

ANNEX 1



भारत का उच्चायोग इस्लामाबाद
HIGH COMMISSION OF INDIA
ISLAMABAD

No. ISL/103/1/2016

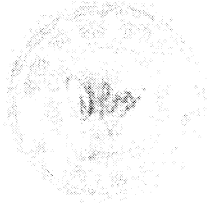
The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Pakistan and has the honour to refer to the purported arrest of an Indian in Baluchistan. The matter was raised today by Pakistan's Foreign Secretary with the Indian High Commissioner in Islamabad.

In this context, this High Commission requests the Ministry of Foreign Affairs to kindly provide Consular Access to the said individual, at the earliest.

The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Pakistan the assurances of its highest consideration.

Islamabad, 25 March 2016

Ministry of Foreign Affairs
[Kind attention: Mr. Hafiz Afaq Ahmad, Director (India)]
Government of the Islamic Republic of Pakistan
Islamabad



HIGH COMMISSION OF INDIA
ISLAMABAD

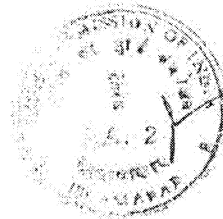
No.ISL/103/14/2016

The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan and further to its *note verbale* No. ISL/103/1/2016 dated March 25, 2016 regarding the purported arrest of an Indian national in Baluchistan, has the honour to reiterate our request to the esteemed Ministry to provide consular access to the said individual at the earliest.

The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, the assurances of its highest consideration.

o/c

Islamabad, March 30, 2016



Ministry of Foreign Affairs
[Kind attention: Director General (South Asia)]
Government of the Islamic Republic of Pakistan
Islamabad



भारत का उच्चायोग, इस्लामाबाद
HIGH COMMISSION OF INDIA
ISLAMABAD

No.ISL/103/14/2016

The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan and has the honor to refer to its Note Verbales No. ISL/103/1/2016 dated March 25, 2016 and No. ISL/103/14/2016 dated March 30, 2016 regarding the purported arrest of an Indian national in Baluchistan.

This Mission reiterates its request to the esteemed Ministry to provide Consular Access to the said individual at the earliest.

The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan the assurances of its highest consideration.

Islamabad, May 06, 2016

Ministry of Foreign Affairs
[Kind attention: Mr. Hafiz Afaq Ahmad, Director (India)]
Government of the Islamic Republic of Pakistan
Islamabad





भारत का उच्चायोग, इस्लामाबाद
HIGH COMMISSION OF INDIA
ISLAMABAD

No.ISL/103/14/2016

The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, and has the honour to refer to its earlier Notes Verbale No.ISL/103/1/2016 dated March 25, 2016, No. ISL/103/14/2016 dated March 30, 2016 and May 06, 2016 regarding purported arrest of an Indian national viz. Kulbhushan Jadhav in Baluchistan.

The Mission reiterates its request to the esteemed Ministry to provide Consular Access to the said individual at the earliest. It is reiterated that safety, security and well being of all Indian and believed-to-be Indian prisoners, may please also be ensured till they are in Pakistani jails.

The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, the assurances of its highest consideration.



Islamabad
June 10, 2016

Ministry of Foreign Affairs,
{Kind Attention: Director (India)},
Government of the Islamic Republic of Pakistan,
Islamabad.

5/2



भारत के विदेश, सम्पत्ति
HIGH COMMISSION OF INDIA
ISLAMABAD

No.ISL/103/14/2016

The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, and has the honour to refer to its earlier Notes Verbale No.ISL/103/1/2016 dated March 25, 2016, No. ISL/103/14/2016 dated March 30, 2016, May 06, 2016 and June 10, 2016 regarding purported arrest of an Indian national viz. Kulbhushan Jadhav in Baluchistan.

The Mission reiterates its request to the esteemed Ministry to provide Consular Access to the said individual at the earliest. It is reiterated that safety, security and well being of all Indian and believed-to-be Indian prisoners, may please also be ensured till they are in Pakistani jails.

The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, the assurances of its highest consideration.

Islamabad
July 11, 2016

Ministry of Foreign Affairs,
{Kind Attention: Director (India)},
Government of the Islamic Republic of Pakistan,
Islamabad.

भारत के दूतावास, इस्लामाबाद
HIGH COMMISSION OF INDIA
ISLAMABAD

No. ISL/103/14/2016 ✓

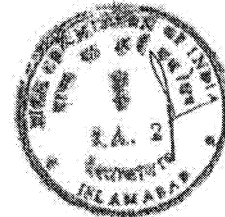
The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan and further to its *notes verbale* even number dated March 25, March 30 & May 06, 2016 regarding the purported arrest of an Indian national, Kulbhushan Jadav, in Baluchistan.

2. The Mission reiterates its request to the esteemed Ministry to provide consular access to the said individual at the earliest.

