Council of the
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PUBLIC

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL IMPLEMENTING REGULATION implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela

COUNCIL IMPLEMENTING REGULATION (EU) 2022/…

of ...

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

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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,

[1] OJ L 295, 14.11.2017, p. 21.

Whereas:

(1) On 13 November 2017, the Council adopted Regulation (EU) 2017/2063.

(2) On 11 November 2021, 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) 2021/1965[1] which renewed the restrictive measures in place until 14 November 2022, including all designations. On the same date, the Council adopted Implementing Regulation (EU) 2021/1959[2] which amended the statement of reasons for 26 listed persons.

(3) 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 17 persons should be updated.

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1 Council Decision (CFSP) 2021/1965 of 11 November 2021 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela (OJ L 400, 12.11.2021, p. 148).

2 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 (OJ L 400, 12.11.2021, p. 1).

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(4) 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.

(5) Annex IV to Regulation (EU) 2017/2063 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

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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 ...,

For the Council
The President

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ANNEX

In Annex IV to Regulation (EU) 2017/2063, the entries concerning the persons listed below are replaced by the following entries:

	Name	Identifying information	Reasons	Date of listing
‘3.	Tibisay LUCENA RAMÍREZ	Date of birth: 26 April 1959 Gender: female	Minister of University Education since October 2021. President of the National Electoral Council (Consejo Nacional Electoral or CNE) from April 2006 until June 2020. Her actions and policies have undermined democracy and the rule of law in Venezuela, including by failing to ensure that the CNE remains an impartial and independent institution in accordance with the Venezuelan Constitution, thereby facilitating the establishment of the Constituent Assembly and the re- election of Nicolás Maduro in May 2018 through presidential elections that were neither free nor fair.	22.1.2018
5.	Maikel José MORENO PÉREZ	Date of birth: 12 December 1965 Gender: male	Judge of the Criminal Appeal Chamber of the Supreme Court of Venezuela (Tribunal Supremo de Justicia (TSJ)). Former President and Vice President of the Supreme Court. In those roles, he has supported and facilitated the Government’s actions and policies which have undermined democracy and the rule of law in Venezuela, and is responsible for actions and statements that have usurped the authority of the National Assembly, including the appointment of the National Electoral Council (CNE) in June 2020 and the suspension and replacement of the leadership of three opposition parties in June and July 2020.	22.1.2018

	Name	Identifying information	Reasons	Date of listing
15.	Freddy Alirio BERNAL ROSALES	Date of birth: 16 June 1962 Place of birth: San Cristóbal, Táchira State, Venezuela Gender: male	Governor of Táchira State since winning the elections in November 2021. Former Head of the National Control Centre of the Committee for Local Supply and Production (CLAP) and former Protector of Táchira State. Also a Commissioner General of the Bolivarian National Intelligence Service (SEBIN). As Head of the CLAP and Protector of Táchira State he was able to call upon Special Forces (FAES) and to influence appointments of judges and prosecutors. Responsible for undermining democracy through manipulation of CLAP programme distributions amongst voters. Additionally, as Commissioner General of SEBIN he is responsible for SEBIN's activities which include serious human rights violations such as arbitrary detention.	25.6.2018
22.	Alexis Enrique ESCALONA MARRERO	Date of birth: 12 October 1962 Gender: male	Chief in Charge of the National Office Against Organized Crime and Terrorist Financing (ONDOFT) from January 2018 until May 2019. Retired Major General, former Vice Minister for prevention and public safety at the Ministry of the Interior (appointed in 2017 by President Maduro) and former National Commander of the National Anti-Extortion and Kidnapping Command (Comando Nacional Antiextorsión y Secuestro (CONAS)) (between 2014 and 2017). Responsible for serious human rights violations, including torture, the use of excessive force and the mistreatment of detainees by members of CONAS under his command. Also responsible for the repression of civil society by members of CONAS under his command.	27.9.2019

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	Name	Identifying information	Reasons	Date of listing
27.	Gladys DEL VALLE REQUENA	Date of birth: 9 November 1952 Place of birth: Puerto Santo, Sucre, Venezuela ID number: V-4114842 Gender: female	Inspector General of the Courts since 27 April 2022. Former 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

