibility of this regime and has in turn assisted States in implementing the

²⁴ Security Council resolution 2253 (2015), para. 77 (b).

sanctions imposed by the Committee. The efforts made in this reporting period towards addressing the structural challenges in terms of independence are a welcome development.

48. However, as has been highlighted in this and previous reports, there remain areas for improvement. The Ombudsperson has repeatedly noted that the process before the Ombudsperson remains unnecessarily opaque. For as long as comprehensive reports or reasons are not made publically available, every effort has to be made to inform petitioners and the general public about the process before the Ombudsperson. It is particularly important to maintain the level of transparency achieved so far by providing, subject to confidentiality restrictions, complete reasons to petitioners for the Committee's decision, both in retention and delisting cases. It is hoped that the positive trend observed in the last year will be maintained in future.

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
29 August 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^a (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

^a 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^b)

<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

^b 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
30 August 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
9 October 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)^c

<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

^c 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 Abbes) (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
4 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
22 July 2015	Formal notification to petitioner with reasons

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: denied)

<i>Date</i>	<i>Description</i>
29 May 2015	Transmission of case 64 to the Committee
25 February 2016	Comprehensive report submitted to the Committee
20 April 2016	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
20 April 2016	Committee decision to retain listing
9 June 2016	Formal notification to petitioner with reasons

Case 65, Farid Aider (Status: delisted)

<i>Date</i>	<i>Description</i>
27 August 2015	Transmission of case 65 to the Committee
26 February 2016	Comprehensive report submitted to the Committee
20 April 2016	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
20 June 2016	Committee decision to delist
20 June 2016	Formal notification to petitioner with reasons

Case 66, one individual (Status: Committee phase)

<i>Date</i>	<i>Description</i>
15 October 2015	Transmission of case 66 to the Committee
15 June 2016	Comprehensive report submitted to the Committee

Case 67, Daniel Martin Schneider (Status: delisted)

<i>Date</i>	<i>Description</i>
3 February 2016	Transmission of case 67 to the Committee
29 April 2016	Comprehensive report submitted to the Committee
17 June 2016	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
5 July 2016	Committee decision to delist

Case 68, one individual (Status: Dialogue phase)

<i>Date</i>	<i>Description</i>
22 March 2016	Transmission of case 68 to the Committee
23 September 2016	Deadline for completion of the Dialogue phase

Case 69, one individual (Status: Information-gathering phase)

<i>Date</i>	<i>Description</i>
8 June 2016	Transmission of case 69 to the Committee
7 October 2016	Deadline for completion of the Information-gathering phase

Case 70, one individual (Status: Information-gathering phase)

<i>Date</i>	<i>Description</i>
12 July 2016	Transmission of case 70 to the Committee
14 November 2016	Deadline for completion of the Information-gathering phase