3. The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan the assurances of its highest considerations.

Islamabad, July 26, 2016

Ministry of Foreign Affairs
Government of the Islamic Republic of Pakistan
[Attention: Director General (South Asia)]
Islamabad



OFFICE OF THE HIGH COMMISSIONER
HIGH COMMISSION OF INDIA
ISLAMABAD

No.ISL/103/14/2016

The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan and further to the High Commission's earlier *notes verbale* of even number dated March 25, March 30, May 06, June 10 and July 11, 2016 regarding purported arrest of an Indian national, Mr. Kulbhushan Jadhav, in Baluchistan, has the honour to reiterate its request to the esteemed Ministry to provide Consular Access to the said individual at the earliest.

2. The High Commission also requests that safety, security and well-being of all Indian and believed-to-be Indian prisoners in Pakistani jails may kindly be ensured.

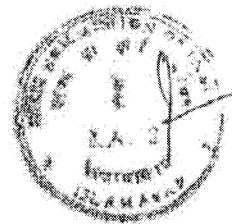
3. The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, the assurances of its highest consideration.

o/c

AA

Islamabad, August 22, 2016

Ministry of Foreign Affairs
[Kind attention: Director General (SA & SAARC)]
Government of the Islamic Republic of Pakistan
Islamabad





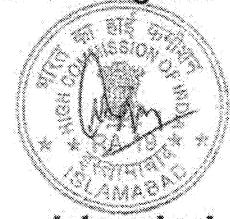
भारत का उच्चायोग, इस्लामाबाद
HIGH COMMISSION OF INDIA
ISLAMABAD

No.ISL/103/14/2016

The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, and has the honour to refer to its earlier Notes Verbale No.ISL/103/1/2016 dated March 25, 2016, No. ISL/103/14/2016 dated March 30, 2016, May 06, 2016, June 10, 2016, July 11, 2016, July 26, 2016 and August 22, 2016 regarding purported arrest of an Indian national viz. Mr. Kulbhushan Jadhav in Baluchistan.

The Mission reiterates its request to the esteemed Ministry to provide Consular Access to the said individual at the earliest. It is reiterated that safety, security and well being of all Indian and believed-to-be Indian prisoners, may please also be ensured till they are in Pakistani jails.

The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, the assurances of its highest consideration.



Islamabad

November 03, 2016

**Ministry of Foreign Affairs,
{Kind Attention: Director (India)},
Government of the Islamic Republic of Pakistan,
Islamabad.**



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

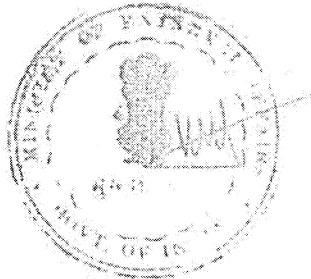
J/411/02/2016

The Ministry of External Affairs, Government of India, presents its compliments to the High Commission for the Islamic Republic of Pakistan, New Delhi, and has the honour to refer to previous demarches by this Ministry as well as formal notes from the High Commission of India in Islamabad regarding the purported arrest of Indian national, Mr. Kulbhushan Jadhav, in particular the request to provide immediate consular access to Mr. Jadhav.

It is with deep concern that the Ministry notes the continued denial of consular access to Mr. Jadhav despite the fact that his Indian nationality has been affirmed on several occasions by the Government of Pakistan. Meanwhile, questions about his treatment in Pakistan's custody continue to mount, given especially his coerced purported confession, and the circumstances of his presence in Pakistan remain unexplained.

In light of the above, the Government requests once again, immediate consular access to Mr. Jadhav.

The Ministry of External Affairs of India avails itself of this opportunity to renew to the High Commission for the Islamic Republic of Pakistan the assurances of its highest consideration.



03 February 2017
New Delhi

High Commission for the Islamic Republic of Pakistan,
New Delhi.

Copy for information to DHC, Islamabad.



भारत का उच्चायुक्त, इस्लामाबाद
HIGH COMMISSION OF INDIA
ISLAMABAD

No.ISL/103/14/2016

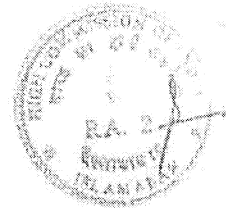
The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan and further to the High Commission's earlier *Notes Verbale* dated March 25, March 30, May 06, June 10, July 11, and December 19 in 2016 and on February 02, 2017 as well as a demarche issued by the Ministry of External Affairs to Pakistan High Commission in New Delhi on February 03, 2017 regarding purported arrest of an Indian national, Mr. Kulbhushan Jadhav, in Baluchistan, has the honour to reiterate its request to the esteemed Ministry to provide Consular Access to the said individual at the earliest.

2. The High Commission also requests that safety, security and well-being of Mr. Kulbhushan Jadhav and other Indian prisoners in Pakistani jails may kindly be ensured.

