



安全理事会

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2017年8月7日监察员给安全理事会主席的信

我谨根据安全理事会第 2368(2017)号决议附件二第 20(c)段的规定随函提交监察员办公室第十四次报告，上述决议规定监察员应一年两次向安全理事会提交报告，概述其活动。该报告介绍了自上次报告发布以来，监察员办公室在本报告所述期间从事的活动，所涉期间为 2017 年 1 月 24 日至 8 月 7 日。

请将本函及报告提请安全理事会成员注意并作为安理会文件分发给荷。

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 2368(2017)号决议提交的报告

一. 背景

1. 本报告提供最新资料,介绍监察员办公室于 2017 年 1 月 23 日发布第十三次报告(S/2017/60)之后开展的活动。

二. 与除名案件有关的活动

概述

2. 监察员办公室在本报告所述期间的主要活动均涉及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一个新案件。截至 2017 年 8 月 7 日,该办公室自成立以来收到的除名申请总数为 79 项。除非申请人另有要求,否则在案件审议期间以及在申请被驳回或撤回的情况下,所有姓名均予保密。

4. 总体而言,自办公室设立以来,监察员向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)号、第 1989(2011)号和第 2253(2015)号决议所设委员会提交了 76 份综合报告。¹ 在本报告所述期间,监察员提交了 8 份报告,五次出席委员会会议,就 9 个案件作出说明。

5. 自第十三次报告发布以来,通过监察员程序保留列名的有三人,除名六个人。

6. 自办公室成立以来,累积有 75 宗由个人、实体或两者联合向监察员提出申请的案件已经通过监察员程序或由委员会另行作出决定得以解决。在 73 件完全通过监察员程序全面了结的案件中,有 52 名个人和 28 个实体被除名,一个实体作为另一个列名实体的别名而被删除,16 项除名申请被拒绝。此外,有 3 名个人在监察员程序完成之前被委员会除名,另有一份申请在综合报告提交后被撤回。本报告附件载列了所有案件截至 2017 年 8 月 7 日的现状说明。

7. 目前有一个正处于收集资料阶段的案件有待监察员审查,有 2 个案件有待委员会审议。在本报告所述期间,向监察员办公室提交申请的是一名个人。迄今为止,在总共 79 宗案件中有 71 宗是由个人提出的,2 宗由个人与一个或多个实体

¹ 这个数字包含 2011 年审结的一个案件,该案申请人在监察员向委员会提交并说明报告之后,撤回了除名申请。其中还包括一个于 2013 年审结的案件,在监察员向委员会提交报告之后、尚未对委员会作出说明之前,委员会就已决定将申请人除名。该数字不包括 2013 年结案的另一两个案件,委员会在监察员提交报告之前就决定对两位申请人除名,监察员就该案所作的工作因而失去了实际意义。

共同提出，6宗由实体单独提出。在79宗案件里，有39宗案件的申请人得到或曾经得到过法律顾问的协助。

从各国收集信息

8. 目前监察员已经就新案件向九个国家和一个国际组织发出了10项提供资料请求。对于在本报告所述期间向委员会提交综合报告的8个案件，收到提供资料请求的国家不予答复的情况有7例。除了监察员请求其提供资料的具体对象国提供答复外，委员会的一些成员看到普遍分发的申请后也提供了资料。

9. 在本报告所述期间，监察员为直接收集关于两个具体案件的资料，四次与一些官员在他们的首都会面。她还在一个国家的首都与其当局会面，讨论与监察员程序有关的更广泛问题。

10. 本报告所述期间，在收集资料阶段征询指认国意见时，没有一个指认国表示其不反对除名。因此，监察员不能援引第2253(2015)号决议附件二第3段关于缩短该阶段的规定。

与申请人对话

11. 在本报告所述期间，除了下文讨论的一个例外，监察员及其办公室在待决案件的对话阶段与所有其他申请人进行了互动沟通，方式包括书面交流、电话讨论和面谈。在本报告所述期间，监察员亲自前往与五名申请人面谈。

向有关国家提供综合报告

12. 第2368(2017)号决议附件二第13段规定，监察员可应请求，在获得委员会批准后，向有关国家(即指认国或者国籍国、居住国或公司注册国)提供因保护机密资料的需要而加以修订的综合报告副本。在本报告所述期间，监察员收到各国提出的七项披露请求，截至本报告编写时，委员会批准了其中六项请求，有一项仍待委员会处理。

