



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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