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## Letter dated 1 February 2016 from the Ombudsperson addressed to the President of the Security Council

I have the honour to submit herewith the eleventh 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 in the period since the previous report was issued, covering the period from 14 July 2015 to 31 January 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, submitted pursuant to Security Council resolution 2253 (2015)**

## I. Background

1. By its resolution 2253 (2015), adopted on 17 December 2015, the Security Council extended the mandate of the Office of the Ombudsperson until 17 December 2019.

2. The mandate of Kimberly Prost, the first Ombudsperson, ended on 13 July 2015.

3. The Secretary-General appointed Catherine Marchi-Uhel as Ombudsperson on 13 July 2015 (S/2015/534), and she took up her official duties on 27 July 2015.

4. The present report provides an update on the activities undertaken by the Office of the Ombudsperson since the issuance of the tenth report of the Office (S/2015/533) on 13 July 2015.

## II. Activities related to delisting cases

#### General

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

#### **Delisting cases**

6. During the reporting period, two new cases were submitted to and accepted by the Office of the Ombudsperson. One further request for delisting was submitted, but the Ombudsperson determined that it did not sufficiently address the listing criteria set forth in paragraph 2 of resolution 2161 (2014), and further information has been sought in accordance with paragraph 1 (d) of annex II to the same resolution. No response had been received at the time of reporting. The total number of delisting petitions submitted since the establishment of the Office is 66 as at 31 January 2016. Unless the petitioner requests otherwise, all names remain confidential while under consideration and in the case of denial or withdrawal of a petition.

7. In total, the Ombudsperson has submitted 63 comprehensive reports to the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities since the Office was established. During the reporting period, she submitted two reports and appeared before the Committee on three occasions to present six cases.

8. Since the issuance of the tenth report, four individuals<sup>1</sup> have been delisted, and the names of three individuals have been retained through the Ombudsperson process.

<sup>&</sup>lt;sup>1</sup> Al Sayyid Ahmed Fathi Hussein Eliwah, Mohammed Ahmed Shawki al Islambolly, Yasser Mohamed Ismail Abu Shaweesh and Abd al Wahab Abd al Hafiz.

9. Cumulatively, since the Office was established, 63 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 59 cases fully completed through the Ombudsperson process, 43 individuals and 28 entities have been delisted, 1 entity has been removed as an alias of a listed entity, and 11 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 January 2016, is contained in the annex to the present report.

10. There were three cases pending before the Ombudsperson in the informationgathering/dialogue phase at the time of reporting. The two requests submitted to the Office during the reporting period were presented by individuals. To date, in total, 58 of the 66 cases have been brought by individuals, 2 by an individual together with one or more entities and 6 by entities alone. In 32 of the 66 cases, the petitioner is or was assisted by legal counsel.

#### **Gathering of information from States**

11. In the two new cases, 10 requests for information have been sent so far to 10 States. With respect to the two cases for which comprehensive reports were submitted to the Committee during the reporting period, there were no 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.

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

13. During the reporting period, the Ombudsperson did not shorten the information-gathering period, as provided for in paragraph 3 of annex II to resolution 2161 (2014), which provides the Ombudsperson with the discretion to shorten the information-gathering period in cases where all designating States consulted do not object to delisting.

#### Dialogue with the petitioner

14. During the reporting period, 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. The Ombudsperson also travelled to interview two petitioners in person.

#### Provision of comprehensive reports to interested States

15. Paragraph 13 of annex II to Security Council 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. During the reporting period, the Ombudsperson received three requests for disclosure from States. They have all been approved by the Committee and transmitted.

#### Access to classified or confidential information

16. One new arrangement for access to classified or confidential information was entered into, with the United States of America, during the reporting period. In addition, Syria has indicated its willingness to share confidential information on an ad hoc basis. 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. A limited number of arrangements concluded previously contained language clearly indicating or suggesting that the arrangement was between the State and the previous Ombudsperson personally. The current Ombudsperson engaged with these States and obtained confirmation that the arrangement remains in force with the Office under her tenure. Such confirmation has yet to be formally received from one State.

