

**UNITED  
NATIONS**

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International Residual Mechanism for Criminal Tribunals

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**RULES OF PROCEDURE AND EVIDENCE**

**Rule 119**  
**Lawyer-Client Privilege**

- (A) All communications between lawyer and client shall be regarded as privileged, and consequently not subject to disclosure at trial, unless:
- (i) the client consents to such disclosure; or
  - (ii) the client has voluntarily disclosed the content of the communication to a third party, and that third party then gives evidence of that disclosure.
- (B) Nothing in this Rule shall be interpreted as permitting the use of confidentiality between Counsel and client to conceal the participation of Counsel in illegal practices such as fee-splitting with the client.

**Rule 120**  
**Powers of Chambers to Order Production of Additional Evidence**

A Trial Chamber may order either Party to produce additional evidence. It may *proprio motu* summon witnesses and order their attendance.

**Rule 121**  
**Judgement of Acquittal**

At the close of the Prosecutor's case, the Trial Chamber shall, unless it decides otherwise, by oral decision and after hearing the oral submissions of the Parties, enter a judgement of acquittal on any count if there is no evidence capable of supporting a conviction.

**Rule 122**  
**Judgement**

- (A) The judgement shall be pronounced in public by the Trial Chamber, or a Judge thereof, or the Single Judge, 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, subject to the provisions of Rule 126(B).

- (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 that shall be prepared in a reasonable time. The Trial Chamber may order restitution as provided in Rule 129.
- (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, to which separate or dissenting opinions may be appended.
- (D) A copy of the judgement and of the Judges' opinions in a language which the accused understands shall as soon as possible be served on the accused if in custody. Copies thereof in that language and in the language in which they were delivered shall also as soon as possible be provided to Counsel for the accused.

**Rule 123**  
**Status of Acquitted Person**

- (A) Subject to paragraph (B), in the case of an acquittal or the upholding of a challenge to jurisdiction, the accused shall be released immediately.
- (B) If, at the time the judgement is pronounced, the Prosecutor advises the Trial Chamber in open court of the Prosecutor's intention to file notice of appeal pursuant to Rule 133, the Trial Chamber may, on application by the Prosecutor and upon hearing the Parties, in its discretion, issue an order for the continued detention of the accused, pending the determination of the appeal.

**Rule 124**  
**Sentencing Procedure on Guilty Plea**

- (A) If the Trial Chamber convicts the accused on a guilty plea, the Prosecutor and the Defence may submit any relevant information that may assist the Trial Chamber in determining an appropriate sentence.
- (B) The sentence shall be pronounced in a judgement in public and in the presence of the convicted person, subject to Rule 126(B).