

- b) where the person sought is being prosecuted by the Requested State for the offence for which extradition is requested or the competent authorities of the Requested State have decided, in accordance with the law of that State, not to prosecute or to terminate the prosecution that has been instituted;
- c) where the offence carries the death penalty under the law of the Requesting State, unless that State undertakes that the death penalty will not be sought, or if a sentence of death is imposed it will not be carried out;
- d) where, in exceptional cases, the Requested State while also taking into account the seriousness of the offence and the interests of the Requesting State considers that because of the personal circumstances, particularly the age or health, of the person sought, the extradition would be incompatible with humanitarian considerations;
- e) where the person sought has been finally acquitted or convicted in a third state for the same offence for which extradition is requested and, if convicted, the sentence imposed has been fully enforced or is no longer enforceable;
- f) where the person sought was a young offender within the meaning of the law of the Requested State at the time of the offence and the law that will apply to that person in the Requesting State is not consistent with the fundamental principles of the law of the Requested State dealing with young offenders;
- g) where the person sought is in the Requested State as the result of extradition from a third state and any consent of that third state required for re-extradition is denied.

ARTICLE 5

Extradition of Nationals

1. Extradition may be refused where the person whose extradition is requested is a national of the Requested State.
2. Where the Requested State refuses extradition pursuant to paragraph 1, it shall submit the case to its competent authorities in order that proceedings for the prosecution of the person in respect of all or any of the offences for which extradition has been sought may be taken. That State shall inform the Requesting State of any action taken and the outcome of any prosecution.

ARTICLE 6

Channels of Communication

Requests for extradition and any subsequent correspondence shall be made through the diplomatic channel.