Council Implementing Regulation (EU) 2019/1586 of 26 September 2019 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela

COUNCIL IMPLEMENTING REGULATION (EU) 2019/1586

of 26 September 2019

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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,

Whereas:

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

(2) On 16 July 2019, the High Representative issued a declaration on behalf of the Union which stated that the political crisis and economic collapse in Venezuela continued to take a heavy toll in the population as illustrated by the fleeing of 4 million people from Venezuela and that the crisis also remained a major source of instability for the region.

(3) The Declaration underlined that the recently published report of the UN High Commissioner for Human Rights (UN HCHR) ('the report') confirmed in a clear and detailed manner, the extent and seriousness of the human rights violations, the erosion of the rule of law and the dismantlement of democratic institutions in Venezuela. Moreover, the Declaration mentioned the tragic death of Captain Acosta Arévalo while in the custody of the Venezuelan security forces as a stark example of the continued deterioration of the human rights situation.

(4) The Union has strongly supported the findings of the report and has called upon the regime for an immediate halt of the widespread human rights violations and to engage in full cooperation with the Office of the United Nations High Commissioner for Human Rights and all UN Special Procedures to secure the implementation of the recommendations in the report. The Union has also indicated that it is ready to start work towards applying targeted measures for those members of the security forces involved in torture and other serious violations of human rights.

(5) In light of the continuing grave situation in Venezuela, as also reported by the UN HCHR, and the responsibility for serious human rights violations, including torture, committed by parts of the Venezuelan security and intelligence forces in support of the

Changes to legislation: *There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2019/1586. (See end of Document for details)*

regime, seven 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.

(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, 26 September 2019.

For the Council

The President

T. HARAKKA

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2019/1586. (See end of Document for details)*

ANNEX

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**
‘19.	Nestor Blanco Hurtado	Date of birth: 26 September 1982 ID number: V-15222057 Gender: male	Major in the Bolivarian National Guard (GNB), operated alongside officials in the Directorate-General of Military Counter-Intelligence (*Dirección General de Contrainteligencia Militar* (DGCIM)) since at least December 2017. Responsible for serious human rights violations, including torture, the use of excessive force and the mistreatment of detainees in DGCIM facilities.	27.9.2019
20.	Rafael Ramon Blanco Marrero	Date of birth: 28 February 1968 ID number: V-6250588 Gender: male	Deputy Director of the Directorate-General of Military Counter-Intelligence (*Dirección General de Contrainteligencia Militar* (DGCIM)) since at least December 2018 and Division General of the Venezuelan	27.9.2019

			Bolivarian National Army since 5 July 2019. 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.	
21.	Carlos Calderon	Gender: male	Senior office holder (referred to as Commissioner, Director and Director General) in the Bolivarian National Intelligence Service (SEBIN). Responsible for serious human rights violations, including torture, the use of excessive force and the mistreatment of detainees in SEBIN facilities. In particular, he participated in and was responsible for acts of torture and the cruel, inhuman and degrading	27.9.2019

			treatment of detainees in El Helicoide, a SEBIN prison.	
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). 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, excessive use of 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
23.	Rafael Antonio Franco Quintero	Date of birth: 14 October 1973 ID number: V-11311672 Gender: male	Agent in the Bolivarian National Intelligence Service (SEBIN). Head of Investigations at the Directorate-General of Military Counter-	27.9.2019