3. The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, the assurances of its highest consideration.

o/c

Islamabad, March 03, 2017



Ministry of Foreign Affairs
[Kind attention: Director General (SA & SAARC)]
Government of the Islamic Republic of Pakistan
Islamabad



ہندوستان کے سفارتخانہ، اسلام آباد
HIGH COMMISSION OF INDIA
ISLAMABAD

No. ISL/103/14/2016

The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan and has the honour to refer to the High Commission's earlier *notes verbale* dated 25.03.2016, 30.03.2016, 06.05.2016, 10.06.2016, 11.07.2016, 26.07.2016, 22.08.2016 and 03.11.2016 regarding purported arrest of an Indian national, Mr. Kulbhushan Jadav, in Baluchistan.

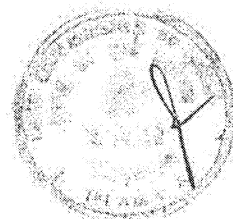
2. The Mission reiterates its request to the esteemed Ministry to provide consular access to the said individual at the earliest. It is also reiterated that safety, security and well being of all Indian prisoners, including that of Mr. Kulbhushan Jadav, in Pakistani jails may also be ensured.

3. The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, the assurances of its highest consideration.

Islamabad, 19 December 2016

Ministry of Foreign Affairs
Government of the Islamic Republic of Pakistan
Islamabad.

N.O.O.: JS (PAI), Ministry of External Affairs, New Delhi





भारत का उच्चायोग, इस्लामाबाद
HIGH COMMISSION OF INDIA
ISLAMABAD

No.ISL/103/14/2016

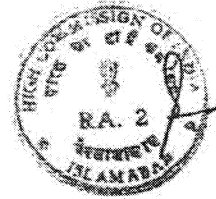
The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan and with reference to the Ministry's *Note Verbale* No. Ind [III]-2/13/2016 dated March 21, 2017 has the honour to note the willingness of the Pakistan side to provide consular access to the Indian national, Kulbhushan Jadhav.

2. Consular access to Mr. Jadhav would be an essential pre-requisite in order to verify the facts and understand the circumstances of his presence in Pakistan. It is, therefore, requested that immediate consular access may be provided to Mr. Jadhav.

3. The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan, the assurances of its highest consideration.

Islamabad, March 31, 2016

Ministry of Foreign Affairs
Government of the Islamic Republic of Pakistan
Islamabad





विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

No. J/411/8/2016

The Ministry of External Affairs presents its compliments to the High Commission of the Islamic Republic of Pakistan in New Delhi and has the honour to convey that the Government of India is surprised at the Note Verbale No. Ind(l)-5/20/2017 dated April 10, 2017 issued by the Ministry of Foreign Affairs of the Islamic Republic of Pakistan and received at the High Commission of India, Islamabad at 5:00 p.m. today regarding consular access to the Indian national Kulbhushan Jadhav on certain conditions, which was well after the death sentence has been awarded and confirmed to Mr. Kulbhushan Jadhav. This underlines the farcical nature of the proceedings and so-called trial by a Pakistan military court martial.

The Ministry of External Affairs regrets that despite repeated requests, Pakistan has not permitted consular access and prevented us from establishing the basic facts and circumstances surrounding his presence in Pakistan.

The Ministry of External Affairs has the honour to reiterate that if the sentence against an Indian citizen, awarded without observing basic norms of law and justice is carried out, the Government and the people of India will regard it as a case of premeditated murder.

The Ministry of External Affairs avails itself of this opportunity to renew to the High Commission of the Islamic Republic of Pakistan in New Delhi the assurances of its highest consideration.



High Commission of the Islamic Republic of Pakistan
New Delhi

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भारत का उच्चायोग, इस्लामाबाद
HIGH COMMISSION OF INDIA
ISLAMABAD

No.ISL/103/14/2016

The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan and has the honour to refer to the High Commission's thirteen Notes Verbale (including the last Note Verbale of even number dated March 31, 2017), and to refer to the Press Release 193/2017 dated April 10, 2017, issued by Inter Services Public Relations (ISPR), stating that Indian national Mr. Kulbhushan Sudhir Jadhav was tried under Section 59 of Pakistan Army Act (PAA) 1952 and Section 3 of Official Secret Act of 1923 through Field General Court Marshal (FGCM) and was awarded death sentence.

2. In view of this, the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan is requested to provide the following:

- (a) Certified copies of the charge sheet and the judgment of FGCM.
- (b) Consular access to Mr. Kulbhushan Sudhir Jadhav.

3. The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan the assurances of its highest consideration.



Islamabad, 14 April 2017

Ministry of Foreign Affairs
Government of the Islamic Republic of Pakistan
Islamabad



No. J/411/8/2016

The Ministry of External Affairs, Government of India, presents its compliments to the High Commission of the Islamic Republic of Pakistan in New Delhi and has the honour to refer to previous Notes Verbale, including Note Verbale No. ISL/ 103/ 14/ 2016 of 14 April 2017 issued by the High Commission of India to Pakistan regarding Indian national Mr. Kulbhushan Jadhav and requests through the High Commission of Pakistan to the concerned authorities in Pakistan to:

- i. provide certified copies of the charge sheet, proceedings of the Court of Inquiry, the judgement and the summary of evidence in the case concerning Mr. Jadhav;
- ii. share the procedure for Appeal to the relevant court;
- iii. facilitate the appointment of a defence lawyer for Mr. Jadhav and facilitate contact with the High Commission of India in Islamabad;
- iv. provide certified copy of medical report of Mr. Jadhav;
- v. issue appropriate visas to the family members of Mr. Kulbhushan Jadhav who intend to travel to Pakistan in connection with the on-going legal matter;
- vi. provide immediate consular access to the Indian national Mr. Kulbhushan Jadhav in keeping with the provisions of Vienna Convention on Consular Relations, 1963.

