

# **ANNEX 1**

## Unified Technical protocol (“E-court Protocol”) for the provision of evidence, witness and victims information in electronic form

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### **I. Introduction**

1. The International Criminal Court is using an electronic system to support its daily judicial proceedings pursuant to regulation 26, paragraph 1 of the Regulations of the Court (“the Regulations”). The Registry is responsible for the implementation of this electronic system, taking into account the specific requirements of the judicial activity of the Court, including the need to ensure authenticity, accuracy, confidentiality and preservation of the record of proceedings (see regulation 26, paragraph 2, of the Regulations). Pursuant to regulation 26, paragraphs 3 and 4, of the Regulations, documents and evidence other than live testimony shall be presented, whenever possible, in electronic form.
2. This Protocol is established pursuant to regulation 26, paragraph 1, and is essential for Registry’s implementation of the system described in this provision. It is designed to ensure that all the necessary information is available electronically during the proceedings to the Court. To this end, this Protocol defines the standards according to which the participants should prepare and provide evidence, potential evidence and material in electronic form with the Court. Furthermore, this Protocol defines metadata which should accompany the materials submitted. These standards are designed to minimise the document management and technology costs to the participants and the Court and to allow for the efficient management of proceedings.
3. The Registry will provide an “in-court” presentation solution for viewing evidence and material.

### **II. Provision of (potential) evidence, and witness and victims information in electronic form**

#### **A. Potential evidence**

4. In order to ensure that potential evidence, evidence and material that a participant intends to submit to a Chamber in hearing can be processed by the Court’s electronic system, it must comply with the system’s standards. Therefore, prior to the hearing, the participant will have to format the potential evidence, evidence and material and provide metadata for it in accordance with the standards set out in section III D of this Protocol.
5. Once the potential evidence, evidence and material and the metadata have been formatted and prepared, the participant can provide them in electronic form to the Registry. Material may also be provided to the Registry in its original electronic form if the file formats are supported by Ringtail as specified in Appendix C.
6. Upon the receipt of the potential evidence, evidence and material and the related metadata in electronic form, the Registry will upload all data into the electronic system.
7. Once the data has been uploaded into the system, the participant will be requested to control the quality of the data uploaded. If errors are found in the data, the responsible participant shall re-issue the entire record that has been amended including the table references. For images, only the single TIFF (Text Image File Format) file or the affected page(s) shall be re-issued in the

appropriate directory/level structure named herein. Any updates shall be accompanied with a letter outlining the Document ID(s) and the information that has been changed.

8. If, prior to the hearing, the participant after the provision of the first lot of potential evidence, wants to provide additional items, the standards outlined in this Protocol shall be followed.

## **B. Witness and Victim Information**

9. Should a participant intend to call a witness in a hearing before a Chamber, the participant shall prepare a Witness Information List in accordance with the standards set out below in section III E. and provide the list to the Registry. The same will apply when the appearance of a victim is scheduled.
10. Upon receipt of the Witness/Victim Information, the Registry will upload the data into the electronic system.
11. Once the data has been uploaded into the system, the participant will be requested to control the quality of the data uploaded.
12. If, prior to the hearing, the participant wishes to amend the Witness/Victim Information, the standards outlined in this Protocol shall be followed.

## **III. Standard for the provision of evidence and material in electronic form**

13. Participants shall provide to the Registry potential evidence, evidence or material in electronic form either on one or more CD ROMS, DVDs or using the Court's internal electronic infrastructure. The format, imaging standards and numbering regime shall comply with the requirements set out in sections A. to C., below.
14. Together with the evidence and material in electronic form, metadata information relating to evidence and material shall be provided in electronic form, as set out in section D, below.

### **A. Format requirements**

15. Material collected in physical form (documents or tangible objects) shall be converted into a 'Standard Image Format' by scanning or other digitization:
  - Single page TIFF for all potential evidence, evidence and material, and WMV (Windows Media Video), WMA (Windows Media Audio) for video and audio material.
  - An OCR (Optical Character Recognition) text-file for potential evidence, evidence and material containing text including for any translation thereof.
16. Material collected in electronic form may be provided in its original electronic format, the following shall apply:
  - The collecting party or participant shall be responsible for the preservation of the original electronic items and, if applicable, the original host storage electronic media.

- In circumstances when redaction is required, the original electronic items shall be converted to the standard image format as specified in paragraph 15.1 and in accordance with paragraph 21.2.
- The metadata set out in the table in section D shall be provided.
- In circumstances when the original electronic file is not in a format that may be searched, the provider shall endeavour to ensure that original electronic files are made searchable, by the provision of OCR Text.
- In circumstances where a party or participant intends to rely upon the material for the purpose of court room proceedings, the party or participant shall convert the material into the standard image format as specified in paragraph 15.1 and in accordance with paragraph 21.2.

17. The following requirements shall be met:

**Data File Format**

CSV (Comma Separated Values)

including double quotes around the record and a header record. There shall be 1 document record per row in the table. Zipped files are acceptable or as agreed between the participants, or

XLS (Microsoft Excel Worksheet)

Witness Information Excel format (see witness information under Part D) and Evidence List format respectively (see evidence and material under Part E) is to be provided, or

MDB (Microsoft Office Access Application)

database file compatible with a Ringtail Legal database (export.mdb)

**Media**

- CD ROM - 650/700Mb,
- DVD or,
- Encrypted External Hard Drives

**Disk or folder content**

2 Files for formats (i) and (ii) above – One main table and one image table (referencing each image or electronic item on the disk). A header record shall be included for each file. Header record shall contain the metadata field names.