17. Efforts to expand the list of arrangements/agreements have continued during the reporting period and, hopefully, further progress will be made in the coming months. Some States have confirmed that they are considering the possibility of entering into an information-sharing agreement and that, in the meantime, they will consider the possibility of providing information on an ad hoc basis.

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

#### General

18. 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

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

20. On 8 October 2015, the Ombudsperson delivered a presentation on the Al-Qaida sanctions regime and the work of the Office at a workshop, co-organized by the United Nations Office on Drugs and Crime and the Parliamentary Assembly of the Mediterranean and hosted by the Parliament of Romania, on the challenges posed by a preventative criminal justice response to terrorism and to foreign terrorist fighters, held in Bucharest. On 17 December 2015, at a final round-table meeting, held in Malta, the Ombudsperson delivered a presentation on the work of the Office of the Ombudsperson and assisted with the development of guidelines with regard to dealing with terrorism cases while safeguarding human rights. This was in the context of a project funded by the European Union entitled "Supporting Senior Judicial Officials in Leading a Criminal Justice Response to Terrorism: Europe, the Middle East and North Africa". The meeting was organized by the Global Center on Cooperative Security and the Institute for Security Studies, with the expert support of the Counter-Terrorism Committee Executive Directorate.

## Interaction with the Islamic State in Iraq and the Levant (Da'esh) and Al-Qaida sanctions Committee

21. Since 14 July 2015, the Ombudsperson has appeared before the Committee on five occasions. On 16 July 2015, she was introduced to the Committee. Subsequently, she appeared before the Committee to present six cases: on 27 July 2015, she presented a case in which the petitioner was retained on the list; on 24 August 2015, she presented the cases of Yasser Mohamed Ismail Abu Shaweesh (delisted; formerly QIA. 201.05), Mohammed Ahmed Shawki al Islambolly (delisted; formerly QDi.194) and one case in which the petitioner was retained on the List; and on 23 December 2015, she presented the case of Abd al Wahab Abd al Hafiz (delisted; formerly QDi.157) and one case in which the petitioner was retained on the list. In four of these six cases, the comprehensive reports had been prepared by the former Ombudsperson. In those cases, the current Ombudsperson introduced the cases and the former Ombudsperson orally presented her reports and answered questions from Committee members. On 27 January 2016, the Ombudsperson informally briefed the Committee on her intention to update the section on the website, entitled "Approach to Assessment of Information" (see para. 36 below) and provided her reasons for the update. In addition, she provided a number of written updates to the Committee in relation to various cases as they progressed through each phase.

22. As previously, the Ombudsperson and staff in her Office have continued to engage regularly with the Coordinator and members of the Monitoring Team. The Team has continued to provide relevant information in accordance with paragraph 4 of annex II to Security Council resolution 2253 (2015). During the reporting period, the Team assisted the Office of the Ombudsperson in reviewing information that had been gathered that was in Arabic and helped the Office with Arabic-language communications with petitioners and other individuals contacted by the Office. The Team also gave expert advice on issues relevant to particular delisting requests.

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

23. The Ombudsperson and staff in her Office continued to interact with States during the reporting period, in particular States of relevance to the pending delisting petitions. During the reporting period, the Ombudsperson and staff in her Office had several bilateral meetings with States interested in the work of the Office in order to discuss general issues, including issues related to transition between the former and current Ombudsperson. The Ombudsperson continued discussions initiated by her predecessor with a number of States concerning agreements or arrangements on access to confidential or classified information, and she engaged with other States on this issue. In these consultations, the Ombudsperson stressed the importance for States to also share relevant public and declassified information with the Office. This would allow the Ombudsperson to focus her independent research on other critical aspects of the cases. The Ombudsperson also established contacts with the informal Group of Like-Minded States on Targeted Sanctions<sup>2</sup> 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.

