

Hosni Mubarak (European Union)

Case ID:

ARW-78

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Egypt

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

President (1981-2011)

Jurisdiction of Asset Recovery:

European Union

Jurisdiction of Asset Recovery ? Description:

Location of Recovery Effort

Asset Recovery Start:

2011

Asset Recovery End:

Ongoing

UNCAC Offenses Implicated:

Art.17

Money laundering Implicated:

No

Legal Basis for Asset Recovery:

Case in Investigatory/Asset Restraint Stage

Intl.Cooperation: MLAT/Letter of Request?:

Unknown

Basis for Intl Cooperation:

Unspecified

Contributing Factors in Asset Recovery:

Ongoing Case

Status of Asset Recovery :

Ongoing

Stage in Asset Recovery Chain:

Investigation/Asset Tracing/Asset Restraint

Agreement for Returned Assets:

Ongoing

Agreement for Returned Assets - Description:

NA

Case Summary:

On November 26, 2012, the Council of the European Union announced that it had taken steps to facilitate the return of misappropriated funds to the Egyptian authorities: "The new legislative framework authorises EU member states to release frozen assets on the basis of judicial decisions recognized in EU member states. Once the necessary judicial steps have been taken, this should enable the release and return to the Egyptian and Tunisian authorities of funds frozen under EU sanctions against the former Mubarak and Ben Ali regimes. In addition, the amended legislation will facilitate the exchange of information between EU member states and the relevant authorities in Tunisia and Egypt so as to assist in the recovery of misappropriated funds. [] Since January 2011, [] 9 persons responsible for the

misappropriation of Egyptian state funds, including former President Hosni Mubarak, have had their assets in the EU frozen since March 2011." (Source: Council of the European Union, Press Statement, 16078/12, November 26, 2012.)

The European Union had originally issued Council Regulation - (EU) No 270/2011 of 21 March 2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Egypt, including freeze on assets belonging to Mr. Mubarak and others - in March 2011. (Source: Council Regulation (EU) No 270/2011 of 21 March 2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Egypt.) The Council Decision has been renewed on several occasions, including most recently with the Council Decision 2016/411 of March 18, 2016, extending the period of restrictive measures until March 22, 2017. (Source: Official Journal of the European Union, at <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016D0411...>)

Disposition of Criminal Case(s):

According to the New York Times and other sources, in May 2014, Mr. Mubarak was convicted on charge of embezzlement and sentenced to three years' imprisonment. (Source: David Kirkpatrick, "Mubarak Gets 3 Years for Embezzlement, and His Sons Get 4," New York Times, May 21, 2014.)

Jurisdiction of Origin: Investigative Agency:

Prosecutor-General's Office

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

Prosecutor-General's Office

Jurisdiction of Origin: Courts Involved:

Cairo Appeals Court

Jurisdiction of Asset Recovery: Investigative Agency:

Unspecified

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

NA

Jurisdiction of Asset Recovery: Courts Involved:




NA

Documents:

Mubarak_European_Union_Regulation_No_270_2011_Mar_21_2011.pdf

Mubarak_Trial_Postponed_to_December_BBC_Oct_30_2011

Documents:

Attachment	Size
 Mubarak_EU_Council_AR_Statement_Nov_26_2012.pdf	75.61 KB
 Mubarak_Embezzlement_Verdict_NYTimes_May_21_2014.pdf	133.37 KB
 Mubarak_EU_Council_Decision_2016_411_March_2016.pdf	120.93 KB

Documents Links:

Other Sources:

Council of the European Union, Press Statement, 16078/12, November 26, 2012, at http://www.consilium.europa.eu//uedocs/cms_data/docs/pressdata/EN/foraff...

Council Regulation (EU) No 270/2011

of 21 March 2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Egypt, accessed at

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:076:0004...>

Council Decision 2016/411 of 18 March 2016, at
<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016D0411...>

David Kirkpatrick, "Mubarak Gets 3 Years for Embezzlement, and His Sons Get 4," New York Times, May 21, 2014, at <http://www.nytimes.com/2014/05/22/world/middleeast/hosni-mubarak-trial.html>