The Ministry of External Affairs avails itself of this opportunity to renew to the High Commission of the Islamic Republic of Pakistan in New Delhi the assurances of its highest consideration.

High Commission of Islamic Republic of Pakistan
New Delhi





भारत का उच्चायोग, इस्लामाबाद
HIGH COMMISSION OF INDIA
ISLAMABAD

No.ISL/103/14/2016

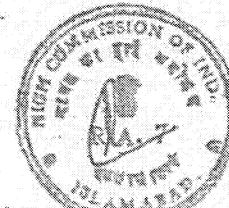
The High Commission of India to Pakistan presents its compliments to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan and while referring to the Inter-Services Public Relations (ISPR) Press Release No.193/2017 dated 10 April 2017 and the Press Statement by the Adviser to Prime Minister on Foreign Affairs on 14 April 2014 regarding death sentence awarded to the Indian national, Mr. Kulbhushan Sudhir Jadhav, as well as the absence of consular access to Mr. Jadhav, has the honour to state that the mother of Mr. Jadhav, Mrs. Avanti Sudhir Jadhav has requested the Government of India to submit and get the following documents filed with the concerned authorities of the Islamic Republic of Pakistan:

- i. Petition under Section 131 of Pakistan Army Act;
- ii. Appeal in the Court of Appeals under Section 133(B) of Pakistan Army Act.

2. The esteemed Ministry of Foreign Affairs is requested to forward the above documents (Petition and Appeal) to the concerned authorities and get these documents filed and admitted.

3. The esteemed Ministry is once again requested to provide consular access to Mr. Jadhav in keeping with the provisions of the Vienna Convention on Consular Relations, 1963.

4. The High Commission of India to Pakistan avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Government of the Islamic Republic of Pakistan the assurances of its highest consideration.

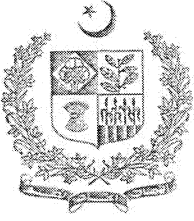


Islamabad, 26 April 2017

Ministry of Foreign Affairs
Government of the Islamic Republic of Pakistan
Islamabad

Enclosure: As mentioned above – (i) & (ii)

ANNEX 2



MINISTRY OF FOREIGN AFFAIRS
ISLAMABAD

No.Ind(III)-2/13/2016

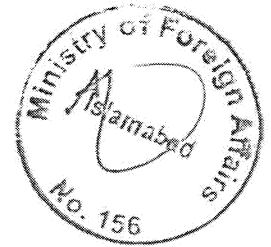
January 23, 2017

The Ministry of Foreign Affairs of the Islamic Republic of Pakistan presents its compliments to the High Commission of the Republic of India and has the honour to request for assistance in the investigation of case registered vide FIR numbers 06/2016 dated 8 April 2016 and 22/2016 dated 6 September 2016, in Police Station CTD Balochistan against an Indian national, Kulbhushan Sudhair Jadhev (Passport number L9630722) for his involvement in espionage and terrorist activities in Pakistan. The Letter of Assistance, seeking support of the Government of the Republic of India in obtaining evidence, material and record for the criminal investigation, is attached.

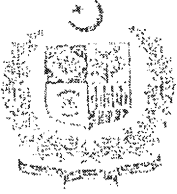
The High Commission of the Republic of India is requested to transmit the Letter of Assistance to the concerned authorities in India. The Government of Pakistan would appreciate the assistance of the Indian government in the investigation process and early dispensation of justice.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the esteemed High Commission the assurances of its highest consideration.

High Commission of the Republic of India,
Islamabad



ANNEX 3



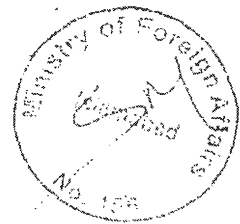
MINISTRY OF FOREIGN AFFAIRS
ISLAMABAD

No.Ind(III)-2/13/2016

March 21, 2017

The Ministry of Foreign Affairs of the Islamic Republic of Pakistan presents its compliments to the High Commission of the Republic of India in Islamabad and with reference to the High Commission of the Republic of India's Note verbale No. ISL/103/14/2016, dated 3 March 2017, and in continuation of this Ministry's Note verbale of even number dated 23 January 2017, has the honour to convey that the case for the consular access to the Indian national, Kullbushan Jadhav shall be considered, in the light of Indian side's response to Pakistan's request for assistance in investigation process and early dispensation of justice.