**Disk or folder name**

**If physical media (CD/DVD) then specify volume name as**

Participant-Situation-Case-Date-Sequential Number

## **B. Imaging and Data standards**

18. When hard-copy documents are larger than A3 size they shall be provided to the Registry in hardcopy and recorded on the database as such by (i) imaging a page that states that the originals reside at the Registry vault due to its size or (ii) by submitting a photograph of the potential evidence or material or artifact (in JPEG compression within color tiff files) can be submitted as a representation of the original.

19. Originals (under A3 but larger than A4) can be reduced to A4 size and then imaged at the reduced size before submission to the Registry. Originals of these reduced documents shall be made available if required for viewing in the hearing or by Chambers or by the Participants.

20. Image and Data file formats and exchange shall be set out as follows:

- |                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>a. Media</b>                                            | The files shall reside in the same media and location specified in paragraph 16, above, under a folder named "images".                                                                                                                                                                                                                                                                                                                                                              |
| <b>b. File Directory Structure</b>                         | Standard Images and original electronic items must reside in directories and sub directories. The sub directory structure must reflect the levels in the numbering regime.                                                                                                                                                                                                                                                                                                          |
| <b>c. Content files</b>                                    | <p>Standard images: single page tiff files (ie a four-page document will have four distinct images);</p> <p>Original Electronic items: the files in their original format. Additional extensions may be identified and categorised within the types listed in annex C. These additional file types must have an associated free tool for viewing the file in its native format, or the file type should be supported by the Court Electronic Document Management System viewer.</p> |
| <b>d. Resolution of TIFF Image (Standard Image Format)</b> | Black and White, Grayscale or Color images – 300 dpi (or above) TIFF subtype CCITT group 4 compressed, 1 bit (bi-tonal). For practical purposes, it is recommended that the physical file size of any image should not exceed 700 Kilobytes. It should be noted that 200 K is the average target size of all images.                                                                                                                                                                |
| <b>e. Suffix page numbering</b>                            | In the event that additional pages are required to be inserted after bar-coding (or labelling) and imaging, the suffix pages convention will be applied to images as per paragraph 22.                                                                                                                                                                                                                                                                                              |
| <b>f. Video file sizes</b>                                 | For practical purposes and until such time as a feasible alternative can be found, it is recommended that the physical file size of any video material to be submitted should not exceed 700 Megabytes. Whilst                                                                                                                                                                                                                                                                      |

the participants may continue to submit one large video file, those video materials which are greater than 700Mb should also be split accordingly and submitted as separate files or “pages” within the one Document

### C. Numbering regime

21. The participant providing evidence or material shall number each piece of potential evidence, evidence or material according to the following numbering regime. This number will be used as the unique document identification (‘Doc ID’) for all potential evidence, evidence and material and will be used to reference them at all times during the proceedings. For material provided in standard image format, the ‘Doc ID’ will appear readable on every page and image. The numbering regime will also be used to name the image files. For material provided in original electronic format, the ‘Doc ID’ will be the document number of the item, reflected in the filenames of the items provided.

22. The base numbering regime for the ‘Doc ID’ has four levels, SSS-PPP-BBBB-DDDD where:

**SSS:** is the prefix that acts as an identifier for the situation the evidence or material has been collected for. Padded characters will be used (i.e. must be 3 alpha/numeric characters) (e.g. AUS);

**PPP:** is the participant identifier. This field represents the participant that electronically registers the item of potential evidence, which is the participant that collected the item from the source<sup>1</sup>. Padded characters will be used (i.e. must be 3 Characters – may be alpha/numeric digit) in accordance with the prefixes in Appendix A attached (e.g. OTP). The Registry shall ensure the uniqueness of the participant identifiers;

**BBBB:** is the potential evidence, evidence or material group/folder/batch number. Padded with zeros, maximum value of 9999 (e.g. 0120); and

**DDDD:** For material collected in physical form, DDDD is the unique “page” identifier within the document. Padded with zeros, maximum value of 9999 (e.g. 0087). The first page number of a document is also the ‘Doc ID’. (See appendix D below). For material provided in original electronic form, DDDD is the item number which increments by one for each item, regardless of the number of pages in an item. In contrast to documents provided in standard image format, documents comprising more than one page that are provided in its original electronic format will therefore not bear a range of numbers.

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<sup>1</sup> This is subject to the technical feasibility. Currently, the materials already registered by one party/participant are re-registered if submitted by another party. If re-registered a participant identifier of the party/participant re-registering the item shall be indicated.

### 23. Conversion of Original Electronic items to Standard Image Format

Where an original electronic item must be converted to the standard image format, an additional four digit suffix will be used for each page. The suffix shall be padded with zeros, to a maximum value of 9999.

#### ***Numbering Errors and Corrigendum Pages***

24. Where pages must be inserted into the electronic system due to an error in the physical numbering and registration, the following convention will be used: Insert the page at its correct location and in the page label, use a fifth level as a suffix (two numeric characters, padded zero, preceded with an underscore). For example:

SSS-PPP-BBBB-0001

SSS-PPP-BBBB-0001\_01

SSS-PPP-BBBB-0002

Meaning that a page SSS-PPP-BBBB-0001\_01 has been inserted at its correct location after SSS-PPP-BBBB-0001 yet before SSS-PPP-BBBB-0002.

