

TREATY BETWEEN CANADA AND ITALY CONCERNING EXTRADITION

The Government of Canada and the Government of the Republic of Italy

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.

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

ARTICLE II

1. Extradition shall be granted for any offence for which extradition may be granted under the law of both Contracting Parties and, in particular, without restricting the application of the foregoing, for the offences set out in the Annex to this Treaty, provided that such act or omission is an offence punishable under the law of both Contracting Parties.

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

3. Extradition shall be granted only if the offence is punishable under the law of both Contracting Parties by imprisonment for a period of two years or by a more severe penalty or where the person claimed has been convicted, a period of deprivation of liberty of at least six months' duration remains to be served.

4. Where the request for extradition relates to more than one offence, not all of which fulfill the requirements of paragraph 3, 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.