

## Zine El Abidine Ben Ali (Lebanon)

**Case ID:**

ARW-207

**Jurisdiction of Origin of Public Official or Entity Allegedly Involved:**

Tunisia

**Position of Public Official(s) (yrs in office):**

President (1987-2011)

**Jurisdiction of Asset Recovery:**

Lebanon

**Jurisdiction of Asset Recovery ? Description:**

Location of Recovery Effort; Asset Location / Alleged Asset Location

**Asset Recovery Start:**

2011

**Asset Recovery End:**

2013

**UNCAC Offenses Implicated:**

Art.17

Art.23

**Legal Basis for Asset Recovery:**

Criminal Confiscation (Tunisia)

**Intl.Cooperation: MLAT/Letter of Request?:**

Unknown

**Contributing Factors in Asset Recovery:**

Efforts by Tunisia, including Tunisian Financial Intelligence Unit, the Committee for the Return of Stolen Assets, and Ministry of Justice; International and Regional Cooperation, including through the Arab Forum on Asset Recovery organized by Qatar and United States Presidency of the G8 (Source: Jean Pierre Brun and Richard Miron, "Tunisia's cash back: the start of more to come?," Public Sector Development Blog, World Bank, April 15, 2013.)

**Status of Asset Recovery :**

Completed

**Stage in Asset Recovery Chain:**

Assets Returned to Victim or Requesting Jurisdiction

**Assets Returned (USD) - Description:**

\$28,800,000

**Agreement for Returned Assets:**

No

**Case Summary:**

According to a December 2012 decision by the Fifth Chamber of the Beirut Court of Appeals, upon examination and consideration of the petition submitted by the Republic of Tunisia by way of the Ministry of Justice, the Court granted the writ of execution for the decision rendered by the Fifth Criminal circuit of the Court of First Instance in Tunisia, ordering the confiscation of the assets of Leila Bent Mohammed Bent Rahouma-al-Trabelsi deposited in her bank account at the Lebanese Canadian Bank S.A.L. in Lebanon. The petitioner was ordered to bear fully the fees and expenses in the case. (Source: Unpublished decision issued in Case No. 893, December 12, 2012.) According to a blog by the Stolen Asset Recovery Initiative,

the funds were "handed over [by Lebanon] in the form of a check to Tunisia's current President Moncef Marzouki by Ali bin Fetais-al-Marri" Attorney General of Qatar and UNODC Special Advocate on Stolen Asset Recovery." (Source: Jean Pierre Brun and Richard Miron, "Tunisia's cash back: the start of more to come?," Public Sector Development Blog, World Bank, April 15, 2013.)

**Disposition of Criminal Case(s):**

According to a January 26, 2011 media release by INTERPOL, Mr. Ben Ali's arrest was sought by Tunisia on charges of alleged property theft and illegal transfer of foreign currency. (Source: INTERPOL media release, "Tunisia seeks ousted President and family via INTERPOL," January 26, 2011) According to secondary sources, Mr. Ben Ali was convicted in absentia in June 2011 on theft and unlawful possession of cash and jewelry; in July 2011, he was convicted of property related charges. (Source: BBC News, "Tunisia's Ben Ali guilty on drugs and gun charges," July 4, 2011 and "Tunisia's Ben Ali guilty of corrupt property deals," July 29, 2011) and in June 2012, he was sentenced by a Tunisian military court to life imprisonment for his complicity in the murder and attempted murder of demonstrators; Human Rights Watch noted that Mr. Ben Ali has been tried and convicted in absentia and if he returned to Tunisia, he would be entitled to a new trial. (Source: Clive Baldwin, "After Ben-Ali's Conviction: The State of Tunisian Justice," Human Rights Watch, June 16, 2012.)

**Jurisdiction of Origin: Investigative Agency:**

Tunisian Financial Intelligence Unit, the Committee for the Return of Stolen Assets, Ministry of Justice

**Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):**

Ministry of Justice

**Jurisdiction of Origin: Courts Involved:**

Fifth Criminal Circuit of the Court of First Instance

**Jurisdiction of Asset Recovery: Prosecuting Authority/Civil Attorney(s):**

Ministry of Justice

**Jurisdiction of Asset Recovery: Courts Involved:**

Fifth Chamber of the Beirut Court of Appeals

**Documents:**

<b>Attachment</b>	<b>Size</b>
 Ben_Ali_Lebanon_StAR_blog_Apr_15_2013.pdf	522.21 KB

**Other Sources:**

Fifth Chamber of the Beirut Court of Appeals, Decision issued in Case No. 893, December 12, 2012 (unpublished); Jean Pierre Brun and Richard Miron, "Tunisia's cash back: the start of more to come?," Public Sector Development Blog, World Bank, April 15, 2013, accessed at [http://blogs.worldbank.org/psd/tunisia-cash-back-the-start-of-more-to-come.](http://blogs.worldbank.org/psd/tunisia-cash-back-the-start-of-more-to-come))