The Ministry of Foreign Affairs of the Islamic Republic of Pakistan avails itself of this opportunity to renew to the High Commission the assurances of its highest consideration.



High Commission of the Republic of India,
Islamabad.

ANNEX 4

Inter Services Public Relations Pakistan Press Release



No PR-193/2017-ISPR

Dated: April 10, 2017

Rawalpindi - April 10, 2017:

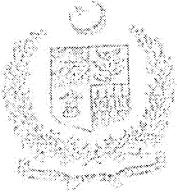
Indian RAW Agent / Naval officer 41558Z Commander Kulbushan Sudhir Jadhav alias Hussein Mubarak Patel was arrested on March 3, 2016 through a Counter Intelligence Operation from Mashkel, Balochistan, for his involvement in espionage and sabotage activities against Pakistan. The spy has been tried through Field General Court Martial (FGCM) under Pakistan Army Act (PAA) and awarded death sentence. Today COAS, Gen Qamar Javed Bajwa has confirmed his death sentence awarded by FGCM.

RAW agent Commander Kulbushan Sudhir Jadhav was tried by FGCM under section 59 of Pakistan Army Act (PAA) 1952 and Section 3 of official Secret Act of 1923. FGCM found Kulbushan Sudhir Yadhav guilty of all the charges. He confessed before a Magistrate and the Court that he was tasked by RAW to plan, coordinate and organize espionage / sabotage activities aiming to destabilize and wage war against Pakistan by impeding the efforts of Law Enforcement Agencies for restoring peace in Balochistan and Karachi.

The accused was provided with defending officer as per legal provisions.

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ANNEX 5



MINISTRY OF FOREIGN AFFAIRS
ISLAMABAD

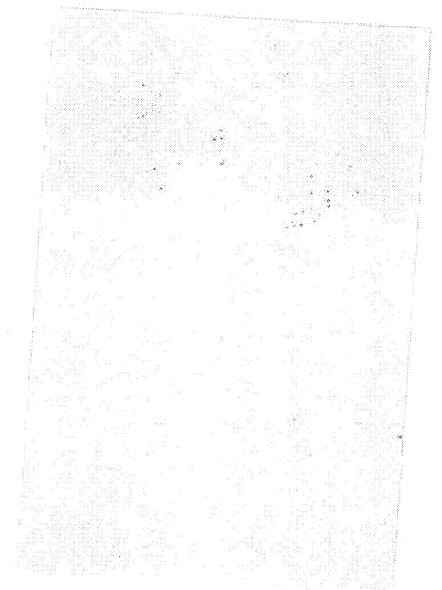
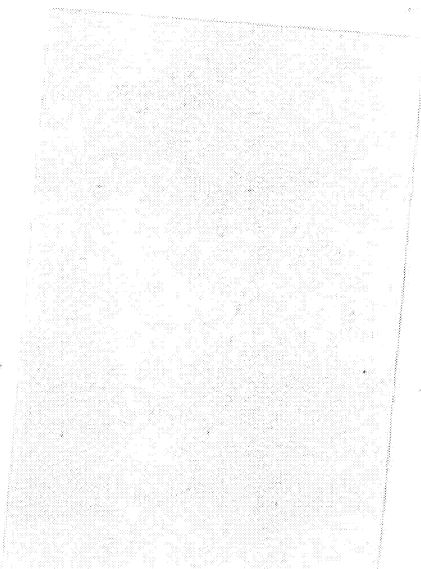
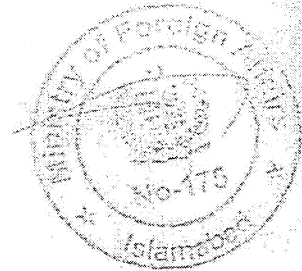
No. Ind(I)-5/20/2017

April 10, 2017

The Ministry of Foreign Affairs of the Islamic Republic of Pakistan presents its compliments to the High Commission of the Republic of India in Islamabad and has the honour to refer to the High Commission of the Republic of India's Note Verbale No. ISL/103/14/2016 dated 31 March, 2017 and this Ministry's earlier Note Verbale of even number dated 21 March, 2017. The Ministry of Foreign Affairs of the Islamic Republic of Pakistan has the further honour to reiterate that the case for consular access to the Indian national Kulbushan Jhadev shall be considered, in the light of India's response to Pakistan's request for assistance in the investigation process and early dispensation of justice which is still pending with the Indian side.

The Ministry of Foreign Affairs of the Islamic Republic of Pakistan avails itself of this opportunity to renew to the High Commission of India, the assurances of its highest consideration.

High Commission of the Republic of India,
Islamabad.



ANNEX 6

Press Statement by Mr. Sartaj Aziz, Adviser to the Prime Minister on Foreign Affairs on 14 April 2017

(2017-04-14) As you are aware, the death sentence of Kulbushan Jhadav and the subsequent statements from India have generated considerable discussion in the media. A number of questions have been raised regarding trial of Kulbushan Jhadav. I would like to comment on the background and the developments of this case.

