

ANNEX I



**Cour
Pénale
Internationale**
**International
Criminal
Court**

Le Bureau du Procureur
The Office of the Prosecutor

Internal memorandum
Memorandum interne

To À	Judge Chile Eboe-Osuji, President Judge Robert Fremr, First Vice-President Judge Marc Perrin de Brichambaut, Second Vice-President	From De	Fatou Bensouda, Prosecutor 
Date	17 February 2020	Attachment	1 (original referral in Spanish)
Ref.	OTP2020/003846	Copies	Peter Lewis, Registrar
Subject Objet	Notification Referral from the Government of Venezuela pursuant to article 14(1) of the Rome Statute regarding the situation in Venezuela		

In accordance with the provisions of regulation 45 of the Regulations of the Court, I hereby formally notify you that on 13 February 2020, I received, from the Government of the Bolivarian Republic of Venezuela (“Venezuela”), a referral under article 14(1) of the Rome Statute (“Statute”), regarding the situation in Venezuela.

The present referral constitutes the second received by my Office with respect to alleged crimes occurring on the territory of Venezuela. As you are aware, the first referral, received on 27 September 2018 from a group of six States Parties, resulted in assignment by the Presidency of the situation in Venezuela to Pre-Trial Chamber I.

In its referral, the Government of Venezuela requests the Prosecutor to initiate an investigation on crimes against humanity allegedly committed on the territory of Venezuela, with the view to determining whether one or more persons should be charged with the commission of such crimes. The Government of Venezuela states that crimes against humanity are committed “as a result of the application of unlawful coercive measures adopted unilaterally by the government of the United States of America against Venezuela, at least since the year 2014.” The referral is accompanied by a supporting document which further specifies the relevant circumstances under which such crimes are alleged to have occurred.

I note that the two referrals appear to overlap geographically and temporally and may therefore warrant assignment to the same Pre-Trial Chamber; although this should not prejudice a later determination on whether the referred scope of the two situations is sufficiently linked to constitute a single situation.

Further to the referral of the Government of Venezuela, my Office will conduct a preliminary examination of the information received, strictly guided by the requirements of the Statute.

For your ease of reference, I attach the referral dated 12 February 2020 that was hand delivered by a delegation led by the Minister of Foreign Affairs of Venezuela on 13 February 2020.

A statement publicly acknowledging the referral will be issued shortly as per the Office's existing practice. Should you require further information, my Office would be pleased to be of assistance. I



NICOLÁS MADURO MOROS
PRESIDENTE DE LA
REPÚBLICA BOLIVARIANA DE VENEZUELA

Caracas, 12 de febrero de 2020

Honorable Señora
FATOU BENSOUDA
Fiscal de la Corte Penal Internacional
La Haya, Países Bajos

Me dirijo a Usted, en mi condición de Presidente de la República Bolivariana de Venezuela, de conformidad con lo previsto en el numeral 1 del artículo 14 del Estatuto de la Corte Penal Internacional, a fin de remitir para su conocimiento los hechos que en su conjunto constituyen crímenes de lesa humanidad cometidos contra el pueblo venezolano, como consecuencia de la aplicación de medidas coercitivas ilícitas adoptadas unilateralmente por el gobierno de los Estados Unidos de América contra Venezuela, al menos desde el año 2014.

Su Excelencia, animado en la indelegable responsabilidad histórica que me corresponde en la defensa del pueblo venezolano, de su dignidad e integridad, solicito además, que se proceda a investigar esta grave situación que ha causado sufrimiento masivo y victimización a la población venezolana, a fin de determinar si se ha de acusar de la comisión de tales crímenes a una o varias personas determinadas.

Remitimos junto a esta comunicación un documento donde se detallan varias de las circunstancias pertinentes que motivan la presente remisión, sin perjuicio de la información adicional que pueda ponerse en conocimiento de la Fiscalía a su cargo.

Su Excelencia, en la esperanza de la atención que la Fiscalía preste a esta comunicación, aprovecho la oportunidad de reiterarle la absoluta disposición del gobierno de la República Bolivariana de Venezuela, para facilitar cualquier información adicional que se requiera para iniciar la investigación solicitada, así como nuevas informaciones pertinentes.



NICOLÁS MADURO MOROS
PRESIDENTE DE LA
REPÚBLICA BOLIVARIANA DE VENEZUELA

Los pueblos del mundo que han padecido abusivos mecanismos sancionatorios al margen de la legalidad internacional, sabemos que la justicia es el camino para hacer prevalecer el sistema de derechos humanos. En esa convicción asumimos esta acción ante la honorable Corte Penal Internacional.



NICOLÁS MADURO MOROS