

SCHEDULE 2

TRIPARTITE ARTICLES

PART I

AGREEMENT

PART III

Co-operation in Criminal Justice

Article 11

(1) Without prejudice to the provisions of Articles 4 and 14(2) of the Protocol attached as an annex to this Agreement, when an offence is committed on the territory of one of the three States that State shall have jurisdiction.

(2) When it cannot be ascertained where such an offence has been committed, the State of arrival shall have jurisdiction.

Article 12

Where an arrest is made for an offence in respect of which one State has jurisdiction under Article 11, that arrest shall not be affected by the fact that its effects continue in the territory of the other States.

Article 13

Persons who are found committing, attempting to commit, or just having committed an offence and who are apprehended on the train during the journey shall be handed over as soon as possible to the empowered officers of the State which has jurisdiction under Article 11.

Article 14

(1) In the event that a person is found committing, attempting to commit or just having committed on board a train in the territory of a State one of the following offences: homicide, rape, arson, armed robbery, kidnapping and hostage taking, or use of explosives, the train must be stopped in order to enable the competent authorities of that State to take any measures relevant to their investigations and, where appropriate, detain the person suspected of having committed the offence.

(2) If the train cannot be stopped because it is within the Fixed Link or because it is about to leave the territory of the State in which one of the offences referred to in the preceding paragraph has been committed, authorised officers who are present must take all appropriate interim measures to ensure that, when the train arrives, the officers of the State which has jurisdiction under Article 11 are able to interview witnesses, take evidence or receive information relevant to their investigations and, where appropriate, take charge of the person suspected of having committed the offence.

Article 15

(1) When a person is arrested in a manner covered by Articles 6, 12, 13 and 14(2) of this Agreement, the arrest shall be notified without delay to the authorities of the State of arrival. The person arrested may be transferred to the territory of the State which has jurisdiction under Article 11.

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(2) However, any such transfer shall take place within no more than 24 hours of the notification under the preceding paragraph. Moreover, each State reserves the right not to authorise the transfer of its nationals.