Kulbushan Jhadav, who is responsible for espionage, sabotage and terrorism in Pakistan, has been tried according to the law of the land, in a fully transparent manner while preserving his rights, as per the Constitution of Pakistan. Due process has been followed while proceeding against Mr. Jhadav. All further action in this regard shall also be taken in accordance with our laws.

As is widely known, Kalbushan Jhadav alias, Hussain Mubarak Patel, a serving Commander of Indian Navy, and working with the Indian Intelligence Agency/RAW was apprehended on March 3, 2016 after he illegally crossed over into Pakistan from the Saravan border in Iran. Kulbushan Jhadav was found in possession of an Indian passport issued by Government of India on May 12, 2015 and valid until May 11, 2024. He confessed that he is a resident of Mumbai, India, still serving in the Indian Navy and his retirement is due in 2022.

He was tried by Field General Court Martial (FGCM) under section 59 of Pakistan Army Act (PAA) 1952 and Section 3 of Official Secret Act of 1923. Mr. Jhadav was provided with a legal counsel in accordance with provisions of our law. Mr. Jhadav confessed before a Magistrate and the Court that he was tasked by the Indian Intelligence Agency, RAW, to plan, coordinate and organize espionage and sabotage activities aimed at destabilizing and waging war against Pakistan. Kulbushan was involved in both espionage and terrorist/sabotage activities resulting in the loss of many lives and damage to property.

I will like to share details of some terrorist activities in which Kulbushan Jhadav was directly involved.

- He sponsored and directed IEDs and Grenade Attacks in Gawadar and Turbat.
- Directed attacks on the Radar station and civilian boats in the sea, opposite Jiwani Port.
- Funded subversive secessionist and terrorist elements through Hawala/Hundi for subverting the Pakistani youth against the country, especially in Balochistan.
- Sponsored explosions of gas pipelines and electric pylons in Sibi and Sui areas in Balochistan.
- Sponsored IED explosions in Quetta in 2015, causing massive damage to life and property.
- Sponsored attack on Hazaras in Quetta and Shia Zaireen enroute to and back from Iran.

- Abetted attacks through anti-state elements against LEAs/FC and FWO in areas of Turbat, Punjgur, Gawadar, Pasni and Jiwani during 2014-15, killing and injuring many civilians and soldiers.

The Court found Mr. Jhadav guilty. The espionage case against Kulbushan was tried by the FGCM and concluded under Pakistan Army Act Section 2 and Official Secret Act 1923. His sentence for espionage was endorsed on 10 April 2017.

The proceedings of this case went through different stages in accordance with legal requirements over a period of one year. Following is the timeline:

1. Confessional Video statement of Kulbushan Jhadav, the active RAW operative - 25 March 2016
2. Initial FIR in CTD Quetta - 8 April 2016
3. Initial interrogation - 2 May 2016
4. Detailed interrogation - 22 May 2016
5. Joint Investigation Team constituted on 12 July 2016
6. Confessional statement under Section 164 CrPC - 22 July 2016
7. Recording of summary of evidence - 24 September 2016
8. 1st proceeding - 21 September 2016
9. 2nd proceeding - 19 October 2016
10. 3rd proceeding - 29 November 2016
11. 4th proceeding - 12 February 2017
12. Death sentence endorsed on 10 April 2017

From the outset, transparency was ensured in the proceedings of the trial of Commander Kulbushan Jhadav. Following steps were specifically taken to ensure transparency under the Pakistani Laws and Pakistan Army Act.

- 1) His confessional statement was recorded before a Magistrate under Section 164 CrPC.
- 2) The proceedings were conducted under the Law of Evidence (Qanun-e-Shahadat 1984) in the competent court
- 3) A law qualified field officer was provided to defend him throughout the Court proceedings
- 4) All statements of witnesses were recorded under oath, in the presence of the accused, in the court.
- 5) Commander Kulbushan was allowed to ask questions from witnesses.
- 6) During the trial, a fully qualified, law officer of Judge Advocate General (JAG) Branch remained a part of the Court.
- 7) Punishment after the trial was awarded by the highest forum.

As per law, Kulbushan Jhadav has following available options

1. He has the right to appeal within 40 days to an Appellate Court.

2. He may lodge a mercy petition to the COAS within 60 days of the decision by the appellate court.

3. He may lodge a mercy petition to the President of Pakistan within 90 days after the decision of COAS on the mercy petition.

It should be clear from these details that Kulbushan Jhadav was tried under the law of the land in a fully transparent manner. His sentence is based on credible, specific evidence proving his involvement in espionage and terrorist activities in Pakistan.

Letter of Assistance requesting specific information and access to certain key witnesses was shared with the Government of India on 23 January, 2017. There has been no response from the Indian side so far.

I would like to ask India why Kulbushan Jhadav was using a fake identity impersonating as a Muslim? Why would an innocent man possess two passports, one with a Hindu name and another with a Muslim name? Since India has no credible explanation about why their serving Naval Commander was in Balochistan, it has unleashed a flimsy propaganda campaign. Inflammatory statements and rhetoric about "pre-meditated murder" and "unrest in Balochistan", will only result in escalation, serving no useful purpose.

