

## CHAPTER 3

### Extraterritorial Criminal Jurisdiction

#### SECTIONS

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#### **§ 301. Crimes committed outside the Federated States of Micronesia.**

The jurisdiction of the Supreme Court of the Federated States of Micronesia shall extend to all criminal offenses committed outside the Federated States of Micronesia by any person on board a Federated States of Micronesia vessel or aircraft.

**Source:** PL 5-135 § 1.

**Cross-reference:** For constitutional provisions on jurisdiction, see FSM Const., art. XI, §§ 6, 7, and 8. The provisions of the Constitution are found in Part I of this code.

For statutory provisions on Judicial Procedures, see title 6 of this code. For statutory provisions on Crimes, see title 11 of this code. For statutory provisions on Criminal Procedure, see title 12 of this code. For statutory provisions on Admiralty and Maritime, see title 19 of this code.

**Case annotations:** For case annotations regarding jurisdiction, see § 202 of this title.

#### **§ 302. Effect of previous trial.**

No person shall be tried in the Supreme Court of the Federated States of Micronesia for an offense committed outside the territorial limits of the Federated States of Micronesia who has already been lawfully tried on the merits for substantially the same offense by a court of another jurisdiction.

**Source:** PL 5-135 § 2.

### **§ 303. Place of trial.**

Trials for offenses committed outside the territorial limits of the Federated States of Micronesia shall be held in the Federated States of Micronesia Supreme Court courthouse in the State within which the accused is found or into which he is first brought or in which he resides.

**Source:** PL 5-135 § 3.

### **§ 304. Application of FSM laws on vessels and aircraft.**

The criminal laws of the Federated States of Micronesia shall, except where a contrary intent is clearly indicated in the law, apply outside the territorial limits of the Federated States of Micronesia to all persons on board a Federated States of Micronesia vessel or aircraft.

**Source:** PL 5-135 § 4.

**Cross-reference:** For statutory provisions on Admiralty and Maritime, see title 19 of this code. For statutory provisions on Aeronautics, see title 20 of this code.

### **§ 305. Application of other law.**

The criminal law of any other jurisdiction which is applicable under international law may also be enforced by courts of the Federated States of Micronesia in trial of offenses committed outside the territorial limits of the Federated States of Micronesia whenever, in the opinion of the court, justice and comity will be aided thereby.

**Source:** PL 5-135 § 5.

### **§ 306. Federated States of Micronesia aircraft and vessels.**

The terms "Federated States of Micronesia aircraft" and "Federated States of Micronesia vessel" as used in this chapter refer to aircraft and vessels belonging in whole or in part to the Government of the Federated States of Micronesia, or any subdivision thereof, or to any citizen, national, or permanent resident of the Federated States of Micronesia, or to any association, partnership, company, or other entity organized under the laws of the Federated States of Micronesia, including, but not limited to, public corporations.

**Source:** PL 5-135 § 6.

**Cross-reference:** For statutory provisions on Admiralty and Maritime, see title 19 of this code. For statutory provisions on Aeronautics, see title 20 of this code. The statutory provisions on Judicial Procedures are found in title 6 of this code.

The FSM Supreme Court website can be found at <http://www.fsmsupremecourt.fm/>.