

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO-1544
ANSWERED ON- 28/07/2023

MISSION FOR RELEASE OF INDIAN CITIZENS

1544. SHRI N. K. PREMACHANDRAN

Will the minister of EXTERNAL AFFAIRS be pleased to state :-

(a) whether the Government proposes to initiate a mission to ensure release of Indian citizens from the jails of foreign countries who have been incarcerated due to expiry of their visa and other documents necessary for their stay in the foreign country, if so, the details thereof;

(b) whether the Government proposes to initiate action for release of Indian fishermen kept in jails of foreign countries for the offence committed by their employer abroad, if so, the details thereof;

(c) the action taken by the Government for the release of Indian fishermen imprisoned in Iran due to crossing of maritime boundary by the fishing boat owned by their employer at UAE;

(d) whether the Government proposes to conduct a mission for finding out the Indian citizen stuck in various countries due to lack of travel documents, tickets; and

(e) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS

(SHRI V. MURALEEDHARAN)

(a) The Government attaches the highest priority to the safety, security and well-being of Indians in foreign countries. Indian Missions/Posts abroad remain vigilant and closely monitor the incidents of Indian nationals being put in jail or stuck in foreign countries for violation/ alleged violation of local immigration laws. The procedure followed for handling and deporting foreign nationals with expired visa/no visa varies from country to country. Some countries do not arrest the deportee and keep them in detention/deportation centers instead until deportation while others release them after imposing some monetary penalty with instructions for deportation or regularisation of necessary documents. In most cases, illegal immigrants are not incarcerated.

Many foreign countries do not provide information on illegal stay in their countries, except when they are under orders of deportation and travel document/nationality verification is required. Moreover, the information about arrest/detention and deportation is not shared with Indian Missions/Posts and the deportation is done directly by the host Government if the deportee has valid travel document. Our Missions/Posts are contacted by the host Governments

only in such cases where the nationality verification and issuance of Emergency Certificate (EC) to the deportee is required.

The Government enables legal travel and stay of Indian nationals abroad. Whenever any detention of an Indian national for violation of immigration laws is brought to our notice, our Missions/Posts abroad seek consular access and visit detention centres where Indian nationals are detained. After confirmation of Indian nationality, our Missions/Posts abroad issue Emergency Certificates to Indian nationals, who do not hold valid Indian passports, to facilitate their return to India. The Mission/Post officials abroad also attend to labour/general court hearings against Indian nationals for violation of immigration laws from time to time. Some of our Missions/Posts abroad also issue advisories to Indian nationals counselling them to regularize their visas and residency documents in the country of their stay.

Financial assistance is provided to the people being repatriated whenever a deserving case is brought to the attention of the concerned Indian Mission. This includes, if necessary, bearing legal fees, payment of fine, air fare for return to India. Financial assistance is provided through the Indian Community Welfare Fund (ICWF) on means tested basis.

(b & c) The Government receives reports of arrest of Indian fishermen from time to time. Indian fishermen are generally apprehended by countries on charges of allegedly fishing in their territorial waters and cases are filed related to illegal fishing, trespassing, crossing the international maritime boundary line illegally, etc under the respective Acts of the concerned countries.

The Government attaches highest priority to the safety, security and welfare of Indian fishermen. As soon as cases of apprehension of Indian fishermen and their fishing boats are reported, immediate steps are taken by Indian Missions and Posts to seek consular access, ensure their welfare and also pursue their early release and repatriation along with their boats. Consular Officers of Missions/Posts make regular visits to local jails and detention centers to ascertain the condition of Indian fishermen lodged there and provide requisite help and support, including legal assistance through Indian Community Welfare Fund. Missions/Posts abroad also approach the law enforcement agencies to complete the investigation and judicial proceedings at the earliest possible. The focus of the Government's efforts is on securing the early release of fishermen.

With regards to Iran, our Mission has been intimated by Iranian Ministry of Foreign Affairs about the arrest of 15 Indian fishermen in 2023, out of which 5 have already been released and Mission is in regular touch with the concerned authorities for quick release of the remaining fishermen. Once fishermen are released, Mission takes care of all their basic needs including boarding and lodging, ensuring their welfare and makes necessary arrangements for their repatriation to India using ICWF in deserving cases.

(d & e) Robust mechanisms are already in place in Missions and Posts abroad for helping Indians in various types of distress situations, including those stuck due to lack of travel documents and tickets. The details have been shared above in Para (a).
