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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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

COUNCIL IMPLEMENTING REGULATION (EU) 2026/...

of ...

**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 Tunisia¹, and in particular Article 12 thereof,

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

¹ OJ L 31, 5.2.2011, p. 1, ELI: <http://data.europa.eu/eli/reg/2011/101/oj>.

Whereas:

- (1) On 4 February 2011, the Council adopted Regulation (EU) No 101/2011.
- (2) On the basis of a review by the Council, the entries for three persons and the information regarding their rights of defence and their right to effective judicial protection should be deleted from Annex I to Regulation (EU) No 101/2011. Moreover, the information relating to the application of the rights of defence and the right to effective judicial protection under Tunisian law should be amended for 24 persons in Annex I to that Regulation.
- (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 in accordance with 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 ..., ...

For the Council

The President

ANNEX

Annex I to Regulation (EU) No 101/2011 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:
- ‘19. Lilia Bent Noureddine Ben Ahmed NACEF;
 - 24. Mehdi Ben Ridha Ben Mohamed BEN GAIED;
 - 29. Ghazoua Bent Zine El Abidine 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:
- ‘19. Lilia Bent Noureddine Ben Ahmed NACEF;
 - 24. Mehdi Ben Ridha Ben Mohamed BEN GAIED;
 - 29. Ghazoua Bent Zine El Abidine Ben Haj Hamda BEN ALI’;

(b) under the heading ‘Application of the rights of defence and the right to effective judicial protection’, entries 1, 3, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 20, 25, 30, 31, 32, 33, 34, 35, 40, 42, 46 and 48, concerning a total of 24 persons, are replaced by the following corresponding entries:

‘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 against his heirs 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 prior to his death, a lawyer was appointed by the Court to defend the interests of Mr Zine El Abidine Ben Haj Hamda Ben Haj Hassen Ben Ali when tried in absentia; in case 24310, two of Mr Zine El Abidine Ben Haj Hamda Ben Haj Hassen Ben Ali’s heirs were represented by a lawyer; in 2025 the Court ruled at first instance, in case 24310, in favour of Mr Ben Ali’s heirs.

3. Moncef Ben Mohamed Ben Rhouma TRABELSI

The investigation or trial relating to the misappropriation of public funds or assets against his heirs 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, prior to his death, on 5 March 2012, Mr Moncef Ben Mohamed Ben Rhouma Trabelsi was heard by an investigating judge in the presence of his lawyer; a lawyer was designated to represent Mr Moncef Ben Mohamed Ben Rhouma Trabelsi's heirs in the civil action against them in case 9058; in 2025, the Court ruled at first instance, in case 9058, in favour of Mr Moncef Ben Mohamed Ben Rhouma Trabelsi's heirs.

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 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 Ms Halima Bent Zine El Abidine Ben Haj Hamda Ben Ali, represented by her lawyer, appealed judgment 1850 of 25 January 2021; the Court, in 2022, rejected at first instance in case 32265, a civil action against Ms Halima Bent Zine El Abidine Ben Haj Hamda Ben Ali.

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; by the fact that, during trials in absentia, Mr Belhassen Ben Mohamed Ben Rhouma Trabelsi was represented by a lawyer. Moreover, this is demonstrated by the fact that Mr Belhassen Ben Mohamed Ben Rhouma Trabelsi, through his lawyer, exercised his rights of defence by appealing judgment 869/32 of 24 November 2021 and judgment 1134 of 20 May 2023.

9. Mohamed Naceur Ben Mohamed Ben Rhouma TRABELSI

The investigation or trial relating to the misappropriation of public funds or assets against his heirs 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 prior to his death, Mr Mohamed Naceur Ben Mohamed Ben Rhouma Trabelsi was heard by an investigating judge in the presence of his lawyer on 13 March 2012 and 16 March 2012.

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; Ms Jalila Bent Mohamed Ben Rhouma Trabelsi, through her lawyer, exercised her rights of defence by appealing a first-instance judgment in 2025.

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; in 2025, Mr Mohamed Imed Ben Mohamed Naceur Ben Mohamed Trabelsi, through his lawyer, exercised his rights of defence by appealing a court of cassation judgment (case no 21775).