We condemn the baseless allegations from India, especially in the light of the fact that it was non-cooperation and lack of Indian response to Pakistan's request for legal assistance, due to which consular access has not been provided to Mr. Jhadav. May I mention in this context that India has not allowed consular access to many Pakistani prisoners for many years despite repeated requests.

We expect India to behave responsibly and refrain from issuing statements that will further aggravate people to people hostility. More active diplomacy is therefore needed to arrest the growing crises in India-Pakistan relations before it becomes even more serious.

In conclusion of this statement, let me re-emphasize two points:

First, all political parties are unanimous that the award of death penalty after due process and overwhelming evidence to a foreign spy, who was not only carrying out subversive activities in Pakistan but actually promoting terrorism, is the correct decision.

Second, the whole nation is solidly united against any threat to Pakistan's security.

<http://www.mofa.gov.pk/pr-details.php?mm=NDkyMA,>

ANNEX 7

Top JuA militant Ehsan in army custody: ISPR

Dawn
18 April

Continued from Page 1

could be invaluable for the security agencies given the wealth of information he could be having about JuA networks and operations.

Naureen Leghari

The ISPR chief showed a recorded video message of Naureen Leghari, a medical student who went missing from Hyderabad in February and reportedly moved to Syria to join Daesh.

She was caught during a raid on a terrorist hideout in Lahore on Friday in which her husband was killed. She was being prepared to be launched as a suicide bomber against one of the churches in Lahore on Easter Day. The raid, which Gen Ghafoor said had to be hastened because it was quickly moving towards execution, foiled the plot.

In her statement, Ms Leghari said: "I went to Lahore on my own, no one kidnapped me. On April 1, our organisation gave us four suicide jackets, some hand-grenades and bullets. These were to be used in a suicide attack on a church in Lahore. I was supposed to be the suicide bomber."

Gen Ghafoor said she had not travelled to Syria and remained in Lahore,

adding that the to-be suicide bomber would be rehabilitated and returned to normal life. "She had been brainwashed and misled," he said of the girl, who is still being interrogated about her role in terror plot and links with Daesh.

Kulbhushan Jadhav

In reply to multiple questions about Indian spy Kulbhushan Jadhav, who has been sentenced to death for espionage and terrorism, the military spokesman said the case was moving towards the appeal process. The appellate court, he added, would be headed by a two-star general.

He, however, did not see any chance of the verdict being overturned. "The verdict is based on incontrovertible evidence and the army will fully defend it," he said, recalling the decision at the corps commanders' conference that there could be no compromise on anti-state acts.

Gen Ghafoor praised the media for "foiling" Indian plot to use abducted former military officer retired Lt Col Habib Zahir for propaganda against Pakistan.

"If they haven't been able to exploit Col Zahir's case so far, it is just because of Pakistani media," he said.

The ISPR spokesman rejected a perception that the investigation into a *Dawn* report had been delayed because of lack of consensus among members of the committee formed for the purpose. He said the delay happened because the members took their time to complete their mandate.

"The responsible would be identified," he said.

In a rejoinder to Gen Ghafoor's presser, Interior Minister Chaudhry Nisar Ali Khan insisted that the investigation report had been delayed because the panel members could not agree on the recommendations.

In an apparent snub to the military spokesman, the minister said the ISPR chief was neither associated with the investigation committee nor was he holding his current position (DG ISPR) when the committee was constituted.

He recalled that Justice Amir Raza Khan had agreed to head the panel only on the condition that he would sign the report once consensus would be reached.

Had the members agreed on recommendations, it would not have taken five months to finalise the report, Chaudhry Nisar said.

ANNEX 8

विदेश मंत्री
भारत



Minister of External Affairs
India

सुषमा स्वराज
Sushma Swaraj

April 27, 2017

Dear Sartaj Sahib,

I read with keen interest your press statement of April 14, 2017. You had mentioned that Mr. Kulbhushan Jadhav has the right to appeal within 40 days in an Appellate Court.

For filing that appeal, we have requested for certified copies of the charge-sheet, proceedings of the Court of Inquiry, the summary of evidence in the case, the judgement, appointment of a defence lawyer and his contact details and certified copy of medical report of Mr. Jadhav. However, the same have not been provided to us so far.

Encouraged by your statement about the possibility of appeal and despite absence of any other documentation that normally exists in most jurisdictions, the mother of Mr. Jadhav approached us for assistance in pursuing all remedies available and also for travelling to Pakistan.

Our High Commissioner handed over an appeal and a petition from the mother of Mr Jadhav to the Foreign Secretary of Pakistan on April 26, 2017. The parents of Mr Jadhav have also applied for visa to travel to your country and seek justice for their son.

I request Your Excellency's personal intervention in the matter so that justice is meted out to Mr Jadhav.

With assurances of my highest consideration.

