

II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2021/1959

of 11 November 2021

implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) 2017/2063 of 13 November 2017 concerning restrictive measures in view of the situation in Venezuela ⁽¹⁾, and in particular Article 17(1) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 13 November 2017, the Council adopted Regulation (EU) 2017/2063.
- (2) On 12 November 2020, the Council, considering the ongoing political, economic, social and humanitarian crisis in Venezuela and the persistent actions undermining democracy, the rule of law and respect for human rights, adopted Decision (CFSP) 2020/1700 ⁽²⁾, which renewed the restrictive measures in place until 14 November 2021, including all designations. On the same day the Council adopted Implementing Regulation (EU) 2020/1696 ⁽³⁾, which amended the statement of reasons for 14 listed persons.
- (3) On 22 February 2021, in view of the continuing grave situation in Venezuela, the Council adopted Implementing Regulation (EU) 2021/275 ⁽⁴⁾, which designated 19 persons.
- (4) The Council has reviewed the restrictive measures in place in accordance with Article 17(4) of Regulation (EU) 2017/2063. Based on that review, the restrictive measures against all persons in the list set out therein should be maintained, and the statement of reasons for 26 persons should be updated.
- (5) These measures do not affect the general population and can be reversed in light of progress made towards the restoration of democracy, the rule of law and respect for human rights in Venezuela.
- (6) Annex IV to Regulation (EU) 2017/2063 should therefore be amended accordingly,

⁽¹⁾ OJ L 295, 14.11.2017, p. 21.

⁽²⁾ Council Decision (CFSP) 2020/1700 of 12 November 2020 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela (OJ L 381, 13.11.2020, p. 24).

⁽³⁾ Council Implementing Regulation (EU) 2020/1696 of 12 November 2020 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela (OJ L 381, 13.11.2020, p. 8).

⁽⁴⁾ Council Implementing Regulation (EU) 2021/275 of 22 February 2021 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela (OJ L 60I, 22.2.2021, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EU) 2017/2063 is amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 November 2021.

For the Council
The President
Z. POČIVALŠEK

In Annex IV to Regulation (EU) 2017/2063, entries 1, 4, 7, 10, 12, 18, 20, 25, 27, 28, 29, 34, 35, 36, 37, 41, 42, 43, 44, 45, 46, 47, 48, 51, 53 and 55 are replaced by the following:

	Name	Identifying information	Reasons	Date of listing
1.	Néstor Luis REVEROL TORRES	Date of birth: 28 October 1964 Gender: male	Minister for Electrical Energy since October 2020, Vice-President of Public Works and Services and Executive Secretary of the Electrical General Staff since April 2019. Minister for Interior, Justice and Peace from 2016 until October 2020. General in Chief of the Bolivarian National Guard since August 2020. Responsible for serious human rights violations, including the torture of (political) prisoners, and the repression of the democratic opposition in Venezuela, including the prohibition and repression of political demonstrations, committed by security forces under his command.	22.1.2018
4.	Antonio José BENAVIDES TORRES	Date of birth: 13 June 1961 Gender: male	Member of the non-democratically elected National Assembly. Chief of the Capital District (Distrito Capital) Government until January 2018. General Commander of the Bolivarian National Guard until 21 June 2017. Involved in the repression of civil society and democratic opposition in Venezuela, and responsible for serious human rights violations committed by the Bolivarian National Guard under his command. His actions and policies as General Commander of the Bolivarian National Guard, including the Bolivarian National Guard taking the lead in the policing of civilian demonstrations and publicly advocating that military courts should have jurisdiction over civilians, have undermined the rule of law in Venezuela.	22.1.2018
7.	Diosdado CABELLO RONDÓN	Date of birth: 15 April 1963 Gender: male	Member of the non-democratically elected National Assembly, former President of the Constituent Assembly and First Vice-President of the United Socialist Party of Venezuela (PSUV). Involved in undermining democracy and the rule of law in Venezuela, including by using the media to publicly attack and threaten political opposition, other media and civil society.	22.1.2018
10.	Jesús Rafael SUÁREZ CHOURIO	Date of birth: 19 July 1962 Gender: male	President of the Defence and Security Committee of the non-democratically elected National Assembly since January 2021. Former Chief of the General Staff of the Commander-in-Chief of the Armed Forces (between July 2019 and September 2020). Former Commander in Chief of the Venezuelan Bolivarian National Army (until July 2019). Former General Commander of the Venezuelan Bolivarian National Army and former Commander of Venezuela's Comprehensive Defence Region of the Central Zone (REDI Central). Responsible for serious human rights violations by forces under his command during his tenure as General Commander of the Venezuelan Bolivarian National Army, including the use of excessive force and the mistreatment of detainees. He has targeted the democratic opposition and supported the use of military courts to try civilian protesters.	25.6.2018

