



2016年8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十二次报告。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 2016 年 2 月 2 日至 2016 年 7 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. 本报告介绍了自 2016 年 2 月 2 日监察员第十一次报告(S/2016/96)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

2. 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

3. 在本报告所述期间，监察员办公室收到并受理了 4 宗新案，包括再次提出的申请。另有 1 项再次提交的除名申请，但监察员认为其并不包含任何补充资料，因此将其退还申请人，并附加了解释，供其根据第 2253(2015)号决议附件二第 1(e)段的规定予以考虑。在编写本报告期间，尚未收到答复。监察员还收到另外 1 项除名申请，但认定申请没有充分述及第 2253(2015)号决议第 3 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 7 月 31 日，办公室自设立以来收到的除名申请总数为 70 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。

4. 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 65 份综合报告。¹ 在本报告所述期间，监察员提交了 4 份报告，并 3 次出席委员会会议，介绍 6 宗案件。

5. 自印发第十一次报告以来，已通过监察员程序将 2 人除名² 并保留了 1 人的列名。

6. 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 65 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 62 宗案件中，45 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，12 份除名申请被驳回。此外，3 名个人在完成监察员程序前被

¹ 这个数字包括 2013 年结案的 1 个案件，其中委员会在监察员向委员会提交报告后但尚未介绍该报告前便决定将申请人除名。在 2013 年结案的另外两个案件中，委员会在监察员提交报告之前已决定将申请人除名，因此监察员提出的理由已无意义。

² Farid Aider 和 Daniel Martin Schneider。

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 7 月 31 日的所有案件状况说明载于本报告附件。

7. 在编写本报告时，监察员有 3 宗待决案件处于收集信息/对话阶段，委员会有 1 项待决案件。本报告所述期间向办公室提交的 4 份申请均由个人提出。迄今为止，在总共 70 宗案件中，62 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 70 宗案件中，35 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

8. 在 4 宗新案中，迄今向 16 个国家发送了 17 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 4 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。

9. 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。

10. 在本报告所述期间，监察员有一次依照第 2253(2015)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将申请人除名的情况下，缩短了收集资料的期限。

与申请人对话

11. 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 3 名申请人。

向有关国家提供综合报告

12. 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 5 份披露信息请求。委员会批准了所有请求。

查阅保密或机密信息

13. 在本报告所述期间，未就查阅保密或机密信息达成新安排。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利坚合众国达成了 16 项安排。与前任监察员作出的 1 项安排所用措辞明确表示它是有关国家与前任监察员本人间的安排。监察员与该国进行了接触，但该国尚未确认与前任监察员的该项安排是否依然有效。

14. 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。一个国家确认愿意签订资料分享协议，监察员与法律事务厅及该国常驻联合国代表团进行互动后，该国当局目前正在拟订最后草案。一些国家已经确认正在考虑是否有可能作出资料分享安排。

三. 有关监察员办公室发展的活动综述

概况

15. 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

16. 鉴于时间和资源的限制，监察员尽量参加了几次外联活动。

17. 2016年2月8日，监察员参加了查塔姆大厦举行的打击资助恐怖主义行为问题会议。她从人权的角度论述了在审查除名请求时所面临的限制因素和挑战。监察员在2016年3月29日的公开通报会上向会员国介绍了其办公室所处理案件的最新情况，还介绍了最近在提高监察员机制的透明度、同时按安全理事会要求将综合报告作为机密文件处理方面取得的进展。2016年5月6日，监察员参加了多伦多国际法、跨国法律和比较法律研究机构的年度会议。她谈到了现代国际化刑事司法和制裁形式的平行发展，并比较了监察员与国际刑事司法从业人员所发挥的作用。