查阅保密资料或机密资料

13. 在本报告所述期间，罗马尼亚与监察员办公室之间签署了获取保密资料的正式协议，²使得此类协议或安排的总数增加到19项，其中包括现有的与奥地利之间的协议以及与下列国家订立的17项安排：澳大利亚、比利时、加拿大、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。

14. 在本报告所述期间，监察员办公室继续努力与更多国家达成此类安排或协议，希望在今后几个月中取得进一步进展。有一个国家确认其愿意订立一项资料共享协议，监察员与该国外常驻代表团接触后，该国主管部门目前正在最后敲定协议草案。

² 协议的案文可查阅 [www.un.org/sc/suborg/en/ombudsperson/classified information](http://www.un.org/sc/suborg/en/ombudsperson/classified_information)。协议第13.1条载有该协议的生效方式。

三. 有关监察员办公室发展的活动综述

概述

15. 在本报告所述期间,继续尽可能开展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. 考虑到时间和资源限制,监察员尽其可能参加了一些外联活动

17. 2017年4月24日,监察员向芬兰议会宪法委员会作了通报,说明了监察员办公室在伊黎伊斯兰国(达伊沙)和基地组织制裁制度中的作用。2017年5月8日,监察员在对会员国进行公开通报时介绍了监察员办公室所处理案件的最新情况并讨论了下列重要问题:从欧洲联盟综合法院的实践审视监察员机制的重要性;说明理由信件的相关动态;旨在确保该办公室独立性而与秘书处作出非正式安排方面的进展。2017年6月3日,监察员参加了单方面强制性措施对享有人权的不良影响问题特别报告员在日内瓦举办的讲习班。特别报告员在讲习班期间咨询了各位专家,后者讨论了特别报告员向人权理事会和大会提出的提案,即建立联合国关于单方面胁迫性措施登记册的提案和发布关于单方面胁迫性措施与法治问题并注重补救和赔偿问题的联合国宣言的提案。在2017年7月3日秘书长任命监察员担任协助调查和起诉自2011年3月以来在阿拉伯叙利亚共和国境内犯下国际法所规定最严重罪行者的国际公正独立机制的负责人之后,监察员于2017年7月24日向欧洲联盟成员国通报了监察员办公室即将进行的过渡工作的各个方面。

与委员会的沟通互动

18. 自2017年1月24日以来,监察员六次出席委员会会议。2017年2月3日,监察员陈述了她关于一个案件的报告,该案申请人被保留列名。2017年3月1日,监察员陈述了她关于 Ata Abdoulaziz Rashid (已除名;以前的参考号: QDi.199) 案和 Fadh Muhammad Abd al-Aziz al-Khashiban (已除名;以前的参考号: QDi.233) 案的报告。2017年4月11日,监察员陈述了她关于 Dieman Abdulkadir Izzat (已除名;以前的参考号: QDi.200) 案和 Fritz Martin Gelowicz (已除名;以前的参考号: QDi.259) 案的报告。2017年5月19日,监察员陈述了她关于 Othman Deramchi (已除名;以前的参考号: QDi.164) 案的报告。2017年7月13日,监察员陈述了她关于申请人被保留列名的两个案件的报告以及关于 Adil Muhammad Mahmud Abd al-Khaliq (已除名;以前的参考号: QDi.255) 案的报告。在后一次陈述时,鉴于她已被任命为阿拉伯叙利亚共和国有关机制的负责人,她还向委员会通报了拟采取何种过渡措施来保障那些除名申请仍待监察员处理的申请人的权利。此外,监察员在2017年8月7日向委员会简要介绍了综合报告附带的保密问题。

19. 像以前一样,监察员及其办公室辅助工作人员继续定期与协调员和监测组成员进行沟通互动。监测组继续依照安全理事会第2368(2017)号决议附件二第4段的规定提供相关信息。在本报告所述期间,监测组协助监察员办公室审查以阿拉

伯文书写的除名申请和辅助材料。监测组还帮助监察员办公室使用德文和阿拉伯文与申请人通信。

与国家、政府间组织、联合国机构和非政府组织联络

20. 在本报告所述期间，监察员及其办公室辅助工作人员继续与各国互动，特别是同与待决除名申请有关的各国进行互动。在本报告所述期间，监察员及其办公室曾数次与工作所涉及的有关国家举行双边会议，以讨论一般性问题，包括为加强监察员办公室的独立性而可能采取的备选办法相关问题。监察员继续与一些国家讨论查阅机密或保密资料的有关协议或安排。监察员还保持与一个非正式集团——在定向制裁问题上观点一致国家集团的联系。³ 监察员在一些国家的首都会见该国官员，讨论一般性问题并了解有关具体案件的信息。监察员还主动联系反恐怖主义委员会执行局和信通技术促进和平基金会，探讨若就获取资料与某些实体结成伙伴关系可能引起的问题。

