

Article 99. (1) If a crime or offence has been committed in Switzerland or outside Switzerland on board a Swiss aircraft engaged in commercial traffic, the captain of the aircraft shall assemble and ascertain the evidence.

(2) Pending the arrival of the competent authority, he shall make such inquiry as brooks no delay and may, if necessary, arrest the suspected persons, search the passengers and the members of the crew, and seize any objects which may be used as evidence. Articles 62 to 64, 65, 69, and 74 to 85 of the Federal Criminal Procedure Act of 15 June 1934 which relate to provisional arrest and search, examination of papers and the hearing of witnesses shall also apply.

(3) When the aircraft lands abroad after the establishment of the facts, the Swiss consul within whose consular district the place of landing is situated, shall be notified; he shall be asked for instructions.

(4) At the end of the journey, the captain of the aircraft shall report in writing to the Federal Aviation Office on the facts and the inquiry.

. . .

52. Syria

(a) PENAL CODE, PROMULGATED BY DECREE NO. 148, 22 JUNE 1949. PUBLICATION OF THE MINISTRY OF JUSTICE OF THE REPUBLIC OF SYRIA. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS.

. . .

Article 15. (1) The laws of Syria shall be applicable to all crimes committed in the territory of Syria.

(2) A crime shall be considered as having been committed in Syrian territory,

(a) If any of the principal elements that constitute a crime, or if any of the acts that constitute an indivisible crime, or if any direct or indirect participation in the crime, took place in Syrian territory;

(b) If the result of the crime occurred in that territory or was intended to occur in that territory.

Article 16. The territory of Syria includes the air space over it.

Article 17. For the purpose of the application of this law the following shall be considered Syrian territory:

(a) The territorial waters to a distance of twenty kilometres from the shore, measured from the line of the lowest tide;

(b) The air space over territorial waters;

(c) Syrian ships and aircraft;

(d) Foreign territory occupied by Syrian armed forces, if the crimes committed affect the security or the interest of the Syrian forces.

Article 18. The laws of Syria are not applicable:

(a) Where a crime is committed on board a foreign aircraft flying over Syrian territory, if the crime does not produce effect beyond the aircraft. However, such a crime shall come within the scope of these laws if a Syrian citizen is a party to it, or if the aircraft lands on Syrian territory after the crime has been committed.

(b) Where a crime is committed on board a foreign vessel or foreign aircraft in Syrian territorial waters or in the air space over such waters, if the crime does not produce effect beyond such vessel or aircraft.

Article 19. (1) The laws of Syria are applicable to any Syrian citizen or alien who, either as an instigator or an accomplice or a principal, commits, outside Syrian territory, a crime or an offence that affects the security of the State, or forges the State's seal, or counterfeits the bonds of the State of Syria or foreign banknotes legitimately in current use in Syria.

(2) These provisions shall not be applicable to aliens whose acts are not contrary to the principles of international law.

Article 20. The laws of Syria are applicable to every Syrian citizen who is an accomplice, or who participates in, or instigates or commits a crime or an offence outside Syrian territory, if the act is punishable under the provisions of these laws. The loss or acquisition of Syrian citizenship, subsequent to the commission of the crime or offence, shall not affect the application of this provision.

Article 21. The laws of Syria shall be applicable:

(a) To all crimes committed abroad by a Syrian official in the performance of his duties, or in connexion with such performance;

(b) To all crimes committed abroad by any member of the Syrian diplomatic or consular service, in so far as he is entitled to immunities under international law.

Article 22. The laws of Syria shall not be applicable to crimes committed in the territory of Syria by any member of the foreign diplomatic and consular corps so long as he is entitled to immunities under international law.

Article 23. The laws of Syria shall be applicable to every alien residing in Syrian territory, who has committed, instigated, or participated in, a crime or an offence not mentioned in articles 19, 20 and 21, outside Syrian territory and whose extradition has not been requested or has not been granted.

. . .

(b) CODE OF CRIMINAL PROCEDURE, PROMULGATED BY LEGISLATIVE DECREE NO. 112 OF 13 MARCH 1950. "OFFICIAL GAZETTE", 13 APRIL 1950, NO. 22, P. 1513. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS.

. . .

Article 3. (1) A public prosecution shall be instituted against the accused before the tribunal within whose jurisdiction is situated the place where the offence was committed, or where the accused is domiciled or is arrested.

(2) In the case of an attempt to commit an offence, every place where the series of acts constituting the attempt is done shall be considered to be the place where the offence is committed. In the case of a continuing offence, every place where any of the acts which constitute the continuing offence is done, shall be considered to be the place where the offence is committed. In the case of habitual or successive offences, the place where any of the acts which constitute

the habitual or successive offences is perpetrated shall be considered to be the place where the offence is committed.

(3) Where an offence covered by the provisions of the laws of Syria is committed abroad and the offender is not domiciled in Syria and is not arrested in Syria, a public prosecution shall be instituted against him before the tribunals of the capital of Syria.

53. Thailand

(a) CRIMINAL CODE, 1 JUNE 1908. G. PADOUX, "CODE PÉNAL DU ROYAUME DE SIAM" (1909), p. 5. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS.

Article 9. An offence committed within the territory of the Kingdom shall be tried and punished according to Siamese law.

Article 10. An offence committed outside the territory of the Kingdom shall be punishable within Siam in the following cases:

1. When it is one of the offences against the Sovereign and the State covered by articles 97 to 111;

2. When it is one of the offences relating to State currency, seal or stamps covered by articles 202 to 221;

3. When it is an act of piracy;

4. When the offence was committed by a Siamese citizen, provided:

(a) That the complaint is lodged by the foreign State or by the injured party,

(b) That the offence is covered by and punishable under the law of the country in which it was committed,

(c) That the offence is also covered by and punishable under Siamese law,

(d) That the offender was not acquitted in the country in which the offence was committed, that the penalty to which he was sentenced in respect of that offence was not executed or barred by lapse of time or remitted.

Note. The Penal Code of Thailand provides, in articles 193, 200 and 201, for the punishment of persons who commit acts "likely to cause the sinking or stranding of a sea-going vessel". The penalty is increased in cases where the sinking or stranding has in fact resulted from the act, or where these acts caused bodily injury or death. On the other hand, the penalty is smaller in cases where the act was due to negligence only.

54. Turkey

(a) PENAL CODE, ENACTED BY LAW NO. 764, 1 MARCH 1926, AS AMENDED. "HAŞİYELİ TÜRK CEZA KANUNU" (ISTANBUL, 1944), pp. 9-14. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS.

Article 3 (As amended on 11 June 1936). Any person committing an offence in Turkey shall be punished under Turkish law, for which