

Annex A

Public

Prosecution's reference list for hearing in the situation ICC-02/18:*Situation in the Bolivarian Republic of Venezuela I*7 November 2023**ISSUE 1: Submissions on the alleged error in failing to identify cases which are investigated and specific criminal acts which the Prosecutor intends to investigate (N. Thiru)**

Item	Reference
1.	Article 54(1), Rome Statute; ICC-02/17-138 (" <i>Afghanistan Article 15 Judgment</i> "), paras. 60-61; ICC-01/09-19-Corr (" <i>Kenya Article 15 Decision</i> "), para. 205.
2.	ICC-02/18-16-Conf-Exp-AnxA, p. 6; ICC-02/18-16-Conf-Exp-AnxD, pp. 5, 11-19, 23-24, 26-34.
3.	ICC-02/17-196 (" <i>Afghanistan Article 18(2) Decision</i> "), paras. 46, 55; ICC-01/21-56-Red (" <i>Philippines Article 18(2) Decision</i> "), paras. 13, 16; ICC-01/21-77 (" <i>Philippines Article 18(2) Judgment</i> "), paras. 101, 108; <i>Afghanistan Article 15 Judgment</i> , para. 42. <i>See also</i> ICC-02/18-45 (" <i>Decision</i> "), para. 46. <i>See further Kenya Article 15 Decision</i> , para. 182; ICC-02/11-14-Corr (" <i>Côte d'Ivoire Article 15 Decision</i> "), paras. 194-200, 204; ICC-01/15-12 (" <i>Georgia Article 15 Decision</i> "), para. 39; ICC-01/17-9-Red (" <i>Burundi Article 15 Decision</i> "), para. 147.
4.	J. Holmes, "The Principle of Complementarity" in R. Lee (ed.), <i>The International Criminal Court: the making of the Rome Statute</i> (Martinus Nijhoff Publishers, 1999) (" <i>J. Holmes</i> "), pp. 70-71.

ISSUE 2: Submissions on the alleged error in failing to require the Prosecutor to provide translations of documents and in declining to rely on documents in Spanish (M. Regué)

Item	Reference
1.	ICC-01/11-01/11-130-Red (" Gaddafi Article 19 Application of Government of Libya "), Annexes A-K
2.	ICC-01/11-01/11-258-Red2 (" Gaddafi Government of Libya January 2013 Materials "), Annexes 1-23
3.	ICC-01/11-01/11-273 (" Gaddafi Government of Libya February 2013 Materials "), Annexes A-B
4.	ICC-01/11-01/11-307-Red2 (" Al-Senussi Article 19 Application of Government of Libya "), Annexes 1-30
5.	ICC-01/11-01/11-309 (" Al-Senussi Government of Libya April 2013 Materials ") (no annexes – laws included in the filing)
6.	ICC-01/11-01/11-640 (" Gaddafi Article 19 Application of Saif Gaddafi "), Annexes A-H. In relation to Annex B, <i>see</i> para. 24: 'In 28 July 2015, Dr. Gaddafi was convicted and sentenced by the Tripoli Court. The Prosecutor has disclosed to the Defence a translation of the Judgment of the Tripoli Court of Appeal which records that court's verdict and reasoning (attached to this application as confidential Annex B).'
7.	ICC-01/09-01/11-64 (" Ruto et al. Government of Kenya Article 19 Materials "), Annexes 1-22
8.	ICC-02/11-01/12-11-Red (" Simone Gbagbo Article 19 Application of Côte d'Ivoire "), Annexes 1-17

9.	ICC-02/11-01/12-37-Red (<i>“Simone Gbagbo Côte d’Ivoire February 2014 Materials”</i>), Annexes 1-21
10.	ICC-02/11-01/12-45-Red (<i>“Simone Gbagbo Côte d’Ivoire October 2014 Materials”</i>), Annexes 1-4
11.	J. Holmes, p. 69.

ISSUE 3: Submissions on the alleged error in declining to rely on certain documents (M. Regué)

Item	Reference
1.	<i>Philippines</i> Article 18(2) Decision, paras. 14-15
2.	<i>Philippines</i> Article 18(2) Judgment, paras. 85-86
3.	ICC-01/09-02/11-274 (<i>“Kenyatta et al. Article 19 Judgment”</i>), paras. 1-2, 61-62
4.	ICC-01/09-01/11-307 (<i>“Ruto et al. Article 19 Judgment”</i>), paras. 1-2, 62-63
5.	ICC-01/11-01/11-344-Red (<i>“Saif Gaddafi First Article 19 Decision”</i>), paras. 54-55
6.	<i>Afghanistan</i> Article 18(2) Decision, para. 45
7.	ICC-02/11-01/12-47-Red (<i>“Simone Gbagbo Article 19 Decision”</i>), paras. 29, 30, 65
8.	ICC-02/11-01/12-75-Red (<i>“Simone Gbagbo Article 19 Judgment”</i>), para. 122
9.	<i>Burundi</i> Article 15 Decision, para. 148
10.	ICC-01/11-01/11-466-Red (<i>“Al-Senussi Article 19 Decision”</i>), para. 161
11.	ICC-01/11-01/11-239 (<i>“Gaddafi Decision Requesting Further Submissions on Admissibility”</i>), paras. 10-12
12.	ICC-02/11-01/12-44 (<i>“Simone Gbagbo Decision on Further Submissions on Admissibility”</i>), para. 7

13.	<i>Philippines</i> Article 18(2) Judgment, para. 73
14.	<i>Ruto et al.</i> Article 19 Judgment, para. 62
15.	<i>Ruto et al.</i> Article 19 Judgment, paras. 67, 69; <i>see generally</i> 63-69.
16.	<i>Kenyatta et al.</i> Article 19 Judgment, paras. 66, 68; <i>see generally</i> paras. 62-68.
17.	<i>Al-Senussi</i> Article 19 Decision, paras. 88-98
18.	<i>Philippines</i> Article 18(2) Decision, paras. 34, 43, 74, 75, 79-81, 88-90
19.	<i>Philippines</i> Article 18(2) Judgment, paras. 137-138, 142
20.	<i>Philippines</i> Article 18(2) Decision, para. 92
21.	<i>Al-Senussi</i> Article 19 Decision, paras. 98, 101-148, 156-157
22.	<i>Simone Gbagbo</i> Article 19 Decision, paras. 50-78