

ICTR RULES OF PROCEDURE AND EVIDENCE RÈGLEMENT DE PROCÉDURE ET DE PREUVE

Adopted on 29 June 1995; as amended on: Adopté le 29 juin 1995 et modifié
successivement les :

12 January 1996	12 janvier 1996
15 May 1996	15 mai 1996
4 July 1996	4 juillet 1996
5 June 1997	5 juin 1997
8 June 1998	8 juin 1998
1 July 1999	1 juillet 1999
21 February 2000	21 février 2000
26 June 2000	26 juin 2000
3 November 2000	3 novembre 2000
31 May 2001	31 mai 2001
6 July 2002	6 juillet 2002
27 May 2003	27 mai 2003
15 May 2004	15 mai 2004
7 June 2005	7 juin 2005
10 November 2006	10 novembre 2006
15 June 2007	15 juin 2007
14 March 2008	14 mars 2008
2 February 2009	2 février 2009
1 October 2009	1 octobre 2009
9 February 2010	9 février 2010
1 April 2011	1 avril 2011
10 April 2013	10 avril 2013
13 May 2015	13 mai 2015

Rule 87: Deliberations

- (A) After presentation of closing arguments, the Presiding Judge shall declare the hearing closed, and the Trial Chamber shall deliberate in private. A finding of guilty may be reached only when a majority of the Trial Chamber is satisfied that guilt has been proved beyond reasonable doubt.
- (B) The Trial Chamber shall vote separately on each count contained in the indictment. If two or more accused are tried together under Rule 48, separate findings shall be made as to each accused.
- (C) If the Trial Chamber finds the accused guilty on one or more of the counts contained in the indictment, it shall impose a sentence in respect of each finding of guilt and indicate whether such sentences shall be served consecutively or concurrently, unless it decides to exercise its power to impose a single sentence reflecting the totality of the criminal conduct of the accused.

Rule 88: Judgement

- (A) The judgement shall be pronounced in public, on a date of which notice shall have been given to the parties and counsel and at which they shall be entitled to be present.
- (B) If the Trial Chamber finds the accused guilty of a crime and concludes from the evidence that unlawful taking of property by the accused was associated with it, it shall make a specific finding to that effect in its judgement. The Trial Chamber may order restitution as provided in Rule 105.
- (C) The judgement shall be rendered by a majority of the Judges. It shall be accompanied or followed as soon as possible by a reasoned opinion in writing. Separate or dissenting opinions may be appended.

Section 3: Rules of Evidence

Rule 89: General Provisions

- (A) The rules of evidence set forth in this Section shall govern the proceedings before the Chambers. The Chambers shall not be bound by national rules of evidence.
- (B) In cases not otherwise provided for in this Section, a Chamber shall apply rules of evidence which will best favour a fair determination of the matter before it and are consonant with the spirit of the Statute and the general principles of law.
- (C) A Chamber may admit any relevant evidence which it deems to have probative value.
- (D) A Chamber may request verification of the authenticity of evidence obtained out of court.