

Countries with No Extradition Treaty with Thailand

INTERPOL RED NOTICE LAW FIRM

If you are involved in criminal proceedings in Thailand and face potential extradition, securing the legal counsel of an extradition criminal defense attorney with expertise in international law is imperative. Our highly skilled and experienced extradition [lawyer Anatoly Yarovy](#) will provide guidance on navigating Thai extradition law, assessing whether extradition aligns with your legal interests, and advocating for your position before the competent judicial authorities.

Interpol Red Notice Law Firm offers comprehensive legal services with over 20 years of experience handling [extradition cases](#) involving individuals from diverse jurisdictions. We provide reliable assistance both for clients who wish to comply with an extradition request and for those seeking to avoid transfer to another legal system.

For those seeking experienced and dependable legal counsel in Thailand, our firm will ensure that your case is presented effectively within Thai judicial proceedings.

For further inquiries regarding extradition procedures in Thailand, please do not hesitate to contact Interpol Red Notice Law Firm.

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An international extradition treaty is an agreement between two states establishing a legal obligation to cooperate in the transfer of individuals accused or convicted of crimes. Such agreements define the list of crimes subject to extradition and procedural requirements.

However, the absence of a treaty between countries does not always mean the impossibility of extradition. Thai law allows for the consideration of requests even without a formal agreement.

Conditions for Extradition

No Treaty ≠ No Extradition — the key idea. Even if there is no agreement, extradition may be possible under the following conditions:

- **Multilateral international agreements.** Thailand and the requesting country may be parties to UN conventions (against corruption, terrorism, drug trafficking). This serves as a legal basis for extradition.
- **The principle of reciprocity.** Even without a treaty, countries can agree on extradition based on diplomatic courtesy and mutual expectations.
- **National legislation.** The laws of some countries allow the extradition of individuals to Thailand without a treaty, provided certain conditions are met.

Thus, countries with no extradition treaty with Thailand are not a guaranteed protection from extradition. In each case, a legal assessment is required.

Thailand's bilateral Extradition Treaties

A list of countries with which Thailand has bilateral extradition treaties:

- Australia
- Bangladesh
- Belgium
- Cambodia
- Canada
- China
- Fiji
- France
- India
- Indonesia
- Laos
- Malaysia
- Norway

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- Peru
- Philippines
- Poland
- South Korea (Republic of Korea)
- Sri Lanka
- Ukraine
- United Kingdom (UK)
- United States of America (USA)

This means that extradition from Thailand and to Thailand at the request of these countries is carried out within the legal framework. If you are under threat of extradition from Thailand to one of the mentioned countries — contact our extradition lawyers.

Factors Affecting Extradition (Even with a Treaty)

The presence of a bilateral extradition agreement between Thailand and another state does not mean that the extradition of a person occurs automatically. In each case, a number of key legal, humanitarian, and political factors are taken into account, which may influence the final decision. It is these factors that often serve as the basis for rejecting a request even when a formally valid agreement exists.

- **The seriousness of the crime.** One of the basic requirements is the presence of the so-called principle of double criminality: the act in question must be considered a crime under both Thai law and the laws of the requesting state. Furthermore, it is often specified in agreements that extradition is possible only if the punishment is one year of imprisonment or more. If the act is minor or administrative in nature, a court in Thailand may refuse extradition.
- **The political nature of the crime.** Thailand's Extradition Act B.E. 2551 (2008) explicitly excludes the possibility of extradition if the crime is of a political nature. This includes charges related to political activity, expression of opinions, participation in rallies, and even publications in the media. Exceptions may include crimes that are disguised as political but are actually related to terrorism or violence.
- **The citizenship of the accused.** Although Thailand does not prohibit the extradition of its citizens, in many countries such a restriction exists. In cases where the requested country prohibits the extradition of its citizens, extradition may be blocked even if a treaty is in place. On the other hand, if it concerns extradition from Thailand, this factor may not matter, as the law

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allows for the extradition of both citizens and foreigners, provided the conditions are met.

- **Human rights and the risk of inhuman treatment.** One of the most frequently used arguments for refusing extradition is the risk that the person, after extradition, will be subjected to torture, cruel treatment, unfair trial, or imprisonment not meeting international standards. The court in Thailand carefully assesses the situation in the requesting country, including detention conditions and the observance of prisoners' rights. If it is determined that there is a risk of fundamental rights violations, extradition may be denied.
- **The presence of double jeopardy (ne bis in idem).** Extradition is impossible if the person has already been convicted or acquitted in Thailand or another jurisdiction for the same crime. This principle guarantees protection against repeated prosecution for the same act and applies regardless of the existence of an agreement.

Considering these factors, defense in extradition cases requires a thorough legal strategy and an individual analysis of circumstances. The work of an experienced Thailand extradition law firm allows for the effective use of each of these elements to prevent illegal or unjustified extradition.

Extradition Procedure in Thailand

The extradition procedure in Thailand is strictly regulated by the law Thailand's Extradition Act B.E. 2551 (2008) and includes several key stages. Each of them is important from the perspective of the legal protection of the accused and requires careful legal support. Understanding all stages is extremely important for those who may face extradition from Thailand or, conversely, extradition to Thailand.

1. **Submission of a request.** A foreign state sends an official extradition request through diplomatic channels. The request is usually submitted through the embassy or consulate in Thailand and forwarded to the Ministry of Foreign Affairs.
2. **Preliminary review by the Ministry of Foreign Affairs and the Prosecutor's Office.** Documents are analyzed for compliance with formal requirements, as well as checked for grounds for extradition.
3. **Arrest of a person.** If the request is deemed admissible, the prosecution initiates the detention of the suspect.
4. **Court proceedings in the Bangkok Court of Appeal.** The court evaluates the evidence, checks compliance with the conditions of the law, and

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examines whether the request violates Thailand's international obligations and human rights guarantees.

5. **The final decision and approval by the Ministry of Justice.** The Minister of Justice has the right to refuse extradition, even if the court has given a positive conclusion.

The procedure may take from several weeks to several months. The complexity and duration depend on the country submitting the request, the content of the charges, and the behavior of the defense.

Countries WITHOUT a Specific Bilateral Treaty with Thailand

At first glance, it may seem that countries with no extradition treaty with Thailand provide guaranteed protection. However, this is not the case. Thailand has one of the most flexible extradition systems in Southeast Asia. According to Thailand's Extradition Act B.E. 2551 (2008), even the absence of a bilateral treaty does not prevent the initiation of an extradition procedure.

The law allows for the consideration of a request from any foreign state if the basic legal criteria are met:

- The crime imputed to the person must be punishable under the laws of Thailand by imprisonment for a term of not less than one year;
- The matter should not have a political nature;
- Procedural and legal guarantees of a fair trial must be observed;
- There should be no risk of violating human rights or Thailand's international obligations.

Thus, even if there is no signed agreement between Thailand and your country, extradition from Thailand remains a real threat.

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