25. Where corrigendum pages must be inserted to make corrections to the content of the evidence<sup>2</sup>, the following convention will be used: A corrigendum page shall be prepared and inserted with the following information: description of the correction, reason and date of the correction, exact location/s of the correction, original text, and corrected text. Insert the corrigendum page before the original page, and mark the corrigendum page with the Doc ID of the original page plus an underscore and two numeric characters, with a padded zero (i.e. \_01). For example:

SSS-PPP-BBBB-0005\_01 (the corrigendum page)

SSS-PPP-BBBB-0005 (the original page)

SSS-PPP-BBBB-0006

In the event of a recurring error throughout a document, the error may be noted with a single corrigendum page at the location of the first error in the document and indicating all locations of the error.

#### ***Specific measures for translated documents.***

26. Each translation shall be recorded as a "translation" in the field "document type", in the following manner: for any language required, the field takes the value "Translation", a blank space, a hyphen, a blank space, and then the 3 characters ISO code of the language in which the original document has been translated. Example:

Translation – ENG

Translation – FRA

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<sup>2</sup> For Example: Transcription or translation errors, or pages of material that were missing in an original submission and provided after the initial registration.

***Specific measures for redacted documents***

27. Redacted documents, or documents with redacted metadata, shall be provided as full documents with all the metadata anew. The Doc ID of a redacted version should carry a suffix RXX (XX reflecting the version number). For example: 1st redacted version of a document: Doc ID - DRC-OTP-0004-0001-R01.

The redaction suffix should be appended to the Doc ID number on each page of the physical file. For example: DRC-OTP-0004-0001-R01 (page 1), DRC-OTP-0004-0002-R01 (page 2), etc.

The field Host Document Number (see below table at section D) of any redacted version should indicate the Doc ID of the original unredacted version (for example: DRC-OTP-0004-0001).

28. For a translation of a redacted version, the Host Document Number should be that of the redacted version.

For example: French translation of the redacted version referred to in paragraph 24: Doc ID of the translation will have its own Doc ID and the "Host Document Number" will be: Doc ID - DRC-OTP-0004-0001-R01

***Specific Measures for Excerpts from Video and Audio Recordings***

29. Digitised video information should display time codes that reflect the full duration of content that is contained on the original media. Where an entire video cannot be provided during disclosure, and in exceptional circumstances, then an excerpt may be provided. Any video excerpt should display the original time-coding so that it is possible to associate it to scenes from the original complete video.
30. Where an excerpt is created, a suffix should be appended to the Doc ID number. The Doc ID of an excerpt should carry the suffix –Exnn [nn reflecting the sequential excerpt number – one for each extracted passage of video]. For example, DRC-OTP-0004-0001-Ex01. An equivalent system numbering system for audio excerpts shall be implemented.

**D. Provision of metadata information relating to evidence and material in electronic form**

31. The following two tables (in paragraphs 32 and 33) list the format of the metadata that is transmitted for potential evidence, evidence and material provided in electronic format.
32. Table 1 is the table of potential evidence, evidence and material, containing the metadata for these items. Items provided in their original electronic format are addressed either as email or as e-files (all other electronic files).

Table 1 (potential) evidence and material

| Field Name  | Data Type | Explanation                                      | Example         |
|-------------|-----------|--------------------------------------------------|-----------------|
| Document ID | Text      | The unique identifier for each original document | CAR-OTP-0001-00 |

| Field Name     | Data Type | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Example                                                                     |
|----------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
|                |           | (record) in the database as specified in paragraph 20.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 01<br>or<br>CAR-OTP-0001-00<br>02-0001                                      |
| Date Filed     | Date      | The date the Participant files the data table with the Registry in the date format DD-MMM-YYYY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 20-Aug-2005                                                                 |
| Main Date      | Date      | <p>The date of the item as it appears on the document in the format DD-MMM-YYYY. The date to be entered is the one which indicates when the document came into existence, or was signed, putting it into effect.</p> <p>If the item only has a partial date and a clear year, then the first day of that partial date shall be entered and the field "estimate date" tagged YES</p> <p>Where a document has no determinable date the document will be recorded as undated.</p> <p>Where a document has more than 1 date appearing on it the date which is earliest in time shall be entered and the field "estimate date" tagged YES</p> <p>Date ranges cannot be used due to this field being a true date field and only the earliest date in time shall be entered and estimate date field tagged YES</p> <p>If an agreement has an original date as well as a subsequent later date as a result of alterations being made to the document, then the later date is taken as the document date and estimated date is left blank.</p> <p>If a newspaper clipping has the date/reference handwritten on to the document, then the document is dated according to the handwritten notation and the field "estimated date" is tagged "yes".</p> <p>e-Files:<br/>Taken from the date last modified metadata property from the electronic file.</p> <p>e-Mail:<br/>Taken from the date sent metadata of the email message.</p> | <p>21-Mar-1997</p> <p>Leave blank</p> <p>04-Aug-2004</p> <p>22-Sep-2001</p> |
| Estimated Date | Boolean   | <p>No = If the exact full date is on the document (for example 04-MAR-1963).</p> <p>Yes = Where we cannot be certain of the actual date. For example if there is a partial date (e.g. August</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | No or Yes                                                                   |

