The Principle of Equality of Arms in International Criminal Proceedings
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The Principle of Equality of Arms in International Criminal Proceedings

Masha Fedorova
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It would probably take a book half this size to describe all of my experiences and to thank everyone for all the support I have received. My mother always knows some fitting, short words to say, so I tried to follow her example and found several Russian proverbs to summarize the process I went through while writing this dissertation.

Аппетит приходит во время еды. Appetite comes with eating. When I started working at the Netherlands Institute of Human Rights (SIM) some time after my graduation at Utrecht University, little did I know what it meant to write a PhD dissertation. During my two years of being a junior researcher, my ‘appetite’ for conducting legal research grew and I ended up writing a proposal that was approved by the Netherlands Organization for Scientific Research (NWO) for a four-year research grant, for which I am very grateful. I had already acquired a fascination for the field of international criminal law when I wrote my Masters thesis, so for the purposes of a PhD, I decided to stay in this field. However, this time, I decided to focus on international criminal procedure. I started my research in November 2006.

I could not have dreamed of a better ‘job’ to feed my curiosity: a young and developing field of law to write about; many interesting and challenging conferences, summer schools, colloquia, round table discussions; and opportunities to publish, teach, present and discuss. I had so much to learn. My mother always says: Век живи — век учись. Live for a century — learn for a century. I try. A short time into my PhD research a new experience entered my life. It is amazing how much motherhood can teach one about the principle of relatedness, the balancing metaphor and the question of time. Twenty-four hours a day is all one has. I felt that I had to say goodbye to my perfectionist nature. Although my dedication to my research grew with every sleepless night, due to the fact that I realized that I actually loved doing what I was doing, it was a hectic time. I learned that Выше головы не прыгнешь. You cannot jump above your head.

I am happy to acknowledge that there are many people for whom I owe my deepest gratitude for all their support throughout the years. First of all, I would like to recognize my supervisors, Prof. Cees Flinterman and Prof. Göran Sluiter. Thank you both for your guidance and for your trust and confidence. Thank you, Göran Sluiter, for guiding me towards SIM and supporting me from the moment of the writing of my Masters thesis. And thank you, Cees Flinterman, for giving me a chance when I most needed one, my gratitude is indescribable. Of course I would also like to thank my reading committee, Prof. Jenny Goldschmidt, Prof. Geert-Jan Alexander Knoops, Prof. Guénaël Mettraux, Prof. Héctor Olásolo and Prof. Stefan Trechsel, for taking the time to read this, not all too concise, book and for your guiding comments.
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I cannot even find the words to thank my paranimp Saksia Bal and Brianne McGonigle Leyh. Your support, affection and confidence have been no less than essential for the survival of this project. Thank you for the laughs, dinners, drinks, kids’ play dates and babysitting, and more, more and more.

Last but not least, I would like to thank my family and friends for all their love, understanding and patience with me. A special thank you goes to the Lomme-family for all their trust and love and for giving me security when I needed it, to Titia Korff for her friendship, and to Wilma van den Endt and Bert Sleurink for their confidence, attention and support. My dearest sister, I would like to thank you for bearing with me all these years, for listening and understanding and for bringing me back to reality whenever I tried to hide behind my books. And of course my mama, thank you for your love. I am who I am because of you. My last words of gratitude go to my partner, Giovanni van Heusden, who supported me beyond imagination. Schatje, thank you for loving me. This book is for you, and for our Roman and Elena.

Any errors or omissions are my own, which brings me to my last saying: Не ошибается тот, кто ничего не делает. Only he who does nothing makes no mistakes.

Utrecht, July 2012
# Table of Contents

Acknowledgements v  
List of Abbreviations xiii  

## Chapter 1  Introduction

1.1 Equality of arms 1  
1.2 Challenging ‘equality of arms’ in international criminal process 2  
1.3 Central aim and question of this research 6  
  1.3.1 The principle 7  
  1.3.2 Equality of arms 11  
  1.3.3 International criminal proceedings 12  
  1.3.4 Should be interpreted and applied 15  
1.4 Methodological choices and limitations 17  
1.5 Structure of the book 19  

## Chapter 2  Human Rights Perspective

2.1 Introduction 23  
2.2 Human rights and – international – criminal law 23  
  2.2.1 Sources of the law 26  
  2.2.2 The role of human rights jurisprudence 28  
2.3 Equality of arms: origin and legal basis 30  
  2.3.1 General concept: the right to a fair trial 31  
  2.3.2 The meaning of equality of arms 36  
  2.3.3 Establishing a violation of equality of arms 39  
  2.3.4 Considerations of ‘equality’ 41  
2.4 The connection to other rights 46  
  2.4.1 The principle of an adversarial process 47  
    2.4.1.1 The right to be present in person at proceedings 49  
    2.4.1.2 The right to challenge an adversary’s observations 52  
  2.4.2 The right to have adequate time and facilities to prepare a defence 55  
  2.4.3 The right to examine witnesses under the same conditions 60  
2.5 Concluding remarks 66
CHAPTER 3  CRIMINAL PROCESS PERSPECTIVE

