

Changes to legislation: There are currently no known outstanding effects for the International Criminal Court (Scotland) Act 2001, Paragraph 2. (See end of Document for details)

SCHEDULE 3
RIGHTS OF PERSONS DURING AN INVESTIGATION: ARTICLE 55

ARTICLE 55

RIGHTS OF PERSONS DURING AN INVESTIGATION

- 2 Where there are grounds to believe that a person has committed a crime within the jurisdiction of the Court and that person is about to be questioned either by the Prosecutor, or by national authorities pursuant to a request made under Part 9, that person shall also have the following rights of which he or she shall be informed prior to being questioned—
- (a) To be informed, prior to being questioned, that there are grounds to believe that he or she has committed a crime within the jurisdiction of the Court;
 - (b) To remain silent, without such silence being a consideration in the determination of guilt or innocence;
 - (c) To have legal assistance of the person's choosing, or, if the person does not have legal assistance, to have legal assistance assigned to him or her, in any case where the interests of justice so require, and without payment by the person in any such case if the person does not have sufficient means to pay for it; and
 - (d) To be questioned in the presence of counsel unless the person has voluntarily waived his or her right to counsel.

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