	Name	Identifying information	Reasons	Date of listing
12.	Delcy Eloina RODRÍGUEZ GÓMEZ	Date of birth: 18 May 1969 Gender: female	Vice-President of Venezuela, Minister of the Economy, Finances and Trade. Former President of the illegitimate Constituent Assembly and former member of the Presidential Commission for the illegitimate National Constituent Assembly. Her actions in the Presidential Commission and then as President of the illegitimate Constituent Assembly have undermined democracy and the rule of law in Venezuela, including usurping the powers of the National Assembly and using them to target the opposition and to prevent them from taking part in the political process.	25.6.2018
18.	Xavier Antonio MORENO REYES	Gender: male	Secretary-General of the National Electoral Council (CNE) from 2009 until June 2020. In that role, Moreno Reyes facilitated, legitimised and gave credibility to CNE decisions, since the Secretary-General of the CNE has a role in agenda-setting and formalising decisions. Moreno Reyes remained Secretary-General of CNE while democracy was severely undermined and the independent role of the CNE within the electoral process was compromised. He is therefore responsible for undermining democracy in Venezuela, including facilitating the establishment of the illegitimate Constituent Assembly and the manipulation of the electoral process.	25.6.2018
20.	Rafael Ramón BLANCO MARRERO	Date of birth: 28 February 1968 ID number: V-6250588 Gender: male	Division General of the Venezuelan Bolivarian National Army since 5 July 2019. Former deputy Director of the Directorate-General of Military Counter-Intelligence (Dirección General de Contrainteligencia Militar (DGCIM)). Responsible for serious human rights violations, including torture, the use of excessive force and the mistreatment of detainees in DGCIM facilities, that were committed by DGCIM officials under his command. Linked to the death of Captain Acosta.	27.9.2019
25.	Hannover Esteban GUERRERO MIJARES	Date of birth: 14 January 1971 Gender: male	Second Commander and Chief of Staff of the 35th Military Police Brigade since August 2020. Head of Investigations at the Directorate-General of Military Counter-Intelligence (Dirección General de Contrainteligencia Militar (DGCIM)) from at least April 2019 to August 2019. As Head of Investigations, he supervised the DGCIM facility in Boleita. Responsible for serious human rights violations, including torture, the use of excessive force and the ill-treatment of detainees committed by himself and by officials under his command, particularly in Boleita. Linked to the death of Captain Acosta.	27.9.2019
27.	Gladys DEL VALLE REQUENA	Date of birth: 9 November 1952 Place of birth: Puerto Santo, Sucre, Venezuela ID number: V-4114842 Gender: female	Member of the non-democratically elected National Assembly and former member and the Second Vice-President of the non-recognised National Constituent Assembly (ANC). In her leading role in the non-recognised ANC, she has undermined democracy and the rule of law in Venezuela including by signing the decree that stripped the president of the National Assembly of Venezuela, Juan Guaidó, of his parliamentary immunity.	29.6.2020