18. 本报告所述期间，监察员与欧洲委员会和欧洲联盟的代表进行了广泛接触。2016年3月4日，监察员在法国斯特拉斯堡举行的欧洲委员会国际公法法律顾问委员会(公法顾委)第51次会议上发言。她向该公法顾委简要介绍了自己从前任过渡的情况，并论述了自己作为监察员在解决所面临的某些挑战方面取得的积极进展。2016年4月15日，监察员参加了由欧洲联盟和联合国在纽约联合举行的制裁问题讨论会。她在发言中根据欧洲标准衡量了监察员机制。她还探讨了现有的渠道披露信息，还论及了一些国内和区域诉讼程序如何利用她向委员会提交的综合报告所载的信息，包括监察员收集的非机密资料及其对该资料的分析。2016年6月2日，监察员在布鲁塞尔与欧洲联盟理事会国际公法问题工作组和对外关系顾问工作小组进行了互动。讨论的主题包括如何为与监察员共享信息创造更好的条件。与会者还探讨了如何使国内法院和欧洲法院对监察员机制增强公平性的工作提高认识。监察员还就上述制裁问题研讨会上提出的问题与欧洲委员会代表进行了讨论。

19. 2016年7月2日，在马克斯·普朗克外国和国际刑法研究所在德国弗赖堡举办的恐怖主义和刑事政策国际讨论会期间，监察员参加了关于恐怖主义、紧急状态法和国际人道主义法的圆桌讨论。国际讨论会的目标是参照国际经验制定防止和起诉恐怖主义的新办法。在该研究所2016年7月4日举行的一次会议上，监察员从多方面论述了适用于监察员程序的保密方式，包括在使用机密信息方面出现的公平性问题。与会者是一组学者。

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

20. 自 2016 年 2 月 2 日以来, 监察员 2 次出席了委员会会议。2016 年 4 月 20 日, 她介绍了 2 宗案件, 其中一宗案件的申请人被保留在名单上, 另一宗为 Farid Aider 案(已除名; 此前为 QDi.161)。2016 年 6 月 17 日, 她介绍了 Daniel Martin Schneider 案(已除名; 此前为 QDi.260)。同日, 政治事务部安全理事会事务司介绍了秘书处如何采取行动加强监察员办公室的能力, 使其能够独立、有效、及时地履行任务。³ 监察员参加了随后进行的讨论。监察员评论了该司就如何保证该办公室具有独立性而提出的各种方案。

21. 与以往一样, 监察员及其办公室工作人员继续与协调员和分析支助和制裁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。本报告所述期间, 监测组协助监察员办公室审查了德文的除名申请和相关辅助材料, 并协助审查了收集的阿拉伯文资料。监测组还帮助办公室用德文和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

22. 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。他们与关心办公室工作的国家举行了数次双边会议, 讨论了某些一般问题, 包括通过哪些可能的方式增强该办公室的独立性。监察员还就查阅机密或保密信息的协议或安排与一些国家继续举行了讨论。监察员还与非正式的在定向制裁问题上观点一致国家集团⁴ 以及欧洲联盟和欧洲联盟委员会代表保持了联系。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。

23. 监察员及其办公室工作人员继续与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。监察员还与法律事务厅的工作人员讨论了相关的一般性法律问题。该厅继续就各种问题向监察员提供援助。

24. 监察员还与过渡期正义国际中心等非政府组织进行了互动。

工作方法和研究

25. 与以往一样, 本报告所述期间的办案工作包括利用开放源码进行研究, 还包括与记者联系, 就公开可得的案件相关材料收集信息、核实来源。

26. 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

27. 监察员办公室继续修订和更新网站(<https://www.un.org/sc/suborg/en/ombudsperson>)。2016 年 2 月对网站上题为“资料评估方法”的章节发布了更新内容。⁵

³ 安全理事会在第 2253(2015)号决议第 59 段中授权说明的最新情况。

⁴ 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。

⁵ 见 S/2016/96, 第 36 段。

四. 意见和结论

程序的公正性

28. 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。因此，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。

程序的透明度

程序的一般资料

29. 如第十一次报告所预计，监察员办公室网站现已更新，以向申请人及其律师介绍监察员在使用资料和分析是否有关联方面的做法。网站还特别说明了保留列名所要求的心理要件，以及如何使用累积资料和推论。有关资料除了协助申请人之外，预计还将有助于感兴趣的广大公众人士更清楚地了解相关程序。在上述制裁问题研讨会上，欧洲联盟代表欢迎更新网站内容，并表示他们当前向欧洲联盟的法院提交的材料得益于机制透明度的增强。

