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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)

Amended by:

		Official Journal		
		No	page	date
►M1	Council Implementing Decision 2011/79/CFSP of 4 February 2011	L 31	40	5.2.2011
►M2	Council Decision 2012/50/CFSP of 27 January 2012	L 27	11	31.1.2012
►M3	Council Decision 2012/724/CFSP of 26 November 2012	L 327	45	27.11.2012
►M4	Council Decision 2013/72/CFSP of 31 January 2013	L 32	20	1.2.2013
►M5	Council Implementing Decision 2013/409/CFSP of 30 July 2013	L 204	52	31.7.2013
►M6	Council Decision 2014/49/CFSP of 30 January 2014	L 28	38	31.1.2014
►M7	Council Decision (CFSP) 2015/157 of 30 January 2015	L 26	29	31.1.2015
►M8	Council Decision (CFSP) 2016/119 of 28 January 2016	L 23	65	29.1.2016
►M9	Council Decision (CFSP) 2017/153 of 27 January 2017	L 23	19	28.1.2017
►M10	Council Decision (CFSP) 2018/141 of 29 January 2018	L 25	38	30.1.2018
►M11	Council Decision (CFSP) 2019/135 of 28 January 2019	L 25	23	29.1.2019
►M12	Council Decision (CFSP) 2020/117 of 27 January 2020	L 22	31	28.1.2020
►M13	Council Decision (CFSP) 2021/55 of 22 January 2021	L 23	22	25.1.2021
►M14	Council Decision (CFSP) 2022/118 of 27 January 2022	L 19	67	28.1.2022
►M15	Council Decision (CFSP) 2022/154 of 3 February 2022	L 25	18	4.2.2022
►M16	Council Decision (CFSP) 2022/1367 of 4 August 2022	L 205	276	5.8.2022
►M17	Council Implementing Decision (CFSP) 2022/2086 of 27 October 2022	L 280	47	28.10.2022
►M18	Council Decision (CFSP) 2023/159 of 23 January 2023	L 22	18	24.1.2023
►M19	Council Decision (CFSP) 2023/2686 of 27 November 2023	L 2686	1	28.11.2023
►M20	Council Decision (CFSP) 2024/421 of 29 January 2024	L 421	1	30.1.2024
►M21	Council Decision (CFSP) 2024/2664 of 8 October 2024	L 2664	1	9.10.2024

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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

Article 1

1. All funds and economic resources belonging to, owned, held or controlled by persons responsible for misappropriation of Tunisian State funds, and natural or legal persons or entities associated with them, as listed in the Annex, shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to, or for the benefit of, natural or legal persons or entities listed in the Annex.

▼M15

2a. Without prejudice to Article 5, in the event of the decease of a person listed in the Annex:

(a) where a criminal conviction for the misappropriation of State funds was made against that person before his or her decease, the funds and economic resources which belonged to that person or which he or she owned, held or controlled shall continue to be frozen until court orders for the recovery of the misappropriated State funds and the payment of fines have been executed;

(b) where no such criminal conviction was made against that person before his or her decease, the funds and economic resources which belonged to that person or which he or she owned, held or controlled shall continue to be frozen for a reasonable period of time, subject to paragraph 4. If a civil or administrative action for the recovery of misappropriated State funds is brought within that period, the funds and economic resources which belonged to that person or which he or she owned, held or controlled shall remain frozen until such action is dismissed or, if it is upheld, until the court's order for the recovery of the misappropriated funds has been executed.

2b. The Council shall amend the list in the Annex as necessary once it establishes that the conditions set out in paragraph 2a for maintaining the freezing of funds and economic resources which belonged to the deceased person or which he or she owned, held or controlled are no longer met.

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3. The competent authority of a Member State may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as it deems appropriate, after having determined that the funds or economic resources concerned are:

(a) necessary to satisfy the basic needs of the persons listed in the Annex and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;

(b) intended exclusively for the payment of reasonable professional fees and the reimbursement of incurred expenses associated with the provision of legal services;

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(c) intended exclusively for the payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources; or

(d) necessary for extraordinary expenses, provided that the competent authority has notified the competent authority of the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least 2 weeks prior to the authorisation.