	Name	Identifying information	Reasons	Date of listing
28.	Tania Valentina DÍAZ GONZÁLEZ	Date of birth: 18 June 1963 Place of birth: Caracas, Distrito Capital, Venezuela ID number: V-6432672 Gender: female	Member of the non-democratically elected National Assembly and former First Vice-President of the non-recognised National Constituent Assembly (ANC). In her leading role in the non-recognised ANC she has undermined democracy and the rule of law in Venezuela, including by signing the decree that stripped the president of the National Assembly of Venezuela, Juan Guaidó, of his parliamentary immunity.	29.6.2020
29.	Elvis Eduardo HIDROBO AMOROSO	Date of birth: 4 August 1963 Place of birth: Caracas, Distrito Capital, Venezuela ID number: V-7659695 Gender: male	Comptroller General, since 23 October 2018, and former First and Second Vice-President of the non-recognised National Constituent Assembly (ANC). His actions have undermined democracy and the rule of law in Venezuela, including by banning opposition members from holding public office for 15 years and leading the non-recognised ANC, signing the 'law against hatred', justifying the removal of a legally-elected opposition governor and banning Juan Guaidó from running for any public office.	29.6.2020
34.	Luis Eduardo PARRA RIVERO	Date of birth: 7 July 1978 ID number: V-14211633 Gender: male	Member of the non-democratically elected National Assembly. As a member of the National Assembly elected in 2015, he staged his election as President of the National Assembly on 5 January 2020, thereby undermining democracy and the rule of law in Venezuela. The election took place while entry of several parliamentarians to the premises of the National Assembly was blocked by military police, and without a quorum being reached. Therefore, opposition members had to organise themselves outside of the premises of the National Assembly to re-elect Juan Guaidó as its President. Shortly after the staged election of Parra Rivero, supported by the regime's political party (PSUV), Parra Rivero was welcomed by Maduro and the non-recognised National Constituent Assembly (ANC).	29.6.2020
35.	Franklyn Leonardo DUARTE	Date of birth: 15 May 1977 ID number: V-3304045 Gender: male	Member of the non-democratically elected National Assembly. Former member and illegitimately elected first Vice-President of the National Assembly elected in 2015. As a member of the National Assembly elected in 2015, he staged his election as the first Vice-President of the National Assembly on 5 January 2020, thereby undermining democracy and the rule of law in Venezuela. The election took place while entry of several parliamentarians to the premises of the National Assembly was blocked by military police, and without a quorum being reached. Therefore, opposition members had to organise themselves outside of the premises of the National Assembly to re-elect Juan Guaidó as its President. Shortly after the staged election of Duarte, supported by the regime's political party (PSUV), the election of the Board of Directors of the National Assembly was welcomed by Maduro and the non-recognised National Constituent Assembly (ANC).	29.6.2020

	Name	Identifying information	Reasons	Date of listing
36.	José Gregorio NORIEGA FIGUEROA	Date of birth: 21 February 1969 ID number: V-8348784 Gender: male	Member of the non-democratically elected National Assembly. Former member and illegitimately elected second Vice-President of the National Assembly elected in 2015. Illegitimately appointed director of the ad-hoc board of the political party Voluntad Popular. As a member of the National Assembly elected in 2015, he staged his election as the second Vice-President of the National Assembly on 5 January 2020, thereby undermining democracy and the rule of law in Venezuela. The election took place while entry of several parliamentarians to the premises of the National Assembly was blocked by military police, and without a quorum being reached. Therefore, opposition members had to organise themselves outside of the premises of the National Assembly to re-elect Juan Guaidó as its President. Shortly after the staged election of Noriega, supported by the regime's political party (PSUV), the election of the Board of Directors of the National Assembly was welcomed by Maduro and the non-recognised National Constituent Assembly (ANC). In July 2020, Noriega, helped by the Venezuelan Supreme Court of Justice (Tribunal Supremo de Justicia (TSJ)), illegitimately took over the leadership of the political party Voluntad Popular, thereby further undermining democracy in Venezuela.	29.6.2020
37.	Remigio CEBALLOS ICHASO	Date of birth: 1 May 1963 ID-number: V-6557495 Gender: male	Former commander of the Operational and Strategic Command of the Bolivarian National Armed Forces of Venezuela (Comando Estratégico Operacional Fuerzas Armadas Nacionales Bolivarianas (CEOFANB)), the highest organ in the Venezuelan Armed Forces (June 2017–July 2021). CEOFANB controls the Bolivarian National Armed Forces (FANB) and the Bolivarian National Guard. CEOFANB is also responsible for coordinating FANB interventions in demonstrations. In his position as commander of CEOFANB, he was responsible for serious human rights violations, including the use of excessive force and inhuman and degrading treatment by officials of the FANB and by subordinate forces under his command, including the Bolivarian National Guard. Various sources, including the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela, attribute human rights violations to FANB and the Bolivarian National Guard.	22.2.2021
41.	Luis Fernando DAMIANI BUSTILLOS	Date of birth: 27 April 1946 Gender: male	Judge of the Constitutional Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)). As a member of the Constitutional Chamber of the Supreme Court, he is responsible for actions, statements and rulings that have usurped the constitutional powers of the National Assembly and undermined the opposition's electoral rights including the unilateral appointment by the Supreme Court of the National Electoral Council (Consejo Nacional Electoral (CNE)) in June 2020 and the suspension and unilateral replacement of the leadership of three of the main democratic opposition parties in June and July 2020, as well as the extension of the ruling on Acción Democrática for one more year in May 2021. His actions have therefore undermined democracy and the rule of law in Venezuela, and he has supported and facilitated the undermining of democracy and the rule of law by the executive branch.	22.2.2021

