September 12, 2024

We accuse the ICC Prosecutor Karim Khan of Complicity with the International Crime of Nicolás Maduro.

Mr. Mamadou Racine LY
Chief of office of the President
Permanent Mission of Senegal to the United Nations
747 Third Avenue, 21st floor
New York, NY 10017, United States

Your Excellency Mr. Racine,

We are writing to you on behalf of the National Libertarian Assembly of Venezuela to express our deep concern about the inaction and omission of the Prosecutor of the International Criminal Court (ICC), Karim Khan, in relation to the systematic and widespread violations of human rights that continue to occur in Request to the International Criminal Court (ICC) by the National Libertarian Assembly of Venezuela.

Subject:
Your Honorable Judges: A few days ago, 31 former presidents of governments in America presented to the Prosecutor of the ICC, Dr. Karim Kham, extremely serious complaints that link the criminal defendant Nicolas Maduro who, together with his cartel, proceeded to ignore and disregard the election results of July 28, where Dr. Edmundo González, candidate of the democratic opposition, was the winner, duly presenting the corresponding supporting documents of the voting records: Edmundo González Urrutia and Nicolás Maduro Moros.

However, Nicolás Maduro, Diosdado Cabello, Jorge Rodríguez, General Padrino López in concupiscence with the Prosecutor Tarek William Saab, the president of the CNE Elvis Amoroso and the President of the TSL Dr. Caryslia Rodríguez, in addition to ignoring the results, also ordered the arrest of President Edmundo González; and a repression with dozens dead and wounded and the arrest of 2,000 people, including minors. This brutal action increases the flow of blood and torture since the Prosecutor was appointed in 2021 to investigate the violation of Human Rights under the Rome Statute. Prosecutor Karim Khan went to Venezuela three months before the elections to try to cover up the criminal Nicolas Maduro.

Honorable Judges:
We hold the Prosecutor Karim Khan responsible for this whole tragedy because with all the elements at his disposal he should have ordered the arrest of Nicolas Maduro and his gang; and yet he went to share meetings and encounters. On April 24 of this year 2024, the aforementioned

Prosecutor made his fourth visit to Venezuela, which coincided with a special moment because it was in the middle of the electoral campaign where the Prosecutor in his document mentions Nicolás Maduro as his “Excellency President Nicolás Maduros” and what kind of “coincidence” we say he was again a presidential candidate.

We think this visit of the Prosecutor; and we denounce it as such, had the clear purpose of a plan that consisted of cleaning up the image of a usurping president who is not Venezuelan and who has his hands stained with blood. The Prosecutor also did not publicly demand from his “Excellency President Nicolás Maduro” a commitment to respect human rights in the elections and the electoral results for the elections of July 28.

Dear Mr. President of the International Criminal Court, Philippe Kirsch:
We are writing to you on behalf of the National Assembly 2023-2028, the Liberation Parliament of Venezuela, to express our deep concern about the inaction and omission of the Prosecutor of the International Criminal Court (ICC), Karim Khan, in relation to the systematic and widespread violations of human rights that continue to occur in Venezuela under the regime of Nicolás Maduro.

With all due respect, we would like to warn you of the widespread mistake in considering and classifying the system led by Nicolas Maduro as just another dictatorship, or like those that existed in America. Because what is established in Venezuela is much worse. The tragedy of our country is as if the drug lord Pablo Escobar Gaviria and his cartel had triumphed in Colombia, with the aggravating factor that Nicolas Maduro's Cartel is seriously connected to the tyranny of Cuba, Iran, Hezbollah, Russia and China and drug trafficking.

We believe that this narco-regime came with the evil intention of taking power; and, furthermore, they do not hide it. The favorite phrase of the Miraflores cartel is that "By fair means or foul" they retain power. And they use all means for that purpose. From organized crime, repression, drug trafficking, lies, religions. Everything that serves to preserve it is valid, going over the Constitution and International Conventions.

The very serious problem presented by the requirement of the Rome Statute is the so-called Principle of Complementarity, through which it is expected that in a country that is a signatory to the Rome Statute, the mechanisms of justice in a given country can be applied. But this first stage of justice is unthinkable in Venezuela due to the current conditions of control by this international criminal group over the political, military, judicial, economic and territorial apparatus of the Venezuelan State and the population. For this to happen, there would have to be a condition, and that is that the Chavista dissidents would provide information or complaints to the current Attorney General Tarek William Saab, judges or magistrates or to the illegal Supreme Court of Justice in Venezuela, and they would surely be detained and tortured, which is why many opt for exile. This path of Complementarity, I repeat, is unfortunately closed to Venezuela.