A Member State shall inform the other Member States and the Commission of any authorisation it grants under this paragraph.

▼M3

4. By way of derogation from paragraph 1, the competent authorities of a Member State, may authorise the release of certain frozen funds or economic resources, provided the following conditions are met:

(a) the funds or economic resources are the subject of an arbitral decision rendered prior to the date on which the natural or legal person, entity or body referred to in paragraph 1 was listed in the Annex or of a judicial or administrative decision rendered in the Union, or a judicial decision enforceable in the Member State concerned, prior to or after that date;

(b) the funds or economic resources will be used exclusively to satisfy claims secured by such a decision or recognised as valid in such a decision, within the limits set by applicable laws and regulations governing the rights of persons having such claims;

(c) the decision is not for the benefit of a natural or legal person, entity or body listed in the Annex; and

(d) recognising the decision is not contrary to public policy in the Member State concerned.

The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under this paragraph.

5. Paragraph 2 shall not apply to the addition to frozen accounts of:

(a) interest or other earnings on those accounts; or

(b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to this Decision; or

(c) payments due under judicial, administrative or arbitral decisions rendered in the Union or enforceable in the Member State concerned,

provided that any such interest, other earnings and payments remain subject to the measures provided for in paragraph 1.

▼M19

6. Paragraphs 1 and 2 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

(a) the United Nations (UN), including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;

(b) international organisations;

(c) humanitarian organisations having observer status with the UN General Assembly and members of those humanitarian organisations;

(d) bilaterally or multilaterally funded non-governmental organisations participating in the UN Humanitarian Response Plans, UN Refugee Response Plans, other UN appeals or humanitarian clusters coordinated by the UN Office for the Coordination of Humanitarian Affairs;

(e) organisations and agencies to which the Union has granted the Humanitarian Partnership Certificate or which are certified or recognised by a Member State in accordance with national procedures;

(f) Member States' specialised agencies; or

(g) the employees, grantees, subsidiaries or implementing partners of the entities referred to in points (a) to (f) while and to the extent that they are acting in those capacities.

7. Without prejudice to paragraph 6, and by way of derogation from paragraphs 1 and 2, the competent authorities of a Member State may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, after having determined that the provision of such funds or economic resources is necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs.

8. In the absence of a negative decision, a request for information or a notification for additional time from the relevant competent authority within five working days of the date of receipt of a request for authorisation under paragraph 7, that authorisation shall be considered granted.

9. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under paragraphs 7 and 8 within four weeks of such authorisation.

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Article 2

1. The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall establish and amend the list in the Annex.

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2. The Council shall communicate its decision, including the grounds for the listing, to the person or entity concerned, either directly, if the address is known, or through the publication of a notice, providing such person or entity with an opportunity to present observations.

3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the person or entity concerned accordingly.

Article 3

1. The Annex shall include the grounds for listing the persons and entities.

2. The Annex shall also contain, where available, the information necessary to identify the persons or entities concerned. With regard to persons, such information may include names, including aliases, date and place of birth, nationality, passport and ID card numbers, gender, address if known, and function or profession. With regard to entities, such information may include names, place and date of registration, registration number and place of business.

Article 4

In order to maximise the impact of the abovementioned measures, the Union shall encourage third States to adopt restrictive measures similar to those contained in this Decision.

▼M20

Article 5

1. This Decision shall apply until 31 January 2025.

2. This Decision 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.

▼M21

3. The exceptions referred to in Article 1(6) and (7) as regards Article 1(1) and (2) shall be reviewed at regular intervals, and at least every 12 months, or at the urgent request of any Member State, the High Representative or the Commission following a fundamental change in circumstances.

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Article 6

This Decision shall enter into force on the date of its adoption.

