

(b) the authorities of the receiving State shall have jurisdiction over the members of a force or civilian component and their dependents with respect to offences committed within the territory of the receiving State and punishable by the law of that State.

2.

(a) The military authorities of the sending State shall have the right to exercise exclusive jurisdiction over persons subject to the military law of that State with respect to offences, including offences relating to its security, punishable by the law of the sending State, but not by the law of the receiving State.

(b) The authorities of the receiving State shall have the right to exercise exclusive jurisdiction over members of a force or civilian component and their dependents with respect to offences, including offences relating to the security of that State, punishable by its law but not by the law of the sending State.

(c) For the purposes of this paragraph and of paragraph 3 of this Article a security offence against a State shall include

- (i) treason against the State;
- (ii) sabotage, espionage or violation of any law relating to official secrets of that State, or secrets relating to the national defence of that State.

3. In cases where the right to exercise jurisdiction is concurrent the following rules shall apply:

(a) The military authorities of the sending State shall have the primary right to exercise jurisdiction over a member of a force or of a civilian component in relation to

(i) offences solely against the property or security of that State, or offences solely against the person or property of another member of the force or civilian component of that State or of a dependent;

(ii) offences arising out of any act or omission done in the performance of official duty.

(b) skal modtagerlandets myndigheder have jurisdiktion over medlemmerne af en styrke eller et civilt element og disses pårørende for såvidt angår lovovertrædelser, der er begået på modtagerlandets territorium og strafbare i henhold til dette lands lovgivning.

2.

(a) Afsenderlandets militære myndigheder skal have adgang til at udøve udelukkende jurisdiktion over personer, der er undergivet dette lands militære lovgivning, for såvidt angår lovovertrædelser, som er strafbare i henhold til afsenderlandets lovgivning, herunder lovovertrædelser vedrørende dette lands sikkerhed, men som ikke er strafbare i modtagerlandet.

(b) Modtagerlandets myndigheder har ret til at udøve udelukkende jurisdiktion over medlemmer af en styrke eller af et civilt element samt over disses pårørende, for såvidt angår lovovertrædelser, som er strafbare i henhold til modtagerlandets lovgivning, herunder lovovertrædelser vedrørende dette lands sikkerhed, men som ikke er strafbare i afsenderlandet.

(c) Ved anvendelsen af nærværende artikels 2. og 3. stykke anses følgende lovovertrædelser for at berøre et lands sikkerhed:

- (i) forræderi,
- (ii) sabotage, spionage eller krænkelse af enhver lovbestemmelse vedrørende statshemmeligheder eller hemmeligheder vedrørende landets forsvar.

3. Har begge lande adgang til at udøve jurisdiktion, finder følgende regler anvendelse:

(a) Afsenderlandets militære myndigheder skal have fortrinsret til at udøve jurisdiktion over et medlem af en styrke eller et civilt element for såvidt angår:

(i) Lovovertrædelser, der udelukkende er rettet imod dette lands ejendom eller sikkerhed, eller lovovertrædelser, der udelukkende er rettet imod et til dette lands styrke eller civile element knyttet medlems eller pårørendes person eller ejendom.

(ii) Lovovertrædelser der hidrører fra enhver under udøvelsen af tjenstlig pligt begået handling eller undladelse.