	Name	Identifying information	Reasons	Date of listing
42.	Lourdes Benicia SUÁREZ ANDERSON	Date of birth: 7 March 1965 Gender: female	President of the Constitutional Chamber and first Vice-president of the Supreme Court since 5 February 2021. Judge of the Constitutional Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)) since December 2005. As a member of the Constitutional Chamber of the Supreme Court, she is responsible for actions, statements and rulings that have usurped the constitutional powers of the National Assembly and undermined the opposition's electoral rights including the unilateral appointment by the Supreme Court of the National Electoral Council (Consejo Nacional Electoral (CNE)) in June 2020 and the suspension and unilateral replacement of the leadership of three of the main democratic opposition parties in June and July 2020, as well as the extension of the ruling on Acción Democrática for one more year in May 2021. Her actions have therefore undermined democracy and the rule of law in Venezuela, and she has supported and facilitated the undermining of democracy and the rule of law by the executive branch.	22.2.2021
43.	Calixto Antonio ORTEGA RÍOS	Date of birth: 12 October 1950 Gender: male	Judge of the Constitutional Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)). As a member of the Constitutional Chamber of the Supreme Court, he is responsible for actions, statements and rulings that have usurped the constitutional powers of the National Assembly and undermined the opposition's electoral rights including the unilateral appointment by the Supreme Court of the National Electoral Council (Consejo Nacional Electoral (CNE)) in June 2020 and the suspension and unilateral replacement of the leadership of three of the main democratic opposition parties in June and July 2020, as well as the extension of the ruling on Acción Democrática for one more year in May 2021. His actions have therefore undermined democracy and the rule of law in Venezuela, and he has supported and facilitated the undermining of democracy and the rule of law by the executive branch.	22.2.2021
44.	René Alberto DEGRAVES ALMARZA	Gender: male	Judge of the Constitutional Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)). As a member of the Constitutional Chamber of the Supreme Court, he is responsible for actions, statements and rulings that have usurped the constitutional powers of the National Assembly and undermined the opposition's electoral rights including the unilateral appointment by the Supreme Court of the National Electoral Council (Consejo Nacional Electoral (CNE)) in June 2020 and the suspension and unilateral replacement of the leadership of three of the main democratic opposition parties in June and July 2020, as well as the extension of the ruling on Acción Democrática for one more year in May 2021. His actions have therefore undermined democracy and the rule of law in Venezuela, and he has supported and facilitated the undermining of democracy and the rule of law by the executive branch.	22.2.2021

	Name	Identifying information	Reasons	Date of listing
45.	Arcadio DELGADO ROSALES	Date of birth: 23 September 1954 Gender: male	Judge and Vice-President of the Constitutional Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)). As a member of the Constitutional Chamber of the Supreme Court, he is responsible for actions, statements and rulings that have usurped the constitutional powers of the National Assembly and undermined the opposition's electoral rights including the unilateral appointment by the Supreme Court of the National Electoral Council (Consejo Nacional Electoral (CNE)) in June 2020 and the suspension and unilateral replacement of the leadership of three of the main democratic opposition parties in June and July 2020, as well as the extension of the ruling on Acción Democrática for one more year in May 2021. His actions have therefore undermined democracy and the rule of law in Venezuela, and he has supported and facilitated the undermining of democracy and the rule of law by the executive branch.	22.2.2021
46.	Carmen Auxiliadora ZULETA DE MERCHÁN	Date of birth: 13 December 1947 Gender: female	Judge of the Constitutional Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)). As a member of the Constitutional Chamber of the Supreme Court, she is responsible for actions, statements and rulings that have usurped the constitutional powers of the National Assembly and undermined the opposition's electoral rights including the unilateral appointment by the Supreme Court of the National Electoral Council (Consejo Nacional Electoral (CNE)) in June 2020 and the suspension and unilateral replacement of the leadership of three of the main democratic opposition parties in June and July 2020, as well as the extension of the ruling on Acción Democrática for one more year in May 2021. Her actions have therefore undermined democracy and the rule of law in Venezuela, and she has supported and facilitated the undermining of democracy and the rule of law by the executive branch.	22.2.2021
47.	Indira Maira ALFONZO IZAGUIRRE	Date of birth: 29 April 1968 Place of birth: La Guaira (La Guaira State, Venezuela) ID-number: V-6978710 Gender: female	President of the Electoral Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)) since May 2021. Former chairwoman of the National Electoral Council (Consejo Nacional Electoral (CNE)), appointed on 13 June 2020. Former member of the Electoral Chamber and Plenary Chamber of the Supreme Court (TSJ), Second Vice-Chairwoman of the TSJ from 2015 until 24 February 2017, Vice-Chairwoman of the TSJ from 24 February 2017 until 12 June 2020. As member of the Electoral Chamber of the TSJ, Alfonzo Izaguirre is responsible for the actions taken against the then newly elected National Assembly in December 2015, resulting in the impossibility for the National Assembly to exert its legislative power. Moreover, she accepted her appointment as the chairwoman of the CNE in June 2020 by the TSJ although this prerogative belongs to the National Assembly. In that role she prepared and supervised the non-democratic elections of the National Assembly held on 6 December 2020 and participated in the change of 30 June 2020 to the electoral norms for those elections, without formally leaving the TSJ (temporary permit to integrate the CNE). After the renewal of the CNE in May 2021, she returned to the TSJ. Her actions have therefore undermined democracy and the rule of law in Venezuela.	22.2.2021