▼M12

ANNEX

A. List of persons and entities referred to in Article 1

	Name	Identifying information	Grounds
1.	Zine El Abidine Ben Haj Hamda Ben Haj Hassen BEN ALI	POB: Hammam-Sousse DOB: 3 September 1936 Nationality: Tunisian ID no: 00354671 Issuing country: Tunisia Gender: male Other information: deceased, ex-president of Tunisia, son of Selma HASSEN, married to Leïla TRABELSI	Person (deceased) whose activities are subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities in respect of the misappropriation of public monies by a public office-holder, misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person and for the offence of the receipt by a public official of public funds which he knew were not due, and used for the personal benefit of himself or members of his family.
2.	Leïla Bent Mohamed Ben Rhouma TRABELSI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 24 October 1956 ID no: 00683530 Issuing country: Tunisia Gender: female Other information: daughter of Saida DHERIF, married to Zine El Abidine BEN ALI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person, and for complicity in the offence of the receipt by a public official of public funds which he knew were not due, and used for the personal benefit of himself or members of his family.
▼M18 3.	Moncef Ben Mohamed Ben Rhouma TRABELSI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 4 March 1944 ID no: 05000799 Issuing country: Tunisia Gender: male Other information: deceased, managing director, son of Saida DHERIF, married to Yamina SOUIEI	Person (deceased) whose activities are subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

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	Name	Identifying information	Grounds
▼M17 ———			
▼M12 5.	Fahd Mohamed Sakher Ben Moncef Ben Mohamed Hfaiez MATERI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 2 December 1981 ID no: 04682068 Issuing country: Tunisia Gender: male Other information: son of Naïma BOUTIBA, married to Nesrine BEN ALI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder (ex-President Ben Ali) to procure an unjustified advantage for a third party and to cause a loss to the administration, exerting wrongful influence over a public office-holder ex-President Ben Ali with a view to obtaining directly or indirectly an advantage for another person, and for complicity in the offence of the receipt by a public official of public funds which he knew were not due, and used for the personal benefit of himself or members of his family.
6.	Nesrine Bent Zine El Abidine Ben Haj Hamda BEN ALI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 16 January 1987 ID no: 00299177 Issuing country: Tunisia Gender: female Other information: daughter of Leïla TRABELSI, married to Fahd Mohamed Sakher MATERI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person and for complicity in the offence of the receipt by a public official of public funds which he knew were not due, and used for the personal benefit of himself or members of his family.

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	Name	Identifying information	Grounds
▼M14 7.	Halima Bent Zine El Abidine Ben Haj Hamda BEN ALI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 17 July 1992 Last known address: the Presidential Palace, Tunis, Tunisia ID no: 09006300 Issuing country: Tunisia Gender: female Other information: daughter of Leïla TRABELSI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person, and associated with Leila Trabelsi (No 2).
▼M12 8.	Belhassen Ben Mohamed Ben Rhouma TRABELSI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 5 November 1962 Last known address: 32 rue Hédi Karray — El Menzah — Tunis, Tunisia ID no: 00777029 Issuing country: Tunisia Gender: male Other information: managing director, son of Saida DHERIF	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
▼M18 9.	Mohamed Naceur Ben Mohamed Ben Rhouma TRABELSI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 24 June 1948 Last known address: 20 rue El Achfat – Carthage – Tunis, Tunisia ID no: 00104253 Issuing country: Tunisia Gender: male Other information: deceased, acting manager of an agricultural undertaking, son of Saida DHERIF, married to Nadia MAKNI	Person (deceased) whose activities are subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