<sup>&</sup>lt;sup>2</sup> Comprising Austria, Belgium, Costa Rica, Denmark, Germany, Finland, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland.

24. The Ombudsperson and staff in her Office continued to interact with representatives of the Counter-Terrorism Implementation Task Force and the Counter-Terrorism Committee Executive Directorate, as well as with the Office of the United Nations High Commissioner for Human Rights. She discussed general legal issues of relevance with staff of the Office of Legal Affairs and that Office has continued to provide assistance to the Ombudsperson on various matters. The Ombudsperson also discussed specific aspects of due process in the context of the Al-Qaida sanctions regime with the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. She also interacted with members and former members of the Committee on Enforced Disappearances and the Working Group on Arbitrary Detention to obtain information regarding a specific case.

25. The Ombudsperson further interacted with non-governmental organizations, including Security Council Report and Human Rights Watch.

26. During the reporting period, the Ombudsperson also engaged extensively with her predecessor in the context of the transition and to ensure the continuity of approaches.

#### Working methods and research

27. As previously, casework during the reporting period involved open-source research and contacts with journalists, experts and academics to collect information and verify sources for publicly available case-related material.

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

#### Website

29. The website of the Office of the Ombudsperson (www.un.org/sc/suborg/en/ ombudsperson) has continued to be revised and updated. The Office has also prepared an update to the section on the website, entitled "Approach to Assessment of Information" (see para. 36 below). The Ombudsperson expressed the hope to post the update on the website shortly.

## **IV.** Observations and conclusions

#### Fair process

#### Transition

30. The present report marks the transition between the former and the current Ombudsperson, after five years of the implementation of the mandate of the Office of the Ombudsperson.

31. When the mandate of the former Ombudsperson ended on 13 July 2015, eight cases remained pending at different stages of the process. Of these, four cases were at a stage where they required the substantive involvement of both the former and the current Ombudsperson. In those cases, the former Ombudsperson had submitted the comprehensive reports but the cases were scheduled for oral presentation only after completion of her tenure.

32. The Ombudsperson agreed with her predecessor that the latter should be associated with the oral presentation of these transition cases to the Committee, in fairness to the petitioners. These cases were presented to the Committee on 27 July and 24 August 2015. The current Ombudsperson formally introduced each case and, in compliance with procedural requirements,<sup>3</sup> her predecessor presented the comprehensive reports that she had submitted on the delisting requests and made herself available to answer questions from Committee members. All of these cases were therefore presented to the Committee within the timelines prescribed by the Security Council. This includes the case specifically mentioned by the former Ombudsperson in her last report to the Security Council (see S/2015/533). All of these cases have now been disposed of by the Committee, following the review by and recommendations of the Ombudsperson. One individual was delisted on 18 August 2015, within the prescribed timeline. The three remaining cases were unaffected by the transition because of their stages at the time of transition.

33. The transition between mandate holders and the 13-day gap between their tenures therefore did not affect the fairness in any of the pending cases during the transition. However, the Ombudsperson stresses the importance of making timely arrangements in future to avoid any serious impact the next transition could have on the fairness to petitioners.

#### Assessment during the reporting period

34. All the Committee decisions on delisting petitions made during the reporting period were premised solely on information gathered by the Ombudsperson and followed her recommendations. 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 transition cases during the reporting period, the Ombudsperson remained satisfied that the petitioner was still aware of the substance of the case to be met. In terms of knowing and responding to the case and benefiting from an independent review and the availability of an effective remedy, all of the cases met these fundamental requirements of fairness.