申请人

30. 在保留列名和从清单除名的案件中，监察员的建议依据的是概述原因的来信。委员会出现的一个积极的趋势是，这些信件日益大量包含综合报告所载的分析。本报告所述期间继续存在此趋势。委员会一贯而可靠地向申请人详尽说明理由。这是在提高程序透明度和公平性方面的一个重大步骤。监察员希望该趋势在下一报告期间会继续下去。

31. 监察员在第十一次报告重申了前任的一项建议，即：在将申请人保留在名单上的情况下，应解决迟迟不通知申请人的问题。⁶ 目前，在保留列名情况下延迟通知申请人的情况日益严重。因此，更有必要授权监察员在决定保留列名后立即通知申请人，告知将在 60 天内发去原因说明。以前不需要分别发出非正式通知和正式通知，前者通报保留列名，后者说明理由，因为这些通知函在委员会决定保留列名后很快便提交(平均在作出决定后 22 天内发出)。然而，第 2161(2014)号决议将发信说明保留列名原因的期限规定为 60 天。此后，委员会向监察员发送通知函以转交申请人的平均用时为 52 天。⁷ 实际上，在成功除名的案件中，向请愿人通知申请结果的时间，与其通知理由的时间，已经有差异。在这些案件中，监察员得知委员会决定后，便立即将除名信息通报给成功除名的申请人(在

⁶ 见 S/2015/533，第 47 段；S/2016/96，第 42 段。

⁷ 在一个案件中，发信期在 60 天期限出台前已经开始。

其通过新闻稿获知消息之前)。她采取该行动的时间是在收到委员会提出理由的信件之前。根据第 2253(2015)号决议附件二第 16 段规定,该信在采取此行动后的 60 天内发出。在这方面,以同等方式对待成功和不成功的申请人将有利于公平和效率;没有理由对两者加以区别对待。

国家合作/国家对监察员办公室的支持

32. 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。除一国外,所有国家均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,各区域分组国家在双边会议和最近关于制裁的辩论中均表示坚决支持办公室的工作。⁸

监察员办公室的独立性

33. 第 2253(2015)号决议规定,监察员不得寻求或接受任何政府的指示。独立和公正审议从清单除名的申请是监察员任务的核心。在审查除名申请时,监察员不仅必须以独立和公正的方式行事,还必须使外人能看到监察员是这样做的。监察员在审查除名申请方面的作用、职能、报告责任,其应保持独立的理由,均与专家大有不同。⁹此外,鉴于安全理事会十分重视监察员的建议,监察员机制保证和遵守独立和公正规定,对于保持其诚信度和公信力就更加重要。¹⁰

34. 安全理事会第 2253(2015)号决议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。¹¹

监察员办公室的状况当前存在的缺陷

35. 据前任和现任监察员确定,与秘书处的现行安排存在一些缺陷。前任监察员在向安全理事会提交的第七次至第十次报告中、现任监察员在第十一次报告中非常详细地、突出地说明了这些缺陷。现将这些缺陷的主要方面概述如下,以便于参阅。

36. 迄今为止,尚未成立单独的“监察员办公室”。因此,监察员机制的业务预算隶属在分析支助和制裁监察组的预算之下。此外,连续两届监察员均以咨询人

⁸ 例如,见观点一致国家集团代表在第 2253(2015)号决议通过后于 2016 年 2 月 11 日和 6 月 29 日进行的讨论;2016 年 3 月 4 日举行的国际公法法律顾问委员会第 51 次会议;监察员 2016 年 3 月 29 日在安全理事会伊黎伊斯兰国(达伊沙)和基地组织制裁委员会举行的公开通报会上向会员国所作通报;2016 年 4 月 15 日举行的欧洲联盟/联合国制裁问题讨论会;2016 年 6 月 2 日举行的会议及欧洲联盟理事会国际公法问题工作组和对外关系顾问工作小组会议。

⁹ 见 S/2015/533, 第 71 段。

¹⁰ 根据第 2253(2015)号决议附件二第 14 段,除非委员会某一成员提出除名请求,否则应按监察员建议保留列名。根据同一附件第 15 段,除非委员会在 60 天期限结束前以协商一致方式决定保留列名,否则应按监察员建议除名;并规定,如无法达成协商一致,应把是否除名的问题提交安全理事会,由安理会决定是否维持列名。