As an example, in 2023, Marino Lugo Aguilar, former director of the PDVSA market, died by hanging; Leonor Azuaje Urrea, who was part of the Board of Directors of Cartones de Venezuela, committed suicide. Former PDVSA president Tareck El Aissami disappeared. Another person linked to the cryptocurrency case, Juan Almeyda Morgado, was also killed. Carlos Lanz, a strong

critic of Maduro, disappeared on December 8, 2020, and the version of Prosecutor Tarek William was that he was killed, and his body thrown to the pigs. General Raúl Baduel, who was Minister of Defense, was tortured and murdered in the Tomb. Aristóbulo Isturiz was not a Maduro supporter, but a Chavista who was Minister of Education, deputy and governor of Anzoátegui, died in the Carlos Arvelo military hospital. As well as General Jorge Luis García Carneiro himself, just to mention a few cases.

It should not surprise us, therefore, that in the three years since Dr. Karin Kham was appointed as the ICC Prosecutor, there has been no progress, no visible achievement that would allow the flames of the hell that has resulted from the narco-regime of Hugo Chavez and Nicolas Maduro and their international allies to be extinguished. The Prosecutor has not shown any willingness to prosecute these criminals.

Reasons to Summon Prosecutor Karim Khan:
None other than the Secretary General of the Organization of American States, OAS, Dr. Luis Almagro, since April 26, 2022, in a meeting with Prosecutor Karim Khan himself, proposed reasons why the investigation against Nicolás Maduro should be carried out. After July 28, he reiterated the OAS proposal, especially when Maduro keeps his word to order a “Bloodbath” as he had promised in a press conference. He said, “It is time to order the arrest of Nicolas Maduro.”

Venezuelan civil society, on the subject of human rights, led by Tamara Suju and other sectors, have also reiterated the demand for concrete measures. Despite the presentation of more than 8,000 files documenting violations by the Nicolás Maduro regime. These violations include torture, forced disappearances, extrajudicial executions and arbitrary detentions, all constituting crimes against humanity according to Article 7 of the Rome Statute:

These violations also constitute serious breaches of the Constitution of the Bolivarian Republic of Venezuela, particularly the following articles:

Article 19:
"The State shall guarantee to every person, in accordance with the principle of progressiveness and without any discrimination, the enjoyment and exercise of human rights, which cannot be waived, is indivisible and interdependent. The organs of the Public Power are obliged to respect and guarantee them in accordance with this Constitution, the treaties on human rights signed and ratified by the Republic and the laws that develop them."

Article 21:
"All persons are equal before the law and, consequently: 1. Discrimination based on race, sex, creed, social condition or any discrimination that, in general, has the purpose or result of nullifying or undermining the recognition, enjoyment or exercise, on equal terms, of the rights and freedoms of every person shall not be permitted."

Article 46:
"Everyone has the right to have his physical, mental and moral integrity respected. Consequently: 1. No person may be subjected to punishment, torture or cruel, inhuman or degrading treatment.

Every victim of torture or ill-treatment has the right to rehabilitation. 2. Every public official who, in the exercise of his functions, inflicts ill-treatment or suffers torture, will be responsible for these acts and punished according to the law."

Article 49:
"Due process shall apply to all judicial and administrative actions; consequently: 1. Defense and legal assistance are inviolable rights at every stage and level of investigation and trial. Every person has the right to be heard in any kind of trial, with due guarantees and within a reasonable time.

“Genocide and Forced Displacement”:
The Nicolás Maduro regime has deliberately caused genocide by taking measures similar to the Cuban tyranny that have forced more than 8 million Venezuelans to flee the country. Salaries of 3 dollars a month when the basic food basket is 600 dollars. Two thirds of malnourished children while all oil revenues are placed in personal accounts in international banks. More than 6 thousand people have been murdered by Nicolás Maduro's gang. These actions constitute crimes against humanity and genocide according to Article 6 of the Rome Statute. These actions also violate the Constitution of the Bolivarian Republic of Venezuela:

Article 50:
"Every person may move freely and by any means within the national territory, change their address, leave the Republic, transfer their goods and belongings, return and re-enter the country, with no limitations other than those established by law.

