

prosecuting or punishing a person on account of that person's race, religion, nationality or political beliefs or, that in the circumstances of the case, extradition would be inconsistent with the principles of fundamental justice;

c) if the conduct for which extradition is requested is a purely military offence;

d) if the person sought has been finally acquitted or convicted in the Requested State for conduct constituting the same offence for which extradition is requested; or

e) if the prosecution or the enforcement of the sentence for the offence identified in the request for extradition would be barred by lapse of time or for any other reason valid under the law of the Requested Party.

#### ARTICLE V

#### Discretionary Refusal of Extradition

Extradition may be refused:

a) if the person sought is being prosecuted by the Requested Party for the offence for which extradition is requested; or,