

DECISIONS

COUNCIL DECISION (CFSP) 2022/118

of 27 January 2022

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 2023 for forty-two persons and until 31 July 2022 for one person. Moreover, in the Annex to that Decision, the statements of reasons should be amended for three persons, and the information relating to the application of the rights of defence and right to effective judicial protection under Tunisian law should be amended for seven 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

1. This Decision shall apply until 31 January 2023.
 2. By way of derogation from paragraph 1, the measures in Article 1 shall apply with regard to entry Number 45 in the Annex until 31 July 2022.
 3. 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.'
- (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*.

⁽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).

Done at Brussels, 27 January 2022.

For the Council
The President
J.-Y. LE DRIAN

The Annex to Decision 2011/72/CFSP is amended as follows:

(i) The following entries in section 'A. List of persons and entities referred to in Article 1' are replaced by the following:

	Name	Identifying information	Grounds
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).
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).
42.	Ghazoua Bent Hamed Ben Taher BOUAOUINA	Nationality: Tunisian POB: Monastir DOB: 30 August 1982 Last known address: rue Ibn Maja – Khezama est – Sousse, Tunisia 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).'

(ii) In the following entries in section B, 'Rights of defence and right to effective judicial protection under Tunisian law', under the heading 'Application of the rights of defence and the right to effective judicial protection', the following final sentences are added:

25.	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.
26.	On 31 March 2021, the investigating judge decided to sever her case from the general case 19592/1. Case 1137/2 is pending.
30.	A judgment of the Appeal Court of Tunis dated 15 April 2021 in case 29443 convicted him of misappropriation of public funds.
31.	A judgment of the Appeal Court of Tunis dated 1 November 2018 in case 27658 convicted him of misappropriation of public funds.
33.	A judgment dated 14 March 2019 in case 40800 convicted her of misappropriation of public funds.
34.	A judgment dated 7 January 2016 in case 28264 convicted her of misappropriation of public funds.
46.	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.'