COUNCIL DECISION (CFSP) 2021/55

of 22 January 2021

amending Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article 29 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 31 January 2011, the Council adopted Decision 2011/72/CFSP ([1]) concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia.

(2) On the basis of a review of Decision 2011/72/CFSP, the restrictive measures should be extended until 31 January 2022, and, in the Annex thereto, the entries for four persons should be deleted and the information regarding the rights of defence and the right to effective judicial protection should be updated for two persons.

(3) Decision 2011/72/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2011/72/CFSP is amended as follows:

(1) Article 5 is replaced by the following:

'*Article 5*

This Decision shall apply until 31 January 2022. It shall be kept under constant review. It may be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.';

(2) the Annex is amended in accordance with the Annex to this Decision.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 22 January 2021.

For the Council
The President
A. P. ZACARIAS

([1]) Council Decision 2011/72/CFSP of 31 January 2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia (OJ L 28, 2.2.2011, p. 62).

ANNEX

In Decision 2011/72/CFSP, the Annex is amended as follows:

(1) in Part A (List of persons and entities referred to in Article 1), the entries for the following persons are deleted:

22. Bouthaina Bent Moncef Ben Mohamed TRABELSI

23. Nabil Ben Abderrazek Ben Mohamed TRABELSI

41. Akrem Ben Hamed Ben Taher BOUAOUINA

47. Slim Ben Tijani Ben Haj Hamda BEN ALI;

(2) Part B (Rights of defence and right to effective judicial protection under Tunisian law) is amended as follows:

(a) the entries for the following persons are deleted:

22. Bouthaina Bent Moncef Ben Mohamed TRABELSI

23. Nabil Ben Abderrazek Ben Mohamed TRABELSI

41. Akrem Ben Hamed Ben Taher BOUAOUINA

47. Slim Ben Tijani Ben Haj Hamda BEN ALI;

(b) the entries concerning the following persons are replaced by the following entries:

'14. Samira Bent Mohamed Ben Rhouma TRABELSI

The investigation or trial relating to the misappropriation of public funds or assets is still ongoing. The information on the Council's file shows that the rights of defence and the right to effective judicial protection were respected in the judicial proceedings on which the Council relied. This is demonstrated in particular by the fact that, on 11 August 2011, Ms Samira Bent Mohamed Ben Rhouma TRABELSI was heard by an investigating judge in the presence of her lawyer.

45. Montassar Ben Habib Ben Bouali LTAIEF

The investigation or trial relating to the misappropriation of public funds or assets is still ongoing. The information on the Council's file shows that the rights of defence and the right to effective judicial protection were respected in the judicial proceedings on which the Council relied. This is demonstrated in particular by the fact that in 2011 and 2013 Mr Montassar Ben Habib Ben Bouali LTAIEF was heard by an investigating judge in the presence of his lawyers.'.