



Council of the
European Union

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL IMPLEMENTING REGULATION implementing Regulation (EU) 2019/1716 concerning restrictive measures in view of the situation in Nicaragua

COUNCIL IMPLEMENTING REGULATION (EU) 2022/...

of ...

**implementing Regulation (EU) 2019/1716 concerning restrictive measures
in view of the situation in Nicaragua**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2019/1716 of 14 October 2019 concerning restrictive measures in view of the situation in Nicaragua¹, and in particular Article 13(1) thereof,

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

¹ OJ L 262, 15.10.2019, p. 1.

Whereas:

- (1) On 14 October 2019, the Council adopted Regulation (EU) 2019/1716, concerning restrictive measures in view of the situation in Nicaragua.
- (2) On 8 November 2021, the High Representative of the Union for Foreign Affairs and Security Policy (the ‘High Representative’) issued a declaration on behalf of the Union in which he underlined that the elections held in Nicaragua on 7 November 2021 have taken place without democratic guarantees and their results lack legitimacy. He declared that the Nicaraguan Government has deprived the people of Nicaragua of the civil and political right to vote in a credible, inclusive, fair and transparent election, as well of their freedom of expression, association and peaceful assembly. The High Representative indicated that the Union stands ready to consider all instruments at its disposal, including additional restrictive measures.
- (3) In view of the continuing grave situation in Nicaragua, seven individuals and three entities should be included in the list of natural and legal persons, entities and bodies subject to restrictive measures set out in Annex I to Regulation (EU) 2019/1716.
- (4) Annex I to Regulation (EU) 2019/1716 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) 2019/1716 is amended as set out in the Annex to this Regulation.

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 ...,

For the Council

The President

ANNEX

Annex I to Regulation (EU) 2019/1716 is amended as follows:

(1) the heading of the table is replaced by the following:

‘A. Natural persons referred to in Article 2’;

(2) the following natural persons are added to the table:

	Name	Identifying information	Reasons	Date of listing
15.	Camila Antonia ORTEGA MURILLO	<p>Position: Daughter of Daniel Ortega and Rosario Murillo, Advisor to the Presidency, Coordinator of the Creative Economy Commission, Director of TV station Canal 13</p> <p>Date of birth: 4.11.1987</p> <p>Place of birth: Managua, Nicaragua</p> <p>Gender: female</p> <p>Nationality: Nicaraguan</p> <p>Passport number: A00000114 (Nicaragua)</p> <p>ID number: 0010411870001B</p>	<p>Camila Antonia Ortega Murillo is closely involved in actions supporting the presidential couple Daniel Ortega and Rosario Murillo, as an advisor to the Presidency, personal assistant to the Vice-President and Coordinator of the Creative Economy National Commission. She is also the Director of the platform Nicaragua Diseña and TV station Canal 13.</p> <p>She is responsible for using Nicaragua Diseña to support the fraudulent presidential and parliamentary elections, which took place on 7 November 2021, by creating fake accounts on different social media platforms.</p>	+

+ OJ: please insert date of publication of this Regulation.

	Name	Identifying information	Reasons	Date of listing
			<p>As the Director of Canal 13, she has contributed to disseminating the Ortega regime's hate speech against the civic opposition, while restricting editorial plurality and persecuting independent journalists and media outlets in Nicaragua, eliminating freedom of expression and actual electoral competition. She has played a central role in the suppression of political pluralism and the definitive disarticulation of Nicaraguan democracy.</p> <p>She is therefore associated with persons responsible for undermining democracy and for serious human rights violations and she is supporting such repression and violations.</p>	

	Name	Identifying information	Reasons	Date of listing
16.	Laureano Facundo ORTEGA MURILLO	<p>Son of Daniel Ortega and Rosario Murillo, Advisor to the Presidency</p> <p>Date of birth: 20.11.1982</p> <p>Place of birth: Managua, Nicaragua</p> <p>Gender: male</p> <p>Nationality: Nicaraguan</p> <p>Passport number: A00000684 (Nicaragua)</p> <p>ID number: 0012011820046M</p>	<p>Laureano Facundo Ortega Murillo is closely involved in actions supporting the presidential couple Daniel Ortega and Rosario Murillo, as an advisor to the Presidency. He has justified and supported the arbitrary and illegal imprisonment of Nicaraguan political opposition leaders and presidential pre-candidates, student and rural leaders or independent journalists, all of whom he has referred to as “terrorists”. By contributing to the elimination of actual electoral competition, he has played a central role in the suppression of political pluralism and the definitive disarticulation of Nicaraguan democracy.</p>	+