#### Consistency of approach

35. During the transition, the Ombudsperson familiarized herself with the eight cases pending at the time and had extensive exchanges with her predecessor in this context. In addition, the Ombudsperson reviewed the facts and analysis contained in the comprehensive reports prepared by her predecessor in the 58 cases already disposed of by the Committee. This review aimed at ensuring a consistency of approach. If the Ombudsperson were at any stage to even slightly depart from a previous approach, it would have to be with full knowledge of the case and with cogent reasons to do so, not as a result of a lack thereof. While conducting this review, the Ombudsperson identified relevant excerpts and organized them by keywords and themes in such a way that can be updated as cases progress. It can also be used as an internal database and a legacy tool for future Ombudspersons and staff of the Office.

<sup>&</sup>lt;sup>3</sup> Paragraph 3 (d) of the Committee Guidelines requires the Chair to invite the Ombudsperson to present his/her comprehensive report on any delisting request.

#### Transparency of the process

#### General information about the process

36. In her interaction with petitioners and their counsel during the first few months of her term, the Ombudsperson has measured how the absence of publicly available case law, or its equivalent, of the practice of the Ombudsperson affects the ability of petitioners to efficiently present their case. Given that comprehensive reports are not made publicly available, even duly diligent counsel cannot review the past practice of the Ombudsperson to assist their client. The former Ombudsperson issued statements, made available on the website of the Office, with respect to two important aspects of her approach to her work concerning the standard applicable to the review of delisting requests and the assessment of information. The former Ombudsperson published the second document in November 2012 in response to grave concerns expressed by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. It was therefore published at a time when only 22 reports had concluded through the Ombudsperson process, almost a third of the cases concluded as at present. In the current situation, comprehensive reports and their contents are strictly confidential. In fairness to petitioners, it is necessary to make publicly available as much information as possible about the Ombudsperson process. To that end, the Ombudsperson has decided to expand and update the second statement to address other aspects of the assessment of information that are not currently covered, including the approaches to inferences and to analysis of association and disassociation. On 27 January 2016, the Ombudsperson informally briefed the Committee on this initiative. She also consulted the Monitoring Team, the Office of Legal Affairs and the Office of the United Nations High Commissioner for Human Rights on the draft document. The document has now been circulated for information to members of the Committee. The Ombudsperson will review any comments received prior to finalizing and placing the document on the website of the Office, within the next few weeks. It is expected that increasing the transparency of the process before the Ombudsperson will be a valuable preparatory tool for petitioners and their counsel. The Ombudsperson also expressed the hope that it would bring more confidence and credibility to the mechanism.

#### Interested States

37. As discussed in the eighth, ninth and tenth reports (see S/2014/553; S/2015/80, para. 39; and S/2015/533, para. 38), consideration should be given to allowing for more general access by States to the comprehensive reports of the Ombudsperson. During the reporting period, three interested States sought the release of a comprehensive report, illustrating the continued attention to the process. The Ombudsperson fully seconds the proposal by her predecessor that, as an initial step, the body of interested States could be expanded from the designating States and States of residence/nationality/incorporation to any State from which information was sought or provided in the particular case. These States often have a significant relevant interest in the particular case for a variety of reasons, and access to the comprehensive report could be of value and assistance to the authorities of the State. Any issues of confidentiality which arise can easily be addressed through redactions.

#### The petitioner

38. The absence of access by petitioners to the comprehensive report in their cases remains of concern and amounts to a lacuna in terms of fairness in the context of the Ombudsperson mechanism (see S/2015/80, para. 40 and S/2015/533, paras. 39-40).

39. Where the Committee follows the recommendation by the Ombudsperson that it maintain the listing or that it consider delisting the name of the petitioner from the Islamic State in Iraq and the Levant (ISIL) (Da'esh) and Al-Qaida Sanctions List, the petitioner receives a letter summarizing the reasons that formed the basis for the Ombudsperson's recommendation, which is not attributable to the Committee or any individual Committee member.

40. In contrast with the significant problems encountered in terms of the substantive content of communications containing reasons in delisting cases that were detailed in the ninth report (see S/2015/80, para. 43), the tenth report described some limited progress made in ensuring that the letters communicating the reasons with regard to the Committee decision generally provide sufficient factual information as to the basis for the decision (see S/2015/533, para. 41).