工作方法和研究

21. 与以往一样，本报告所述期间的个案工作涉及对公开资料来源的研究，目的是收集与除名申请有关的信息。在本报告所述期间，监察员办公室的研究能力有所提高，期待已久的新研究助理于 2017 年 2 月加入该团队。她取代了在上一个报告所述期间开始时离开团队的行政助理。

网站

22. 监察员办公室网站 (www.un.org/sc/suborg/en/ombudsperson)继续进行修改和更新。

四. 意见和结论

程序公平性和透明度

接触申请人

23. 在对话阶段，监察员按要求应当尽可能与申请人会面。⁴ 在本报告所述期间，监察员在一名被羁押的申请人案件中主动联络其中一个指认国的国家主管部门，以期探讨有无可能会见申请人本人。面对面约谈原则上是评估申请人可信度和思想状态的最佳方式。这种评估不仅对于确定申请人是否参与了脱离关系进程至关重要，而且对于申请人已被羁押相当长时间且近期没有资料表明申请人从事了任何支持已列名实体的活动的案件而言也非常重要。⁵ 此外，在这个具体案件中，

³ 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。

⁴ 第 2368(2017)号决议，附件二，第 7(c)段。

⁵ 见 S/2017/60，第 32 段。

根据已收集的信息，与申请人进行面对面约谈一定会引出许多议题、问题和后续问题。在这个案件中，没有其他机会能听取申请人的意见。

24. 监察员在程序初期有机会与有关主管部门会面并解释在这个具体案件中面对面约谈申请人的重要性。然而，相关部门没有提供任何理由但是非正式地向监察员表示，在该案中不会批准与申请人的面对面接触。此外，尽管监察员多次试图探讨是否有可能为申请人提供机会采取另一种沟通形式，不管是视频会议还是甚至通过电话，让监察员听取申请人陈述，但是没有收到任何答复。考虑到这个国家经常为监察员办公室提供支持与合作，其在接触该案申请人方面完全不予合作的态度尤为令人吃惊。由于监察员没有获准接触申请人，她别无选择，只能与申请人的律师会面。因此，监察员未能与申请人沟通并直接评估申请人目前的思想状态。监察员根据她获取的资料进行分析并提出建议，向委员会提交了报告。然而，该案申请人没有机会了解案件并就相关资料作出回复。因此，申请人未享有第 2368(2017)号决议所设想的公平性的全部要素。监察员就此向委员会提出了她的关切，提议采取一项例外措施以减轻申请人没有机会了解以其为对象的案件这个事实的影响。截至本报告提交之日，案件仍有待委员会审议。

说明理由的信件

25. 根据一系列决议，监察员需要对其综合报告的内容保密。监察员在其上一次报告中指出，委员会已经完全中断了其先前的积极做法，不再向申请人提供越来越有实质内容、大段摘录监察员所作分析的理由说明信。⁶ 鉴于此类信函对于促进程序的透明度和总体公正性具有重要性，并且会影响到对程序的看法，监察员表示希望委员会恢复先前在这方面的做法。⁷ 本报告所述期间没有这样做。然而，监察员提议的新措辞是由安全理事会第 2368(2017)号决议附件二第 16 段最先使用的。监察员欢迎这一变化，希望这会让委员会停止下文所述的近期做法，从而有可能提高审查程序的公正性。

26. 根据新措辞，如果委员会采纳监察员的建议，则监察员将向委员会提交对综合报告所载分析的摘要供其审查。这遵循了此类案件的现有做法，即迄今为止在全部案件中，委员会信中所载的理由不是委员会的理由，而是监察员综合报告中所载分析的摘要。根据已由第 2368(2017)号决议附件二正式确立的这种做法，只有经委员会 15 名成员核准的监察员分析摘要才向申请人披露。摘要由监察员编写，因为她最了解自己的分析中包含的理由，因此最适于协助委员会编写其说明理由的信件。

27. 根据新的附件二第 16 段，委员会审查的目的在于处理任何安全关切，包括确定摘要是否在无意中纳入了委员会保密的任何信息。考虑到委员会在过去一年中，特别是在本报告所述期间采取的毫无助益的做法，上述关于委员会审查目的的具体说明很重要。在最近的一次保留列名案件中，监察员起草的摘要草稿已经