	Name	Identifying information	Reasons	Date of listing
48.	Leonardo Enrique MORALES POLEO	Gender: male	Former Vice-President of the National Electoral Council (Consejo Nacional Electoral (CNE)) and President of the Political Participation and Financing Commission (August 2020–May 2021). Morales Poleo was appointed Vice-President of the CNE and President of the Political Participation and Financing Commission on 7 August 2020 by the Supreme Court (Tribunal Supremo de Justicia (TSJ)) although this prerogative belongs to the National Assembly. Moreover, just prior to his appointment he served in the Advanced Progressive Party (Avanzada Progresista). As member of the CNE, he fully took part in the supervision of the electoral process that led to the non-democratic elections of the National Assembly on 6 December 2020. His actions have therefore undermined democracy and the rule of law in Venezuela.	22.2.2021
51.	Carlos Ramón Enrique CARVALLO GUEVARA	ID-number: V-10132041 Gender: male	President of state enterprise Corporación Ecosocialista Ezequiel Zamora (CORPOEZ) since March 2021. Division General, and Deputy Director of the Directorate-General of Military Counter-Intelligence (Dirección General de Contrainteligencia Militar (DGCIM)) from 21 August 2020 until 11 March 2021. Successor of General Rafael Ramón Blanco Marrero. Previously, Carvallo Guevara served for the DGCIM in Los Andes region and held an upper rank position in the Bolivarian National Guard. Responsible for serious human rights violations in Venezuela committed by DGCIM officials under his command. In the recently published findings of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela, DGCIM is characterised as an institution directly responsible for carrying out severe human rights violations.	22.2.2021
53.	Carlos Enrique TERÁN HURTADO	ID-number: V-8042567 Gender: male	Brigadier General since 5 July 2019 and head of the Special Directorate of Criminal Investigation of the Directorate-General of Military Counter-Intelligence (Dirección General de Contrainteligencia Militar (DGCIM)) from 2019 until 2021. In previous functions, Brigadier General Terán Hurtado served as head of the police in Falcón state and head of DGCIM in Táchira state. Responsible for serious human rights violations, including cruel and inhumane treatment of detainees, committed by DGCIM officials under his command. In the detailed findings of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela, Brigadier General Terán Hurtado is specifically pointed out as one of the responsible actors, and is linked to the captain de la Sotta case.	22.2.2021

	Name	Identifying information	Reasons	Date of listing
55.	Douglas Arnaldo RICO GONZÁLEZ	Date of birth: 28 September 1969 ID-number: V-6864238 Gender: male	Director of the Bureau for Scientific, Criminal, and Forensic Investigations (Cuerpo de Investigaciones Científicas, Penales y Criminalísticas (CICPC)) since 5 February 2016. Previously, he acted as CICPC deputy director. Responsible for serious human rights violations, by CICPC officials under his authority. The report of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela characterises CICPC as an institution that commits systematic human rights violations in Venezuela. CICPC is also involved in extra-judicial killings, according to the report of the United Nations High Commissioner for Human Rights released on 16 June 2021.	22.2.2021.'