

## II

(Non-legislative acts)

## REGULATIONS

## 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**

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 <sup>(1)</sup>, and in particular Article 17(1) thereof,

Having regard to the proposal of 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 7 December 2020, the High Representative of the Union for Foreign Affairs and Security Policy (the 'High Representative') issued a declaration on behalf of the Union which stated that the Venezuelan elections of 6 December 2020 for the National Assembly regrettably went ahead without a national agreement on electoral conditions, failed to comply with the minimum international standards for a credible process, and failed to mobilise the Venezuelan people to participate. The declaration underlined that this lack of respect for political pluralism and the disqualification, and prosecution, of opposition leaders precluded the Union from recognising this electoral process as credible, inclusive or transparent, and its results as representative of the will of the Venezuelan people.
- (3) On 6 January 2021, the High Representative issued a second declaration on behalf of the Union on the Venezuelan elections for the National Assembly, which underlined the Union's deep regrets that the National Assembly assumed its mandate on 5 January 2021 on the basis of the non-democratic elections. It also indicated that the elections of the National Assembly elected in 2015 were the last free expression of Venezuelans in an electoral process. Finally, the declaration mentioned that the Union stood ready to take additional targeted measures.
- (4) On 25 January 2021, the Council adopted Conclusions on Venezuela, stating that the Union deeply regrets that the legislative elections of 6 December 2020 were a missed opportunity for democracy, were held without a national agreement on electoral conditions, and failed to comply with the international standards for a democratic process. Moreover, the Council underscored that human rights must be respected. It also stated that there could be no way out of the political crisis in Venezuela if its citizens feared arrest and persecution, including of their families, for exercising their fundamental rights and freedoms.

<sup>(1)</sup> OJ L 295, 14.11.2017, p. 21.

- (5) The Council Conclusions of 25 January 2021 indicated that the Union, in view of the deteriorating situation of human rights, rule of law and democracy in Venezuela, stands ready to adopt additional targeted restrictive measures against those undermining democracy or the rule of law and those responsible for serious violations of human rights. These measures are designed not to harm the Venezuelan population, and can be reversed.
- (6) In this context, and in view of the continuing grave situation in Venezuela, 19 persons should be included in the list of natural and legal persons, entities and bodies subject to restrictive measures in Annex IV to Regulation (EU) 2017/2063.
- (7) Annex IV to Regulation (EU) 2017/2063 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on the date 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, 22 February 2021.

*For the Council*  
*The President*  
J. BORRELL FONTELLES

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The following persons are added to the list of natural and legal persons, entities and bodies set out in Annex IV to Regulation (EU) 2017/2063:

	Name	Identifying information	Reasons	Date of listing
37.	Remigio CEBALLOS ICHASO	Date of birth: 1 May 1963 ID-number: V-6557495 Gender: male	Commander of the Operational and Strategic Command of the Bolivarian National Armed Forces of Venezuela ( <i>Comando Estratégico Operacional Fuerzas Armadas Nacionales Bolivarianas</i> (CEOFANB)), the highest organ in the Venezuelan Armed Forces, since June 2017. 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 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
38.	Omar José PRIETO FERNÁNDEZ	Date of birth: 25 May 1969 ID number: V-9761075 Gender: male	Governor of Zulia State since December 2017. In this position he has undermined democracy and the rule of law in Zulia State. He was sworn in by the non-recognised National Constituent Assembly (ANC), after the legitimate winner of the election refused to be sworn in by the ANC. Omar José Prieto Fernández actively promoted the non-democratic elections for the National Assembly which took place on 6 December 2020. Moreover, in Zulia State he threatened opposition leaders with “house visits” and stated to declare Zulia State independent should an interim government lead by Juan Guaidó assume power.	22.2.2021
39.	José Dionisio BRITO RODRÍGUEZ	Date of birth: 15 January 1971 ID-number: V-8263861 Gender: male	Member of the non-democratically elected National Assembly and chair of the parliamentary commission that investigates the “actions perpetrated against the Republic” by members of the National Assembly elected in 2015. Furthermore, José Dionisio Brito Rodríguez illegitimately assumed leadership over opposition party <i>Primero Justicia</i> , due to a decision of the Supreme Court in June 2020. In 2019, he was expelled from <i>Primero Justicia</i> over corruption allegations. Moreover, as a member of the National Assembly, he participated in the illegitimate election of Luis Eduardo Parra Rivero as the 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. His actions have therefore undermined democracy and the rule of law in Venezuela.	22.2.2021