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	Name	Identifying information	Grounds
10.	Jalila Bent Mohamed Ben Rhouma TRABELSI	Nationality: Tunisian POB: Radès DOB: 19 February 1953 Last known address: 21 rue d'Aristote — Carthage Salammbô ID no: 00403106 Issuing country: Tunisia Gender: female Other information: managing director, daughter of Saida DHERIF, married to MohamedMAHJOUB	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
11.	Mohamed Imed Ben Mohamed Naceur Ben Mohamed TRABELSI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 26 August 1974 Last known address: 124 avenue Habib Bourguiba -Carthage presidence ID no: 05417770 Issuing country: Tunisia Gender: male Other information: businessman, son of Najia JERIDI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
▼M18 12.	Mohamed Adel Ben Mohamed Ben Rehouma TRABELSI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 26 April 1950 ID no: 00178522 Issuing country: Tunisia Gender: male Other information: deceased, managing director, son of Saida DHERIF, married to Souad BEN JEMIA	Person (deceased) whose activities are subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

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	Name	Identifying information	Grounds
13.	Mohamed Mourad Ben Mohamed Ben Rehouma TRABELSI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 25 September 1955 Last known address: 20 rue Ibn Chabat – Salammbô – Carthage – Tunis, Tunisia ID no: 05150331 Issuing country: Tunisia Gender: male Other information: deceased, CEO, son of Saida DHERIF, married to Hela BELHAJ	Person (deceased) whose activities are subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
▼M20 ———			
▼M12 15.	Mohamed Montassar Ben Kbaier Ben Mohamed MEHERZI	Nationality: Tunisian POB: La Marsa DOB: 5 May 1959 Last known address: 4 rue Taoufik El Hakim-La Marsa ID no: 00046988 Issuing country: Tunisia Gender: male Other information: CEO, son of Fatma SFAR, married to Samira TRABELSI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

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	Name	Identifying information	Grounds
16.	Nefissa Bent Mohamed Ben Rhouma TRABELSI	Nationality: Tunisian DOB: 1 February 1960 Last known address: 4 rue de la Mouette — Gammarth Supérieur ID no: 00235016 Issuing country: Tunisia Gender: female Other information: daughter of Saida DHERIF, married to Habib ZAKIR	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
17.	Habib Ben Kaddour Ben Mustapha BEN ZAKIR	Nationality: Tunisian DOB: 5 March 1957 Last known address: 4 rue Ennawras — Gammarth Supérieur ID no:00547946 Issuing country: Tunisia Gender: male Other information: property developer, son of Saida BEN ABDALLAH, married to Nefissa TRABELSI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

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	Name	Identifying information	Grounds
19.	Lilia Bent Noureddine Ben Ahmed NACEF	Nationality: Tunisian POB: Tunis, Tunisia DOB: 25 June 1975 Last known address: 41 rue Garibaldi -Tunis, Tunisia ID no: 05417907 Issuing country: Tunisia Gender: female Other information: managing director, daughter of Mounira TRABELSI (sister of Leïla TRABELSI), married to Mourad MEHDOUI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
20.	Mourad Ben Hédi Ben Ali MEHDOUI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 3 May 1962 Last known address: 41 rue Garibaldi — Tunis, Tunisia ID no: 05189459 Issuing country: Tunisia Gender: male Other information: CEO, son of de Neila BARTAJI, married to Lilia NACEF	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