⁶ 同上，第 28 段。

⁷ 同上，第 30 和 41 段。

将综合报告中载列的分析缩减到一半长度，委员会还要求监察员进行进一步削减，以便不超过规定页数。而规定的页数似乎是任意选择的，打算一律适用于所有案件。“为缩减而缩减”此类摘要的程序以及强加页数上限的做法特别具有干预性。监察员不能控制一个案件的“规模”、所收集的资料数量或申请人提出的论点数量。因此，在所用页数方面，监察员需要一些余地来阐述足够数量的分析，以便摘要能够合理、透明地反映案件程序。这种过度删减与透明度要求背道而驰，而透明度是适用于制裁的公平理念的核心。缩减会带来问题，是因为可能导致遗漏掉对申请人关键论点的答复，或者影响作为建议依据的推理的逻辑顺序，这将侵蚀监察员的独立性。

28. 在这方面，新的第 16 段特别有帮助。它确认摘要必须准确说明监察员所提建议的主要理由，即监察员的分析中所列理由。在保留列名的案件中，分析摘要必须涵盖监察员对申请人为除名提出的所有论点所作的答复。该段还规定，在除名案件中，摘要还必须包括监察员分析的关键要点。

29. 从公正性和透明度角度出发，理想的情况是，在委员会采纳监察员建议的全部案件中，只能由监察员来决定拟告知申请人的理由的数量和内容。然而，考虑到安全利益面临威胁以及分享给监察员用于纳入综合报告的一些资料具有敏感性，新措辞是一个很好的妥协。监察员欢迎安全理事会抓住这个机会来纠正那些削弱监察员程序脆弱公正性的做法。

延迟通知申请人

30. 监察员高兴地注意到，新决议使她能够在委员会采纳她建议的情况下立即通知申请人。⁸ 出于第十、十一和十二次报告中披露的原因，除名案件中已经采取这种做法。⁹ 正如上述报告中所提议的，新措辞正式确立了这种做法，并将其扩大适用于保留列名的案件。此外，委员会审查对综合报告所载分析的摘要并向监察员告知理由以便后者转递给申请人的截至期限从 60 天缩短至 30 天。

国家合作以及各国对办公室的支持

31. 通常给予监察员办公室以支持的各国在本报告所述期间继续表示并展示了这种支持，只有一个国家除外，详情如上文所述。在上一次报告所述期间，监察员强调了各国必须回复请其提供资料的请求，即使他们无法就一项具体要求分享相关信息。这些努力已被证明取得了部分成功，因为有几个以前未能回复此类请求的国家在本报告所述期间做出了回复。然而，这方面还需要做出更多努力。

改造方案

32. 在本报告所述期间，监察员参与讨论科威特提出的一项举措，目的是在一个政府委员会主持下，为该国被列名国民实施为期一年的改造方案。该方案旨在支持供认其先行动的个人努力脱离关系，以期增加他们从制裁名单上除名的机会。

⁸ 第 2368(2017)号决议，附件二，第 16 段。

⁹ 见 S/2015/533，第 47 段，S/2016/96，第 42 段和 S/2016/671，第 31 段。

该方案吸引人的特点包括社会安置计划、参加讲座、遵守某些社交媒体使用规则、每月与政府委员会代表会面、提供心理治疗机会和政府委员会每季度进行评估。对于在方案期间或完成之后通过监察员申请从制裁名单上除名的个人，科威特愿意与监察员分享并通过监察员与委员会分享方案参与人进展情况的评估报告。监察员对这一举措以及与该国在这个事项上富有成果的合作表示欢迎。监察员希望该方案能实现预期结果，并相信其他国家也会得到启发，为其公民提供类似机会。

独立性和公正性要求与审议各国的意见

33. 在本报告所述期间，有几个国家表示他们认为监察员也许没有充分考虑国家就具体除名申请表达的意见，并对此表示关切。有关国家表达的这种焦虑似乎表明，对监察员作用和独立性的关切和误解反复出现。事实上，现任监察员任期刚开始时，甚至在她发出第一份综合报告之前，就有一个国家突出表示过这种关切。这种不满似乎来自以下这类案件：一个或多个国家已表达意见认为应当保留对申请人在制裁名单上的列名，而监察员却根据自己依照适用标准对已收集资料的评估，最终建议委员会考虑将申请人除名。表示这种关切和不满的国家既有委员会的成员，也有非成员。其中一些国家提交了与具体除名申请有关的资料。在一个案件中，国家提交的资料并不支持其所持立场。在其他案件中，反对除名申请的各国甚至没有提出支持其立场的资料。