40.	José Bernabé GUTIÉRREZ PARRA	Date of birth: 21 December 1952 ID-number: V-1565144 Gender: male	Member of the non-democratically elected National Assembly and illegitimate leader of opposition party <i>Acción Democrática</i> . José Bernabé Gutiérrez Parra gained illegitimate control over opposition party <i>Acción Democrática</i> in June 2020 via a ruling of the Supreme Court. In contravention of the party's position prior to his take over, Gutiérrez Parra participated with <i>Acción Democrática</i> in the non-democratic elections of the National Assembly which took place on 6 December 2020. Gutiérrez Parra changed the position of the party, used its symbols and participated in the elections and public events such as televised debates. Gutiérrez Parra was expelled from the party by legitimate <i>Acción Democrática</i> members who called his actions conspiracy and betrayal. His actions have therefore undermined democracy and the rule of law in Venezuela.	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 ( <i>Tribunal Supremo de Justicia</i> (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 ( <i>Consejo Nacional Electoral</i> (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. 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's branch.	22.2.2021
42.	Lourdes Benicia SUÁREZ ANDERSON	Date of birth: 7 March 1965 Gender: female	Judge of the Constitutional Chamber of the Supreme Court ( <i>Tribunal Supremo de Justicia</i> (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 ( <i>Consejo Nacional Electoral</i> (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. 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's 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 ( <i>Tribunal Supremo de Justicia</i> (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 ( <i>Consejo Nacional Electoral</i> (CNE)) in June 2020 and the suspension and unilateral replacement of the leadership of three of the main democratic	22.2.2021

			opposition parties in June and July 2020. 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's branch.	
44.	René Alberto DEGRAVES ALMARZA	Gender: male	Judge of the Constitutional Chamber of the Supreme Court ( <i>Tribunal Supremo de Justicia</i> (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 ( <i>Consejo Nacional Electoral</i> (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. 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's branch.	22.2.2021
45.	Arcadio DELGADO ROSALES	Date of birth: 23 September 1954 Gender: male	Judge and Vice-President of the Constitutional Chamber of the Supreme Court ( <i>Tribunal Supremo de Justicia</i> (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 ( <i>Consejo Nacional Electoral</i> (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. 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's 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 ( <i>Tribunal Supremo de Justicia</i> (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 ( <i>Consejo Nacional Electoral</i> (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. 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's 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	Chairwoman of the National Electoral Council ( <i>Consejo Nacional Electoral (CNE)</i> ) since 13 June 2020. Former member of the Electoral Chamber and Plenary Chamber of the Supreme Court ( <i>Tribunal Supremo de Justicia (TSJ)</i> ), 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, Indira Maira 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 this 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 these elections. Her actions have therefore undermined democracy and the rule of law in Venezuela.	22.2.2021
48.	Leonardo Enrique MORALES POLEO	Gender: male	Vice President of the National Electoral Council ( <i>Consejo Nacional Electoral (CNE)</i> ) since 7 August 2020 and President of the Political Participation and Financing Commission. Leonardo Enrique 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 ( <i>Tribunal Supremo de Justicia (TSJ)</i> ) although this prerogative belongs to the National Assembly. Moreover, just prior before his appointment he served in the Advanced Progressive Party ( <i>Avanzada progresista</i> ). 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
49.	Tania D'AMELIO CARDIET	Date of birth: 5 December 1971 Place of birth: Italy Nationality: Venezuelan ID-number: V-11691429 Gender: female	Member (Rector) of the National Electoral Council ( <i>Consejo Nacional Electoral (CNE)</i> ) for the period 2016-2023. Former Member (Rector) of the CNE for the period 2010-2016. Tania d'Amelio Cardiet, as rector of the CNE since 2010, contributed directly by her activity in her functions to the undermining of the democracy and the rule of law in Venezuela, including by preparing the non-democratic 2020 National Assembly elections, participating in the change of 30 June 2020 to the electoral norms for these elections, and participating in the organization and execution of the 2018 presidential elections. Moreover, d'Amelio Cardiet accepted her 2016 appointment at the CNE by the Supreme Court ( <i>Tribunal Supremo de Justicia (TSJ)</i> ), although this prerogative belongs to the National Assembly.	22.2.2021
50.	José Miguel DOMÍNGUEZ RAMÍREZ	Date of birth: 17 October 1979 ID-number: V-14444352 Gender: male	Director of the Special Action Forces ( <i>Fuerzas de Acciones Especiales (FAES)</i> ) since 6 May 2019. Former Chief Commissioner of the FAES in Táchira State. Additionally, José Miguel Domínguez Ramírez was the Director of Operations of the FAES, which fall within Venezuela's Bolivarian National Police. Responsible for serious human rights violations and repressing of civil society and democratic opposition in Venezuela committed by FAES officials under his authority. The FAES	22.2.2021