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	Name	Identifying information	Grounds
▼M13 ———			
▼M12 24.	Mehdi Ben Ridha Ben Mohamed BEN GAIED	Nationality: Tunisian DOB: 29 January 1988 Last known address: 4 rue Mohamed Makhlouf— El Manar.2-Tunis, Tunisia Gender: male Other information: CEO of Stafim Peugeot, son of de Kaouther Feriel HAMZA	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
25.	Mohamed Slim Ben Mohamed Hassen Ben Salah CHIBOUB	Nationality: Tunisian DOB: 13 January 1959 Last known address: rue du Jardin — Sidi Bousaid— Tunis, Tunisia ID no: 00400688 Issuing country: Tunisia Gender: male Other information: CEO, son of Leïla CHAIBI, married to Dorsaf BEN ALI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder (ex-President Ben Ali) to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
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	Name	Identifying information	Grounds
▼M14			
29.	Ghazoua Bent Zine El Abidine Ben Haj Hamda BEN ALI	Nationality: Tunisian POB: Le Bardo DOB: 8 March 1963 Last known address: 49 avenue Habib Bourguiba – Carthage, Tunisia ID no: 00589758 Issuing country: Tunisia Gender: female Other information: medical doctor, daughter of Naïma EL KEFI, married to Slim ZARROUK	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person, and associated with Slim Zarrouk (No 30).
▼M12			
30.	Slim Ben Mohamed Salah Ben Ahmed ZARROUK	Nationality: Tunisian POB: Tunis, Tunisia DOB: 13 August 1960 Last known address: 49 avenue Habib Bourguiba — Carthage ID no:00642271 Issuing country: Tunisia Gender: male Other information: CEO, son of Maherzia GUEDIRA, married to Ghazoua BEN ALI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
31.	Farid Ben Haj Hamda Ben Haj Hassen BEN ALI	Nationality: Tunisian POB: Hammam-Sousse DOB: 22 November 1949 Last known address: 11 rue Sidi el Gharbi — Hammam-Sousse ID no: 02951793 Issuing country: Tunisia Gender: male Other information: press photographer in Germany, son of Selma HASSEN	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

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	Name	Identifying information	Grounds
32.	Faouzi Ben Haj Hamda Ben Haj Hassen BEN ALI	Nationality: Tunisian POB: Hammam-Sousse DOB: 13 March 1947 Last known address: rue El Moez — Hammam-Sousse ID no: 02800443 Issuing country: Tunisia Gender: male Other information: deceased, managing director, married to Zohra BEN AMMAR	Person (deceased) whose activities are subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
33.	Hayet Bent Haj Hamda Ben Haj Hassen BEN ALI	Nationality: Tunisian POB: Hammam-Sousse DOB: 16 May 1952 Last known address: 17 avenue de la République.- Hammam-Sousse ID no: 02914657 Issuing country: Tunisia Gender: female Other information: Tunisair representative, daughter of Selma HASSEN, married to Fathi REFAT	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
34.	Najet Bent Haj Hamda Ben Raj Hassen BEN ALI	Nationality: Tunisian POB: Sousse DOB: 18 September 1956 Last known address: avenue de l'Imam Muslim-Khezama ouest-Sousse ID no: 02804872 Issuing country: Tunisia Gender: female Other information: company manager, daughter of Selma HASSEN, married to Sadok Habib MHIRI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

▼M12

	Name	Identifying information	Grounds
▼M18			
35.	Slaheddine Ben Haj Hamda Ben Haj Hassen BEN ALI	Nationality: Tunisian DOB: 28 October 1938 ID no: 02810614 Issuing country: Tunisia Gender: male Other information: deceased, son of Selma HASSEN, widower of Selma MANSOUR	Person (deceased) whose activities are subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.
▼M17			
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▼M12			
40.	Douraied Ben Hamed Ben Taher BOUAOUINA	Nationality: Tunisian POB: Hammam-Sousse DOB: 8 October 1978 Last known address: 17 avenue de la République — Hammam-Sousse ID no: 05590835 Issuing country: Tunisia Gender: male Other information: company director, son of Hayet BEN ALI	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

▼M12

	Name	Identifying information	Grounds
▼M13 ———			
▼M18 42.	Ghazoua Bent Hamed Ben Taher BOUAOUINA	Nationality: Tunisian POB: Monastir DOB: 30 August 1982 ID no: 08434380 Issuing country: Tunisia Gender: female Other information: daughter of Hayet BEN ALI, married to Badreddine BENNOUR	Person subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person, and associated with Hayet Ben Ali (No 33).
▼M17 ———			
▼M16 ———			
▼M18 46.	Mehdi Ben Tijani Ben Haj Hamda Ben Haj Hassen BEN ALI	Nationality: Tunisian, French POB: Paris, France DOB: 27 October 1966 ID no: 05515496 Issuing country: Tunisia Gender: male Other information: deceased, company director, son of Paulette HAZAT	Person (deceased) whose activities are subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder (ex-President Ben Ali) to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

