

# Egypt



## Initial Imposition of EU Sanctions and Subsequent Amendments

The EU initially imposed sanctions against Egypt in March 2011.

## UN Sanctions

There are currently no UN sanctions in force against Egypt.

## Form of the Sanctions

Asset freezes

## Criteria for Inclusion in Targeted Measures

Targeted measures are imposed against those persons who “have been identified as being responsible for the misappropriation of Egyptian state funds”.

## Provisions in Force

### [Council Decision 2011/172/CFSP \(22 March 2011\)](#)

- Further asset freezes against individuals connected to the Mubarak regime
- Where listings are established and amended, the Council is obligated to communicate this decision to the person concerned and to give them an opportunity to present observations (Article 2)

Amended by [Council Decision 2012/159/CFSP \(20 March 2012\)](#)

Amended by [Council Decision 2012/723/CFSP \(27 November 2012\)](#) to allow derogation from the asset freezes where funds or economic resources will be used exclusively to satisfy

legal claims and certain administrative decisions.

Amended by [Council Decision 2013/144/CFSP \(21 March 2013\)](#) to set the expiration date for these restrictive measures at 22nd March 2012.

Amended by [Council Decision 2014/153/CFSP \(20 March 2014\)](#) to extend the restrictive measures until 20th March 2015

Amended by [Council Decision \(CFSP\) 2015/486](#) to extend the measures until 22 March 2016

### [Council Regulation \(EU\) No 270/2011 \(22 March 2011\)](#)

- Asset freezes against individuals responsible for misappropriation of state funds
- These individuals are listed in Annex I (including former president Mubarak and members of his family)

Amended by [Council Regulation \(EC\) No 517/2013](#) to make minor amendments to the list of authorities competent to authorise derogations from [Council Regulation \(EU\) No 270/2011](#)

Amended by [Council Regulation \(EU\) No 1099/2012 \(27 November 2012\)](#) to make amendments to the permissible derogations from the asset freezes.

Amended by [Council Regulation \(EU\) 517/2013](#) to amend the information on competent authorities

### **Case Law**

*R (El-Maghraby v El-Gazaerly) v HM Treasury and Foreign and Commonwealth Office [2012] EWHC 674 (Admin)* concerned two individuals subject to restrictive measures in Council Regulation (EU) No 270/2011. In order to implement the EU regulations HM Treasury had enacted the Egypt (Asset-Freezing) Regulations 2011. It was the claimants' contention that these UK regulations were ultra-vires the European Communities Act 1972 and the Human Rights Act 1998. According first to Sales J and then, on a renewed application, Coulson J, this argument failed because the claimants had an alternative remedy in Luxembourg where they were already challenging the EU regulations. Coulson J heard a judicial review of the interpretation of 'basic needs' regarding derogations from asset freezes. The Secretary of State contended that no regard should be had to the applicant's previous lifestyle, and the court agreed with this interpretation.

In *Ezz v Council of the European Union (T-256/11) [2014]*, the General Court dismissed the applications for annulment, finding that the Council had the appropriate legal power to implement restrictive measures and were not disproportionate as regards restrictions on

fundamental property rights. The General Court considered their listings are justified on the as the individuals came within the category of people who had benefitted from the proceeds of state funds that had been misappropriated.

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