Illegitimacy of the Maduro Regime:
Nicolás Maduro is not Venezuelan by birth, since his mother Teresa de Jesús Moros de Maduro and his father Nicolás Maduro García were born in Colombia, and he. Nicolás Maduro was born in Bogotá, Colombia. He has stubbornly refused to present his birth certificate, which is why the spurious TSJ issued him, through a ruling, an identity card that does not comply with the legal requirements for identity.

Fidel Castro, the tyrant of Cuba, always acted with the clear intention of taking over Venezuela and subduing the people, preparing Nicolas Maduro as his main agent. He stated in the Granma newspaper “Maduro is our man in Venezuela.” In fact, Nicolas Maduro was placed as Hugo Chavez’s backer. Later, he was a member of the Constituent Assembly in 1999, then a deputy in the National Assembly. His next appointment was Foreign Minister and when President Chavez was already close to illness, he appointed him Vice President in October 2012 and on December 8, already close to his death, in a press conference he chose Maduro as his successor alongside Diosdado Cabello. Chavez died on December 29-30, 2012.

The death certificate of President Hugo Chavez is still unknown to the people of Venezuela and the Armed Forces, making Maduro's mandate illegal and his government illegitimate. However, despite this information and the evidence presented, Prosecutor Khan has not acted to investigate these irregularities, which contravenes Article 17 of the Rome Statute. Prosecutor Karim Kahn is complicit with Maduro and his gang.

Article 41
"Only Venezuelans by birth and without any other nationality may hold the offices of President of the Republic, Executive Vice President, President of the National Assembly, Magistrates of the Supreme Court of Justice, President of the National Electoral Council, Attorney General of the Republic, Comptroller General of the Republic, Attorney General of the Republic, Ombudsman, Minister, Secretary of the Presidency of the Republic, President of the Central Bank of Venezuela, Ambassador, Consul General, Governor and Mayor. Venezuelans by birth and without any other nationality who possess another nationality at the time of the entry into force of this Constitution have a period of two years to renounce it, during which time they may not opt for the offices provided for in this article.

The AN Indicts Prosecutor Karim Khan
The National Assembly 2023-2028 denounces Prosecutor Karim Khan for committing acts of prevarication by not complying with the articles contained in the Rome Statute and his oath for his appointment. Prevarication Based on all of the above, we request that he put an end to his false strategy and decide to order the arrest of Nicolas Maduro and his entire gang, in accordance with the Articles of the Rome Statute.

Attachments:
Articles of the Venezuelan Penal Code that establish sanctions for crimes that go against the universal law of human rights:

Article 132
"Anyone who, with the aim of destroying, in whole or in part, a national, ethnic, racial or religious group as such, causes death, serious injury or attacks on the personal liberty of members of such group, shall be punished with imprisonment from twenty to thirty years."

Article 128
"Anyone who, by any means whatsoever, violates the right to personal integrity, liberty or life of another person, shall be punished with imprisonment from six to twelve years."

Documentation of the 8,000 files presented to the ICC detailing the human rights violations committed by the Nicolás Maduro regime.

Conclusion
Although there are subjective and objective reasons to challenge, request the inhibition and even the dismissal of citizen Karim Khan, **FOR THE MOMENT, WE ARE NOT GOING TO RECUSE HIM OR REQUEST HIS INHIBITION OR DISMISSAL**. We limit ourselves to highlighting in this document the obvious lack of impartiality of the official in question. We call on him to take immediate action against the criminals against humanity who appear in this tragic case, starting with the felon **NICOLÁS MADURO MOROS**, and there extend it throughout the entire chain of command of his perpetrators.

Finally, it is necessary to issue a respectable warning to you, the Magistrates. If you do not take these requests into consideration, it is most likely that this world institution would lose all

validity, since it is not only about the Prosecutor Karim Khan, but we would have to add the sad and corrupt practices of previous Prosecutors such as Luis Moreno Campos and the African Prosecutor Fatou Bensouda.

We appreciate your attention to this matter of utmost importance and hope that the necessary measures will be taken to protect human rights and restore justice in our country. rights and restore justice in our country.

Cordially,

Delegated Commission of the National Assembly

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