41. The situation has continued to improve during the reporting period. Summaries conveying the analysis contained in the comprehensive report addressed most of the arguments advanced by the petitioners in the delisting petitions in question; their arguments were also addressed through exchanges with the Ombudsperson. A summary does not, however, convey the comprehensive nature of the report. Only a transmission of the full report or at least of the totality of the section containing the analysis, observations and principal arguments, subject to redaction, would achieve such a result.

42. The Ombudsperson reiterates the suggestion made in the tenth report to address the situation resulting from the delay in notifying the petitioner in the event of retention on the list (see S/2015/533, para. 47). The delay is owing to a specific formal notification process provided for within resolution 2253 (2015), which applies only after the Committee has conveyed the reasons for the retention to the Ombudsperson. This may take up to 60 days after the decision is made to retain the listing. In the interest of fairness and efficiency, consideration should be given to 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 timeframe.

#### Cooperation of States/State support for the Office of the Ombudsperson

43. State cooperation and expressions of support for the Office of the Ombudsperson were strong during the reporting period. Almost all States 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 both during bilateral meetings and at recent debates concerning sanctions.<sup>4</sup>

<sup>&</sup>lt;sup>4</sup> See e.g. Open Briefing to United Nations Member States by Catherine Marchi-Uhel, Ombudsperson, Security Council Al-Qaida Sanctions Committee, held on 23 November 2015; Letter dated 4 August 2015 from the representatives of Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, Netherlands, Norway, Sweden and Switzerland to the United Nations addressed to the Secretary-General.

#### Independence of the Office of the Ombudsperson

44. The previous Ombudsperson highlighted in great detail the deficiencies in the current structural and contractual arrangements and the need to address them in her seventh to tenth reports to the Security Council.

45. In paragraph 46 of its resolution 2161 (2014), the Security Council requested the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson to ensure its continued ability to carry out its mandate in an independent, effective and timely manner.

46. Notwithstanding the earlier request from the Security Council, the deficiencies in question remain. Notably, the Ombudsperson is subject to the same clause of the consultancy contract described in the tenth report as being fundamentally inconsistent with the independent role and functions of the Ombudsperson. Another aspect of the inadequacy of this consultancy contact became apparent during the transition period. The nature of this contract prevented adequate compensation of the former Ombudsperson, who prepared for and presented her comprehensive reports to the Committee in the various cases scheduled on the agenda of the Committee after the completion of her term. Her presence was deemed necessary to comply with the procedural requirement that the Ombudsperson orally present her comprehensive report to the Committee.<sup>5</sup> To maintain fairness to the petitioners and the integrity of the process, it was essential to ensure that the Committee had an opportunity to engage with and pose questions to the author of the comprehensive reports, who had unique knowledge of the case.

47. In addition, based on the contractual arrangement under which the current Ombudsperson was recruited, she was prevented from fully taking part in the recruitment process for a replacement, for the duration of the maternity leave of the only Legal Officer assigned to support the Office. 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 recruitment, but she was denied participation, even as an observer, in the competency-based interviews of candidates shortlisted for the position.

48. In 2015, two documents containing proposals to address the lack of institutional guarantees of independence of the Ombudsperson were prepared. The first document is the Compendium of the High-level Review of United Nations Sanctions (A/69/941-S/2015/432, issued in June 2015). It notably recommends 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 and include institutional protections to allow the Office to actually meet the requirements of an independent office. The second document is a proposal transmitted to the President of the Security Council by the Group of Like-Minded States on Targeted Sanctions (see S/2015/867). The proposal calls for "fair and clear procedures for a more effective United Nations sanctions system", including a suggestion that the Office of the Ombudsperson should

<sup>&</sup>lt;sup>5</sup> Paragraph 3 (d) of the Committee Guidelines requires the Chair to invite the Ombudsperson to present his/her comprehensive report on any delisting request.

be restructured with a view to institutionalizing it through its transformation into a permanent office or a special political mission office within the Secretariat.<sup>6</sup>

49. In paragraph 59 of its 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. The Ombudsperson is encouraged by this request and looks forward to the specific actions to be taken to adequately address the above-mentioned deficiencies and to provide institutional safeguards to ensure the independence of the Office.