| Field Name            | Data Type | Explanation                                                                                                                                                                                                                                                                                                                                                                                    | Example             |
|-----------------------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
|                       |           | 1979), the date is stamped on, the date has been amended by hand or the only visible date is on the fax track.                                                                                                                                                                                                                                                                                 |                     |
| Type                  | Text      | <p>A simple classification of the item, such as a letter, map, artefact. Attachment C contains a list of suggested document types.</p> <p><b><u>e-Files and e-Mail:</u></b><br/>Determined by the file extension of the electronic file in accordance with Appendix C.</p>                                                                                                                     | Letter              |
| Confidentiality Level | Pick List | <p>A security classification of the item of potential evidence, evidence and material.</p> <p>The level "public" is assigned to items which can be seen by the general public.</p> <p>The level "confidential" is assigned to items which can only be seen by the parties/participants and chambers assigned to the case.</p>                                                                  | Public              |
| Title                 | Text      | <p>When a piece of (potential) evidence or material has a title, the complete title shall be entered exactly as indicated on the item. If the item has no title this field shall be left blank.</p> <p><b>e-Files:</b><br/>Taken from the original file name of the electronic file.</p> <p><b>e-Mail:</b><br/>Taken from the subject line in the message.</p>                                 | Human Rights Report |
| Author                | Pick List | <p>Person or persons who authored the document. To be completed using information on the face of the document.</p> <p>The LAST NAME is separated by comma from the first name.</p> <p>Semi-colon must separate multiple entries.</p> <p>Other ways of addressing multiple entries can be agreed between the parties.</p> <p><b>e-Mail:</b><br/>Taken from the 'From' Field in the message.</p> | SMITH, Brian        |
| Author Organisation   | Pick List | <p>Organisation from which the document emanated. To be completed from information on the face of the document.</p> <p>Semi-colon must separate multiple entries.</p> <p>Other ways of addressing multiple entries can be agreed between the parties.</p>                                                                                                                                      | ACME                |
| Recipient             | Pick List | <p>Person or persons to whom the document was addressed. To be completed using information on the face of the document.</p> <p>The LAST NAME is separated by comma from the first name.</p>                                                                                                                                                                                                    | SMITH, Brian        |

| Field Name              | Data Type | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Example       |
|-------------------------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                         |           | Semi-colon must separate multiple entries.<br>Other ways of addressing multiple entries can be agreed between the parties.<br><br>e-Mail:<br>Taken from the 'To' field in the email message.                                                                                                                                                                                                                                                                           |               |
| Recipient Organisation  | Pick List | Organisation receiving the document. To be completed from information on the face of the document.<br>Semi-colon must separate multiple entries.<br>Other ways of addressing multiple entries can be agreed between the parties.                                                                                                                                                                                                                                       | ACME          |
| Copy Recipient          |           | e-Mail:<br>Taken from the 'CC' Field in the message.                                                                                                                                                                                                                                                                                                                                                                                                                   |               |
| Blind Copy Recipient    |           | e-Mail:<br>Taken from the 'BCC' Field in the message.                                                                                                                                                                                                                                                                                                                                                                                                                  |               |
| Parties to an agreement | Text      | Identifies parties to an agreement or other legal document                                                                                                                                                                                                                                                                                                                                                                                                             | ACME          |
| Language of the item    | Pick List | The language of the item is to be recorded in this field in accordance with ISO language code 639-3, indicating both the code and the full English description of the language in the ISO definition tables, as follows: ISO code, space, hyphen, space, full description: example:<br>ENG – English<br>FRA - French.<br>Where languages are not foreseen in the ISO tables, the ICC Registry language services (STIC) will decide on the appropriate code to be used. | ENG - English |
| Translation status      | Pick List | When the document is a translation, choose one of the following options to indicate by whom the translation has been done:<br>ICC – Registry services<br>OTP – OTP services<br>EXT– External services<br><br>And whether it is a draft or has been revised.<br><br>List to be chosen from:<br>ICC - draft<br>ICC - revised<br>OTP – draft<br>OTP – revised<br>EXT – draft<br>EXT - revised                                                                             | ICC – draft   |
| Redaction version       | Text      | This field records the number of the redaction version. It is reflected by "R" and the respective two digit number, padded with zero, starting at 01.                                                                                                                                                                                                                                                                                                                  | R01           |
| Redaction Approval date | Date      | This field records the date (DD-MMM-YYYY) that redaction was approved by the Chamber.                                                                                                                                                                                                                                                                                                                                                                                  | 30-May-2008   |

| Field Name               | Data Type       | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Example                                           |
|--------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
|                          |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                   |
| Excerpt History          | Text            | This field will record the date of the preparation of each excerpt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 30-May-2008                                       |
| Host Document Number     | Text            | <p>Contains Doc ID of the host document to which an attachment is attached. There will never be multiple entries in this field, as each attachment should only ever have one host document.</p> <p>A host document and any attachments should be listed and numbered separately as per the rules listed in Appendix B.</p> <p>e-Files:<br/>If the e-file was extracted from a container file, the Doc ID of the container file should appear in this field.<br/>If the e-file was attached to an email message, the Doc ID of the email message should appear in this field.</p> <p>e-Mail:<br/>If the e-mail message was attached to another email message, the Doc ID of that email message should be in this field.</p> | CAR-OTP-0001-0001<br>or<br>CAR-OTP-0001-0002-0001 |
| Digital Signature        | Text            | <p>e-Files and e-Mail only</p> <p>The unique cryptographic code that is generated for an electronic item that may be used to verify authenticity of evidence, if authenticity is challenged. The cryptographic hashing standard to be adopted is MD5.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2355F27DC45E67<br>894795898B552B<br>BFCB          |
| Source Media Information | Text            | <p>e-Files and email only</p> <p>Contains a reference to the original physical media container from which the electronic file or email was extracted.</p> <p>This field may contain the Doc ID of the original physical electronic media item.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | CAR-OTP-0001-0001                                 |
| Participant              | Pick List       | This field records the participant who is providing the evidence or material to the Registry as per Participant codes in Appendix A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | OTP                                               |
| Chain of Custody         | Text and Number | <p>This field should list all entities/persons who had custody of the item, in chronological order.</p> <p>The following format is to be respected: YYYY-MM-DD from XXX to XXX</p> <p>Semi-colon must separate multiple entries.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 03-Dec-2004<br>From witness to OTP investigator   |

