

ARTICLE 3

Mandatory Refusal of Extradition

Extradition shall not be granted in any of the following circumstances:

1. when the offence for which extradition is requested is considered by the Requested State to be a political offence. For the purpose of this paragraph, political offence shall not include:
 - a) the taking or attempted taking of the life of a Head of State or Head of Government or a member of his or her family;
 - b) an offence for which each Contracting State has the obligation pursuant to a multilateral international agreement to extradite the person sought or to submit the case to its competent authorities for the purpose of prosecution;
 - c) murder, manslaughter or other culpable homicide, malicious wounding or inflicting grievous bodily harm;
 - d) an offence involving kidnapping, abduction, or any form of unlawful detention, including the taking of a hostage; and
 - e) an offence involving the placing or use of automatic firearms, explosives, incendiaries or destructive devices or substances capable of endangering life or of causing grievous bodily harm or substantial property damage;
2. when there are substantial grounds for believing that a request for extradition for an ordinary criminal offence has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality or political beliefs;
3. when the offence for which extradition is requested is an offence under military law, which is not an offence under the ordinary criminal law of the Contracting States;
4. when final judgement has been passed in the Requested State in respect of the offence for which the person's extradition is requested; or
5. when 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 under the law of the Requested State.

ARTICLE 4

Discretionary Refusal of Extradition

Extradition may be refused in any of the following circumstances: