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## **Preparatory Commission for the International Criminal Court**

Working Group on Rules of Procedure and Evidence

New York

16–26 February 1999

26 July–13 August 1999

29 November–17 December 1999

### **Proposal submitted by Italy concerning the Rules of Procedure and Evidence**

#### **Protection of victims and witnesses**

**N.B. This proposal is a development of PCNICC/1999/WGRPE/INF/2 on victims' access to the ICC. Therefore the structure and numeration of the proposed rules refer to the above-mentioned main proposal.**

#### **Workshop 3. Protection of victims and witnesses**

##### **Rule A (article 43 (6))**

###### *Amendment*

In subparagraph 2., after “Children, in particular traumatized children”, insert:

“— Elderly persons, in particular related to war and exile trauma;”

##### **Rule C**

###### *Amendment*

After letter (g), insert:

“(h) Provide the required assistance to the guardian appointed by the Court to the victims'/witnesses' identity.”

##### **Rule D**

###### *Amendment*

In subparagraph 2., substitute for the present version:

“Specific measures in view of facilitating the testimony of traumatized victims, a child, an old person or a victim of sexual violence, in particular:”

**New rule G (article 54 (1) (b))**

“When investigating crimes within the jurisdiction of the Court, the Prosecutor shall take into account the age of victims and witnesses, including the interests and personal circumstances of elderly persons, in particular related to family separation.”

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