

ANNEX II

EXPLANATORY NOTE

1. On 1 March 2023, the Registry transmitted to Pre-Trial Chamber I (“Chamber”) the “Observations of the Government of the Bolivarian Republic of Venezuela to the Prosecution request to resume the investigation (ICC-01/18-18)” (“Observations”) which were filed confidentially as Annex II to its transmission filing.¹ The Observations included 13 annexes which were transmitted as Annex III to the Registry’s transmission.²
2. On 28 March 2023, the Registry registered a public redacted version of the Observations provided by the Bolivarian Republic of Venezuela.³ The cover page of the public redacted version of the Observations indicated Annex 8 as a public document.
3. Given that all annexes to the Observations were re-grouped and filed in one document to the Registry’s transmission of 1 March 2023, the Registry requested the Chamber’s authorization by email to extract only Annex 8 and file it as a public document in a separate filing with an explanatory note.⁴
4. On 13 April 2023, the Chamber granted the Registry’s request by email.⁵

¹ Registry, Annex II to “Transmission of the observations communicated by the Authorities of the Bolivarian Republic of Venezuela, pursuant to Pre-Trial Chamber I’s Order ICC- 02/18-21-Conf-Exp-AnxII of 18 November 2022”, 1 March 2023, ICC-02/18-30-Conf-Exp-AnxII.

² Registry, Annex III to “Transmission of the observations communicated by the Authorities of the Bolivarian Republic of Venezuela, pursuant to Pre-Trial Chamber I’s Order ICC- 02/18-21-Conf-Exp-AnxII of 18 November 2022”, 1 March 2023, ICC-02/18-30-Conf-Exp-AnxIII.

³ ICC-02/18-30-AnxII-Red.

⁴ Email from the Registry to Pre-Trial Chamber I, 28 March 2023, at 18.35.

⁵ Email from Pre-Trial Chamber I, 13 April 2023, at 10.54.