| Field Name                     | Data Type | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Example                                      |
|--------------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| Date Source Restriction Lifted | Date      | Date on which the respective correspondence was received, giving authorisation lifting disclosure restrictions.                                                                                                                                                                                                                                                                                                                                                                                     | 03-Dec-2007                                  |
| Source Identity                | Text      | <p>In principle, the name of the person providing the document shall be reflected. In case that person is protected, a special reference number given to the person shall be stated as authorized by the Chamber.</p> <p>The LAST NAME is separated by comma from the first name.</p> <p>When the person is a victim, the victim code must be entered (i.e. a_001_08).</p> <p>The codes used for the protected individuals shall be the id number as described in Section E below.</p>              | DAVIS, Jonathan                              |
| Related to Witness             | Pick      | This field is to be completed for items of potential evidence that are generated by a participant and are a result of the participant's direct interactions with the witness. Eg. Statements, Summaries, Transcripts prepared by a participant and emanating from the witness. The field should be completed with the Person ID of the witness (created according to Section E of this protocol).                                                                                                   | DRC-OTP-P-0001                               |
| Search Limitations             | Pick List | <p>This field records the degree to which the text content of the electronic version of the evidence can be searched:</p> <p>Combined Data (Meaning: typed data and handwritten text or images)</p> <p>Handwritten Text</p> <p>No text</p> <p>Typed - no Latinic script</p> <p>Typed data - Partly Searchable</p> <p>Typed data - Searchable</p> <p>Typed data - Unsearchable</p>                                                                                                                   | Typed data - Searchable                      |
| Disclosures                    | Pick List | <p>This field records information about disclosures and any other distribution of potential evidence made in the context of a case.</p> <p>The pick list values are generally comprised of the following parts: [Phase] [Category of disclosure] {Defendant Code}[package or tranche number] [Date of the disclosure]</p> <p>In the situation of joined proceedings disclosure to each counsel may take place on two different dates. This pick list can record such variations. It also allows</p> | Pre confirmation INCR package 26 07-Nov-2006 |

| Field Name | Data Type | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Example                                                |
|------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
|            |           | <p>description of other distributions of documents, such as to the OPCV or any re-issue of corrected data etc.</p> <p>The possible values for the parts of the field include:</p> <p>[Phase] : Pre trial; Trial; Appeal; Revision</p> <p>[Category of Disclosure] : INCR; PEXO; Rule 77;</p> <p>{Defendant Code} : This may be used if there is more than one defendant and disclosure is made to each on different dates.</p> <p>[Batch number] : This is a sequential number maintained by the party disclosing the sequential count of disclosures made in that category.</p> <p>[Date of the disclosure]: dd-mmm-yyyy: The date of the actual disclosure recorded at the time of transfer or after the transfer takes place.</p> | Pre confirmation<br>INCR D02 package<br>26 07-Nov-2006 |

**Note:** All text fields shall be in ISO 8859 Latin 1 (West European)

33. Table 2 below lists the filename for every page of every imaged piece of potential evidence or material. In order to derive the correct order of pages to a piece of potential evidence or material, the database query shall select the images matching the Item ID, ordered by the path.'

**Table 2 Image Table**

| Field Name | Data Type | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Example                                                                                                                                                                             |
|------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item ID    | Text      | Document ID                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SSS-PPP-BBBB-DDDD<br>SSS-PPP-BBBB-DDDD-nnnn                                                                                                                                         |
| *Path      | Text      | <p>Full relative path and filename of the image file or electronic item. For each page of each document provided in Standard Image Format there will be a single file. The file name format is : SSS-PPP-BBBB-DDDD.tif or SSS-PPP-BBBB-DDDD_01.tif (if it is an inserted page)</p> <p>For each item provided in original electronic format, the filename should be : SSS-PPP-BBBB-DDDD.(ext)</p> <p>Where (ext) is the extension of the original file. The format of the file path should be a standard windows compatible folder structure.</p> | <p>SSS-PPP-BBBB-DDDD.tif</p> <p>SSS\PPP\BBBB\SSS-PPP-BBBB-DDDD.tif</p> <p>or</p> <p>SSS\PPP\BBBB\SSS-PPP-BBBB-DDDD.xxx</p> <p>or</p> <p>SSS\PPP\BBBB\SSS-PPP-BBBB-DDDD-nnnn.tif</p> |
| *Pages     | Text      | Number of pages per document (maximum 4 characters)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 0003                                                                                                                                                                                |

## **E. Witness and Victim information**

34. The following table lists the format of metadata for the witnesses and victims.

35. "Witness" for the purpose of this protocol means: person who has provided statements on which the Prosecution or the Defence intends to rely at the hearing. "Victim" for the purpose of this protocol means a person authorised to participate in the proceedings or appearing before the Chamber in accordance with rule 93 of the Rules of Procedure and Evidence.

