ANNEX
Explanatory Note

Following the detection of typographical errors, a corrected version has been registered with the necessary amendments. Moreover, the following additions have been operated:

- **Paragraph 26:** Footnote 23 has been added (‘T. de Souza Dias, ‘‘Interests of justice’: Defining the scope of Prosecutorial discretion in Article 53(1)(c) and (2)(c) of the Rome Statute of the International Criminal Court’, Leiden Journal of International Law (2017), pp 731-751, at 732.

- **Paragraph 29:** The sentence ‘Moreover, [a]uthors have also voiced diverging interpretations on Article 53’.29 has been added. Footnotes 29 (‘D. Đukic, ‘Transitional justice and the International Criminal Court – in “the interests of justice”?’, IRRC, Vol. 89, No. 867, September 2007, pp 691-718, at 697. Hence, some like Robinson, Stahn and Gavron, are in favour of a wider interpretation of this expression, while others like Đukić, Amnesty International and Human Rights Watch prefer a more restrictive interpretation; see Đukić, op. cit., at 698.’) and 32 (‘I adopt the same methodology as that followed by de Souza Dias and Dukic. However, like de Souza Dias, I am in favour of a wider interpretation, contrary to Dukic who prefers a more restrictive interpretation.’) have also been added.

- **Paragraph 35:** Footnote 39 has been added (‘T. de Souza Dias, op. cit., p. 736.’).

- **Paragraph 37:** Footnote 40 has been added (‘C. Gallavin, ‘Article 53 of the Rome Statute of the International Criminal Court: In the Interests of Justice?’, in 14 King’s Law Journal 179 (2003), p. 186. See also T. de Souza Dias, op. cit., p. 738 seq.’).