34. 审查除名申请是一个非常敏感的问题，涉及安全利益和人权方面的考虑因素。因此可以预见，在特定案件中一些国家可能会不同意监察员的建议。监察员充分认识到其有义务认真考虑指认国的意见以及提供相关资料的其他会员国的意见，特别是要考虑导致最初列名的行为或关联关系对其影响最大的那些成员国的意见。在每个案件中，如果有一个或多个国家选择就除名申请的案情实质提供意见，监察员都非常认真地对待上述要求。

35. 然而，这些看法清楚地表明，这些国家并不了解上述要求以什么方式与作为监察员程序核心的独立性和公正性整体义务保持一致。

36. 监察员不得忽视指认国的意见或提供相关资料的其他会员国的意见，特别是导致最初列名的行为或关联关系对其影响最大的那些成员国的意见。第2368(2017)号决议附件二明确规定了认真考虑这些意见的义务。该决议也同样明确地规定，在审查除名申请时，监察员必须以独立和公正的方式行事，既不寻求也不接受任何政府的指示。这些并行的要求彼此之间充分协调一致，同样为监察员审查除名申请的办法提供指导。

37. 要求认真考虑各国所表达的意见并不意味着监察员应当无条件地遵循这些意见。这种解释无法应对下面这种相对常见的情况，即就除名申请向监察员表达意见的各国在应当保留列名还是终止列名上意见不一致。该解释也不符合对监察员的独立和公正要求。在特定案件中，监察员能够在多大程度上遵循一国所表达的意见，只能取决于对该案中所收集的全部资料适用相关标准后能否支持所涉意见。

38. 有些情况下，监察员不可避免地会与选择表达其意见的一个或多个国家就除名申请的案情实质发生分歧。这首先是因为监察员和有关国家未必能够获得相同的资料。国家并不总是与监察员分享其形成意见所基于的资料或全部资料。监察员只能基于她收到的资料提出建议，对于一国选择不与她分享的资料，让监察员去推断其存在和内容是不恰当的。即便各国提供了他们形成自己意见所依据的全部资料，他们也有可能无法获得监察员收集的全部资料。通过与申请人对话的特权，监察员拥有看待案件的独特视角。此外，监察员还有可能从各国或其他来源收到机密资料，并被要求不与申请人、国家甚至委员会分享。在这种情况下，委员会将不会获得对于除名建议的决定性资料。

39. 即便是在各国和监察员获得相同资料的情况下，对于是否应批准除名申请，也可能会得出不同意见。监察员评估的是，在审查之时有无充足资料为保留列名提供合理、可信的依据。在收集资料过程中与各国包括与委员会成员的互动显示，一些国家在形成自己意见时依据的是其国内标准，这些标准不同于监察员适用的标准。还有一些国家不依赖任何标准，而是基于现在与伊黎伊斯兰国或基地组织有关联关系这个列名标准之外的其他因素形成其意见。产生其他分歧的原因可能是，一国认为制裁应当具有惩罚性，而不是安全理事会决议中阐述的预防性目的。分歧还可能源于一个国家对列名标准以及对“关联”和“脱离关系”概念的特殊理解。这种解释并不总是符合制裁制度所适用的法律框架。

40. 上述差异导致一个或更多国家认为在特定案件中监察员没有充分考虑到他们的意见。为减轻这种风险，监察员能够运用的唯一工具就是在每个案件中认真说明其建议理由。综合报告所载的分析和意见原则上包含充分解释，足以向委员会说明监察员为何没有遵循一个或多个国家所表达的意见。然而，由于资料提供者(其中包括表达意见的国家)施加的保密限制，监察员必须在综合报告中略去一些保密信息和分析，而这些本来是充分披露其理由所需的。此外，只有少数不是委员会成员的国家可能在提出请求并经委员会同意后获得综合报告副本。¹⁰ 在这个有限的圈子之外，表达意见的国家即使曾向监察员提供相关信息，也无法获得综合报告。这些国家因此无法获知监察员的理由。

各国不同意监察员建议的有关程序和做法

41. 第 2368(2017)号决议明确规定了处理委员会一名或多名成员不同意监察员提出的除名建议的程序。按照委员会导则的设想，在委员会成员针对监察员的建议提出一项或多项反对意见之后，如果委员会成员之间无异议，则反对意见成立。除非发生该决议第 62 段设想的一种或两种情形，即形成一致反对意见或把问题提交安全理事会决定，否则对申请人采取的冻结资产、旅行禁令和武器禁运将在 60 天后终止。