¹¹ 见第 2253(2015)号决议,第 59 段。

身份征聘。未经出勤和业绩核证，监察员将得不到工资。正如前任监察员所述，监察员的业绩须经联合国某司身份不明的官员评估，所依据的“条件”并不确定。该司负责支持和协助安全理事会及伊黎伊斯兰国(达伊沙)和基地组织制裁委员会，包括在规定、执行和实施制裁方面予以支持和协助。这些正是监察员机构必须与之保持独立的机构。¹² 前任监察员承认，尚未有人在实践中试图利用核证规定来干扰其发挥职能。然而，她认为此合同规定无论在原则上还是外观上都对监察员的独立性形成了很大的限制。¹³ 此外，根据咨询合同的结构设计，不可能按照安全理事会的设想建立任何形式的由监察员独立管理的“监察员办公室”。¹⁴ 事实上，监察员作为咨询人，既不能征聘也不能监管协助她的工作人员。安全理事会附属机构事务处征聘了2名工作人员，包括1名法律干事(P-4)和1名行政助理，并对其承担正式的监管责任。据监察员在第十一次报告中所述，该法律干事在产假期间需要有人接替，但监察员无法充分参与相关的征聘程序。¹⁵ 此外，对监察员助理工作人员的监督和业绩评价责任以前由委员会秘书承担，进一步增大了发生冲突的可能。¹⁶ 另外，虽然监察员对2名工作人员业绩的意见已反映在其2015-2016年期间的考绩中，但过去曾发生与此不同的情况。这表明，保障监察员及其办公室的独立性这一责任不能留待秘书处人员来完成。此外，前任监察员所述的实际挑战还包括安全理事会附属机关事务处的政治事务干事对监察员助理工作人员发号施令，并且存在其他影响办公室独立运作的障碍。¹⁷ 最后，监察员在第十一次报告中还从另一个方面指出了咨询合同在过渡时期暴露出的缺陷。¹⁸

37. 2015年6月联合国高级别审查简编(A/69/941-S/2015/432)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。该简编还建议这些安排应包括体制性保障措施，使该办公室能够切实符合“独立办

¹² 见 S/2015/533，第 62 段。

¹³ 同上，第 63 段。

¹⁴ 同上，第 64 段。

¹⁵ 见 S/2016/96，第 47 段。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。

¹⁶ 见 S/2015/533，第 65 段。

¹⁷ 过去，该处规定法律干事在为协助监察员而出差后提交实质性出访报告。这导致前任监察员中止了这种协助，直至最终撤销这项规定(见 S/2014/73，第 70 段；S/2014/553，第 51 段)。另一次，该处未通知前任监察员即指示办公室工作人员对办公室网站作出实质性更动。当时的监察员驳回了该项指示(见 S/2015/533，第 8 段)。还有一次，出于与财务问责毫不相干的理由，安全理事会附属机构事务处的官员临时叫停监察员的旅行。该次旅行的目的是执行一项核心职能，即约谈申请人。前任监察员指出，虽然这件事很快得到解决，但它却表明，如果监察员办公室完全依赖于个人行动，得不到机构性保障，则即使是核心职能的独立性都岌岌可危。另一个情形显然是出于失误，但也突显了一种危险性，因为监察员不能控制何人可使用载有监察员办公室工作一般材料(尽管不涉及各国机密材料)的电子驱动盘。

¹⁸ 见 S/2016/96，第 46 段。前任监察员任期结束后，按规定就委员会议程上各种待审议案件编写了综合报告并加以介绍，但由于合同的性质，却无法向其提供适足的报酬。

公室”的定义。此外，在定向制裁问题上观点一致国家集团提出一项提案，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，并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。¹⁹

