

Article 4 cont...

2) Each contracting state shall likewise take such measures as may be necessary to establish its jurisdiction over the offence in the case where the alleged offender is present in its territory and it does not extradite him pursuant to Article 8 to any of the states mentioned in paragraph one of this Article.

3) This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

Article 5: The contracting states which establish joint air transport operating organizations or international operating agencies, which operate aircraft which are subject to joint or international registration shall, by appropriate means, designate for each aircraft the state among them which shall exercise the jurisdiction and have the attributes of the state of registration for the purpose of this Convention and shall give notice thereof to the International Civil Aviation Organization which shall communicate the notice to all state parties to this Convention.

Article 6: 1) Upon being satisfied that the circumstances so warrant, any contracting state in the territory of which the offender or alleged offender is present, shall take him into custody or take other measures to ensure his presence. The custody and other measures shall be as provided in the law of that state but may only be continued for such time as is necessary to enable any criminal or extradition proceedings to be instituted.

2) Such state shall immediately make a preliminary enquiry into the facts.

3) Any person in custody pursuant to paragraph one of this Article shall be assisted in communicating immediately with the nearest appropriate representative of the state of which he is a national.