



## Issue of Indians Jailed Abroad

**For Prelims:** Issue of Indians Jailed Abroad, [Non Resident Indians](#), Local Foreign Office, Welfare and Consular Assistance.

**For Mains:** Issue of Indians Jailed Abroad, Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests.

[Source: IE](#)

### Why in News?

With India being the highest diaspora of citizens the world over, more than **9,500 Indians are currently in Jails abroad.**

- Three in every five are lodged in jails in the Middle East, and the third-largest population of prison inmates in the region is in Qatar.

### Note

According to the Ministry of External Affairs (MEA), more than 1.3 crore [Non-Resident Indians \(NRIs\)](#), over **1.8 crore** [Persons of Indian Origin \(PIOs\)](#), and as many as **3.2 crore Overseas Indians** stay in 210 countries.

### Where are Most Indian Prisoners Lodged?

- **Total Indians Jailed Abroad:**
  - As many as 9,521 Indians are lodged in jails in 89 of the 210 countries where diaspora from the country is based.
- **Middle East:**
  - More than **62% are lodged in the Middle East**, followed by Asia.
  - The highest number of Indian prisoners — 2,200 — are lodged in **Saudi Arabia, followed by the United Arab Emirates.**
  - Qatar has **752 Indian prisoners** followed by Kuwait, Bahrain and Oman.
- **Asia:**
  - In Asia, a little over 23% of the total **1,227 prisoners are in Nepal followed by Malaysia, Pakistan**, China, Singapore, Bhutan and Bangladesh.
- **Europe:**
  - In Europe, the **majority of Indian prisoners are lodged in the United Kingdom (278)** followed by Italy, Germany, France and Spain.

### What Happens When an Indian is Imprisoned Abroad?

- **Monitor:**
  - **Indian Missions and Posts** abroad closely **monitor incidents of Indian nationals being jailed** for alleged violation of local laws, according to the MEA's Standard Operating Procedure.
  - As soon as information about the detention or arrest of an Indian national is received by the Mission or Post, **it gets in touch with the local Foreign Office and other local authorities** to get consular access to such individuals.
- **Ensure Welfare and Consular Assistance:**
  - MEA officials then ascertain the facts of the case, confirm Indian nationality, and ensure the **welfare of such individuals in various ways**, such as extending all possible consular assistance, assistance in providing legal aid wherever needed, and approaching local law enforcement agencies to complete judicial proceedings at the earliest possible.

## What are the Government Steps to Provide Assistance to the Prisoners Abroad?

- **Legal Assistance:**
  - Indian Missions and Posts maintain a **local panel of lawyers in countries where the Indian community** is based in **sizable numbers**.
  - No fee is charged for the **facilities extended by the Embassy**.
  - The **Indian Community Welfare Fund (ICWF)** is set up at Missions and Posts abroad to assist **overseas Indian nationals in distress situations** in deserving cases.
  - The support extended under ICWF includes financial assistance for legal aid as well as travel documents and air tickets during repatriation.
- **Repatriation of Indian Nationals:**
  - The government follows up the issue of release and repatriation of Indian nationals in foreign prisons during consular and other consultations with countries.
- **Pardon and Reduction in Prison Sentences:**
  - Some countries **grant pardon or reduction of sentence to inmates of various nationalities** from time to time but do not share the data with the countries concerned.
    - Since 2014, 4,597 Indian nationals have received pardon or reduction of their sentences by foreign governments due to **efforts by the Indian Government** through various channels.
- **Agreement(s) on Transfer of Sentenced Persons (TSP):**
  - India has signed Agreement(s) on TSP with **31 countries** under which Indian prisoners lodged in foreign countries **can be transferred to India** to serve the remainder of their sentence and vice-versa.
    - These include Australia, Bahrain, Bangladesh, Bosnia & Herzegovina, Brazil, Bulgaria, Cambodia, Egypt, Estonia, France, Hong Kong, Iran, Israel, Italy, Kazakhstan, Korea, Kuwait, Maldives, Mauritius, Mongolia, Qatar, Russia, Saudi Arabia, Somalia, Spain, Sri Lanka, Thailand, Turkey, United Arab Emirates (UAE), United Kingdom and Vietnam.
  - India has also signed two **multilateral conventions on transfer of sentenced persons** — the Inter-American Convention on Serving Criminal Sentences Abroad and Council of Europe Convention on Transfer of Sentenced Persons — under which sentenced persons of member states and other countries which have acceded to these can seek transfer of prisoners.
  - From 2006 till January 2022, 86 prisoners were transferred under the TSP; these included **75 imprisoned Indians transferred to India and 11** foreign prisoners transferred to their respective countries.

## Way Forward

- There is a need to strengthen the **resources and capabilities of Indian missions** abroad to provide consistent and robust consular assistance to imprisoned nationals.
- There is a need **to create awareness among the Indian diaspora about local laws** and customs in countries they reside in, possibly through outreach programs or information campaigns.
- There is a need to enhance diplomatic efforts and negotiations with other countries to streamline

the process of transferring prisoners and ensuring fair treatment for Indian nationals in foreign jails.

- Continuously **reviewing and updating policies related to Indian nationals imprisoned abroad**, potentially amending existing agreements or creating new ones to facilitate smoother repatriation or sentence transfers.

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