

**GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA**

STARRED QUESTION NO:27

ANSWERED ON:25.02.2015

INDIANS IN FOREIGN JAILS

Patel Smt. Jayshreeben ;Solanki Dr. Kirit Premjibhai

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) the total number of Indians including fishermen languishing in various foreign jails at present, country-wise;
- (b) the number of Indian fishermen granted compensation after their release from foreign jails, particularly from Pakistan jails and the reasons for not giving compensation to some of them;
- (c) the number of Indian soldiers illegally detained in Pakistani jails at present along with the number of representations received from families of such prisoners for their early release and the action taken by the Government thereon;
- (d) whether any agreement had been signed between India and UAE providing for completion of rest of jail term by Indians in Indian prisons and if so, the number of Indians benefitted by the said agreement; and
- (e) the effective steps taken for the release of all Indian prisoners at the earliest?

Answer

THE MINISTER FOR EXTERNAL AFFAIRS (SHRIMATI SUSHMA SWARAJ)

(a) to (e) A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 27 REGARDING "INDIANS IN FOREIGN JAILS" FOR ANSWER ON 25.02.2015

(a) 6443 Indian nationals are detained in jails in 71 countries. Detailed country-wise list is attached (Annexure A).

(b) Ministry of Agriculture is the designated nodal agency for payment of compensation to fishermen lodged in Pakistani jails. Additionally a Soft Loan Package for replacement of fishing vessels held in captivity in Pakistan is implemented by the Marine Products Exports Development Authority (MPEDA).

(c) According to available information 74 Missing Defence Personnel, including 54 Prisoners of War are believed to be in Pakistani jails since 1971. Government has repeatedly taken up the matter with Government of Pakistan through diplomatic channels and during high level contacts for the release of Indian Prisoners of War believed to be in Pakistan. However, Pakistan does not acknowledge the presence of any Indian Prisoners of War in its custody. During the visit of External Affairs Minister to Pakistan in January 2007, Pakistan Government was persuaded to receive a delegation of relatives of Missing Personnel to permit them to visit prisons in Pakistan, where they are believed to be imprisoned. A delegation of relatives, accordingly, visited 10 jails in Pakistan from June 1-14, 2007. The delegation could not conclusively confirm the physical presence of the Indian Prisoners of War. Pursuant to the visit of the delegation of relatives of Missing Defence Personnel, a tri-Service Committee for monitoring matters on the subject has been formed in the Ministry of Defence. The matter was raised with Pakistan in India-Pakistan Home/Interior Secretary talks held in Islamabad on May 24-25, 2012 and India-Pakistan Foreign Secretary level talks in New Delhi on July 4-5, 2012.

(d) An Agreement between India and United Arab Emirates on Transfer of Sentenced Persons was signed on 23.11.2011. No Indian national has benefited from the said agreement till date.

(e) After verification of the Indian nationality of the person, the Missions/Posts make all possible efforts with the Foreign Government to provide necessary assistance to Indians imprisoned in jails, which include requesting local authorities for speedy trials, seeking remission of sentence, providing advice and guidance in legal and other matters, ensuring fair and humane treatment in foreign jails, repatriation to India of those who are released. In some countries, our Missions also request the local government for grant of amnesty to the arrested Indians.

The Government of India have signed bilateral Agreements for Transfer of Sentenced Persons with 20 countries. We have also acceded to the multilateral convention with the Organization of American States (OAS), known as the Inter-American Convention on serving Criminal Sentences abroad of the Organisation of American States. So far, 54 prisoners have benefited from such agreements between India and other countries. Out of these, 45 have been Indian prisoners brought back from abroad, and 9 foreign prisoners in India have been repatriated to their countries to serve the remainder of their sentences.