

**Annex II**

**Public**

**Transmission of Documents Received from the Authorities of the Bolivarian  
Republic of Venezuela on 9 July 2021**

**ICC-02/18**

**13 July 2021**



REPÚBLICA BOLIVARIANA DE VENEZUELA  
**MINISTERIO PÚBLICO**  
 DESPACHO DEL FISCAL GENERAL DE LA REPÚBLICA

DFGR- 7876- 2021

No. \_\_\_\_\_

Caracas, 08 de julio de 2021

Ciudadanos:

*Sala de Cuestiones Preliminares de la Corte Penal Internacional (SCPI)*

*Su Despacho.-*

*De mi más alta estima y consideración, reciban un cordial saludo extensivo a su equipo de trabajo.*

*Tengo el honor de dirigirme a ustedes, en la oportunidad de hacerles llegar por medio de la Misión Permanente de Venezuela en la Haya, Respuesta a la "Solicitud General de la Fiscalía en relación con su respuesta a la solicitud de la República Bolivariana de Venezuela", y solicitud de una reunión con las partes. De conformidad con la norma 30 del Reglamento de la Corte Relativo al Examen Preliminar (Venezuela I).*

*Para finalizar, y con el firme propósito de brindarle máxima transparencia a este proceso, ratifico la disposición absoluta del Estado Venezolano a través de la institución que represento, en dar efectivo cumplimiento al Principio de Cooperación, establecido en el artículo 87 del Estatuto de Roma.*

*Remisión que hago para los fines consiguientes, sin otro particular al cual hacer referencia y agradeciendo su atención, le reitero nuestra total e irrestricta disposición de trabajo mancomunado y cooperación, se despide.*



Atentamente,

**Tarek Willians Saab**

**Fiscal General de la República**

designado en Gaceta Oficial de la República Bolivariana de Venezuela  
 N° 6.322 de fecha 05 de agosto de 2017

Avenida México, esquinas de Misericordia a Pele El Ojo, Edificio Sede del Ministerio Público, PH, Caracas -  
 Venezuela Teléfono: (0212) 509.80.80

Original: **English**

Date: **8 July 2021**

Status: **Public**

Source: **Competent authorities of the Bolivarian Republic of Venezuela**

Recipient: **Registry of the International Criminal Court**

Addressee: **Pre-Trial Chamber I of the International Criminal Court**

**PUBLIC**

**Communication of the Bolivarian Republic of Venezuela in execution of Decision of 14 June 2021 and Order of 2 July 2021 of Pre-Trial I Chamber of the International Criminal Court.**

I, TAREK WILLIAM SAAB, Prosecutor General of the Bolivarian Republic of Venezuela, have the honour to address you, through the Permanent Mission of Venezuela in The Hague, and in response to the request made to the Venezuelan State by the Pre-Trial Chamber, the request for Judicial Control under Article 46.2 of the Rules of Procedure of the International Criminal Court, which was submitted on 28 May 2021 in the framework of the Preliminary Examination of the "Venezuela I" Case, duly drawn up and expurgated on 6 July 2021 (Annex I. Request for Judicial Control under Article 46.2 of the Rules of Procedure of the International Criminal Court (Expurgated) – 6 July 2021), with regard to the information whose confidentiality must be maintained, so that it may henceforth have the status of public.

All of this in accordance with the decision of Pre-Trial Chamber I dated 14 June 2021 inviting Venezuela to submit a public version, as soon as possible, and also taking into consideration the recent decision dated 2 July 2021 which already establishes a timetable for the submission of this documentation, and consequently invites Venezuela to submit public redacted versions by 21 July 2021.

Also attached hereto is a copy of the response to the OTP's Omnibus request in relation to the previous request of the Bolivarian Republic of Venezuela, which was submitted on 10 June 2021 (Annex II. Response to the OTP's Omnibus request in relation to the previous request of the Bolivarian Republic of Venezuela (Expurgated) – 6 July 2021).

I would like to point out that, with regard to the annexes to both submissions, Venezuela will not submit public versions of the annexes to both the initial request and the response to the OTP's Omnibus Request, these documents remaining "ex parte", bearing in mind that a large amount of data affecting the victims must be kept confidential for security reasons.

Furthermore, for the sake of completeness and accuracy of the facts to be taken into consideration by the Chamber, I also take this opportunity to bring to your attention that only one day after the aforementioned 14 June decision, the OTP itself submitted a series of observations on that decision, indicating that since it requested information from Venezuela on the relevant domestic proceedings in early October 2020, the OTP "routinely interacted with the Venezuelan authorities" including "at least seven face-to-face meetings" between the Prosecutor and the Ambassador Permanent Representative of Venezuela in The

Hague. It is necessary to clarify that these courtesy meetings should in no way be considered as a substantive dialogue within the framework of positive complementarity, since none of these meetings produced any kind of guidance or indication from the Office of the Prosecutor on the investigations or on reforms or measures to be implemented in Venezuela. On the contrary, what the former Prosecutor suggested in her written submission was precisely her refusal to engage in a material and bilateral dialogue with Venezuela prior to an eventual decision on the change of phase, which cannot be properly reconciled with the spirit of complementarity that should prevail in the present case and which the Chamber itself has indicated as necessary. Nevertheless, the Venezuelan State, on this occasion, once again reiterates its willingness to enter into a substantive and bilateral dialogue, as suggested by this Chamber.

Likewise, I would also like to inform you that the Venezuelan State has been served with a brief from the Office of Public Counsel for Victims ("OPCV") submitted on 21 June 2021, in which it reports on the concerns of victims arising from a possible conclusion of the Preliminary Examination of the Office of the Prosecutor on the Situation in the "Venezuela I" case, also requesting that these victims be informed of all developments in the proceedings in order to activate their right to address the Court, if necessary.

In this regard, I would also like to clarify that in recent months Venezuela has initiated institutional reforms to further strengthen the domestic judicial apparatus, including the establishment of an Office of Attention to Victims in matters of human rights protection, dedicated to facilitating - both materially and psychologically - the filing of criminal complaints by victims of serious human rights violations. Victims and their associations are therefore encouraged to contact national institutions to express their concerns and, where appropriate, to file complaints.

Finally, with the firm purpose of providing maximum transparency to this entire process, I once again ratify the absolute willingness of the Venezuelan State, through the Institution I represent, to effectively comply with the Principle of Cooperation, established in article 87 of the Rome Statute.

Without further ado, I avail myself of this opportunity to renew to you the assurances of my highest consideration,

Yours sincerely,



**Tarek William Saab**

Prosecutor General of the Bolivarian Republic of Venezuela

Caracas, Venezuela

8 July 2021



ANNEXES

- I. Request for Judicial Control under Article 46.2 of the Rules of Procedure of the International Criminal Court (Expurgated) – 6 July 2021.
- II. Response to the OTP's Omnibus request in relation to the previous request of the Bolivarian Republic of Venezuela (Expurgated) – 6 July 2021.