42. 对于监察员征求过意见的国家，第 2368(2017)号决议规定此类国家有资格作为相关国家就是否应批准除名申请向监察员表达自己的意见。这种资格不局限于

¹⁰ 根据第 2368(2017)号决议，附件二，第 13 段，这些国家是指认国或国籍国、居住国或公司注册国。

担任委员会成员的国家。但是该决议并没有赋予非委员会成员国干预委员会审议除名申请的资格。根据对监察员的授权，只有在委员会完成了对综合报告的审议后，监察员才有权向指认国或居住国、国籍国或公司注册国以及任何其他相关国家通报其建议。此外，只有在委员会完成审议之后，监察员才能根据指认国或国籍国、居住国或公司注册国的请求并经委员会核准，向请求国提供一份附带任何必要修订的综合报告副本。

43. 然而，在本报告所述期间观察到的做法是，一些国家采取安全理事会授权办法之外的其他方式，在委员会完成其对建议的审议之前了解到这些建议，并试图干涉审议进程。对于国家提起的列名和除名程序的政治和外交性质，或者是这个背景下各国之间有时进行的双边外交谈判和选择性透露情报的做法，监察员不予评论。自监察员办公室设立以来，安全理事会一再表示致力于继续加强制裁程序的公平性和透明度。监察员认为，对于一项未决的除名申请而言，在监察员提出建议后采取上述做法，不仅不利于除名程序的公平性和透明度，甚至与其不相容。

保密

44. 在本报告所述期间了结的一个案件中，国籍国不是委员会成员，但在委员会结束审议机密的监察员综合报告之前，就已获得了该报告的水印版。如上文所述，第 2368(2017)号决议附件二第 13 段¹¹ 允许监察员提供一份该文件副本给指认国或国籍国、居住国或公司注册国，并作出委员会认为必要的任何修订。监察员的理解是，她可以寻求委员会批准她应上述国家的请求与其分享综合报告，但只能在委员会完成对综合报告的审议之后才能提供。¹² 在这个具体案件中，该国在此之前，甚至在监察员寻求委员会批准向该国提供报告之前，就获得了一份报告副本。因此，有人未经委员会批准就分享机密报告，违反了决议规定。未经委员会核准即获得综合报告后，本案中的国籍国与申请人的律师分享了未经修订的报告。

45. 这种做法令人担忧并且毫无益处。令人担忧是因为它表明，文件具有的机密性被轻视。于是，监察员只打算提供给委员会的资料最终可能被委员会以外的国家获得，或者像在本案中这样，被申请人获得。这就引起了明显的安全关切。此外，监察员向委员会之外的其他国家披露综合报告的时间也很重要。如上文所述，监察员的理解是，报告仅供内部使用，直至委员会结束对相关事项的审议。这能提供一种保护，在某些行为体可能会反感监察员建议的情况下，保护委员会的工作免受干扰。类似本报告所述期间观察到的做法是在邀请决策进程之外的国家进行干扰。

46. 这些做法毫无益处，因为资料提供者是在与监察员就资料获取方达成谅解或协议的基础上才分享资料。到目前为止，监察员通过向委员会提议综合报告应作

¹¹ 这段案文与第 2253(2015)号决议附件二第 13 段相同。

¹² 这种理解的依据是：第 2253(2015)号决议附件二第 13 段位于“委员会讨论”的小标题下，放在关于委员会完成对综合报告审议的第 11 段和要求监察员在委员会完成对综合报告的审议之后将其建议通知所有相关国家的第 12 段之后。

出的修订，一直参与委员会关于综合报告所载资料最后去向的决策过程。迄今为止，委员会一直都采用监察员建议的修订。如果因为泄露未经修订的报告导致监察员被剥夺机会，不能有意义地参与上述进程，以后监察员可能无法向要求资料保密的提供者保证这一点。另一种可能性是，监察员会失去提供者的信任，他们会变得小心翼翼或者不愿与监察员分享资料。由于监察员的工作极大依赖于收集信息的能力，这种前景非常令人担忧。

47. 这个例子和上节所述例子表明，一些国家认为监察员的综合报告和建议应在委员会之外共享。监察员支持采取办法提高程序透明度。也许以此次事件为起点，可以开始讨论是否可将经适当修订的监察员综合报告在适当时间披露给上述决议附件二第 13 段所列国家之外的有关国家、申请人、甚至社会公众。这个步骤将极大提高该进程急需的透明度。如果授权监察员这样做，监察员可以编写两个版本的综合报告。委员会将收到一份完整版，而其他国家和申请人最终将得到经修订的版本。修订时将删除资料来源的名称，例如提供资料的国家(除非资料来源同意披露)，并处理资料提供者或委员会关切的任何其他安全问题。经修订的版本将由监察员经与委员会主席磋商后编写，必须经委员会核准。

