

Second, and somewhat more importantly, is that the Ombudsperson has no direct decision making authority on delisting requests.¹²¹ Indeed, the formal role of the Ombudsperson is merely to gather and present information to the Sanctions Committee, who retains the ultimate authority to delist the petitioner. Although a nominal improvement was introduced in 2013, making the decision of the Ombudsperson binding after 60 days if the Sanctions Committee does not reach a consensus,¹²² this does not satisfy the requirement of the remedy being granted by an 'impartial body', the ultimate decision making authority still resting with the relevant Committee.

Third, as a result of the Ombudsperson's inability to enforce the de-listing of a petitioner, the mechanism lacks the 'accessibility element' of due process, which requires that 'the body that hears the individual or entity is the same body that has the power to make a binding decision based on the complaint of the affected individual or entity.'¹²³ Furthermore, since the Ombudsperson's mandate is subject to frequent renewal 'contributes to the perception of the mechanism as temporary.'¹²⁴

On the above therefore, the office of the Ombudsperson, although presenting an improvement from the actually unsatisfactory Focal Point mechanism, still has scope for improvement in ensuring the fulfilment of due process rights for those listed.

3 | THE PRINCIPLE OF TRANSPARENCY

The principle of transparency has most often been represented as a right to freedom of or access to information¹²⁵ and has found expression in domestic,¹²⁶ regional¹²⁷ and international¹²⁸ human rights systems. It has been described as a 'core human rights principle'¹²⁹ and its applicability to the Security Council is uncontested.¹³⁰ Within the context of UN Sanctions, the increased propensity of the SC to impose 'targeted' sanctions has elevated the relevance of transparency, since those adversely affected have an amplified interest in the reasons behind the measures imposed, especially in regard to their rights of procedural due process. As the issue of due process has been examined above however, the following section focuses upon the release of information to the public eye.

It follows that the precise formulation of the principle as applied to the imposition and subsequent implementation of sanctions regimes – by the Council and its subsidiary sanctions committees respectively – remains unclear. This lack of clarity has largely been fuelled by the need to arrive at 'a realistic balance between transparency and confidentiality.'¹³¹ Where the former may be understood as an absolute rule requiring that 'the reasons for applying and modifying sanctions [are] clearly expressed by the Security Council and its sanctions committees',¹³² the latter can be seen as a concept permitting deviation from the principle of transparency where discussion within the Council involves confidential and politically sensitive information,¹³³

¹²¹ Ibid. 401.

¹²² www.un.org/News/Press/docs/2013/Jan/S130104.html#17.23

¹²³ Ibid. 401, 402.

¹²⁴ See Robert E. Thomas-Brennan 'Due Process and Targeted Sanctions: An Update of the "Western Report"' (2014)

http://www.sankommission.org/wp-content/uploads/2014/05/2014052001_23.pdf, accessed 01/04/2015, 30.

¹²⁵ See generally, 'The Information Right: Transparency, Access to Information and UN Sanctions' in: Thomas and E. Rosenbaum (eds.), *Sanctions*

International and Domestic Law (2012), 101-120.

¹²⁶ See generally *Art. 17 of Rights for All (2003)*, 1-14.

¹²⁷ See *Article 17 of the ECHR* (1950), 20-22; *Art. 40 of the ICCPR*, 20-22; *Art. 40 of the ICESCR*, 20-22.

¹²⁸ Ibid. 20-22.

¹²⁹ Office of the High Commissioner for Human Rights, *The Human Rights Case System* (Geneva, http://ohchr.org/Lib/2013/01/20130101_01) 120-121, 13.

¹³⁰ The Council itself has promulgated its 'Principle of Transparency of its operations' (S/RES/1666 (2006) UN Doc. S/RES/1666/16, 1).

¹³¹ See generally Marko E. Rosenbaum 'UN Security Council: Balancing the UN Law with UN Security Council' 10.

¹³² See generally, *United Nations Sanctions and the Rule of Law* (2010) 84.

¹³³ See generally Marko E. Rosenbaum 'Transparency and the UN Security Council: The Case for Greater Transparency' (2014)

http://www.sankommission.org/wp-content/uploads/2014/05/2014052001_23.pdf, accessed 01/04/2015, 30.

