

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

*Original: English*

No.: ICC-02/18

Date: 12 November 2024

**APPEALS CHAMBER**

**Before:**

**Judge Tomoko Akane  
Judge Luz del Carmen Ibáñez Carranza  
Judge Solomy Balungi Bossa  
Judge Gocha Lordkipanidze  
Judge Erdenebalsuren Damdin**

**SITUATION IN THE BOLIVARIAN REPUBLIC OF VENEZUELA I**

**PUBLIC**

**With five Public Annexes**

***Registry Transmission of a "Request for Recusal of the Prosecutor of the International Criminal Court in the Case of Venezuela I Due to Conflict of Interest"***

**Source: Registry**

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

**The Office of the Prosecutor**

Mr Karim A.A. Khan  
Mr Mame Mandiaye Niang  
Ms Nazhat Shameen Khan

**Counsel for the Defence**

**Legal Representatives of the Victims**

**Legal Representatives of the Applicants**

**The Office of Public Counsel for  
Victims**

Ms Paolina Massidda

**The Office of Public Counsel for the  
Defence**

**States' Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Osvaldo Zavala Giler

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

Arcadia Foundation

## I. INTRODUCTION

1. The Registry hereby transmits to the Appeals Chamber (“Chamber”) a *“Request for Recusal of the Prosecutor of the International Criminal Court in the Case of Venezuela I Due to Conflict of Interest”*, along with its corresponding attachment (“Request”) as Annex I and II, received by the Court Management Section on 4 November 2024 from the Arcadia Foundation (“Submitter”), as well as three additional documents (“Documents”) as Annex III, IV and V, received by the Submitter on 6 November 2024.

## II. PROCEDURAL HISTORY

2. On 4 November 2024, the Registry received an e-mail from the Submitter with the Request.<sup>1</sup>
3. On 5 November 2024, the Registry sought the Chamber’s guidance in relation to how the Request should be submitted.<sup>2</sup>
4. In its response, the Chamber instructed the Registry to submit the request *via* a public Registry transmission filing (“Instruction”).<sup>3</sup>
5. On 6 November 2024, the Registry requested the Submitter by e-mail to confirm the public classification of the Request.<sup>4</sup>
6. On 6 November 2024, the Registry received an e-mail from the Submitter in which they confirmed the public classification of the Request, and attached the Documents.<sup>5</sup>

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<sup>1</sup> E-mail sent by the Arcadia Foundation on 4 November 2024, at 21:24.

<sup>2</sup> E-mail sent by CMS to the Legal Officer of the Chamber on 5 November 2024, at 10:08.

<sup>3</sup> Call between the Chamber’s Legal Officer and the Associate Legal Officer, CMS on 6 November 2024.

<sup>4</sup> E-mail sent by CMS to the Arcadia Foundation on 6 November 2024, at 12:39.

<sup>5</sup> E-mail sent by the Arcadia Foundation on 6 November 2024, at 18:11.

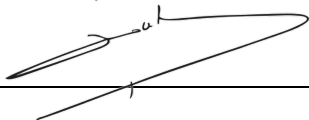
7. On 7 November, the Registry requested clarification from the Submitter on the status of the Documents.<sup>6</sup>
8. On 7 November, the Registry received an e-mail from the Submitter in which they requested the Documents to be annexed to the Registry transmission filing along with the Request.<sup>7</sup>
9. On the same day, the Registry confirmed with the Chamber that the Documents could be annexed to the Registry transmission filing.<sup>8</sup>

### III. APPLICABLE LAW

10. The present submission before the Appeals Chamber is made on the basis of rule 34(3) of the Rules of Procedure and Evidence.

### IV. TRANSMISSION

11. The Registry hereby transmits the Submitter's Request and Documents, in accordance with the Chamber's Instruction.



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Marc Dubuisson, Director, Division of Judicial Services

On behalf of

Oswaldo Zavala Giler, Registrar

Dated this 8 November 2024

At The Hague, the Netherlands

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<sup>6</sup> E-mail sent by CMS to the Arcadia Foundation on 7 November 2024, at 10:28.

<sup>7</sup> E-mail sent by the Arcadia Foundation on 7 November 2024, at 17:29.

<sup>8</sup> Call between the Chamber's Legal Officer and the Associate Legal Officer, CMS on 7 November 2024.