



CLYDE&CO

Marine Newsletter to P&I Clubs

Venezuela

02 February 2021

OFAC Issues General License No. 30A which clarifies the previous designation of the Venezuelan Maritime Authority as a Specially Designated National (SDN)

As reported in our Marine Newsletter to P&I Clubs dated 19 January 2021, the United States Department of Treasury through the Office of Foreign Assets Control (OFAC) included the Venezuelan Maritime Authority *Instituto Nacional de los Espacios Acuáticos*, commonly referred to as INEA, as an SDN on 19 January 2021. Today, two weeks following said action, OFAC issued General License No. 30A which seems to provide clarification on INEA's designation.

General License 30A "Authorizing Certain Transactions Necessary to Port and Airport Operations" dated 2 February 2021 – which entirely replaces and supersedes General License No. 30 – seems to separate the conduct of INEA as an Owner from INEA as a port service provider.

Under Venezuelan law, INEA provides services for, *inter alia*, pilotage, launch and towage, which are not only necessary, but mandatory for every vessel calling Venezuelan ports. It was not clear at the moment of its designation on 19 January 2021 if these services were affected by said action.

General License 30A authorizes the referred port services to be rendered by INEA, but at the same time, most importantly, excepts from the application of said General License, in other words prohibits, "Any transactions or activities related to the exportation or reexportation of diluents, directly or indirectly, to Venezuela [...]"

This action clarifies that the intention of the 19 January 2021 designation was aimed at INEA as an Owner and/or Operator of vessels carrying oil and byproducts using irregular shipping practices for the benefit of the Government of Venezuela. However, the designation did not target INEA as the country's Maritime Authority.

It is important to state that the vessels which INEA owns and/or operates were also designated as SDNs on 19 January 2021.

Clubs and Members are advised to consult with their Local Club Correspondent and/or Legal Correspondents about potential legal issues in Venezuela.

If you have any particular concerns or questions regarding sanctions against Venezuela, feel free to contact Aurelio Fernandez-Concheso, aurelio.fernandez-concheso@clydeco.com.ve or Juan J. Itriago at juan.itriago@clydeco.com.ve

440

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