3.1 Introduction 69
3.2 Goals and values of a criminal process 70
  3.2.1 Conflict resolution and societal values 74
  3.2.2 Truth-finding 75
    3.2.2.1 The importance of truth in the criminal process 76
    3.2.2.2 What kind of truth can be achieved in a criminal process? 77
    3.2.2.3 A process model most committed to truth? 81
  3.2.3 Fairness 81
    3.2.3.1 The concept of procedural justice 82
    3.2.3.2 Conceptions of procedural justice 83
  3.2.4 Efficiency 87
  3.2.5 Due process v. crime control 88
3.3 Adversarial and inquisitorial models of procedure 92
  3.3.1 Explaining the use of terms 92
    3.3.1.1 Adversarial 94
    3.3.1.2 Inquisitorial and mixed 96
  3.3.2 Two ideal-types of procedure 97
    3.3.2.1 A pure adversarial fact-finding model 98
    3.3.2.2 A pure inquisitorial fact-finding model 99
    3.3.2.3 Damaška’s ideal-types 101
3.4 The role of equality of arms in adversarial and inquisitorial procedures 105
  3.4.1 The Roman origin: the principle of audi et alteram partem 106
  3.4.2 The ‘balance of advantages’ in the adversarial process 109
    3.4.2.1 Early starting point and ideological underpinnings 109
    3.4.2.2 Equality of arms as a corollary of adversarial procedure? 110
    3.4.2.3 Parity of information: pre-trial disclosure regime 115
  3.4.3 Equality of arms and inquisitorial process: a missing link? 121
    3.4.3.1 ‘Dialogue’ in the pre-trial process: defence participation 124
    3.4.3.2 The function of the dossier 126
    3.4.3.3 Active judge 128
3.5 International criminal procedure: reassessing goals, values and procedures? 131
3.6 Concluding remarks 140
# Chapter 4  Parties’ Role During Investigations

4.1 Introduction 143  
4.2 The role of the international prosecutor 144  
4.2.1 Prosecutorial ethos: a dichotomy? 145  
4.2.2 Prosecutorial function within the institutional design 157  
4.2.2.1 Structural parameters 158  
4.2.2.2 Prosecutorial discretion 162  
4.2.2.3 Judicial control 164  
4.3 Prosecutor’s ability to prepare for trial: the approach to investigations 168  
4.3.1 Yugoslavia and Rwanda Tribunals 169  
4.3.2 The Special Court for Sierra Leone 170  
4.3.3 The International Criminal Court 173  
4.3.3.1 Confidentiality agreements 176  
4.3.3.2 Protection of witnesses 181  
4.3.3.3 Victim participation 183  
4.4 The defence’s ability to prepare for trial: defence investigations 186  
4.5 Parties’ access to state cooperation 190  
4.5.1 State cooperation order requirements 196  
4.5.1.1 Ad hoc tribunals 196  
4.5.1.2 International Criminal Court 202  
4.6 Other issues surrounding the collection of evidence 210  
4.6.1 Ad hoc tribunals – Rule 54 orders necessary for trial preparation 210  
4.6.2 Compellability of witnesses at the ICC 218  
4.6.3 Ad hoc tribunals – Search and seizure warrants 218  
4.6.4 Functional immunity for defence team members 221  
4.7 Concluding remarks 227

# Chapter 5  Disclosure of Information

5.1 Introduction 233  
5.2 Prosecutorial disclosure: general obligations 234  
5.2.1 ICTY, ICTR and SCSL 235  
5.2.2 International Criminal Court 241  
5.3 Exceptions to disclosure: the protection of other interests 245  
5.3.1 Protection of state interests and other third entities 249  
5.3.1.1 ICTY, ICTR and SCSL 249  
5.4 Disclosure of exculpatory evidence 250  
5.4.1 ICTY, ICTR and SCSL 252  
5.4.2 ICC 265  
5.4.2.1 The Lubanga disclosure crises 271
### Table of Contents

- **5.5 Reciprocal disclosure obligations: defence disclosure**
  - 5.5.1 ICTY, ICTR and SCSL 279
  - 5.5.2 International Criminal Court 287
- **5.6 Remedyng disclosure violations** 291
- **5.7 Inter partes disclosure and the role of the judges** 297
- **5.8 Concluding remarks** 300

### Chapter 6 Institutional Support for the Defence

- **6.1 Introduction** 303
- **6.2 Equality of arms, adequate facilities and the legal aid system** 305
- **6.3 Institutional support for the defence** 310
  - 6.3.1 Legal aid arrangements 311
    - 6.3.1.1 Ad hoc tribunals 311
  - 6.3.2 Avenues of redress for challenging the inadequacy of resources 316
  - 6.3.3 Defence Support Sections 323
    - 6.3.3.1 ICTY/ICTR 324
    - 6.3.3.2 SCSL 326
    - 6.3.3.3 ICC 330
    - 6.3.3.4 ECCC 332
    - 6.3.3.5 STL 332
- **6.4 Legal aid and self-representation: to have one’s cake and to eat it too?** 333
- **6.5 Other facilities** 337
- **6.6 Concluding remarks** 340