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Country Reports on Human Rights Practices ,2009 Understanding and Preventing Corruption A. Graycar,T. Prenzler,2013-11-04 Graycar and Prenzler present a readily accessible guide to the issues of public and private sector corruption outlining the nature and dimensions of corruption problems in a variety of settings across the world and providing a set of practical strategies to prevent corruption that also facilitate economic growth and development **The European Union , Justice Between Simplification and Formalism** Christoph Kern,2007 A recent study in the field of comparative economics or more precisely numerical comparative law constructed an index of procedural formalism of dispute resolution for more than 100 countries and analyzed the relationship between procedural formalism and certain aspects of quality of the judicial systems The study s results suggest a strong relationship between legal origins formalism and the quality of dispute resolution Not surprisingly the study closes with a recommendation for reform What makes this study so important is not only its findings backed by an amount of data which seems to be a guarantee for the study s universal validity but also the financial support of the World Bank an indicator of the Bank s interest in these questions Similar studies in the area of banking securities and corporate law have received much attention from the legal community However for the recent study on civil procedure this is not the case Christoph Kern provides a first critical approach to the study from the perspective of a legal scholar He does not suggest a mere re coding but focuses on the methodology and the underlying legal questions After an extensive discussion of the input to the study the author turns to the way the study combines the data and in particular how it interprets the results He concludes that the study leaves a mixed impression and that therefore doubts remain as to its results and interpretation Going to War with the Allies You Have Daniel Byman,2005 The United States has long faced numerous problems when fighting insurgencies Many of these concern the performance of local allies who typically play a leading role in counterinsurgency In this monograph Dr Daniel Hyman reviews the problems common to the security forces of local allies that have fought or may soon fight insurgencies linked to al Qaeda He argues that these problems stem from deep structural weaknesses such as the regime s perceived illegitimacy poor civil military relations an undeveloped economy and discriminatory societies Together they greatly inhibit the allied armed forces effectiveness in fighting the insurgents Various U S programs designed to work with allied security forces at best can reduce some of these issues To be effective any program to assist allied counterinsurgency forces should factor in the allies weaknesses *Going to War with the Allies You Have: Allies, Counterinsurgency, and the War on Terrorism* ,2005 Potential U S allies in counterinsurgencies linked to al Qaeda frequently suffer from four types of problems illegitimate and repressive regimes civilian military tension manifested by fears of a coup economic backwardness and discriminatory societies Because of these problems allies often stray far from the counterinsurgency COIN ideal both militarily and politically Their security service culture often is characterized by poor intelligence a lack of initiative little integration of forces across units soldiers

who do not want to fight bad leadership and problems with training learning and creativity In addition the structural weaknesses have a direct political effect that can aid an insurgency by hindering the development and implementation of a national strategy fostering poor relations with outside powers that might otherwise assist the COIN effort encouraging widespread corruption alienating the security forces from the overall population and offering the insurgents opportunities to penetrate the security forces Washington must recognize that its allies including these security forces are often the source of the problem as well as the solution The author argues that the ally s structural problems and distinct interests have daunting implications for successful U S counterinsurgency efforts The nature of regimes and of societies feeds an insurgency but the United States is often hostage to its narrow goals with regard to counterinsurgency and thus becomes complicit in the host nation s self defeating behavior Unfortunately U S influence often is limited as the allies recognize that America s vital interests with regard to fighting al Qaida linked groups are likely to outweigh any temporary anger at an ally s brutality or failure to institute reforms Training military to military contacts education programs and other efforts to shape their COIN capabilities are beneficial but the effects are likely to be limited at best

Country Reports on Human Rights Practices for 1996 , Presents Country Reports on Human Rights Practices which are presented annually by the U S Department of State to the U S Congress Explains that the reports cover individual civil political and worker rights

Combatting High-level Corruption in Eastern Europe Insights and Solutions OECD,2024-09-12 The study presents an analysis of the state of play in the fight against high level corruption in Eastern Europe with a focus on Eastern Partnership countries highlighting the key underlying factors contributing to high level corruption in the region oligarchs and organised crime It advocates for establishing a specialised anti corruption institutional framework as a key solution It details recent institutional developments and underscores the need to ensure real independence of anti corruption agencies provide them with sufficient resources and develop analytical capacities The report also highlights the importance of strengthening co operation with whistleblowers and investigative journalists and building a partnership between civil society and businesses The study also calls on countries to address legislative deficiencies such as complex mechanisms for lifting immunities time limits for investigations and low statutes of limitations

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current innovative and participatory efforts identifies gaps and proposes steps Armenia can take to accelerate innovative and participatory policymaking

Public Administration in South Asia Meghna Sabharwal, Evan M. Berman, 2016-04-19 A state of the art one stop resource Public Administration in South Asia India Bangladesh and Pakistan examines public administration issues and advances in the Indian subcontinent The book fulfills a critical need These nations have the largest public administration programs in South Asia yet existing knowledge on them is fragmented at best Bringing together leading scholars from these countries this book provides both an insider perspective and a scholarly look at the challenges and accomplishments in the region Focusing on the machinery of government the book explores questions such as What is the history of public administration development How are major decisions made in the agencies Why are anti corruption efforts so much a challenge What is the significance of intergovernmental relations What is the success of administrative reform What are examples of successful social development programs How successful is e government and what are its challenges Why is civil service reform difficult to achieve How is freedom of information being used as a means to combat corruption and invoke grassroots activism What can be learned from the successes and failures While public administration practice and education have become considerably professionalized in the last decade a sufficiently in depth and well rounded reference on public administration in these countries is sorely lacking Most available books tackle only aspects of public administration such as administrative reforms civil service economic developments or public policy and are country specific None provide the in depth analysis of the sphere of public action in South Asia found in this book It supplies an understanding of how public administration can be either the source of or solution to so many of the problems and achievements in the Indian subcontinent

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find this immensely practical book a valuable aid to critical decision making

