II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2020/897

of 29 June 2020

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 21 December 2019, the High Representative of the Union for Foreign Affairs and Security Policy (the 'High Representative') issued a declaration on behalf of the Union which mentioned that the decision of the Venezuelan Supreme Court and the non-recognised Constituent Assembly to strip four members of the National Assembly of their constitutionally granted parliamentary immunity was a serious violation of the constitutional provisions, the rule of law and the democratic principle of separation of powers. The declaration made clear that the Union will continue to monitor the situation and indicated the Union's readiness to use its available instruments to promote democracy, the rule of law and human rights, including targeted measures that do not harm the Venezuelan people.

(3) On 9 January 2020, the High Representative issued a declaration on behalf of the Union which stated that recent acts against the only democratically elected body in Venezuela, the National Assembly, and many of its Members, including the President of the National Assembly, have further escalated the Venezuelan crisis and that the attempts to forcibly block a legitimate election process for the Board of Directors of the National Assembly on 5 January 2020 and the use of force against its President and several lawmakers to impede their access to the National Assembly were utterly unacceptable. That declaration also indicated that the voting session that led to the so-called election of Luis Parra was not legitimate as it did not respect the legal procedures, nor the democratic constitutional principles, and that the Members of the National Assembly must be able to exercise their parliamentary mandate as received from the Venezuelan people free of any intimidation or reprisal. Moreover, in light of these serious acts and decisions undermining democracy, the rule of law and human rights, that declaration underlined the Union's commitment to starting work towards applying targeted measures against individuals involved in the violation of those principles and rights.

(4) On 4 June 2020, the High Representative issued a declaration on behalf of the Union on the latest developments in Venezuela, including the decision of the Venezuelan Supreme Court of 26 May 2020 ratifying Luis Parra as President of the National Assembly. That declaration underlined that the Union considers that the voting session

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

that led to the so-called election of Luis Parra was not legitimate, as it did not respect legal procedure nor democratic constitutional principles. It also stated that the latest developments have further deepened the long-lasting institutional and political crisis in Venezuela and reduced the democratic and constitutional space in the country. That declaration reiterated the position of the Union that a sustainable way out of the Venezuelan crisis can only be achieved through a genuine and inclusive political process, and underlined that the Union rejects all types of violence, including any military or violent incursion in the country. In this context, the Union noted that the recent agreement between national actors on humanitarian assistance is a positive step and stressed the need for all sides to work together and constructively on alleviating the dramatic suffering of the Venezuelan people that is being aggravated by the COVID-19 pandemic.

(5) In this context, and in view of the continuing grave situation in Venezuela, eleven persons should be included in the list of natural and legal persons, entities and bodies subject to restrictive measures as set out in Annex IV to Regulation (EU) 2017/2063.

(6) 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 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 Brussels, 29 June 2020.

For the Council
The President
A. METELKO-ZGOMBIĆ

ANNEX

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

	Name	Identifying information	Reasons	Date of listing
'26.	José Adelino Ornelas Ferreira Alias: Ornella Ferreira/Ornellas Ferreira	Date of birth: 14 December 1964 Place of birth: Caracas, Distrito Capital, Venezuela ID number: V-7087964 Gender: male	Secretary-General of the National Defence Council since 26 July 2019 and former commander of the National Capital Integral Strategic Defence Region (REDI Capital), former Chief of Staff and former Second-in-Command of the Operational and Strategic Command of the Bolivarian National Armed Forces of Venezuela (CEOFANB). In these roles he has supported and facilitated actions and policies of the Government of Venezuela which have undermined democracy and the rule of law in Venezuela. Responsible for serious human rights violations and repression of civil society and democratic opposition in Venezuela, including by obstructing the provision of humanitarian aid and by the use of excessive force by officials of the Bolivarian Armed Forces (FANB), and by subordinate forces under his command, including the Integral Strategic Defence Region (REDI), the Integral Defence Operations Zone (ZODI) and the Bolivarian National Guard.	29.6.2020
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 and, since 26 October 2018, 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
28.	Tania Valentina Diaz González	Date of birth: 18 June 1963 Place of birth: Caracas, Distrito Capital, Venezuela ID number: V-6432672 Gender: female	Member and, since 4 January 2018, the 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 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

	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 Gabaldon, Candelaria, Edo. Trujillo ID number: V-9499372 Gender: male	Second Vice-President of the Venezuelan Supreme Court of Justice (*Tribunal Supremo de Justicia* (TSJ)) and President of the Constitutional Chamber of the TSJ since 24 February 2017. 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
31.	Jorge Elieser Marquez Monsalve	Date of birth: 20 February 1971 Place of birth: Caracas, Venezuela ID number: V-8714253 Gender: male	Director-General of the National Commission of Telecommunications (CONATEL) since 7 August 2017. His actions have undermined democracy and the rule of law in Venezuela, including by severely limiting the rights of the Venezuelan people to free press, free speech and information. He used the special powers of CONATEL to silence criticism and dissidents of the regime by blocking, filtering and obstructing internet websites and by revoking existing licences for radio and television stations and refusing to grant new such licences.	29.6.2020
32.	Farik Karin Mora Salcedo	ID number: V-8608523 Gender: male	Prosecutor serving at the Venezuelan First Special Court of First Instance with an office within the Directorate-General of Military Counter-Intelligence (*Dirección General de Contrainteligencia Militar* (DGCIM)). His actions have undermined democracy and the rule of law in Venezuela, including by initiating politically motivated prosecutions which resulted in the arbitrary detention of members of the National Assembly and other officials opposing the Maduro regime.	29.6.2020
33.	Dinorah Yoselin Bustamante Puerta	Date of birth: 14 January 1975 ID number: V-10002096 Gender: female	Prosecutor serving at the Venezuelan First Special Court of First Instance, with an office within the Directorate-General of Military Counter-Intelligence (*Dirección General de Contrainteligencia Militar* (DGCIM)). Her actions have undermined democracy and the rule of law in Venezuela, including by initiating politically motivated prosecutions which resulted in the arbitrary detention of members of the National Assembly and other officials opposing the Maduro regime.	29.6.2020
34.	Luis Eduardo Parra Rivero	Date of birth: 7 July 1978 ID number: V-14211633 Gender: male	Member and illegitimately elected President of the National Assembly. As a member of the National Assembly, he staged his election 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. Shortly after the staged election of Parra, supported by the regime's political party (PSUV), Parra was welcomed by Maduro and the non-recognised National Constituent Assembly (ANC).	29.6.2020

	Name	Identifying information	Reasons	Date of listing
35.	Franklyn Leonardo Duarte	Date of birth: 15 May 1977 ID number: V-3304045	Member and illegitimately elected first Vice-President of the National Assembly. As a member of the National Assembly, 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
36.	José Gregorio Noriega Figueroa	Date of birth: 21 February 1969 ID number: V-8348784 Gender: male	Member and illegitimately elected second Vice-President of the National Assembly. As a member of the National Assembly 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).	29.6.2020'.