**Table of Witness and Victim Information**

| Field Name                       | Data Type  | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                 | Example                                |
|----------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| Person ID                        | Text       | <p>To be matched with DOC ID default field in Ringtail</p> <p>Number given to a witness or victim.</p> <p>The ID number is structured as follows:</p> <p>SSS is the situation code</p> <p>PPP is the code for the participant first introducing the witness to the Court.</p> <p>P remains P for any witness ID number and shows that this is a person</p> <p>XXXX is a consecutive number assigned by the participant.</p> | DRC-OTP-P-0001<br>or<br>DRC-D01-P-0001 |
| Title                            | Text       | This is the title of a witness /victim such as Dr., Mr., Major, General etc.                                                                                                                                                                                                                                                                                                                                                | Major                                  |
| Name                             | Text       | The LAST NAME is separated by comma from the first name.                                                                                                                                                                                                                                                                                                                                                                    | SMITH, Robert                          |
| Other name(s) and/or nickname(s) | Text       | <p>Nickname or commonly used name of witness/victim if it differs from their actual name.</p> <p>This is a one to many field.</p> <p>Semi-colon must separate multiple entries.</p>                                                                                                                                                                                                                                         | Bob                                    |
| Gender                           | Pick List  | <p>Gender of the witness/victim.</p> <p>Permissible values Male, Female or Unknown</p>                                                                                                                                                                                                                                                                                                                                      | Male                                   |
| Birth Date                       | Date Field | DD-MMM-YYYY                                                                                                                                                                                                                                                                                                                                                                                                                 | 04-Aug-1963                            |
| Estimated Birth Date             | Boolean    | This field records whether the age of the person is an estimate only.                                                                                                                                                                                                                                                                                                                                                       | No                                     |
| Status                           | Pick List  | This field records the basis on which a person is called before the proceedings:                                                                                                                                                                                                                                                                                                                                            | Victim                                 |

| Field Name                             | Data Type | Explanation                                                                                                                                                                                                                                                                                            | Example           |
|----------------------------------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
|                                        |           | Fact<br>Witness<br>Expert<br>Witness<br>Victim<br>Fact Witness & Victim<br><br>This is a multi value field                                                                                                                                                                                             |                   |
| Victim code                            | Text      | If the person called before the proceedings is a Victim enter the victim code                                                                                                                                                                                                                          | a_0011_08         |
| Participant Introducing Witness/Victim | Pick List | Name of the participant whose list this witness or victim appears on:- as per Participant codes in Appendix A                                                                                                                                                                                          | OTP               |
| Witness Statement Doc ID               | Text      | If the witness statement has been attributed a document ID in accordance with section D above, please indicate the document ID. All prior witness statements should be recorded in this field, including the document ID. This is a one to many field. Semi-colon must separate multiple entries.      | SSS-PPP-BBBB-DDDD |
| Application reference                  | Text      | If the victim's application has been attributed a document ID in accordance with section D above, please indicate the document ID. All prior victim's applications should be recorded in this field, including the document ID. This is a one to many field. Semi-colon must separate multiple entries | SSS-PPP-BBBB-DDDD |
| Appearance                             | Pick List | Please indicate how the witness will testify or how the victim will express his/her views and concerns: Permissible values are;<br>Audio/Video<br>In person<br>Transcript<br>Written Statement                                                                                                         | In person         |
| Expected Appearance Length             | Text      | Please indicate the length of time the witnesses                                                                                                                                                                                                                                                       | 02:00             |

| Field Name | Data Type | Explanation                                                                                                                | Example |
|------------|-----------|----------------------------------------------------------------------------------------------------------------------------|---------|
|            |           | testimony or victim's appearance may take in hours and minutes (hh:mm) format to assist the Court in arranging the hearing |         |

Note: All text fields shall be in ISO 8859 Latin 1 (West European)

## **IV. General provisions**

### **A. Virus responsibility**

36. It is the responsibility of the recipient of the electronic data to test for viruses. The sender shall take all reasonable precautions to ensure that their data is virus free.

### **B. Protocol updates**

37. The Registry will co-ordinate consultation involving representatives from the Registry, Chambers and all interested situation participants to review:

- Suggestions to update and improve the protocol;
- Determine codes to be set for any additional participants who may be added to the proceedings and to organize exchange of data with any such participants.
- Attempt to resolve any issues which arise in the course of the application of this Protocol.

38. As appropriate updates to the Protocol text shall be implemented or submitted to the Chamber for approval.

39. The amended Protocol shall be filed in the record of the case and, where appropriate, the Registry may suggest updating the Protocols already implemented in other cases.

## Appendix A – Participant Codes

| Prefix in numbering regime being PPP                                          | Code                                                                                                                                                                          |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Chambers                                                                      | PT1, PT2, etc for Pre Trial Chamber<br>TC1, TC2, etc. for Trial Chamber<br>APP for Appeals Chamber                                                                            |
| In Court Evidence                                                             | ICE<br>This would also include any evidence generated on the SmartBoard                                                                                                       |
| Prosecution                                                                   | OTP                                                                                                                                                                           |
| Defence<br>If more than one Defendant<br>Office of Public Counsel for Defense | D01 to D99; DAB.... (each defense team is assigned a unique code across all the cases)<br>PCD would stand for OPCD.                                                           |
| Office of Public Counsel for Victims<br>Legal Representatives for Victims     | PCV would stand for OPCV<br>VZB; V04; V99....(each team is assigned a unique code across all the cases)                                                                       |
| State                                                                         | XXX, the three identifying letters chosen for the situation concerning the State<br>Example: DRC for Republic Democratic of Congo                                             |
| XXX                                                                           | Documents which are handed up in Court in Hardcopy are given an XXX number until the relevant participant provides the court with the electronic version in the proper format |

## **Appendix B - Methodology for Host/Attachment Determination**

### **1. Document Delimiting**

- Any document that stands on its own with individually identifiable characteristics should be delimited separately.
- The back of pages with any text or markings should be included within documents and not, without compelling reasons to the contrary, be delimited as separate documents.

