

## Ivory Coast sanctions update

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This is an update to Reed Smith's January 2011 Client Alert in respect of sanctions imposed upon Ivory Coast. The original Alert can be accessed [here](#).

As reported in that Client Alert, the EU, by adopting Council Regulation (EU) No. 25/2011 on 14 January 2011, had designated both the Port of Abidjan and the Port of San Pedro. These ports and other "designated persons" were subject to an asset freeze and an almost complete prohibition on making funds and economic resources available to them.

The prohibition on making funds and economic resources available to these ports had meant that an offence would be committed if an EU corporate (or national) made a payment of port dues or other disbursements / expenses to the port without express authority to do so. The Regulation also applies to vessels registered in the EU.

Regulation (EU) No. 348/2011, which has been published in the Official Journal today, 12 April, removes four entities from the list of designated persons:

- Autonomous Port of Abidjan
- Autonomous Port of San Pedro
- SIR (Ivorian Refining Company)
- CGFCC (Coffee and Cocoa Trade Management Committee)

There is therefore no longer a prohibition on paying port dues and other expenses to the port authorities, nor on making funds or economic resources available to SIR or CGFCC.

For completeness, two further developments should be reported:

(1) Following UN Security Council Resolution 1975 (2011) of 30 March, Council Regulation (EU) No. 330/2011 published 7 April added further individuals as designated persons. Regulation

(EU) No. 330/2011 also provided that "competent authorities" in each Member State could authorize the release of funds or economic resources of certain of the designated persons where payment by a designated person was due under a contract concluded, or the obligation arose, before the designated person was so designated.

(2) The Ivory Coast (Asset-Freezing) Regulations 2011 came into force in the UK 7 April. They provide that dealing with funds or economic resources of a designated person, or the making of funds or economic resources available to them, is a criminal offence which could lead to imprisonment for a term not exceeding two years, or to a fine, or to both.

The situation in Ivory Coast is fast moving and the sanctions position can be expected to change further in the coming days and weeks.

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