加强监察员办公室独立性的非正式安排

48. 第十三次报告介绍了秘书处为加强监察员办公室独立性所采取的一些非正式安排。¹³ 在该报告中，监察员表示希望秘书处能在咨询合同规定的服务认证要求方面取得更大改进，因为服务认证涵盖业绩和出勤两个方面，被认为根本不符合监察员的独立作用和职能。¹⁴ 我高兴地报告，上述愿望现在已经实现。如需要，将仅在监察员已结束其任期后才提交对产出的评价，并明确指出这种评价不包含对监察员工作的任何实质性评估。监察员了解到，政治事务部也在探讨是否有可能采取更多步骤，以消除有关监察员表面独立性的其余关切。

过渡时期

49. 2017 年 7 月 3 日，秘书长任命现任监察员担任阿拉伯叙利亚共和国有关机制的负责人。监察员为了迅速过渡到新职能，立即制定了一项包含过渡措施的计划，以保障有待监察员处理的除名申请的申请人或在即将上任的监察员履职之前提交除名申请的申请人的权利。监察员于 2017 年 7 月 5 日向委员会提出这些过渡措施。其中一项提议是，为便利过渡进程，在新决议中采用有关措辞，包括由编写案件综合报告的监察员向委员会说明案件。另一项提议是，作为一项过渡措施，允许延长待决案件的最后解决期限。监察员立即与委员会成员沟通，拟订令人满意的决议措辞，希望安全理事会能看到这些提议的价值并采纳它们。然而，新决议没有采纳这些提议或其他替代性过渡措施。希望在这些情况下，委员会能调整

¹³ 见 S/2017/60，第 36 段，其中提到了四个非正式措施：在监察员办公室辅助工作人员的考绩过程中听取监察员的意见；让监察员参与其办公室辅助工作人员的全部征聘程序，并考虑其意见；监察员有机会查阅与该办公室工作有关的所有材料，包括电子驱动器；监察员对监察员办公室的网站拥有完全的编辑控制权。

¹⁴ 见 S/2017/60，第 37 段。

其在以往过渡时期形成的做法，让监察员在其任务结束后向委员会说明她编写的综合报告，即使当时新任监察员尚未就职。还需要委员会调整做法，确保按需要延长待决案件的截止日期，直至即将上任的监察员就职。监察员为监察员办公室的辅助工作人员留下了详细指示，以确保该办公室在过渡时期保持运行。监察员希望并相信委员会和秘书处会给予充分合作与支持，以便工作人员能够维持一个正常运作的办公室，避免即将上任的监察员在审议除名申请时发生不应有的拖延。

结论

44. 在本报告所述期间，监察员程序以独立方式提供公正性和透明度的能力再次受到考验。本报告所述期间，各国在决议设定的限制内提供不同程度的合作，尤其是存在一种特别强烈的干扰氛围，即便如此，监察员还是成功地维护了相关价值并且保持甚至加强了监察员程序的公信力。监察员机制仍然是防止任意性的重要保护手段。

45. 现任监察员被任命以来的两年中，监察员办公室收到了 15 项新的除名申请，使得该办公室自七年前开始运作以来收到的申请总数达到 79 件。这些数字持续证明这项任务得到了有效执行，为它赢得了公正、独立和可信补救的声誉。采用监察员机制这个事实本身就证明，它提供的补救是制裁链上迫切需要的最后一环。有些国家的行为一如既往，仿佛看不到对监察员公正性和独立性的要求是对有效实施制裁，尤其是涉及对个人的制裁提供的最佳保障。不可否认，提供可信赖的申索加强了制裁措施的成效，因为该机制为维护法治的各国提供保障，确保在任何特定时候制裁都是必要而且公正的。

46. 本报告和以前的报告都概述了仍然需要改进的领域。对透明度作出过分严格的限制只会削弱这个机制，滋生违反决议中保密规定的行为。保护敏感且有理由保密的信息的最佳方式也许是缩减这些限制，努力建立一个更加开放的进程，在恰当时间充分、适当地披露信息。在确实很重要的情况下才限制披露信息，反而会让委员会能够对这类信息保持更严格的控制。

47. 由于这是现任监察员在这个职位上向安全理事会提交的最后一次报告，监察员表示希望她的继任者很快得到任命，在这些重要领域中继续奋战。

附件

案件状况

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

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

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

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

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

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

<i>Date</i>	<i>Description</i>
	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
	Presentation of the Comprehensive Report by the