### **2. Host / Attachment / Unattached<sup>3</sup>**

- Documents that make reference to attached documents should be linked with the host and attachment structure.
- Translated documents will be linked in the database through the host and attachment structure where the original document will play the “host” and any translations of that document will be “attachment(s)”.
- Redacted versions of the host document will have their own Doc ID and be linked in the database through the host and attachment structure where the original document will play the “host” and any redaction version or corrigendum will be the “attachment”.
- Transcripts of media should also be linked through the host attachment structure where the original media item will play the “host” and any transcriptions of that item will be “attachment(s)”.
- Documents which have been created in the Court (for example by a witness drawing on the “original” document and captured by the smartboard technology) will be given an ICE (In Court Evidence) number and will be linked to the “original” document through the “host/attachment” field where the “original” document will be the “host” and the “newly” created document will play the “attachment”.
- Annexures and appendices should be delimited as one document unless the annexures can be regarded as having individual and identifiable characteristics. E.g. a binder with tabbed appendices where the appendices have identifiable characteristics (e.g. each doc has a date, title, author etc) would result in the first document being the host and subsequent appendices being the attachments.

#### **2.1. e-Files**

- If the e-file was extracted from a container file, the Doc ID of the container file should be the host.
- If the e-file was attached to an email message, the Doc ID of the email message should be the host.

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<sup>3</sup> The Registry shall investigate an alternative way of relating the documents (records). This part of the protocol may be amended in the future depending on findings.

## 2.2. e-Mail:

- If the e-mail message was attached to another email message, the Doc ID of that email message should be in this field.

## Appendix C - Types

It is acknowledged that this list is not exhaustive.

OTP, as the participant that commences coding evidence and material, shall provide and update periodically as required their list of document types<sup>4</sup>.

Items provided in original electronic format (e-files and email) shall be assigned a type according to the types listed, and based on their file extension, or as otherwise determined by the forensic processing software, additional extensions may be identified and categorised within the types listed.

| Type (e-Files and email only) | Explanation / Example file extensions |
|-------------------------------|---------------------------------------|
| Text Document                 | .Doc .txt .rtf .pdf .html .htm        |
| Spreadsheet                   | .xls .123                             |
| Presentation                  | .ppt                                  |
| Database                      | .mdb .dat                             |
| Correspondence (e-mail)       | .eml .msg                             |
| Audio Recording               | .mp3 .wma                             |
| Video Recording               | .mpeg .wmv                            |
| Graphics File                 | .jpg .jpeg .bmp .tif .tiff .png       |
| Container File                | .cab .zip .pst .rar                   |

Materials collected in physical form

| Type                                 | Explanation                                                                                                                                             |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Calendar / Diary                     | Any chronological overview or record by an individual (printed, electronic or handwritten); any form of calendar.                                       |
| Certificate                          | Any type of certificate given by a private or public body.                                                                                              |
| Complaint                            | Any document containing a complaint to an official instance.                                                                                            |
| Contact list                         | Any list containing primarily names or contact details.                                                                                                 |
| Contract / agreement                 | Any kind of commercial contract including employment contracts.                                                                                         |
| Correspondence (e-mail)              | Any email, including emails attaching reports, letters or other documents.                                                                              |
| Correspondence (envelope)            | Any envelope, whether posted or not.                                                                                                                    |
| Correspondence (fax)                 | Any type of fax, or record that a fax was sent.<br><br>If the document concerns a letter that also has been faxed, it should be classified as a letter. |
| Correspondence (internal memorandum) | Any type of memorandum between people within a group / organization / government (not the ICC), including e.g.                                          |

<sup>4</sup> The impact of the proposed changes to the document types list should be investigated prior to the amendment of the latter.

| Type                                                     | Explanation                                                                                                                                                                                   |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                          | mission orders.                                                                                                                                                                               |
| Correspondence (invitation)                              | Any kind of public or private invitation to attend any place or event, that clearly identifies an addressee.                                                                                  |
| Correspondence (letter)                                  | Any letter, including covering letters and documents drafted as a letter that were also transmitted by fax.                                                                                   |
| Court Document (ICC)                                     | Any legal document (submissions, judgments) in court procedures conducted before the ICC.                                                                                                     |
| Extra page                                               | Any extra page that is not part of a document, such as cover sheets (other than covering letters), dividers, separators pages, empty files.                                                   |
| Financial document (bank record)                         | Records kept by any financial institution, including internal records and records that are sent or otherwise provided to customers. This includes details of accounts and account statements. |
| Financial document (invoice)                             | Any invoice or bill issued, seeking payment or other remuneration.                                                                                                                            |
| Financial document (other)                               | Any other document of a financial nature, including cheques.                                                                                                                                  |
| ICC Statement - ICC screening                            | Screening assessment taken by someone who is a member of the ICC.                                                                                                                             |
| ICC Statement - ICC transcribed statement                | Written version of a statement that was initially recorded by a member of the ICC by audio and/or video means, but has been reduced to written form at a later date.                          |
| ICC Statement - Electronic Media                         | A statement which is recorded by a member of the ICC by audio and/or video means                                                                                                              |
| ICC Statement - General                                  | Any statement taken by someone who is a member of the ICC.                                                                                                                                    |
| ICC Statement - ICC investigator interview notes         | Notes taken during an interview by someone who is a member of the ICC.                                                                                                                        |
| Identifying document                                     | Any official document that identifies a person, such as a passport, identity card, membership card of an organization.                                                                        |
| Internal guidelines / instruction /orders                | Any guidelines or instructions, given by a non-public or non-governmental entity and which are not technical instructions.                                                                    |
| Legislation / government instruction / public guidelines | Any legal or official document issued by the legislative body or government [official body] such as decrees, directives, ministerial instructions, etc.                                       |
| List / table                                             | Any other list or table that does not primarily contain names or contact details.                                                                                                             |
| Map                                                      | Any document representing the layout of a location, including clear sketches that indicate a geographical location.                                                                           |
| Media / Press article                                    | Media articles that are public, regardless whether they are taken from Internet, newspapers, newsletters, etc. including press briefings and press releases.                                  |
| Minutes of meetings                                      | Any record of the proceedings or outcome of a meeting which is clearly identified as such.                                                                                                    |
| National judicial Document                               | Any legal document (submissions, claims, judgments, brief)                                                                                                                                    |