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 against his heirs 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 Mr Mohamed Adel Ben Mohamed Ben Rehouma Trabelsi's heirs have appointed a lawyer to defend them in the civil action against them (case no 9099).

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, prior to his death, Mr Mohamed Mourad Ben Mohamed Ben Rehouma Trabelsi was heard by an investigating judge in the presence of his lawyer; Mr Mohamed Mourad Ben Mohamed Ben Rehouma Trabelsi's heirs have appointed a lawyer to defend them in the civil action pending against them (case no 16277).

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; in 2025, Mr Mohamed Montassar Ben Kbaier Ben Mohamed Maherzi, through his lawyer, exercised his rights of defence by appealing a first-instance judgment (no 51174).

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; in 2018, Ms Nefissa Bent Mohamed Ben Rhouma Trabelsi exercised her rights of defence by appealing a first-instance judgment (case no 35666).

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; Mr Habib Ben Kaddour Ben Mustapha Ben Zakir was represented by a lawyer in the criminal action pending against him and through his lawyer exercised his rights of defence by appealing decisions of the investigative judge.

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; in 2019, Mr Mourad Ben Hédi Ben Ali Mehdoui exercised his rights of defence by appealing a first-instance judgment (no 41245).

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 Mohamed Slim Ben Mohamed Hassen Ben Salah 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 Mohamed Slim Ben Mohamed Hassen Ben Salah 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). On 15 February 2021 and 10 March 2021, Mr Mohamed Slim Ben Mohamed Hassen Ben Salah 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. This is also demonstrated by the fact that in 2025 Mr Mohamed Slim Ben Mohamed Hassen Ben Salah Chiboub submitted an appeal against judgment 36166.

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. A judgment of the Appeal Court of Tunis dated 15 April 2021 in case 29443 convicted him of misappropriation of public funds.

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; in 2023, Mr Slim Ben Mohamed Salah Ben Ahmed Zarrouk was represented by a lawyer in case 37344.

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. A judgment of the Appeal Court of Tunis dated 1 November 2018 in case 27658 convicted him of misappropriation of public funds.

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; in 2019, Mr Farid Ben Haj Hamda Ben Haj Hassen Ben Ali through his lawyer, exercised his rights of defence by appealing the convicting judgment dated 1 November 2018 in case 27658 and was subsequently represented by a lawyer in case 82970.

32. Faouzi Ben Haj Hamda Ben Haj Hassen BEN ALI

The investigation or trial relating to the misappropriation of public funds or assets against his heirs 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. A judgment dated 14 March 2019 in case 40800 convicted her of misappropriation of public funds. This person is absconding and is no longer present in Tunisia, the judgment against her was therefore rendered in absentia.

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. A judgment dated 7 January 2016 in case 28264 convicted her of misappropriation of public funds. 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.

35. Slaheddine Ben Haj Hamda Ben Haj Hassen BEN ALI

The investigation or trial relating to the misappropriation of public funds or assets against his heirs 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.

40. Douraid Ben Hamed Ben Taher BOUAOUINA

The investigation or trial relating to the misappropriation of public funds or assets is still ongoing. Judgment of the Court of Appeal of Tunis dated 25 October 2018 in case 25421 convicted him of misappropriation of public funds.

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 Douraid Ben Hamed Ben Taher Bouaouina was heard by an investigating judge in the presence of his lawyer; in 2018, Mr Bouaouina was represented by a lawyer in case 25421.

42. Ghazoua Bent Hamed Ben Taher BOUAOUINA

The investigation or trial relating to the misappropriation of public funds or assets is still ongoing. A judgment dated 21 November 2022 in case 46396 convicted her of misappropriation of public funds.

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, Ms Ghazoua Bent Hamed Ben Taher Bouaouina was heard by an investigating judge in the presence of her lawyer.

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

The investigation or trial relating to the misappropriation of public funds or assets against his heirs is still ongoing. Prior to his death, 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.

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.

48. Sofiene Ben Habib Ben Haj Hamda BEN ALI

The investigation or trial relating to the misappropriation of public funds or assets against his heirs 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 Habib Ben Haj Hamda Ben Ali was heard by an investigating judge in the presence of his lawyers. This is also demonstrated by the fact that Mr Sofiene Ben Habib Ben Haj Hamda Ben Ali's heirs were represented by a lawyer in case 8803.'.
