



## ICC Pretrial Actions Summary

<b>Pre-Trial Action</b>	<b>Purpose</b>	<b>Pre-Trial Chamber Response</b>
<b>Before Arrest</b>		
Identify Unique investigative opportunity (Article 56)	Need to collect evidence or interview a witness may not be available at trial	Make recommendations or orders regarding procedures, directing record of proceedings, appoint expert or counsel
Request for Orders or Warrants(Art 57)	For investigation, protection of witnesses and victims, preservation of evidence	If PTC determines state is unable to assist in investigation, will authorize specific investigative steps in state party territory
Application for Warrant of Arrest (Article 58)	Reasonable grounds to believe the person had committed a crime w/l jurisdiction of court, arrest is necessary to ensure appearance, not obstruct investigation, prevent continuing crime	Review application and evidence submitted, will issue if satisfied of reasonable grounds.
Application for Summons (Article 58)	Alternative to arrest, fewer (if any) restrictions on liberty	will issue if satisfied summons is sufficient to ensure appearance
<b>After Arrest</b>		
Review of Detention (Article 60)	Change of circumstances	If satisfied confinement is needed to safeguard / insure presence at trial, will to continue detention Must periodically review
Confirmation of Charges (Article 61)	establish prima facie case- done in abstentia if accused has waived or fled	PTC ensures defendant has heard charges and seen evidence; can decline charges, have prosecutor reconsider, or amend
<b>Anytime</b>		
Termination of Investigation (Article 53)	Determines no reasonable basis to proceed- insufficient evidence, case is inadmissible, not in interest of justice	If state party referring or Security Counsel object, they can ask PTC to review, ask Prosecutor for reconsideration; if termination was based entirely on Prosecutor's judgment, must be approved by PTC