▼M12

	Name	Identifying information	Grounds
▼M13 ———			
▼M18 48.	Sofiene Ben Habib Ben Haj Hamda BEN ALI	Nationality: Tunisian POB: Tunis, Tunisia DOB: 28 August 1974 Last known address: 23 rue Ali Zlitni, El Manar 2 – Tunis, Tunisia ID no: 04622472 Issuing country: Tunisia Gender: male Other information: deceased, sales director, son of Leila DEROUICHE	Person (deceased) whose activities are subject to judicial proceedings, or an asset recovery process following a final court ruling, by the Tunisian authorities for complicity in the misappropriation of public monies by a public office-holder, complicity in the misuse of office by a public office-holder to procure an unjustified advantage for a third party and to cause a loss to the administration, and exerting wrongful influence over a public office-holder with a view to obtaining directly or indirectly an advantage for another person.

▼**M12**

B. Rights of defence and right to effective judicial protection under Tunisian law:

The rights of defence and the right to effective judicial protection

It follows from Articles 20, 27, 29 and 108 of the Tunisian constitution, Articles 13, 47, 50, 59, 66 and 175 of the Criminal Procedure Code and Law No 2002-52 of 3 June 2002 that the following rights are guaranteed under Tunisian law:

— to any individual suspected of or charged with a criminal offence:

1. the right to judicial review of any act or administrative decision;

2. the right to defend himself/herself in person or through legal assistance of his/her own choosing or, if he/she has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;

— to any individual charged with a criminal offence:

1. the right to be informed promptly, in a language which he/she understands and in detail, of the nature and cause of the accusation against him/her;

2. the right to have adequate time and facilities for the preparation of his/her defence;

3. the right to examine or have examined witnesses against him/her and to obtain the attendance and examination of witnesses on his/her behalf under the same conditions as witnesses against him/her;

4. the right to have the free assistance of an interpreter if he/she cannot understand or speak the language used in court.

Application of the rights of defence and the right to effective judicial protection

1. Zine El Abidine Ben Haj Hamda Ben Haj Hassen BEN ALI

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 during the trials *in absentia* a lawyer was appointed by the Court to defend the interests of Mr Ben Ali.

2. Leïla Bent Mohamed Ben Rhouma TRABELSI

This person is absconding and is no longer present in Tunisia. 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 during the trials *in absentia* a lawyer was appointed by the Court to defend the interests of Ms Trabelsi.

3. Moncef Ben 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 5 March 2012 Mr Moncef Ben Mohamed Ben Rhouma Trabelsi was heard by an investigating judge in the presence of his lawyer.

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5. Fahd Mohamed Sakher Ben Moncef Ben Mohamed Hfaiez MATERI

This person is absconding and is no longer present in Tunisia. 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 during the trials *in absentia* a lawyer was appointed by the Court to defend the interests of Mr Materi.

6. Nesrine Bent Zine El Abidine Ben Haj Hamda BEN ALI

This person is absconding and is no longer present in Tunisia. 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 during the trial *in absentia* Ms Ben Ali was represented by a lawyer.

7. Halima Bent Zine El Abidine Ben Haj Hamda BEN ALI

This person is absconding and is no longer present in Tunisia. The investigation or trial relating to the misappropriation of public funds or assets is still ongoing. The Council has found no indication that the rights of defence or the right to effective judicial protection of Ms Halima Bent Zine El Abidine Ben Haj Hamda Ben Ali were not respected.

8. Belhassen Ben Mohamed Ben Rhouma TRABELSI

This person is absconding and is no longer present in Tunisia. 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 a written commitment made by the Tunisian authorities to the Swiss authorities on 7 April 2014, in the context of the implementation of a letter rogatory, to respect the fundamental rights of Mr Belhassen Ben Mohamed Ben Rhouma TRABELSI and his rights of defence.