<i>Date</i>	<i>Description</i>
25 February 2014	Ombudsperson to the Committee
	Committee decision to delist
13 March 2014	Formal notification to petitioner with reasons
25 August 2014	

**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

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

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

<i>Date</i>	<i>Description</i>
	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
	Committee decision to delist
26 October 2015	Formal notification to petitioner with reasons
27 October 2015	

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
	Committee decision to delist
9 September 2015	Formal notification to petitioner with reasons
6 November 2015	

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
	Committee decision to delist
11 January 2016	Formal notification to petitioner with reasons
22 January 2016	

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: denied)

<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

<i>Date</i>	<i>Description</i>
8 August 2016	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
8 August 2016	Committee decision to retain listing
23 September 2016	Formal notification to petitioner with reasons

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
22 August 2016	Formal notification to petitioner with reasons

Case 68, one individual (Status: denied)

<i>Date</i>	<i>Description</i>
22 March 2016	Transmission of case 68 to the Committee
23 November 2016	Comprehensive report submitted to the Committee
3 February 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
3 February 2017	Committee decision to retain listing
5 April 2017	Formal notification to petitioner with reasons

Case 69, Ata Abdoulaziz Rashid (Status: delisted)

<i>Date</i>	<i>Description</i>
8 June 2016	Transmission of case 69 to the Committee
30 December 2016	Comprehensive report submitted to the Committee
1 March 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
1 May 2017	Committee decision to delist
19 May 2017	Formal notification to petitioner with reasons

Case 70, Fahd Muhammad Abd al-Aziz al-Khashiban (Status: delisted)

<i>Date</i>	<i>Description</i>
12 July 2016	Transmission of case 70 to the Committee
16 January 2017	Comprehensive report submitted to the Committee
1 March 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
16 March 2017	Committee decision to delist
27 March 2017	Formal notification to petitioner with reasons

Case 71, Othman Deramchi (Status: delisted)

<i>Date</i>	<i>Description</i>
3 August 2016	Transmission of case 71 to the Committee
6 April 2017	Comprehensive report submitted to the Committee
19 May 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
20 July 2017	Committee decision to delist
1 August 2017	Formal notification to petitioner with reasons

Case 72, Dieman Abdulkadir Izzat (Status: delisted)

<i>Date</i>	<i>Description</i>
9 September 2016	Transmission of case 72 to the Committee
27 February 2017	Comprehensive report submitted to the Committee
11 April 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
28 April 2017	Committee decision to delist
9 May 2017	Formal notification to petitioner with reasons

Case 73, one individual (Status: denied)

<i>Date</i>	<i>Description</i>
23 September 2016	Transmission of case 73 to the Committee
11 May 2017	Comprehensive report submitted to the Committee

<i>Date</i>	<i>Description</i>
13 July 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
13 July 2017	Committee decision to retain listing
26 July 2017	Formal notification to petitioner with reasons

Case 74, Fritz Martin Gelowicz (Status: delisted)

<i>Date</i>	<i>Description</i>
17 October 2016	Transmission of case 72 to the Committee
7 March 2017	Comprehensive report submitted to the Committee
11 April 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
28 April 2017	Committee decision to delist
9 May 2017	Formal notification to petitioner with reasons

Case 75, one individual (Status: denied)

<i>Date</i>	<i>Description</i>
17 November 2016	Transmission of case 75 to the Committee
17 May 2017	Comprehensive report submitted to the Committee
13 July 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
13 July 2017	Committee decision to retain listing
26 July 2017	Formal notification to petitioner with reasons

Case 76, one individual (Status: Committee phase)

<i>Date</i>	<i>Description</i>
22 November 2016	Transmission of case 76 to the Committee
19 July 2017	Comprehensive report submitted to the Committee

Case 77, Adil Muhammad Mahmud Abd al-Khaliq (Status: delisted)

<i>Date</i>	<i>Description</i>
28 November 2016	Transmission of case 77 to the Committee
24 May 2017	Comprehensive report submitted to the Committee
13 July 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
28 July 2017	Committee decision to delist
7 August 2017	Formal notification to petitioner with reasons

Case 78, one individual (Status: Committee phase)

<i>Date</i>	<i>Description</i>
7 December 2016	Transmission of case 78 to the Committee
7 August 2017	Comprehensive report submitted to the Committee

Case 79, one individual (Status: Information-gathering phase)

<i>Date</i>	<i>Description</i>
27 March 2017	Transmission of case 79 to the Committee
27 November 2017	Deadline for completion of the Information-gathering phase