

No. 1514

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Royal Thai Government and has the honor to refer the Ministry to the Extradition Treaty between the United States and Thailand of December 14, 1983, which entered into force on May 17, 1991. The Embassy hereby requests the extradition of Viktor Bout, who is in the custody of the Thai authorities pursuant to the request for provisional arrest contained in the Embassy's note number 0746 dated February 29, 2008. Viktor Bout was arrested on the provisional arrest warrant on April 9, 2008.

The Embassy also requests the seizure of all property which may be required as evidence; property which has been acquired as a result of the crime; and property and articles in the possession of the fugitive, or subsequently discovered, for surrender with the fugitive if he is found extraditable to the United States.

Bout is wanted to stand trial in the United States District Court for the Southern District of New York. He is the subject of Sealed Complaint No. 08 MAG 0386, filed on February 27, 2008. He is charged with one

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at of conspiracy to provide material support to a foreign terrorist organization, in violation of Title 18, United States Code, Section 2339B 13238. Since the submission of the provisional arrest request, U.S. authorities, on April 24, 2008, filed a Sealed Indictment, No. 08 Cr. 365, the U.S. District Court for the Southern District of New York, adding additional charges. The court has authorized the indictment and warrant to be unsealed for the limited purpose of sharing it with the Thai Government in connection with our extradition request. The charges are as follows:

- 1) conspiracy to kill U.S. nationals, in violation of Title 18, United States Code (U.S.C.), Section 2332(b) (Count 1);
- 2) conspiracy to kill officers and employees of the United States, in violation of Title 18, U.S.C., Sections 114 and 1117 (Count 2);

Punishment: Counts 1 and 2 are punishable by a maximum sentence of life imprisonment and a fine not to exceed the greater of twice that authorized in accordance with the provisions of Title 18. In addition to any term of imprisonment, the court may impose a term of "supervised release" of no more than five years, to begin after release from prison.

- 3) conspiracy to acquire and use anti-aircraft missiles, in violation of Title 18, U.S.C., Section 2332g (Count 3): and Punishment: Count 3 is punishable with a mandatory minimum term of imprisonment of 25 years, a maximum sentence of life imprisonment, and a fine of no more than \$2,000,000. In addition to any term of imprisonment, the court may impose a term of "supervised release" of no more than five years, to begin after release from prison.

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organization, in violation of Title 18, U.S.C., Section 2339B (count 4) punishment: count 4 is punishable with a maximum sentence of 15 years imprisonment. In addition to any term of imprisonment, the court may impose a term of "supervised release" of no more than three years, to begin after release from prison. Since the indictment was filed within the prescribed period under the statute, prosecution is not barred by the statute of limitations. The above-cited provisions were the laws of the United States when the indictment was returned and the warrant of arrest was issued, and are presently in full force and effect.

On April 24, 2008, a warrant of arrest for BOUT was issued by Magistrate Judge Douglas F. Eaton, of the above court. The penalty upon conviction for the above offenses is imprisonment for more than one year. The applicable statute of limitations for the above offenses has not been exceeded.

Provisional arrest is covered by Article 10 of the U.S.-Thailand Extradition Treaty of 1983, which entered into force on May 17, 1991. The offense with which the fugitives are charged is a felony under U.S. law, punishable by imprisonment of more than one year, making it an extraditable offense under Article 2 of the Treaty. Seizure of articles and property is covered under Article 16 of the Extradition Treaty. The statute of limitations of prosecution of the above offense has not been exceeded.

Transmitted herewith are duly certified and authenticated documents to support this request for the extradition of Bout.

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The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Royal Thai Government the assurances of its highest consideration.

Embassy of the United States of America

Bangkok, May 1, 2008




สำเนาถูกต้อง



สพ.จท ๑



(นายสิทธิชัย วัฒนพงษ์)

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