#### Conclusion

50. The establishment of the Ombudsperson mechanism and its progressive reinforcement helps to make the ISIL (Da'esh) and Al-Qaida sanctions regime more consistent with fundamental human rights obligations.

51. With regard to due process, the ISIL (Da'esh) and Al-Qaida sanctions regime is certainly the most robust of the targeted sanctions regimes adopted by the Security Council, under Chapter VII of the Charter of the United Nations, in response to threats against international peace and security. This no doubt reinforces the credibility of this regime and has in turn assisted States in implementing the sanctions imposed by the Committee.

52. As has been highlighted in the present and previous reports, however, there remain areas for improvement. Notably, the Ombudsperson shares her predecessor's assessment that the process before the Ombudsperson remains unnecessarily shrouded in mystery. As long as comprehensive reports, or parts of them demonstrating the reasoned nature of the process, are not made publicly available, every effort must be made to inform petitioners and the general public about the process before the Ombudsperson. It is hoped that the update to the information available on the website of the Office relating to the Ombudsperson's approach to the assessment of information will help to shed some light on the process.

<sup>&</sup>lt;sup>6</sup> The Group of Like-Minded States on Targeted Sanctions had 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 Office of the Ombudsperson 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)."

## Annex

## Status of cases

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

Date	Description
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)

Date	Description
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)

Date	Description
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

Date	Description
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 4, Shafiq Ben Mohamed Ben Mohammed Al Ayadi (Status: delisted)

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

Date	Description
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)

Date	Description
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)

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

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

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

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

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

Date	Description
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

Date	Description
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 10, Ibrahim Abdul Salam Mohamed Boyasseer (Status: delisted)

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

Date	Description
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)

Date	Description
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

Date	Description
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

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

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

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

Date	Description
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)

Date	Description
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

Date	Description
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 16, Mounir Ben Habib Ben al-Taher Jarraya (Status: delisted)

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

Date	Description
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)

Date	Description
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)

Date	Description
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)

Date	Description
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)

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

Date	Description
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 22, Ibrahim ben Hedhili ben Mohamed al-Hamami (Status: delisted)

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

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

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

Date	Description
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)

Date	Description
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

Date	Description
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)

Date	Description
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)

Date	Description
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)

Date	Description
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)

Date	Description
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

Date	Description
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 31, Abd al Hamid Sulaiman Muhammed al-Mujil (Status: delisted)

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

Date	Description
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)

Date	Description
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

Date	Description
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)

Date	Description
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)

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

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

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

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

Date	Description
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 38, Moustafa Abbas (listed as Moustafa Abbes) (Status: delisted)

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

Date	Description
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)

Date	Description
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

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

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

Date	Description
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 become most following the Committee's decision of

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

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

Date	Description
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 44, one individual (Status: denied)

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

Date	Description
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)

Date	Description
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)

Date	Description
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)

Date	Description
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)

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

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Date	Description
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 50, Al-Haramain Foundation (USA) (Status: delisted)

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

Date	Description
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)

Date	Description
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

Date	Description
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 53, Abd al-Rahman Muhammad Jaffar 'Ali (Status: delisted)

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

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

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

Date	Description
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

Date	Description
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 56, one individual (Status: denied) (Repeated request)

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

Date	Description
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)

Date	Description
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

Date	Description
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 59, Al Sayyid Ahmed Fathi Hussein Eliwah (Status: delisted)

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

Date	Description
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)

Date	Description
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

Date	Description
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)

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

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

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