

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA
STARRED QUESTION NO.132
TO BE ANSWERED ON 19.12.2018

EXCHANGE OF LIST OF PRISONERS

†*132. SHRI RAM CHARAN BOHRA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the Governments of India and Pakistan have exchanged the lists containing the names of persons languishing in their jails;
- (b) if so, the details thereof;
- (c) the number of prisoners released by both the countries during the last three years, years and category-wise;
- (d) whether there are concrete proposals for the release of prisoners by both the countries and if so, the details thereof; and
- (e) the time by which the methodology is likely to be put in place for the said purpose?

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 LOK SABHA STARRED QUESTION NO. 132 REGARDING “EXCHANGE OF LIST OF PRISONERS” FOR ANSWER ON 19.12.2018

(a) & (b) As per India-Pakistan ‘Agreement on Consular Access’ signed on 21 May 2008, lists of civilian prisoners and fishermen of each country lodged in the jails of the other are exchanged on 1 January and 1 July of every year.

According to the lists exchanged on 1 July 2018, there were 108 Pakistan fishermen and 249 Pakistan civilian prisoners in India’s custody. Pakistan had acknowledged the custody of 418 fishermen and 53 civilian prisoners who are Indian or believed-to-be Indian in their jails. In addition, there is the issue of 83 missing Indian defence personnel, whose custody has not been acknowledged by Pakistan so far.

(c) The number of civilian prisoners and fishermen released in the last three years is as follows:

| Details | 2015 | 2016 | 2017 | 2018 (As on 13.12.2018) | Total |
|--|------|------|------|-------------------------|-------|
| Indian civilian prisoners released by Pakistan | 4 | 2 | 7 | 4 | 17 |
| Indian fishermen released by Pakistan | 448 | 410 | 508 | 174 | 1540 |
| Pakistani civilian prisoners released by India | 44 | 10 | 60 | 21 | 135 |
| Pakistani fishermen released by India | 115 | 9 | 31 | 28 | 183 |

(d) & (e) The External Affairs Minister, in October 2017, suggested to the High Commissioner of Pakistan that the two sides could work together to resolve humanitarian issues related to elderly, women and mentally unsound prisoners in each other’s custody and consider their early release and repatriation. It was, *inter alia*, proposed to revive the mechanism of Joint Judicial Committee and that a team of Indian medical experts could be allowed to visit the mentally unsound prisoners with a view to facilitate their nationality verification and subsequent repatriation. Pakistan responded positively on 7 March 2018. India has already shared the details of the medical experts team and the re-constituted Joint Judicial Committee with Pakistan with the request to organise their visit. Pakistan has not responded so far.
