

Explanatory Note

Corrigendum of ICC-01/14-01/21-1005-Conf and ICC-01/14-01/21-1005-Red

1. On 31 July 2025, the Prosecution filed its Response to the Defence's Request to Introduce Prior Recorded Testimony of P-0035 pursuant to rule 68(2)(b) of the Rules of Procedure and Evidence (ICC-01/14-01/21-999-Conf).¹
2. On 5 August 2025, the Prosecution filed the "Public Redacted Version of Prosecution Response to the Defence's Request to Introduce Prior Recorded Testimony of P-0035 pursuant to rule 68(2)(b) of the Rules of Procedure and Evidence (ICC-01/14-01/21-999-Conf)", ICC-01/14-01/21-1005-Conf, dated 31 July 2025.¹
3. On 15 August 2025, Trial Chamber VI ("Chamber") noted that there appears to be an issue with the paragraph numbering of the Prosecution Response to the Defence's Request to Introduce Prior Recorded Testimony of P-0035 pursuant to rule 68(2)(b) of the Rules of Procedure and Evidence (ICC-01/14-01/21-999-Conf)² and instructed the Prosecution to file a corrigendum with corrected sequential paragraph numbering, as soon as possible, as it is inhibiting the Chamber's referencing in the forthcoming decision.³
4. Following the Chamber's order, the Prosecution has observed post-filing that certain references to specific paragraphs of the Prosecution Response are incorrect. Specifically, the references to the Prosecution's Response to paragraphs 5-10 at pages 3-4 of the filing should instead refer to paragraph 3-8 and not paragraphs 5-10. Similarly, the references to the Prosecution Response

¹ ICC-01/14-01/21-1005-Red.

² ICC-01/14-01/21-1005-Conf.

³ Chamber's email titled "Corrigendum regarding filing ICC-01/14-01/21-1005-Conf" and dated 15 August 2025.

to paragraphs 3-19 at pages 4-12 of the filing should correctly refer to paragraph 9-25 and not 3-19. Furthermore, the references to sections III and IV at pages 4 and 12 of the Prosecution's Response should respectively refer to sections IV and V and not III and IV. The cross-reference at footnote 54 of the filing to paragraphs 5-10 (at pages 5-8 of the filing) should instead refer to paragraphs 11-16 and not 5-10 , while the cross-reference at footnote 58 of the filing to paragraph 5 (at page 5 of the filing) should instead refer to paragraph 11 and not para. 5. Finally, the cross-references to paragraphs 5-10 at paras. 12 and 15 on pages 9 and 10 of the filing should instead refer to paragraphs 11-16 and not 5-10. A corrigendum is hereby submitted. The Prosecution has made similar corrections in the Public Redacted Version of the filing