

TREATY BETWEEN CANADA AND THE KINGDOM OF DENMARK CONCERNING EXTRADITION

Canada and the Kingdom of Denmark,

Desiring to regulate by mutual agreement their relations in the field of extradition,

Have agreed as follows:

ARTICLE I

(1) Each Contracting Party agrees to extradite to the other Contracting Party, subject to the provisions of this Treaty, any person found within its territory who is charged by a competent authority of the other Contracting Party with, or who has been convicted by such an authority of, an offence mentioned in Article II of this Treaty committed within the jurisdiction of the Contracting Party requesting extradition.

(2) Where the requesting State asserts jurisdiction in respect of an offence committed outside its territory the requested State shall grant extradition only where it would assert jurisdiction on a similar basis.

ARTICLE II

(1) Extradition shall be granted only in respect of any act or omission that constitutes an offence set out in the Annex, provided that such act or omission is a criminal offence punishable under the law of both Contracting Parties.

(2) Extradition shall also be granted in respect of any attempt to commit, conspiracy to commit or participation in any offence set out in the Annex.

(3) For the purpose of this Treaty the term "offence" means any act or omission referred to in paragraphs (1) or (2).

(4) Extradition shall be granted only if the offence is punishable under the law of both Contracting Parties by imprisonment for a period exceeding one year or by a more severe penalty, or, where the person claimed has been convicted of such an offence, deprivation of liberty of at least four months' duration remains to be served.

(5) Where the request for extradition relates to more than one offence, not all of which fulfill the requirements of paragraph (4), the requested State may, if it grants extradition in respect of at least one offence which fulfills those requirements, also grant extradition in respect of the others.

ARTICLE III

(1) Neither of the Contracting Parties shall be bound to extradite its own nationals.