



**Mr. Yousuf Raza Gilani,
Prime Minister
Government of Pakistan
Islamabad**

&

**Dr. Manmohan Singh
Prime Minister
Government of India
New Delhi**

Subject: The Fishing and the Fisher Folks on the India-Pakistan Nautical Border

Respected Mr. Yousuf Raza Gilani and Dr. Manmohan Singh,

Greetings.

The office bearers of the Fish Workers of Pakistan and India, along with four other civil society organizations, met in New Delhi on April 19, 2010 and discussed the issue of arrested Indian and Pakistani fishermen in detail. They decided to work together towards getting innocent and poor fishermen released.

We would request you to use your good offices and see that justice is done to the fisher folks.

We request you to do following things:

1. 580 Indian fishermen are languishing in the Pakistani prisons and according to our information around 460 of these imprisoned fishermen have completed their sentences.
2. About 247 Pakistani prisoners including Fishermen have been granted Consular Access to High Commission for Pakistan in New Delhi and to whose travel documents have also been issued by the High Commission. A large number of these Pakistani prisoners have completed their sentences or are minors. All such Pakistani prisoners be released without any further delay.

In case of 17 Pakistani prisoners who had completed their sentence the Indian Supreme Court bench of Justices Markandey Katju and R. M. Lodha in a recent judgment observed "*How can*

the government keep them in detention in violation of the fundamental rights of a person for years together without resorting to the procedure of law?" "The right to life and liberty was not dependent on another country's action."

3. Clear and unambiguous orders to the concerned departments of the two countries may also be issued to ensure compliance with the unanimous recommendations of the official India-Pakistan Judicial Committee on Prisoners.

4. The recommendations of the India-Pakistan Joint Judicial Committee on Prisoners, which inter alia recommended release of all Indian and Pakistani fishermen in custody to be released, should be implemented immediately and the next meeting of the official committee should be held as soon as possible. Since August 2008 this official committee is inactive and you are requested to activate this committee so that the committee comprising 8 retired High Court and Supreme Court Judges (4 from each country) can restart its working and make regular visits to the jails of the two countries and help in early release of prisoners. The committee was set up in January 2007 by the Foreign Ministers of both the countries to recommend steps for humane treatment and expeditious release of their nationals from the respective prisons.

5. The Consular Access must be given within the stipulated (90 days) time as required by the Agreement on Consular Access (May 2008).

6. 444 Indian trawlers seized by the Pakistani authorities are lying in and around Karachi. A delegation of Boat Owners of Gujarat visited Pakistan in 2008 and found many trawlers are in good conditions and can be used. Each trawler costs around 20-25 lakh rupees. These trawlers, too, should be released immediately.

We sincerely hope that you and your government will give utmost attention to the issue and do justice to the hundreds of thousands of Fishermen of the Sub-continent.

Awaiting your favourable response.

Thanking you,

Karamat Ali

Karamat Ali
Executive Director PILER

Muhammad Ali Shah

Muhammad Ali Shah
Chairperson PFF

1. Pakistan Institute for Labour Education and Research, Pakistan
2. Pakistan Fisherfolks' Forum, Pakistan
3. Focus on the Global South, India
4. National Fishworkers' Forum, India
5. Boat Owners' Association, Porbandar, India
6. Peace Mumbai, India