



INTERNATIONAL TRANSFER OF PRISONERS

INTRODUCTION

International Transfer of Prisoners (ITP) represents a significant milestone in international criminal justice cooperation. ITP is consent-based that allows Thais serving a sentence in a foreign country and foreign nationals serving sentences in Thailand to apply to transfer to their home country to serve their remaining sentences.

ITP aims to promote prisoner's successful rehabilitation and reintegration into their community of their home country, while continue to enforce the sentence imposed by sentencing country as far as possible to ensure public safety.

LEGAL FRAMEWORK

- 📄 The Procedure for Cooperation between States in the Execution of Penal Sentences Act B.E 2527 (1984)
- 📄 Bilateral prisoner transfer treaties: Australia, Austria, Belgium, Cambodia, Canada, China, Czech Republic, Denmark, Estonia, Eswatini, Finland, France, Germany, Hong Kong (SAR), India, Iran, Israel, Italy, Japan, Laos, Maldives, Mali, Netherlands, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Romania, South Korea, Spain, Sri Lanka, Sweden, Switzerland, UK, USA, Vietnam

ELIGIBILITY

TRANSFER FROM THAILAND

- 👤 You must be a citizen of the country you are seeking to transfer to.
- 👤 The conduct you were convicted of must also be a criminal offence in the country you are applying to transfer to (double criminality).
- 👤 Your sentence must be final and not subject to appeal.
- 👤 Your sentence must not be an offence against the Monarch, internal or external security of Thailand, national arts and antiquities.
- 👤 You must serve the required minimum period of (a) 1/3 or 4 years, whichever period is shorter and/or (b) 8 years for life imprisonment imposed for production, distribution, import for distribution or possession for distribution of narcotics.
- 👤 You must have at least 1 year of your sentence remaining at the time the request is received.

APPROVAL PROCESS

Transfers are not automatic. Before a transfer can take place, all parties (prisoner, receiving state and transferring state) must provide their approval.

FOR FOREIGN PRISONERS

If you are a foreign prisoner and wish to be transferred to your home country, follow these simple steps:

- Contact your Embassy/Consulate:**
Reach out your embassy or consulate in Thailand and express your interest in an International Transfer of Prisoners. They will guide you through the process and provide you with the necessary information.
- Submit a Request:**
The Receiving State, through its embassy/consulate in Thailand, will submit a transfer request to Ministry of Foreign Affairs. The request will be forwarded to Department of Corrections.
- Case and Document Review:**
Department of Corrections will collect required documents and carefully review your case and eligibility for the transfer.
- Committee Meeting:**
Your case will be proposed to Committee for Consideration of the Transfer of Prisons for its consideration, taking into account of legal provision, your eligibility and others individual relevant factors.
- Issuing Transfer Order:**
Transfer Order will be issued and sent to Receiving State via diplomatic channel.
- Transfer Arrangement:**
Transfer ceremony will be arranged, making the official handover of prisoner to the home country's authorities.

BENEFITS

- ➔ Closer to family and loved ones
- ➔ Familiar environment
- ➔ Easier communication
- ➔ Access to suitable programmes for effective rehabilitation and reintegration

TRANSFER TO THAILAND

- 👤 You must comply with any court-ordered fine, restitution or compensation.
- 👤 Transfer will be for the benefit of prisoner and does not violate public order and good morals.
- 👤 You must be Thai citizen.
- 👤 The conduct you were convicted of must also be a criminal offence in Thailand (double criminality).
- 👤 In certain treaties may require a minimum remaining sentence of 6 months or 1 year.
- 👤 Your sentence must be final and not subject to appeal.
- 👤 Transfer will be for the benefit of prisoner.

FOR THAI NATIONALS

- Submit a Request:**You can submit a request and required documents to Thai Embassy/Consulate or your family can submit a request to Ministry of Foreign Affairs on your behalf.
- Case and Document Review:**Department of Corrections will collect required documents and carefully review your case and eligibility for the transfer.
- Committee Meeting:**
Your case will be proposed to Committee for Consideration of the Transfer of Prisons for its consideration (consent or does not consent), taking into account of legal provision, your eligibility and others individual relevant factors.
- Issuing Transfer Order:**
Transfer Order will be issued and sent to Transferring State via diplomatic channel.
- Transferring back to Thailand:**
When transferring State gives its consent, transfer and handover will be arranged accordingly. All expenses related to the transfer will be borne on your account.
- Serving your Remaining Sentence:**Your remaining sentence will be enforced and administered by Department of Corrections.
 - 👤 Male prisoners Klong Prem Central Prison
 - 👤 Female prisoners Central Women's Correctional Institution

CONTACT

Foreign Affairs Sub-Division, Penology Division, Department of Corrections

📍 77 Nonthaburi 1 Road, Suanyai, Muang, Nonthaburi 11000

Tel: +66 2 967 3381 | Email: foreignaffairs@correct.go.th | www.correct.go.th