The Strength of Our Commitments

Corina Lacatus,2024-03-13 The number of international agreements defining and committing signatories to enforcing human rights in their domestic law has grown over the postwar era Accompanying these agreements has been the development of domestic agencies to enforce these obligations Cora Lacatus has surveyed human rights agencies around the world to determine how effective they are in enforcing human rights and what explains the success of some of these agencies and the failures of others Lacatus contends that international support for these agencies is critical to their success She points to the efforts of the European Union to set standards for agency performance and to provide political support for the agencies in its member countries as an example of the influence of international organizations Lacatus also contends that how these agencies cultivate domestic political support is important Are the agencies important to a government in sending a signal to key groups in the country of its support for human rights Does the vitality of the agency send an important signal to key international actors of the governments support for certain values The audience for this book will primarily be among scholars in international relations It is the last book for the series Chicago Series on International and Domestic Institutions

Tax Crimes and Enforcement in the European Union Umut Turksen,Donato Vozza,Reinhard Kreissl,Fanou

Rasmouki,2023-01-12 This is an open access title available under the terms of a CC BY NC ND 4 0 International licence It is free to read at Oxford Scholarship Online and offered as a free PDF download from OUP and selected open access locations EU member states lose hundreds of billions of euros to tax evasion every year Tax crimes have a significant impact on the functioning of national and international economies and on the global financial system Not only do they affect the actors involved and the state that has been deprived of tax revenues but the citizens of those states suffer too Tax Crimes and Enforcement in the European Union presents the findings of the EU funded PROTAX project Chapters written by leading experts discuss EU and national legal measures and institutional practices to counter anti money laundering corruption organised crime and tax evasion Human factors and their role in countering tax crimes are also considered as well as whistleblower protection legislation which gives readers a rounded view of current practices within the EU This book provides a timely and valuable comparative study of the legal and institutional background of the prosecution of tax crimes as well as an analysis of legal measures and institutional practices to combat tax crimes on national and EU levels It also contributes to the development of an advanced European Security Model for understanding human factors in countering tax crimes It equips policy makers and law enforcement agencies with the dynamic toolkit they need to improve their understanding of tax crimes in the EU and provides solutions for preventing detecting and investigating tax crimes

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Anetta,2017-02-10 The role of foreign direct investment initiatives is pivotal to effective enterprise development This is particularly vital to emerging economies that are building their presence in international business markets Outward Foreign

Direct Investment FDI in Emerging Market Economies is a comprehensive source of academic material on the progressive impact of investment opportunities in the context of developing nations Highlighting pivotal research perspectives on topics such as trade sourcing strategies and corporate social responsibility this book is ideally designed for academics practitioners graduate students and professionals interested in the economic performance of emerging markets **Political Atlas of the Modern World** Andrei Melville,Yuri Polunin,Mikhail Ilyin,Mikhail Mironyuk,Ivan Timofeev,Elena Meleshkina,Yan Vaslavskiy,2011-08-02 The Political Atlas of the Modern World is a unique reference source which addresses these questions by providing a comparative study of the political systems of all 192 countries of the world Uses quantitative data and multidimensional statistical analysis Ranks countries according to five indices of political development stateness external and internal threats potential of international influence quality of life institutional basis of democracy Illustrated throughout with tables and diagrams Global Corruption Report 2008 Transparency International,2008-06-26 The Global Corruption Report examines corruption in the water sector documents worldwide corruption related developments and presents research projects on corruption **Investment of Criminal Proceeds into the Legitimate Economy** Emanuele Sclafani,2024-02-15 This book explores the infiltration of Italian and Russian organised crime in the UK real estate market assessing how vulnerable the UK is to these sorts of activities It identifies the drivers behind the criminal choices and modus operandi of Italian and Russian organised crime groups and the factors causing their mobility abroad Investment of Criminal Proceeds into the Legitimate Economy broadens our knowledge on the relationship between criminal agency and criminogenic opportunity in a socio economic and legal context This book offers a critical insight into the criminal actors and operations of Italian and Russian organised crime groups such as money laundering schemes in the real estate sector whilst also exploring the role of crime facilitators Drawing on interviews with prosecutors law enforcement agents and investigative journalists Investment of Criminal Proceeds into the Legitimate Economy explores how criminal investments adversely affect both law enforcement operations and socio economic development in this area An accessible and compelling read this book will appeal to students and scholars of criminology law organised crime policymakers and all those interested in how Italian and Russian organised crime operates in the UK real estate market Public Administration in the Middle East and North Africa Shahjahan Bhuiyan,2023-06-30 This book examines the status of public administration in eight countries the United Arab Emirates UAE Turkey Lebanon Jordan Morocco Tunisia Sudan and Libya in the Middle East and North Africa MENA This volume explores the issues perspectives traditions and cultures that shape the operation of public administration in the region This book also offers critical narratives on how the region s governments manage the state and statecrafts regarding their governance design It reflects on the multiplicity of public administration structures functions processes and procedures as well as reform schemes which are critical in achieving good governance to continuously improve the human condition in the MENA region Public Administration in the Middle East and North Africa will be of interest to scholars practitioners and

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