### Chapter 7 Case Presentation

- **7.1 Introduction** 343
- **7.2 Shaping the case before trial** 344
  - 7.2.1 ICTY, ICTR and SCSL: Pre-Trial and Pre-Defence Conferences 344
    - 7.2.1.1 Pre-trial conference 345
  - 7.2.2 ICC 373
  - 7.2.3 ECCC 377
- **7.3 Trial Issues** 380
  - 7.3.1 Case presentation scheme 380
    - 7.3.1.1 ICTY, ICTR and SCSL: The ‘two-case’ approach 381
    - 7.3.1.2 ICC: ‘Open-ended’ approach 382
    - 7.3.1.3 ECCC: A ‘Judge-led’ approach 385
### Table of Contents

7.3.2 Examination and cross-examination of witnesses 386  
7.3.2.1 ICTY, ICTR and SCSL 387  
7.3.2.2 ICC 398  
7.3.2.3 ECCC 400  
7.3.3 Admissibility of evidence 400  
7.3.3.1 ICTY/ICTR and SCSL 400  
7.3.3.2 ICC 405  
7.3.3.3 ECCC 410  
7.3.4 Admissibility of additional evidence after the close of the case in chief 412  
7.3.5 Expert witnesses 418  
7.3.5.1 ICTY, ICTR and SCSL 418  
7.3.5.2 ICC 421  
7.4 Victims’ participation in the trial: facing multiple accusers? 423  
7.4.1 Lead and challenge evidence 425  
7.4.2 Victims’ applications and testimony 430  
7.5 Concluding remarks 432

### Chapter 8 Conclusions

8.1 Introduction 435  
8.2 Human rights approach 436  
8.3 International criminal courts’ interpretation of equality of arms 440  
8.4 Application of equality of arms in international criminal proceedings 444  
8.5 Normative considerations: conceptualizing fairness and the principle of the equality of arms in international criminal proceedings 454  
8.5.1 Fairness and the right to a fair trial 454  
8.5.2 Two functions of the equality of arms 459  
8.6 Final comment 462

Samenvatting (Summary in Dutch) 465  
Bibliography 481  
Table of Cases 501  
Curriculum Vitae 527
**List of Abbreviations**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Ch.</td>
<td>Appeals Chamber</td>
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<tr>
<td>ACHR</td>
<td>American Convention on Human Rights</td>
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<tr>
<td>ACtHR</td>
<td>Inter American Court of Human Rights</td>
</tr>
<tr>
<td>App. No.</td>
<td>Application Number</td>
</tr>
<tr>
<td>Comm. No.</td>
<td>Communication Number</td>
</tr>
<tr>
<td>D&amp;R</td>
<td>Decisions and Reports</td>
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<tr>
<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<tr>
<td>DSS</td>
<td>Defence Support Section</td>
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<tr>
<td>ECCC</td>
<td>Extraordinary Chambers in the Courts of Cambodia</td>
</tr>
<tr>
<td>ECHR</td>
<td>European Convention on Human Rights</td>
</tr>
<tr>
<td>ECtHR</td>
<td>European Court on Human Rights</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
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<tr>
<td>GA</td>
<td>United Nations General Assembly</td>
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<td>HRC</td>
<td>United Nations Human Rights Committee</td>
</tr>
<tr>
<td>ICC</td>
<td>International Criminal Court</td>
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<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<tr>
<td>ICJ</td>
<td>International Court of Justice</td>
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<tr>
<td>ICTR</td>
<td>International Criminal Tribunal for Rwanda</td>
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<tr>
<td>ICTY</td>
<td>International Criminal Tribunal for the former Yugoslavia</td>
</tr>
<tr>
<td>ILC</td>
<td>International Law Commission</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
</tr>
<tr>
<td>OPCD</td>
<td>Office of Public Council for Defence</td>
</tr>
<tr>
<td>OTP</td>
<td>Office of the Prosecutor</td>
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<tr>
<td>RPE</td>
<td>Rules of Procedure and Evidence</td>
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<tr>
<td>SCSL</td>
<td>Special Court for Sierra Leone</td>
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<tr>
<td>STL</td>
<td>Special Tribunal for Lebanon</td>
</tr>
<tr>
<td>T. Ch.</td>
<td>Trial Chamber</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNDU</td>
<td>United Nations Detention Unit</td>
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<tr>
<td>UNMIK</td>
<td>United Nations Interim Administration Mission in Kosovo</td>
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<tr>
<td>UNSC</td>
<td>United Nations Security Council</td>
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<tr>
<td>VPRS</td>
<td>Victims Participation and Reparations Section</td>
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<td>VWU</td>
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