

(3) In the cases specified in section 7 charges shall not be preferred in Denmark if the accused person has been finally acquitted in the State in which the offence was committed, or if he has suffered the penalty awarded, or it is barred by lapse of time under the law of the State in which the offence was committed.

(4) In other cases in which a person about to be sentenced in Denmark for an offence has already undergone a penalty therefor elsewhere, due account shall be taken thereof and the penalty shall be reduced or remitted accordingly.

11. Where a person having Danish nationality or domiciled in the Danish State is punished in a foreign State for an offence which under Danish law may entail revocation or loss of the right to practise a profession or occupation or some other right, such revocation may be imposed in public proceedings instituted by the Chief Public Prosecutor.

12. The rules prescribed in sections 6 to 8 shall be subject in their application to the exceptions recognized by international law.

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## 16. Dominican Republic

(a) CODE OF CRIMINAL PROCEDURE, 27 JUNE 1884, AS AMENDED BY THE ACT OF 28 JUNE 1911. "GACETA OFICIAL No. 2208; CÓDIGO DE PROCEDIMIENTO CRIMINAL DE LA REPÚBLICA DOMINICANA" (1927), PP. 84-85. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS.

. . .

*Article 5.* A citizen of the Dominican Republic, who commits a crime abroad punishable under the law of the Dominican Republic, may be prosecuted and tried in the Republic.

A citizen of the Dominican Republic, who commits abroad an act which is an offence under Dominican law, may be prosecuted and tried in the Republic if the act is punishable under the law of the State where it was committed.

Prosecution proceedings shall not, however, be taken when the offender proves that he has been tried for a crime or offence committed abroad. If he has committed an offence against a Dominican citizen or an alien, prosecution proceedings shall only be instituted at the request of the Public Prosecutor and must be preceded by a complaint made by the injured party or an official accusation lodged with the Dominican authorities by the authorities of the State where the offence was committed.

No proceedings shall be taken prior to the return of the offender to the Republic, except in case of the crimes listed in article 7.

*Article 6.* In the cases referred to in the preceding article proceedings shall be instituted at the request of the Public Prosecutor of the place where the offender lives or may be found. At the request of the Public Prosecutor or of the parties concerned, the High Court of Justice may, however, rule that the case shall be heard by the court situated nearest to the place where the offence or crime was committed.

*Article 7.* An alien who has committed abroad, as principal or accessory, a crime against the security of the State, or a crime involving the

counterfeiting of the seal of the State or of national currency which serves as legal tender, or of credit documents issued under seal by the public treasury or bank notes duly authorized by law, may be prosecuted and tried in accordance with the laws of the Dominican Republic, if arrested in the Republic or if the Executive Power has obtained his extradition.

## 17. Ecuador

(a) PENAL CODE, 22 MARCH 1938. L. JIMÉNEZ DE ASÚA AND F. CARSI ZACARÉS, "CÓDIGOS PENALES IBEROAMERICANOS" (1946), VOL. I, PP. 1203-1204. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS.

*Article 5.* Every offence committed within the territory of the Republic, whether by an Ecuadorian or an alien, shall be tried and punished in conformity with the law of Ecuador.

The following offences shall be deemed to be committed within the territory of the Republic:

Offences committed on board Ecuadorian naval or merchant vessels or aircraft, except where a merchant vessel is subject to foreign criminal jurisdiction in accordance with international law; and offences committed within the precincts of an Ecuadorian legation abroad.

An offence shall be deemed to have been committed within the territory of Ecuador if the act or omission which constitutes it were intended to take effect in Ecuador or in any place subject to Ecuadorian jurisdiction.

A national of Ecuador or an alien committing any of the following offences outside the territory of Ecuador shall be punished in conformity with the Ecuadorian law:

1. Offences against the integrity of the State.
2. Counterfeiting State seals or using counterfeit seals.
3. Counterfeiting coins or banknotes of legal tender in Ecuador, or sealed securities, or Ecuadorian State bonds.
4. Offences committed by public officers in the service of the State in abuse of their powers or in breach of the duties of their office.
5. Crimes against international law; and
6. Any other offence brought within the jurisdiction of Ecuadorian law by special statutory provision or by international convention.

An alien committing any of the offences enumerated above shall be tried and punished in conformity with Ecuadorian law if apprehended in Ecuador or extradited thereto.

*Article 6.* An Ecuadorian who, otherwise than in accordance with the foregoing article, commits abroad an offence punishable under Ecuadorian law by special rigorous imprisonment (*reclusión mayor extraordinaria*) shall, if found in the territory of Ecuador, be punished in conformity with the criminal law of Ecuador.

Trial in Ecuador shall be barred if the country in which the offence was committed procures the extradition of the offender.