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Preparatory Commission for the International Criminal Court
Working Group on Rules of Procedure and Evidence
concerning Part 5 of the Statute

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**Proposal by Italy concerning the Rules of Procedure and
Evidence relating to Part 5 of the Statute (Investigation and
Prosecution)¹**

Rule 5.10

Recording of questioning in certain cases

R.5.10

Following subparagraph (d) add:

“(e) When the Prosecutor deems it necessary to take testimony or a statement from a child or to examine, collect or test evidence in the presence of child who may not be able to be present in Court in order to prevent any further retraumatization by repetitive interviewing, he or she may ask the Pre-Trial Chamber to order the full video-recording of this proceeding, pursuant to article 56 and also to article 68, in the presence of the defence, and in the presence of the child support person assigned according to rule C.7.

“Pursuant to article 57, paragraph 3(b), the same rule shall apply *mutatis mutandis* upon request of the person who has been arrested or has appeared pursuant to a summons under article 58.”

¹ *Note:* The present document follows existing rules related to victims that were approved at first reading by the Preparatory Commission on 17 December 1999 (PCNICC/1999/L.5/Rev.1/Add.1). It should be read in conjunction with the proposals contained in documents PCNICC/2000/WGRPE(4)/DP.2 and PCNICC/2000/WGRPE(6)/DP.3.