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	Name	Identifying information	Reasons	Date of listing
			<p>He has acted as an economic advisor to his father Daniel Ortega and the Ortega regime through the governmental agency ProNicaragua. Additionally, he is responsible for operating BanCorp – an entity whose main purpose is to assist, sponsor and financially support the repressive activities of his mother, Vice-President Rosario Murillo.</p> <p>He is therefore associated with persons responsible for the repression of civil society and for serious human rights violations, and he is supporting such repression and violations.</p>	

	Name	Identifying information	Reasons	Date of listing
17.	Brenda Isabel ROCHA CHACÓN	President of the Supreme Electoral Council Date of birth: 10.2.1967 Place of birth: Bonanza, Nicaragua Gender: female Nationality: Nicaraguan	Brenda Isabel Rocha Chacón has been since May 2021 ⁺ President of the Supreme Electoral Council (SEC) – a body responsible for the preparation, holding and certification of the general elections of 7 November 2021 which, by their lack of transparency, true opposition and democratic debate, undermined democratic institutions and processes. The SEC deprived the opposition of the opportunity to stand for free elections and ensured the organisation of polls in non-democratic conditions. She is therefore responsible for the repression of democratic opposition and for undermining democracy and the rule of law in Nicaragua.	

⁺ OJ: please insert date of publication of this Regulation.

	Name	Identifying information	Reasons	Date of listing
18.	Cairo Melvin AMADOR ARRIETA	Vice-President of the Supreme Electoral Council Date of birth: 1952 Gender: male Nationality: Nicaraguan	Cairo Melvin Amador Arrieta has been since May 2021 the Vice-President of the Supreme Electoral Council (SEC) – a body responsible for the preparation, holding and certification of the general elections of 7 November 2021 which, by their lack of transparency, true opposition and democratic debate, undermined democratic institutions and processes. The SEC deprived the opposition of the opportunity to stand for elections and ensured the organisation of polls in non-democratic conditions. He is therefore responsible for the repression of democratic opposition and for undermining democracy and the rule of law in Nicaragua.	+

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	Name	Identifying information	Reasons	Date of listing
19.	Lumberto Ignacio CAMPBELL HOOKER	Member of the Supreme Electoral Council, acting President of the Supreme Electoral Council in 2018 Date of birth: 3.12.1949 Place of birth: Raas, Nicaragua Gender: male Nationality: Nicaraguan Passport number: A00001109 (Nicaragua) ID number: 6010302490003J	Lumberto Ignacio Campbell Hooker has been since 2014 a member of the Supreme Electoral Council (SEC) – a body responsible for the preparation, holding and certification of the general elections of 7 November 2021 which, by their lack of transparency, true opposition and democratic debate, undermined democratic institutions and processes. The SEC deprived the opposition of the opportunity to stand for free elections and ensured the organisation of polls in non-democratic conditions. He spoke to the media during the 7 November 2021 elections, justifying and praising their organisation. He is therefore responsible for the repression of democratic opposition and for undermining democracy and the rule of law in Nicaragua.	+

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	Name	Identifying information	Reasons	Date of listing
20.	Nahima Janett DÍAZ FLORES	<p>Director of the Nicaraguan Institute of Telecommunications and Postal Services, daughter of the General Director of the Nicaraguan National Police Francisco Javier Díaz Madriz</p> <p>Date of birth: 28.6.1989</p> <p>Gender: female</p> <p>Nationality: Nicaraguan</p>	<p>Nahima Janett Díaz Flores is the Director of the Nicaraguan Institute of Telecommunications and Postal Services (TELCOR), the regulatory entity for telecommunications and postal services. TELCOR has been used by the Nicaraguan authorities to silence independent media, including three news organisations since 2018. During the 2021 general elections campaign, TELCOR was implementing disinformation campaigns on a large scale. As the institution in charge of the implementation of the “cybersecurity law”, TELCOR has been commanding and operating surveillance actions regarding civil society and democratic opposition.</p>	+

