



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



Islamabad, the 31st 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



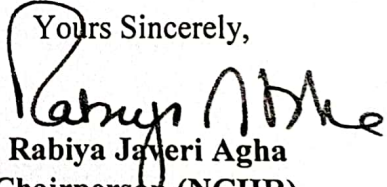
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the Agreement on Consular Access dated 21.05.2008, and development of the appropriate mechanism to implement the recommendations put forward in the 7th meeting of the India-Pakistan Joint Judicial Committee on Prisoners dated 31.10.2013. Accordingly, 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.