9. Mohamed Naceur Ben 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 13 March 2012 and 16 March 2012 Mr Mohamed Naceur Ben Mohamed Ben Rhouma Trabelsi was heard by an investigating judge in the presence of his lawyer.

10. Jalila 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 5 January 2012, 5 July 2012 and 27 February 2013 Ms Jalila Bent Mohamed Ben Rhouma Trabelsi was heard by an investigating judge in the presence of her lawyer.

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11. Mohamed Imed Ben Mohamed Naceur Ben Mohamed 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 27 October 2016 Mr Mohamed Imed Ben Mohamed Naceur Ben Mohamed Trabelsi was heard by an investigating judge in the presence of his lawyer.

12. Mohamed Adel Ben Mohamed Ben Rehouma TRABELSI

This person is absconding and is no longer present in Tunisia. The investigation or trial relating to the misappropriation of public funds or assets is still ongoing. The Council has found no indication that the rights of defence or the right to effective judicial protection of Mr Mohamed Adel Ben Mohamed Ben Rehouma Trabelsi were not respected.

13. Mohamed Mourad Ben Mohamed Ben Rehouma 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 23 February 2012 Mr Mohamed Mourad Ben Mohamed Ben Rehouma Trabelsi was heard by an investigating judge in the presence of his lawyer.

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15. Mohamed Montassar Ben Kbaier Ben Mohamed MAHERZI

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 20 August 2011 and 2 October 2012 and 31 May 2013 Mr Mohamed Montassar Ben Kbaier Ben Mohamed Maherzi was heard by an investigating judge in the presence of his lawyers.

16. Nefissa 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 24 January 2012 Ms Nefissa Bent Mohamed Ben Rhouma Trabelsi was heard by an investigating judge in the presence of her lawyer.

17. Habib Ben Kaddour Ben Mustapha BEN ZAKIR

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 24 January 2012 Mr Habib Ben Kaddour Ben Mustapha Ben Zakir was heard by an investigating judge in the presence of his lawyer.

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19. Lilia Bent Noureddine Ben Ahmed NACEF

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 20 February 2012 Ms Lilia Bent Noureddine Ben Ahmed Nacef was heard by an investigating judge in the presence of her lawyers and by the fact that she was assisted by lawyers in the hearings before the Courts and that she availed herself of the right to appeal the first instance ruling.

20. Mourad Ben Hédi Ben Ali MEHDOUI

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 13 February 2012 Mr Mourad Ben Hédi Ben Ali Mehdoui was heard by an investigating judge in the presence of his lawyer.

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24. Mehdi Ben Ridha Ben Mohamed BEN GAIED

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 or asset recovery process on which the Council relied. This is demonstrated in particular by the fact that on 22 September 2011 Mr Mehdi Ben Ridha Ben Mohamed Ben Gaied was heard by an investigating judge in the presence of his lawyer.

▼**M12**

25. Mohamed Slim Ben Mohamed Hassen Ben Salah CHIBOUB

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 or asset recovery process on which the Council relied. This is demonstrated in particular by the fact that (i) on 24 November 2014, 12 January 2015, 10 April 2015 and 2 December 2015 Mr Mohamed Slim Ben Mohamed Hassen Ben Salah Chiboub was heard in several cases by an investigating judge in the presence of his lawyers; (ii) the investigation against Mr Chiboub in Case 27638/6 was terminated on 30 March 2018 for lack of evidence and the decision to terminate the investigation was later confirmed on appeal; and (iii) Mr Chiboub was assisted by a lawyer during the arbitration proceedings before the Arbitration Committee of the Instance de la Vérité et de la Dignité (IVD). ►**M14** On 15 February 2021 and 10 March 2021, Mr CHIBOUB was heard by an investigating judge in case 19592/1. On 31 March 2021, the investigating judge decided to sever his case from the general case 19592/1. Case 1137/2 is pending. ◄

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29. Ghazoua Bent Zine El Abidine Ben Haj Hamda BEN ALI

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 5 October 2011 and 18 October 2012 Ms Ghazoua Bent Zine El Abidine Ben Haj Hamda Ben Ali was heard by an investigating judge in the presence of her lawyer.