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	Name	Identifying information	Reasons	Date of listing
			<p>In her position, Nahima Díaz Flores has acted as a supporter of the Ortega regime, and has commanded and operated actions of disinformation and surveillance through TELCOR of civil society and democratic opposition. She is therefore responsible for serious violations of human rights, repression of civil society and democratic opposition, and undermining democracy in Nicaragua.</p>	

	Name	Identifying information	Reasons	Date of listing
21.	Luis Ángel MONTENEGRO ESPINOZA	<p>Superintendent of the Superintendency of Banks and other Financial Institutions of Nicaragua</p> <p>Date of birth: 1.1.1949</p> <p>Place of birth: Esteli, Nicaragua</p> <p>Gender: male</p> <p>Address: Planes De Puntaldia Casa #16, Managua, Nicaragua</p> <p>Nationality: Nicaraguan</p> <p>ID number: 1610101490000S</p>	<p>Luis Ángel Montenegro Espinoza is the Superintendent of the Superintendency of Banks and other Financial Institutions of Nicaragua (SIBOIF). In that position he is responsible for the persecution of financial actors that resisted the Ortega regime's policies, as well as for enforcing the regime's control over the financial sector.</p> <p>He was appointed to that position directly by Daniel Ortega, as a reward for his loyalty. In his previous role as Controller General of the Republic he ensured that Ortega's corrupt financial activities would not be audited and equally contributed to Ortega's control of the regime.</p> <p>He is therefore responsible for undermining the rule of law in Nicaragua as well as for the repression of civil society and democratic opposition.</p>	+

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(3) the following heading and table are added:

‘B. Legal persons, entities and bodies referred to in Article 2

	Name	Identifying information	Reasons	Date of listing
1.	National Police of Nicaragua La Policía Nacional Nicaragüense	Headquarters: Managua, Nicaragua Date of establishment: 22.8.1979 Website: http://www.policia.gob.ni/	The National Police of Nicaragua is responsible for the degrading treatment, including physical and psychological torture, of those who opposed the Ortega regime. It is responsible for the unlawful imprisonment of presidential pre-candidates, civil society leaders, student and rural leaders or independent journalists without any legal and democratic guarantees.	+

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	Name	Identifying information	Reasons	Date of listing
			<p>The National Police was instrumental in Daniel Ortega avoiding facing any real democratic opposition during the general elections of 7 November 2021. Prior to those elections, the National Police conducted continuous surveillance and persecution of opposition leaders, unlawful residential break-ins and arbitrary arrests of opposition members, and it systematically threatened public employees.</p> <p>In 2018, the National Police was involved in killings of peaceful protesters across Nicaragua.</p> <p>The National Police of Nicaragua is therefore responsible for serious violations of human rights, repression of civil society and democratic opposition, and undermining democracy and the rule of law in Nicaragua.</p>	

	Name	Identifying information	Reasons	Date of listing
2.	Supreme Electoral Council Consejo Supremo Electoral	Address: Pista Juan Pablo II, Managua 14005, Nicaragua Website: https://www.cse.gob.ni/ Email: info@cse.gob.ni	The Supreme Electoral Council (SEC) is the body responsible for the preparation, holding and certification of the general elections of 7 November 2021, which by their lack of transparency, true opposition and democratic debate, undermined democratic institutions and processes. The SEC deprived the opposition of the opportunity to stand for free elections and ensured the organisation of polls in non-democratic conditions. The SEC is therefore responsible for the repression of democratic opposition and for undermining democracy and the rule of law in Nicaragua.	+

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	Name	Identifying information	Reasons	Date of listing
3.	Nicaraguan Institute of Telecommunications and Postal Services	Address: Avenida Bolívar, Esquina diagonal al edificio de la Cancillería, Aptdo 2664, Managua 10000, Nicaragua Date of registration: 12.6.1982 Website: https://www.telcor.gob.ni	The Nicaraguan Institute of Telecommunications and Postal Services (TELCOR) is the regulatory entity for telecommunications and postal services. It has been used by the Nicaraguan authorities to silence independent media, including three news organisations since 2018, during the repression of 2018 and after the general elections of 2021. During the general elections campaign, TELCOR was implementing a disinformation campaign on a large scale. As the institution in charge of the implementation of the “cybersecurity law”, TELCOR has been commanding and operating surveillance actions regarding civil society and democratic opposition. TELCOR is therefore responsible for serious violations of human rights, and repression of civil society and democratic opposition.	+

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