安全理事会在第 2253(2015) 号决议第 59 段中授权说明的最新情况

38. 本报告所述期间，鉴于安全理事会在第 2253(2015)号决议第 59 段中请秘书长在 6 个月内向委员会提供最新资料，说明采取的行动，监察员审查了几个为履行职能时要求保持独立性的联合国官员作出的有关安排。²⁰ 此后，监察员安全理事会事务司进行了互动，就如何将保障独立性的措施纳入今后有关监察员和监察员办公室的行政安排开展了富有成果的讨论。监察员确定了这些可能的未来安排的重点事项。作为确定重点事项的依据，对监察员与职能要求其独立的联合国官员，在职能和行政安排上进行了比较。

39. 2016 年 6 月 17 日，安全理事会事务司向委员会简要介绍了监察员及其办公室的现行安排以及这些安排所产生的问题；还介绍了改革这些安排的备选方案。该司强调，为内部监督事务厅(监督厅)、联合国监察员和调解事务办公室、各法庭保留的结构需要提供专门的行政支助，如果为监察员办公室也作出此种安排，代价会很高，而且耗费时间。与此相比，如将监察员办公室设为独立的特别政治任务，则只需略微调整专题群组二特别政治任务框架，²¹ 不需要大幅度增加费用。该司着重指出，将负责支持这样一个特别政治任务的政治事务部执行办公室目前已经负责支持监察员办公室。此外，监察员办公室还将承担该司原先的一些额外行政工作。关于可能的地位和合同安排，该司提出了两个备选办法。第一个是给予“非秘书处官员的官员”的地位。如果选择这一备选办法，将必须具体规定监察员的服务条件。第二个备选办法是保持目前作为联合国工作人员的地位与合同安排。这一备选办法将需要在监察员合同中列入业务独立性条款，并规定由秘书处定期评估监察员的业绩。该司提出这些备选方案后，委员会主席请监察员就这些问题向委员会阐述意见。

¹⁹ 见 S/2015/867，附件。在定向制裁问题上观点一致国家集团此前曾提请安全理事会注意这些问题，详情分别见 2014 年 4 月 S/2014/286、2015 年 6 月 S/2015/459 这两份文件的附件。这些国家在后一份文件中指出，“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要的独立性。此外，监察员办公室现有的关于预算编制、人员配置、工作人员管理和资源利用的行政安排缺乏关键的自主权。事实上，尽管安全理事会第 1904(2009)号决议作出了决定，但监察员办公室从结构上来说还尚未设立”。

²⁰ 所审查的安排的对象包括：具有工作人员身份的官员(主管内部监督事务副秘书长、监察员(助理秘书长)、反恐恐怖主义委员会执行局执行主任)或非秘书处官员的其他官员(前南问题国际法庭常任法官和审案法官、联合国争议法庭法官、柬埔寨法院特别法庭国际法官)。

²¹ 专题群组二有 14 个特别政治任务(各类制裁监测组)。

新结构和地位的备选方案

40. 监察员同意秘书处的建议，即监察员办公室应设为独立的特别政治任务，拥有专门预算。以办公室目前的人员配置规模而论，没有理由设立自己的执行办公室。按现行安排继续依靠政治事务部执行办公室提供后勤和行政支助，并不会对办公室的独立性产生不利影响。如上文所述，办公室还能承担以往由安全理事会事务司承担的额外行政工作。

41. 监察员无论是获得非秘书处官员的官员地位，还是保持联合国工作人员地位，均非完美的办法，但两者都足以令人满意，只是需要满足几个有关条件。然而监察员认为，对于监察员实际上和形象上的独立性而言，非秘书处官员的官员地位是两个备选方案中较好的一个。这是联合国赋予其国际法官的地位，²² 而且不要求评价监察员的业绩。

42. 赋予联合国工作人员的地位也是可以接受的，但对这一备选方案有一个重要的限定条件，以充分保障监察员的独立性。该条件涉及用何种方式评价监察员的业绩。如果选择这个方案，就必须确保评价所采用的方式、报告关系、目标不会损害监察员的独立性。这是一个敏感问题，但并非无法克服。例如，这方面的先例是有 2 个独立办公室(监督厅和联合国监察员和调解事务办公室)的负责人由秘书长根据“契约”评价其业绩。²³ 监察员认为，具有这一地位的监察员的报告关系应在政治事务部以外。