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	Name	Identifying information	Reasons	Date of listing
30.	Juan José MENDOZA JOVER	Date of birth: 11 March 1969 Place of birth: Trujillo, Venezuela Address: Arnoldo Gabaldón, Candelaria, Edo. Trujillo ID number: V-9499372 Gender: male	Former Second Vice-President of the Venezuelan Supreme Court (Tribunal Supremo de Justicia (TSJ)) and former President of the Constitutional Chamber of the Supreme Court (February 2017 – April 2022). His actions have undermined democracy and the rule of law in Venezuela, including by a number of judicial rulings in the past two years that have limited or undermined the constitutional powers of Venezuela's democratically-elected legislative body, the National Assembly.	29.6.2020

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	Name	Identifying information	Reasons	Date of listing
37.	Remigio CEBALLOS ICHASO	Date of birth: 1 May 1963 ID-number: V-6557495 Gender: male	Since August 2021, Minister of the Interior and Justice of Venezuela and Vice-President of the Government for Citizen Security. 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

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	Name	Identifying information	Reasons	Date of listing
38.	Omar José PRIETO FERNÁNDEZ	Date of birth: 25 May 1969 ID number: V-9761075 Gender: male	Former Governor of Zulia State (2017 - 2021). 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
42.	Lourdes Benicia SUÁREZ ANDERSON	Date of birth: 7 March 1965 Gender: female	Judge of the Constitutional Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)) since December 2005 and Vice President of the Constitutional Chamber since April 2022. Former President of the Constitutional Chamber and former first Vice-President of the Supreme Court. 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

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	Name	Identifying information	Reasons	Date of listing
44.	René Alberto DEGRAVES ALMARZA	Gender: male	Substitute judge of the Constitutional Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)) since April 2022. Former judge of the Constitutional Chamber of the Supreme Court. As a member of the Constitutional Chamber of the Supreme Court, he has been 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

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	Name	Identifying information	Reasons	Date of listing
45.	Arcadio DELGADO ROSALES	Date of birth: 23 September 1954 Gender: male	Former 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 has been 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

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	Name	Identifying information	Reasons	Date of listing
46.	Carmen Auxiliadora ZULETA DE MERCHÁN	Date of birth: 13 December 1947 Gender: female	Former 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 has been 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

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	Name	Identifying information	Reasons	Date of listing
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	Former President of the Electoral Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)). 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, Second Vice-Chairwoman of the Supreme Court from 2015 until 24 February 2017, Vice-Chairwoman of the Supreme Court from 24 February 2017 until 12 June 2020. As a member of the Electoral Chamber of the Supreme Court, 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 Supreme Court 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 Supreme Court (temporary permit to integrate the CNE). After the renewal of the CNE in May 2021, she returned to the Supreme Court. Her actions have therefore undermined democracy and the rule of law in Venezuela.	22.2.2021

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	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). 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 (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 (rector) and Vice-President of the CNE, he fully took part in the decision-making process of the CNE. He supported and facilitated 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 further undermined democracy and the rule of law in Venezuela. Leonardo Enrique Morales Poleo accepted to be appointed to the CNE and remained in his position as Vice-President of the CNE while democracy was severely undermined in Venezuela.	22.2.2021

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	Name	Identifying information	Reasons	Date of listing
49.	Tania D'AMELIO CARDIET	Date of birth: 5 December 1971 Place of birth: Italy Nationality: Venezuelan ID-number: V-11691429 Gender: female	Judge of the Constitutional Chamber of the Supreme Court (Tribunal Supremo de Justicia (TSJ)) since April 2022. Former member (rector) of the National Electoral Council (Consejo Nacional Electoral (CNE)) 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 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 those elections, and participating in the organisation and execution of the 2018 presidential elections. Moreover, Tania d'Amelio Cardiet accepted her 2016 appointment at the CNE by the Supreme Court, although this prerogative belongs to the National Assembly.	

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	Name	Identifying information	Reasons	Date of listing
52.	Jesús Emilio VÁSQUEZ QUINTERO	ID-number: V-7422049 Gender: male	President of the Court Martial and the Military Criminal Judicial Circuit since 17 September 2021. Division General since 5 July 2019 and former Attorney General of the Military Prosecutor's Office (December 2017 - 17 September 2021). 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

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	Name	Identifying information	Reasons	Date of listing
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	Former Deputy Minister of the Interior and Justice. Within the Venezuelan Ministry of the Interior and Justice, Brigadier General Manuel Eduardo Pérez Urdaneta ranked as one of five Deputy Ministers. His portfolio encompassed Preventive Security and Public Safety (Viceministro de prevención y Seguridad Ciudadana). Before that, Brigadier General Pérez served as Director of the Bolivarian National Police. In that role he was 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’.

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