30. Slim Ben Mohamed Salah Ben Ahmed ZARROUK

The investigation or trial relating to the misappropriation of public funds or assets is still ongoing. Following an application by Mr Zarrouk, the Arbitration Committee of the Instance de la Vérité et de la Dignité (IVD) handed down an arbitration decision which was confirmed by the Conseil de l'IVD on 24 December 2018. This decision was challenged before the Court of Cassation. The case is pending. 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 or asset recovery process on which the Council relied. This is demonstrated in particular by the fact that on 16 January 2012, 1 February 2012 and 22 June 2017 Mr Slim Ben Mohamed Salah Ben Ahmed Zarrouk was heard by an investigating judge in the presence of his lawyer. ►**M14** A judgment of the Appeal Court of Tunis dated 15 April 2021 in case 29443 convicted him of misappropriation of public funds. ◄

31. Farid Ben Haj Hamda Ben Haj Hassen BEN ALI

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 3 October 2011 Mr Farid Ben Haj Hamda Ben Haj Hassen Ben Ali was heard by an investigating judge in the presence of his lawyer. ►**M14** A judgment of the Appeal Court of Tunis dated 1 November 2018 in case 27658 convicted him of misappropriation of public funds. ◄

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32. Faouzi Ben Haj Hamda Ben Haj Hassen BEN ALI

The investigation or trial relating to the misappropriation of public funds or assets is still ongoing. The Council has found no indication that the rights of defence or the right to effective judicial protection of Mr Faouzi Ben Haj Hamda Ben Haj Hassen Ben Ali were not respected.

33. Hayet Bent Haj Hamda Ben Haj Hassen BEN ALI

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 19 October 2011 Ms Hayet Bent Haj Hamda Ben Haj Hassen Ben Ali was heard by an investigating judge in the presence of her lawyer. ►**M14** A judgment dated 14 March 2019 in case 40800 convicted her of misappropriation of public funds. ◄

34. Najet Bent Haj Hamda Ben Haj Hassen BEN ALI

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 21 November 2011 Ms Najet Bent Haj Hamda Ben Haj Hassen Ben Ali was heard by an investigating judge in the presence of her lawyer. ►**M14** A judgment dated 7 January 2016 in case 28264 convicted her of misappropriation of public funds. ◄

35. Slaheddine Ben Haj Hamda Ben Haj Hassen BEN ALI

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 13 January 2012 Mr Slaheddine Ben Haj Hamda Ben Haj Hassen Ben Ali was heard by an investigating judge in the presence of his lawyer.

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40. Douraied Ben Hamed Ben Taher BOUAOUINA

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 21 April 2012 Mr Douraied Ben Hamed Ben Taher Bouaouina was heard by an investigating judge in the presence of his lawyer.

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42. Ghazoua Bent Hamed Ben Taher BOUAOUINA

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 19 October 2011 and 25 October 2011 Ms Ghazoua Bent Hamed Ben Taher Bouaouina was heard by an investigating judge in the presence of her lawyer.

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46. Mehdi Ben Tijani Ben Haj Hamda Ben Haj Hassen BEN ALI

This person is absconding and is no longer present in Tunisia. The investigation or trial relating to the misappropriation of public funds or assets is still ongoing. The Council has found no indication that the rights of defence or the right to effective judicial protection of Mr Mehdi Ben Tijani Ben Haj Hamda Ben Haj Hassen Ben Ali were not respected. ►M14 A judgment of the Court of first instance of Tunis dated 21 March 2019 in case 41328/19 convicted him of misappropriation of public funds. ◄

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48. Sofiene Ben Habib Ben Haj Hamda BEN ALI

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 22 March 2012 Mr Sofiene Ben Ali was heard by an investigating judge in the presence of his lawyers.