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Nota di contenuto	Can there be proceedings (in the defendant's presence) at all? -- The position of the defendant in the trial -- The position of the defendant in developments alongside the trial -- Summary -- The relationship between criminal trials and historiography -- Tracing the influence of historiography on the law Introduction -- Part I - The Defendant in International Criminal Proceedings -- 1. Can There Be Proceedings (in the Defendant's Presence) at All? -- A The Absolute Ban on Proceedings Against Deceased Defendants -- B Fitness of the Defendant to Stand Trial -- C Proceedings in the Absence of the Defendant -- 2. The Position of the Defendant in the Trial -- A Position vis-a-vis Counsel -- B Position vis-a-vis the Court -- C Ability to Make Statements -- 3. The Position of the Defendant in Developments Alongside the Trial -- 4. Summary --

Part II: Between Impunity and Show Trials? - Between Law and Historiography -- 5. The Relationship between Criminal Trials and Historiography -- 6. Tracing the Influence of Historiography on the Law -- Conclusion -- Bibliography

Sommario/riassunto

It is often said that criminal procedure should ensure that the defendant is a subject, not just an object, of proceedings. This book asks to what extent this can be said to be true of international criminal trials. The first part of the book aims to find out the extent to which defendants before international criminal courts are able to take an active part in their trials. It takes an in-depth look at the procedural regimes of international courts, viewed against a benchmark provided by national provisions representing the main traditions of criminal procedure and by international human rights law. The results of this comparative endeavour are then used to shed light, from a practical point of view, on the oft-debated question whether (international) criminal trials should be used as a tool for writing history or whether, as claimed by Martti Koskenniemi, pursuing this goal leads to a danger of "show trials"
