

6. A State may make an application for necessary measures to be taken in respect of the protection of its servants or agents and the protection of confidential or sensitive information.

Article 69 Evidence

1. Before testifying, each witness shall, in accordance with the Rules of Procedure and Evidence, give an undertaking as to the truthfulness of the evidence to be given by that witness.
2. The testimony of a witness at trial shall be given in person, except to the extent provided by the measures set forth in article 68 or in the Rules of Procedure and Evidence. The Court may also permit the giving of *viva voce* (oral) or recorded testimony of a witness by means of video or audio technology, as well as the introduction of documents or written transcripts, subject to this Statute and in accordance with the Rules of Procedure and Evidence. These measures shall not be prejudicial to or inconsistent with the rights of the accused.
3. The parties may submit evidence relevant to the case, in accordance with article 64. The Court shall have the authority to request the submission of all evidence that it considers necessary for the determination of the truth.
4. The Court may rule on the relevance or admissibility of any evidence, taking into account, *inter alia*, the probative value of the evidence and any prejudice that such evidence may cause to a fair trial or to a fair evaluation of the testimony of a witness, in accordance with the Rules of Procedure and Evidence.
5. The Court shall respect and observe privileges on confidentiality as provided for in the Rules of Procedure and Evidence.
6. The Court shall not require proof of facts of common knowledge but may take judicial notice of them.
7. Evidence obtained by means of a violation of this Statute or internationally recognized human rights shall not be admissible if:
 - (a) The violation casts substantial doubt on the reliability of the evidence; or

6. En stat kan fremsætte anmodning om, at der tages de nødvendige skridt til beskyttelse af statens embedsmænd eller befuldmægtigede og til beskyttelse af fortrolige eller følsomme oplysninger.

Artikel 69 Beviser

1. Før et vidne afgiver forklaring, skal vidnet i overensstemmelse med procesreglementet forsikre, at han eller hun kun vil tale sandhed.
2. Et vidne skal afgive forklaring personligt under domsforhandlingen, medmindre andet er bestemt i artikel 68 eller i procesreglementet. Domstolen kan ligeledes tillade afgivelse af en mundtlig (*viva voce*) eller optaget vidneforklaring ved hjælp af video- eller lydteknologi, samt fremlæggelse af dokumenter eller udskrifter, med forbehold for denne stats bestemmelse og i overensstemmelse med procesreglementet. Sådanne skridt skal ikke være til skade for eller uforenelige med tiltaltes rettigheder.
3. Parterne kan fremlægge beviser, der er relevante for sagen, i henhold til artikel 64. Domstolen kan anmode om fremlæggelse af alle beviser, som den finder nødvendige for at nå frem til sandheden.
4. Domstolen kan afsige kendelser om relevansen eller antageligheden af beviser, blandt andet under hensyntagen til bevisets styrke og den skadevirkning beviset kan have for en retfærdig rettergang eller en retfærdig vurdering af vidneudsagn i henhold til procesreglementet.
5. Domstolen skal respektere og overholde særlige regler om fortrolighed, som er fastsat i procesreglementet.
6. Domstolen skal ikke kræve bevisførelse for kendsgerninger, der er alment kendte, men kan lægge dem til grund.
7. Beviser, der er indhentet i modstrid med denne statut eller internationalt anerkendte menneskerettigheder, skal ikke tillades ført, såfremt:
 - (a) overtrædelsen rejser væsentlig tvivl om bevisets pålidelighed, eller