

No. 5146. EUROPEAN CONVENTION ON EXTRADITION. DONE AT PARIS,
ON 13 DECEMBER 1957¹

RATIFICATION

Instrument deposited with the Secretary-General of the Council of Europe on :

13 September 1962

DENMARK

(To take effect on 12 December 1962.)

With the following reservations and declarations, contained in a letter from the Ministry of Foreign Affairs dated 30 August 1962 and transmitted at the time of deposit of the instrument of ratification :

[TRANSLATION² — TRADUCTION³]

RESERVATIONS

Article 1

Extradition may be granted on condition that the person charged with an offence shall not be proceeded against before a special court. Extradition may be refused if its object is the execution of a sentence pronounced by such a court.

Extradition may also be refused if it is liable to have particularly serious consequences for the person claimed on account of his age, state of health or other personal reasons.

Article 1 and Article 9

Extradition may be refused if the competent authorities of a third State have, by a final judgment, either acquitted or convicted the person concerned in respect of the offence giving rise to the request for extradition, or if the competent authorities of a third State have decided to waive or to discontinue proceedings in respect of the same offence.

Article 2, paragraph 1

The obligation to grant extradition shall be restricted to offences which, under the Danish penal code, are punishable by a penalty more severe than imprisonment for one year or simple detention.

Article 3, paragraph 3

A decision as to whether, in a given instance, the taking or attempted taking of the life of a Head of State or a member of his family is to be deemed a political offence shall be made after consideration of the facts of the case.

¹ United Nations, *Treaty Series*, Vol. 359, p. 273, and Vol. 404, p. 372.

² Translation by the Secretariat General of the Council of Europe.

³ Traduction du Secrétariat général du Conseil de l'Europe.

Article 4

Extradition for a military offence which is also a civil offence may be granted only provided the extradited person is not convicted under military law.

Article 12

Where seemingly indicated by special circumstances, the Danish authorities may require the requesting country to produce evidence establishing a sufficient presumption of guilt on the part of the person concerned. Should such evidence be deemed insufficient, extradition may be refused.

*DECLARATIONS**Article 6*

The term "national" means in Denmark a national of Denmark, Finland, Iceland, Norway or Sweden, or a person domiciled in one of those countries.

Article 28, paragraph 3

The Convention will not apply to Denmark's relations with Norway and Sweden, extradition between the Scandinavian countries being governed by uniform legislation.

Certified statement was registered by the Council of Europe on 16 November 1962.