43. 与联合国工作人员的地位不同的是，如选择非秘书处官员的官员地位，不会自动解决监察员办公室作为独立办公室在运作中出现的管理事项。按照该地位，监察员不能作为正式的征聘者，也不能担任正式的监管者。然而，非秘书处官员的官员地位不同于咨询人地位，具有灵活性，足以作出令人满意的安排，可保障监察员能参与征聘、分配任务、提供实质性指导、评价工作人员的业绩。国际法官就是这类安排的先例。此种安排在这些机构中是无人质疑的，因此没有予以正式化。但是，以过去赋予监察员咨询人身份的实践来看，必须正式为监察员作出此类安排。这可以在服务条件或职权范围中作出规定，甚至可以由监察员与正式负责征聘和评价办公室工作人员的机构签署部门间备忘录。

44. 最后，监察员目前最长任期为 5 年，是由于监察员作为咨询人的现状。监察员认为，实行最长任期制不会损害监察员的独立性。以上文讨论的两种备选办法均可考虑采用之。5 年制合理，7 年制更好。此外，这些备选办法不同于咨询人

²² 可以考虑对监察员适用联合国内部针对官员不当行为的程序。同样，办公室的业务将接受现行监督机制的监督。

²³ 2006 年，联合国开始采纳高级管理人员契约。契约是秘书长和高级官员之间的年度约定，就每一年度明确界定官员的作用和责任，制定具体目标，规定管理任务。2010 年，契约制度扩大到维持和平特派团团长和特别政治任务领导人。

合同，并不剥夺监察员在任满后在秘书处担任职务的资格。然而监察员认为，如能规定在一段期限内无资格，更可显示监察员的独立性。

结论

45. 监察员赞扬秘书处根据安全理事会第 2253(2015)号决议第 59 段所作的努力和所采取的步骤。为了作出必要安排、确保监察员办公室有能力独立、有效地履行任务，安全理事会事务司提出了备选办法，为今后保障该办公室的独立性奠定了坚实基础。监察员希望这些努力不会是徒劳的，希望其中一个办法得以实现，从而提高监察员程序的公信力。

另一种制度下被误列入名单的个人提出的申请

46. 本报告所述期间，监察员收到某人的申请，其个人情况类似于伊黎伊斯兰国(达伊沙)和基地组织制裁委员会拟订并维持的与基地组织有关联的个人、团体、企业和实体名单上所列的另一人。他声称自己因被错当成列入名单的某人，曾经遭受该制度规定的制裁措施。伊黎伊斯兰国(达伊沙)和基地组织制裁制度规定，个人因被错认或错当成制裁名单所列个人而遇到问题，可诉诸协调中心。²⁴ 然而，其他制度的协调中心的任务并不适用于另一制度下的错认或错当成列名个人的案件。因此，个人如因被错认或错当成另一制度下制裁名单所列个人而遇到此种问题，则无法求助于或依赖于其国籍国或居住国将该事项提请有关委员会注意。此问题超出了监察员的任务范围。然而，由于这种申请送交给监察员，因此监察员认为必须在本报告中着重提出之。如能规定此类人员可诉诸协调中心，将是有益的。伊黎伊斯兰国(达伊沙)和基地组织制裁制度即有此规定。

结论

47. 监察员机制的存在和逐步加强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。它无疑会加强这一制度的公信力，进而协助各国执行委员会规定的制裁措施。本报告所述期间为应对独立性所面临的结构性挑战作出了努力，值得欢迎。

48. 然而，正如本报告和以往报告所强调，仍有需要改进的领域。监察员曾多次指出，监察员进程仍然不够透明，而且没有必要如此不透明。只要综合报告或理由未公之于众，就必须尽一切努力使申请者和一般公众了解这一程序。特别重要的是，要保持申请人迄今获得的透明度，即在保密规定约束下向其说明委员会在保留列名案件和除名案件中所作决定的全部理由。希望过去一年观察到的积极趋势今后继续下去。

²⁴ 见第 2253(2015)号决议，第 77(b)段。

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

<i>Date</i>	<i>Description</i>
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

<i>Date</i>	<i>Description</i>
	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

<i>Date</i>	<i>Description</i>
	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

<i>Date</i>	<i>Description</i>
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

<i>Date</i>	<i>Description</i>
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 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
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