



F. No 2(119)/2022-Chair(NCHIR)  
GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, P-5/1,  
Agha Khan Road, Islamabad.



Islamabad, the 31<sup>st</sup> March 2023

Subject: REQUEST FOR INFORMATION REGARDING THE RELEASE AND  
REPATRIATION OF INDIAN FISHERMEN DETAINED IN PAKISTAN

Dear *Mr Asad Majeed,*  
*Salaam.*

This is with reference to the pressing issue of Indian fishermen languishing in Pakistani jails. According to a press release issued by your good office on 01.01.2023, the Government of Pakistan shared with the Indian High Commission in Islamabad a list of 705 Indian prisoners detained in Pakistan, including 51 civilian prisoners and 654 fishermen.

2. Please note that in order to expedite the resolution of this grave issue, we require additional information from your good office regarding the following:

- I. **Implementation of the Agreement on Consular Access between India and Pakistan dated 21.05.2008:** The Agreement on Consular Access unambiguously stipulates the release and repatriation of detained persons from the other country "within one month of confirmation of their national status and completion of sentences." The Agreement further requires both countries to "provide consular access within three months" to cross-border prisoners.
- II. **Steps taken in pursuance of the Honourable Supreme Court's Order dated 18.09.2018:** On 18.09.2018, the Additional Attorney General submitted documents through which the proposed terms presented by the Counsel for the Petitioners were incorporated in the steps to be taken by the Government to ensure the release of Pakistani prisoners confined in Indian jails. Some of the proposed steps included the development of a website regarding the details of prisoners, implementation of

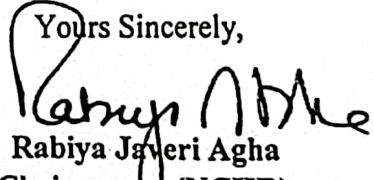


the Agreement on Consular Access dated 21.05.2008, and development of the appropriate mechanism to implement the recommendations put forward in the 7<sup>th</sup> meeting of the India-Pakistan Joint Judicial Committee on Prisoners dated 31.10.2013. Accordingly, the Court disposed of the Petition and directed the Government to comply with these commitments in letter and spirit. However, it appears that the august Supreme Court's Order has not been complied with as evidenced by the large number of Indian prisoners which are still detained in Pakistani jails.

III. Provision of the list of nominees for the reconstituted India-Pakistan Joint Judicial Committee on Prisoners which looks into humanitarian issues of fishermen and prisoners in both countries: Upon research, we came across the list of four nominees for the reconstituted committee from the Indian side which were conveyed to Pakistan (Copy of the Notification dated 17.05.2018 is attached herewith). However, we were unable to find any information regarding the individuals nominated by Pakistan in this regard.

3. Accordingly, in view of the foregoing, the Ministry of Foreign Affairs is kindly requested to furnish the aforementioned information within a week for presentation before the NCHR Commission meeting.

Yours Sincerely,

  
Rabiya Javeri Agha  
Chairperson (NCHR)

**Dr. Asad Majeed Khan,**  
Secretary,  
Ministry of Foreign Affairs,  
Islamabad.

**Copy for Information to:**

- The Secretary, Ministry of Interior, Government of Pakistan, Islamabad.



No. 2(119)/21-Chair/NCHR  
GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



Islamabad, the 10<sup>th</sup> April, 2023

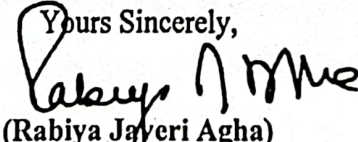
Subject: RELEASE/DEPORTATION OF FISHERMEN

Dear Chairperson,

The National Commission for Human Rights is an independent statutory body created to look into matters pertaining to all forms of violations of human rights within the territorial jurisdiction of the Islamic Republic of Pakistan by virtue of the National Commission for Human Rights Act of 2012.

2. We are writing this with great concern over the incarceration of Indian fishermen in Pakistan and Pakistani fishermen in India, who were arrested for violating territorial waters of both countries while fishing. It is troublesome that detention of fishermen has been prolonged due to legal complexities and weak communication between the authorities of both countries. Liberty of an individual is a basic human right which cannot be derogated without due process of law. In the case of the fishermen, many have served their various sentences under Foreigners Act and must be released at the earliest.

3. The NCHR is working for return at our end and we hope that NHRC India will help in the reciprocal return of fishermen incarcerated in both countries through communication with your Government. Fishermen are one of the most economically vulnerable group in society and we look forward to helping them return back home to their families at the earliest.

Yours Sincerely,  
  
(Rabiya Javeri Agha)  
Chairperson, NCHR

The Chairperson,  
National Human Rights Commission of India.

**MOST IMMEDIATE**

**NO. 5/2/2004-INDIA-II  
GOVERNMENT OF PAKISTAN  
MINISTRY OF INTERIOR**



Islamabad, the 28<sup>th</sup> April, 2023

To:

The Secretary,  
Home Department, Sindh,  
Karachi

The Secretary,  
Home Department, Punjab,  
Lahore

Subject: **REPATRIATION OF -500- INDIAN PRISONERS (499 FISHERMEN + 01 CIVIL)**

I am directed to refer to the subject noted above and to inform that Government of Pakistan has decided to repatriate (500) Indian Prisoners (499 fishermen + 01 civil) (list attached) whose national status have been confirmed as Indian and sentence awarded by the concerned court has also be completed.

2. Schedule for Release / repatriation of 500 Indian prisoners (499 fishermen + 01 civil) is as under:-

Batch	Number of prisoners	Date of repatriation
1 <sup>st</sup> batch	200 (199 fishermen + 01 civil)	03.05.2023
2 <sup>nd</sup> batch	200 fishermen	07.06.2023
3 <sup>rd</sup> batch	100	03.07.2023

3. It is requested that necessary arrangements for repatriation and transportation with foolproof security of above mentioned prisoners as per lists from District Prison Mair Karachi to Wagha Border Lahore may please be made for their repatriation to India as scheduled above.

Encl. As above.

  
(SIGHATULLAH)  
SECTION OFFICER (INDIA-II)

Copy for information/necessary action to:-

1. Assistant Director-India-II, M/o Foreign Affairs, Islamabad, It is requested that Indian High Commission in Islamabad may please be informed accordingly for making necessary arrangements.
2. The Director General, Pakistan Rangers Punjab, Lahore with the request to make proper arrangements in this regard.
3. The Superintendent District Prison Mair Karachi
4. Section Officer (Foreigner), Home Department, Sindh, Karachi with the request to make necessary arrangement for transportation of above Indian prisoners from District Prison Mair Karachi to Wagha Border with foolproof security on above stated schedule and repatriation as per given schedule.
5. Assistant Director FIA, Immigration Wagha Border, Lahore.
6. The Secretary, Federal Review Board (Supreme Court of Pakistan), Islamabad.

SECTION OFFICER (INDIA-II)