

COUNCIL IMPLEMENTING REGULATION (EU) 2021/49
of 22 January 2021
implementing Regulation (EU) No 101/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Tunisia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) No 101/2011 of 4 February 2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Tunisia ⁽¹⁾, and in particular Article 12 thereof,

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

Whereas:

- (1) On 4 February 2011, the Council adopted Regulation (EU) No 101/2011.
- (2) On the basis of a review, the entries in Annex I to Regulation (EU) No 101/2011, 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) Annex I to Regulation (EU) No 101/2011 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) No 101/2011 is amended as set out in the Annex to this Regulation.

Article 2

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 January 2021.

For the Council
The President
A. P. ZACARIAS

⁽¹⁾ OJ L 31, 5.2.2011, p. 1.

ANNEX

In Regulation (EU) No 101/2011, Annex I is amended as follows:

(1) in Part A (List of persons and entities referred to in Article 2), 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.’