			are known for extrajudicial killings and their violent role in suppressing dissent from Maduro's political opponents, the opposition, and protesters, which is why the United Nations High Commissioner for Human Rights Michelle Bachelet has demanded the dissolution of the FAES. Moreover, previously, Domínguez Ramírez was a member of the Venezuelan security team that opened fire on unarmed student protestors on 12 February 2014, resulting in the death of at least one of the students, Bassil Da Costa.	
51.	Carlos Ramón Enrique CARVALLO GUEVARA	ID-number: V-10132041 Gender: male	Division General, and Deputy Director of the Directorate-General of Military Counter-Intelligence ( <i>Dirección General de Contrainteligencia Militar</i> (DGCIM)) since 21 August 2020. Successor of General Rafael Ramón Blanco Marrero. Previously, Carlos Ramón Enrique Carvallo Guevara served for the DGCIM in Los Andes region, and held upper ranks 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 characterized as an institution directly responsible for carrying out severe human rights violations.	22.2.2021
52.	Jesús Emilio VÁSQUEZ QUINTERO	ID-number: V-7422049 Gender: male	Division General since 5 July 2019 and Attorney General of the Military Prosecutor's Office since December 2017. As Attorney General of the Military Prosecutor's Office responsible for undermining democracy and the rule of law in Venezuela. The Military Prosecutor's Office has been linked to internal judicial prosecution in the Armed Forces, and failures to investigate incidents, including the case of the death of captain Acosta in 2019. Moreover, military justice is being applied to civilians.	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 ( <i>Dirección General de Contrainteligencia Militar</i> (DGCIM)) since 2019. In previous functions, Brigadier General Carlos Enrique 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

54.	Manuel Eduardo PÉREZ URDANETA	Date of birth: 29 December 1960 or 26 May 1962 Place of birth: Cagua, State of Aragua ID-number: V-6357038 Passport number: 001234503 (expired 2012) Gender: male	Deputy Minister of the Interior and Justice since 7 April 2015. Within the Venezuelan Ministry of the Interior and Justice, Brigadier General Manuel Eduardo Pérez Urdaneta ranks as one of five Deputy Ministers. His portfolio encompasses Preventive Security and Public Safety ( <i>Viceministro de prevención y Seguridad Ciudadana</i> ). Previously, Brigadier General Pérez served as Director of the Bolivarian National Police. In this role responsible for serious human rights violations, including the use of severe physical force against peaceful protesters, committed by officials of the Bolivarian National Police under his authority.	22.2.2021
55.	Douglas Arnaldo RICO GONZÁLEZ	Date of birth: 28 September 1969 ID-number: V-6864238 Gender: male	Director of the Scientific, Penal, and Criminal Investigation Corps ( <i>Cuerpo de Investigaciones Científicas, Penales y Criminalísticas</i> (CICPC)) since 5 February 2016. Before, 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 characterizes CICPC as an institution that commits systematic human rights violations in Venezuela.	22.2.2021'