

Article 63.

Trial in presence of the accused.

Paragraph 3

(a) Notwithstanding paragraph 1, the Trial Chamber may, in exceptional circumstances, proprio motu or at the request of one of the parties, or at the request of the victims, order that the trial proceed in the absence of the accused, if the accused :

(i) having been present at the commencement of the trial, thereafter flees [after being previously advised, that the trial could continue if he or she did so]; or

(ii) having been duly informed of the opening of the trial, and all reasonable steps having been taken to secure his appearance, does not appear on the day of the hearing, without good reason.

(b) The Trial Chamber shall, if it makes an order under subparagraph (a), ensure that the rights of the accused under this Statute are respected, and in particular that the accused is legally represented, if necessary by a lawyer appointed by the Court.

(c) Where the Trial Chamber has conducted proceedings in accordance with this paragraph, its judgement under article 72 may be appealed in accordance with the provisions of Part 8.