

Article 4 - MANDATORY REFUSAL OF EXTRADITION

Extradition shall not be granted:

1. when the offence for which extradition is requested is considered by the requested State to be a political offence or conduct connected with such an offence;
2. when the requested State has serious reason to believe that the request for extradition was presented for the purposes of prosecuting or punishing a person by reason of race, religion, nationality or political opinion, or that the situation of that person may be worsened for any of these reasons;
3. when the offence for which extradition is requested consists solely of the violation of a military obligation;
4. when the person sought has been finally convicted or acquitted in the requested State of the offence or offences for which extradition is requested.
5. when the prosecution or punishment is barred by prescription according to the law of the requested State.

Article 5 - DISCRETIONARY REFUSAL OF EXTRADITION

Extradition may be refused:

1. if the person sought is being prosecuted by the requested State for the offence for which extradition is requested or if the competent authorities of the requested State have decided, in accordance with the procedures provided by the law of that State, not to prosecute or have decided to terminate the prosecution they have instituted;
2. if the person sought was finally convicted or acquitted in a third State of the offence or offences for which extradition is requested;
3. if the offence for which extradition is requested is a fiscal offence. For the purposes of this paragraph, "fiscal offence" means any offence relating to taxes, duties, customs or exchange.

Article 6 - PLACE OF COMMISSION

1. Extradition may be refused if, under the law of the requested State, the offence for which the person is sought was committed in whole or in part in the territory of the requested State or in any other place subject to the jurisdiction of that State.
2. Extradition may not be refused when the offence was committed outside the territory of the requesting State unless the legislation of the requested State does not authorize prosecution of the same offence committed outside its territory in corresponding circumstances.