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Title: The Minister of External Affairs made a statement regarding International Court of Justice (ICJ) Judgement on Kulbhushan Jadhav Case.

**THE MINISTER OF EXTERNAL AFFAIRS (DR. SUBRAHMANYAM JAISHANKAR):** Sir, I rise to apprise the House of certain developments that have taken place pertaining to Shri Kulbhushan Jadhav, an Indian citizen in the illegal custody of Pakistan.

The House will recall that Shri Jadhav was awarded a death sentence by a Pakistani military court on fabricated charges. This was done without providing Indian representative consular access to him, as envisaged by international law and diplomatic practice. We made it clear even at that time that India would view very seriously the possibility of an innocent Indian citizen facing death sentence in Pakistan without due process and in violation of basic norms of law and justice. To ensure Shri Jadhav's well-being and safety and to secure his release, the House is aware that we approached the International Court of Justice to seek appropriate relief. That body stayed the execution of the death sentence as a provisional measure. The matter was thereafter taken up in the ICJ for more permanent relief.

The International Court of Justice yesterday delivered its judgement on the Jadhav case. Significantly, the Court unanimously found that it had jurisdiction on the matter and by a vote of 15-1, pronounced on other key aspects of the case. The sole dissenting Judge was from Pakistan.

Sir, the Court pronounced that Pakistan breached relevant obligations under the Vienna Convention on Consular Relations. It did so by not notifying India without delay of the detention of Shri Jadhav, thereby depriving us of the right to render consular assistance. Pakistan was also found to have deprived India of the right to communicate with Shri Jadhav, have access to him, visit him in detention and arrange his legal representation. The Court declared that Pakistan is under an obligation to inform Shri Jadhav without further delay of his rights and to provide India consular access to him. It stated that the appropriate reparation in this case was for Pakistan to provide, by means of its own choosing, review and reconsideration of the conviction and sentence of Shri Jadhav. It bears noting that the Court has re-emphasized that the review and reconsideration of the conviction and sentence must be effective. A continued stay of execution, in the judgement of the Court, constitutes an indispensable condition for the process of effective review and reconsideration.

Sir, in 2017, Government made a commitment on the floor of this House to undertake all steps necessary to protect the interests and welfare of Shri Jadhav. Government has made untiring efforts in seeking his release, including through legal means in the International Court of Justice. I am sure that this House will join me in appreciating the efforts of all those involved, especially the legal team led by Shri Harish Salve. Yesterday's judgement is a vindication not only for India and Shri Jadhav but for all those who believe in the rule of law and sanctity of international conventions.

The House, I am sure, joins me in welcoming this landmark judgement. The sentiments I express on this matter are those of the entire House – indeed of the entire nation.

Sir, Shri Kulbhushan Jadhav is innocent of the charges made against him. No forced confession that too without legal representation and due process will not change this fact. We once again call on Pakistan to release and repatriate him forthwith.

I am confident that the House will join me in expressing its strongest solidarity with Shri Jadhav's family. They have shown exemplary courage in difficult circumstances. I can assure the House that the Government will vigorously continue its efforts to ensure Shri Jadhav's safety and well-being as well as his early return to India.

Thank you.

[Placed in Library, See No. LT 397A/17/19]

**माननीय अध्यक्ष :** भारतवर्ष की 130 करोड़ जनता को गर्व है कि हमारे द्वारा ठीक से पैरवी करने के कारण देश के हित में आज यह निर्णय हुआ है ।

**12.10 hrs**

### **MATTERS UNDER RULE 377\***

**माननीय अध्यक्ष :** माननीय सदस्यगण, नियम 377 के अधीन मामलों को सभा पटल पर रखा जाएगा । जिन सदस्यों को नियम 377 के अधीन मामलों को आज उठाने की अनुमति दी गई है और जो उन्हें सभा पटल पर रखने के इच्छुक हैं, वे 20 मिनट के भीतर मामले का पाठ व्यक्तिगत रूप से सभा पटल पर भेज दें । केवल उन्हीं मामलों को सभा पटल पर रखा जाएगा, जिनके लिए मामले का पाठ

निर्धारित समय के भीतर सभा पटल पर प्राप्त हो गया है । शेष को व्यपगत माना जाएगा ।

...(व्यवधान)