| Type                                              | Explanation                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (Non ICC)                                         | in court procedures conducted before any court except the ICC.                                                                                                                                                                                                                                                                                                                                |
| Non-ICC Statement (Note / Screening / Transcript) | Any type of witness statement that is not an ICC witness statement, ICC interview notes or non-ICC interview notes;<br>notes taken during an interview by someone who is not a member of the ICC;<br>written version of a statement that was initially recorded by a person who is not a member of the ICC by audio and/or video means, but has been reduced to written form at a later date. |
| Notebook                                          | Any notebook (not just a few pages) that includes handwritten notes.                                                                                                                                                                                                                                                                                                                          |
| Organisation diagram                              | The structure of a group / organization, including command structure, where in diagram format.                                                                                                                                                                                                                                                                                                |
| Other notes                                       | Any notes recorded by a person other than an investigator, and that are not a memorandum or report, and are not a dated and chronological record (which is a diary).                                                                                                                                                                                                                          |
| Personal data                                     | Any document that records data relating to a person / group / organization which is given in text-format possibly with photographs, including Biography / Curriculum Vitae / Resume / Profile.                                                                                                                                                                                                |
| Photograph/s                                      | Any document with mainly photographic images (even if those images were captures from another media such as video). The document may have wording, such as captions.                                                                                                                                                                                                                          |
| Physical item                                     | Any physical item which is not a document (on either physical or electronic media).                                                                                                                                                                                                                                                                                                           |
| Pre-Registration Form                             | An ICC pre registration form documenting the collection of evidence.                                                                                                                                                                                                                                                                                                                          |
| Presentation                                      | Any presentation given in a relatively public environment, including public presentation, public speech or declaration, slides, but that is not a witness statement.                                                                                                                                                                                                                          |
| Receipt                                           | Any receipt issued, acknowledging payment for any kind of commercial transaction, or the receipt of goods.                                                                                                                                                                                                                                                                                    |
| Report                                            | Any report that is not publicly available (including a chronology that is not a calendar nor a diary), which will generally be regarding past events (contrasted with an internal memorandum, which will contain advice, opinion, or instructions for future action); or<br>Any report that is publicly available (usually from a NGO, IGO or government).                                    |
| Sketch                                            | Any draft of any object / person / location which is not clearly a map.                                                                                                                                                                                                                                                                                                                       |
| Surrogate page                                    | These sheets mark the place of evidence that cannot otherwise be included in the system.                                                                                                                                                                                                                                                                                                      |
| Technical manual                                  | Any kind of technical manual.                                                                                                                                                                                                                                                                                                                                                                 |
| Transcript                                        | Written version of audio/video material that cannot be considered the recording of a statement (e.g. transcript of                                                                                                                                                                                                                                                                            |

| Type                                             | Explanation                                                                    |
|--------------------------------------------------|--------------------------------------------------------------------------------|
|                                                  | film).                                                                         |
| Translation - ENG                                | Any translation into English of one of the above                               |
| Translation – FRA                                | Any translation into French of one of the above                                |
| Travel related and other administrative document | Any documents relating to travel, including route plans, tickets, itineraries. |

## Appendix D - Numbering Example

- Document A: Document collected in physical form
- Document B: Item collected in electronic form
- Document C: Electronic item converted to standard image format (Conversion of document B)

| Document A                                                                                                             | Document B                                                                                                                  | Document C                                                                                        |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| Original Paper document<br>Situation: UGA<br>Batch: 0123<br>Participant: Office of the Prosecutor (OTP)<br>No Pages: 5 | Original Electronic Document<br>Situation: UGA<br>Batch: 0123<br>Participant: Office of the Prosecutor (OTP)<br>No Pages: 3 | Converted Electronic Document<br>Situation: UGA<br>Batch: 0123<br>Participant: OTP<br>No Pages: 3 |

|   | Doc ID                 | Image Location       | Image Files                | Page No |
|---|------------------------|----------------------|----------------------------|---------|
| A | UGA-OTP-0123-0001      | images\UGA\OTP\0123\ | UGA-OTP-0123-0001.tif      | 1       |
|   |                        |                      | UGA-OTP-0123-0002.tif      | 2       |
|   |                        |                      | UGA-OTP-0123-0003.tif      | 3       |
|   |                        |                      | UGA-OTP-0123-0004.tif      | 4       |
|   |                        |                      | UGA-OTP-0123-0005.tif      | 5       |
| B | UGA-OTP-0123-0006      | images\UGA\OTP\0123\ | UGA-OTP-0123-0006.doc      | 1       |
| C | UGA-OTP-0123-0006-0001 | images\UGA\OTP\0123\ | UGA-OTP-0123-0006-0001.tif | 1       |
|   |                        |                      | UGA-OTP-0123-0006-0002.tif | 2       |
|   |                        |                      | UGA-OTP-0123-0006-0003.tif | 3       |
|   |                        |                      | UGA-OTP-0123-0006-0004.tif | 4       |