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**ECBA Spring Conference 2014, Warsaw**

**Discussion on the Presumption of Innocence**

**A Question of Credibility**

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There is a contradiction between the official position and practice.

A comparison between the Commission's official statement and the EU's sanctions policy exposes a lack of coherence and a matter of justified concern:

**European Commission: Statement on the Presumption of Innocence**

The Directive on presumption of innocence will guarantee that suspects are not considered guilty simply because they exercise their right to remain silent. It also asks Member States to ensure that, **before a final conviction, public authorities should refrain from public statements that could damage the person's reputation or influence the jury or the court's final decision** ("innocent until proven guilty"). The Directive sets out that the burden of proof is on the prosecution and any doubt benefits the suspect or accused person (...).

**EU Council of Ministers**

***Restrictive measures on Egyptians:***

The funds of certain persons "*responsible for misappropriation of Egyptian State funds, and natural or legal persons, entities or bodies associated with them*" are frozen

This concerns 19 persons all of whom are described as being "*subject to judicial proceedings by the Egyptian authorities in respect of the misappropriation of State Funds on the basis of the United Nations Convention against corruption*"

***Restrictive measures on Tunisians***

The funds of "*certain persons responsible for the misappropriation of Tunisian State funds*" are frozen.

This concerns 48 persons all of whom are described as being “*subject to judicial investigations by the Tunisian authorities for 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.*”

***See: European Commission***

*List of restrictive measures in force -*

[http://eeas.europa.eu/cfsp/sanctions/docs/measures\\_en.pdf](http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf)

The foregoing should suffice to open a discussion, if not a lengthy debate.

Note that both the Egyptian and the Tunisian sanctions are being contested before the General Court of the EU

Brussels, 14 April 2014