Yours sincerely,

Sushma Swaraj
Sushma Swaraj

H.E. Mr Sartaj Aziz
Advisor to the Prime Minister of Pakistan on Foreign Affairs
Islamabad

ANNEX 9

<http://www.mofa.gov.pk/pr-details.php?mm=NDk0NA,,>

Record of the Press Briefing by Spokesperson on 20 April 2017

(2017-04-20) [This is a rush transcript. This copy may not be in its final form and may be updated.]

Opening Remarks

Bismillah IrRehman NirRahim Assalaam Alaikum

I offer my profound condolences to Mr. Zafar Hashmi, Chief Reporter Dunya News on the sad demise of his beloved father yesterday. May Allah rest the departed soul in eternal peace and grant fortitude to the bereaved family to bear the irreparable loss, Ameen!

Will of Kashmiris in Indian occupied Jammu & Kashmir was clearly visible in their outright rejection of sham elections there. Our Prime Minister, while calling upon Int'l Community to stop Indian atrocities in IOK, rightly said that 'use of brute force against innocent Kashmiris, who refused to participate in the sham elections, cannot suppress their human urge of freedom.' Harrowing stories from Indian occupied Kashmir continue to raise concerns in Pakistan.

Last week, Indian Home Minister claimed that Indian government will control the situation within a year and showed his determination to do with whatever it takes.

The important developments that have followed this warning are:

Operation against Educational Institutions: Indian occupation forces have launched an all out war on Kashmiri students. They have attacked women education institutions as well. A dozen colleges have been attacked, injuring thousands of students - both boys and girls. It is pertinent to mention that almost all the Kashmiris, who have been slain by the occupation authorities in IOK, were students - a large number of them with Masters degrees in science or social sciences.

Open violation of human rights: Displaying complete disregard for the UN Charter and International Covenant and Conventions and challenging the International Community. Recently, 'leaked' several videos, openly showing use of human shield, beating, abusing and humiliating Kashmiris in the IoK by the occupation forces, is a manifestation.

Social Media is being banned to ensure that 'reports of crimes against humanity committed by Indian occupation forces do not go out of IOK.

Indian brutalities, murder and blinding could not deter Kashmiri pro-freedom struggle and spirit. We remain committed to extending our unflinching moral, political and diplomatic support to the Kashmiris.

Visits of dignitaries and high-level delegations from various countries and International

forums continued. We have kept you updated on the outcome through press releases.

Now the Floor is open for Questions

Question

I want to ask you this question that Indian spy and terrorist, who was arrested from Pakistan - Commander Kulbhushan Jhadev, his case has been thoroughly followed by the Indian Government and media to the extent that they have summoned our diplomats. I want to ask that we had huge tragedy that was of Samjhauta Express terrorist attack in 2007. It was a big terrorist activity. Did our diplomatic mission approach or Foreign Office summoned any Indian diplomat in this regard? So, that they share with us details of the investigations and punishments to RSS terrorists, Swami Aseemanand and Col. Purohit. When will they be sentenced and what is the status of their case or has it been set aside? (Sheeba Mahar - Daily SAMAA)

Supplementary Question

Indian Ministry of External Affairs has summoned Pakistani Deputy High Commissioner and they have protested on the death sentence of Kulbhushan Jhadev. They have also requested for the Consular access. What is your take on this? (Tariq Sial - Daily Times)

Answer

I think I have been briefing you people on the efforts that we are putting in to get the information about the Samjhauta Express terrorist attack. You have rightly pointed out that. We have taken up this issue but I need to check back. I cannot give you response off-the-cuff whether we have summoned anyone from the Indian High Commission and if we did so, when? I need to note this question and we can get back to you with a reply. Your question was specific to the summoning aspect and as to what we have done, so far. We did take up the issue of Samjhauta Express terrorist attack on numerous occasions with Indian leadership as well as through diplomatic channels seeking information of proceedings of the investigations into that terrorist attack. Swami Assemanand, who was the Mastermind, made a confession in 2010, if I recall correctly. He also identified Col Purohit, who was then serving Indian army officer, who was also the head of a terrorist organization, Abhinath Bharat. He was an accomplice in the Samjhauta Express terrorist attack. Samjhauta terrorist attack was not the only terrorist attack but there were many other which were identified by SM Mushrif who was IG of Maharashtra and he wrote a book entitled: 'Who Killed Karkare.' The book reflects as to how RSS, in connivance with IB and other government institutions and organizations have remained involved in a number of terrorist attacks, which they carried out themselves or staged in India and blamed on others including Pakistan.

I will check what the answer on your question and get back to you. Mr. Tariq you have mentioned about summoning of our Deputy High Commissioner on the issue related to Commander Kulbhushan. As he was summoned definitely to convey their reaction but this is not something new they did, it was a reaction after award of the death sentence to the Commander Kulbhushan, who is a spy and he made confessions that he was involved in

terror financing, subversive and terrorist activities in Pakistan besides being a spy and indulging in espionage. Then regarding consular access we have said this earlier also that we have bilateral agreement on consular access and according to Art IV, in all such cases as the one of Commander Kulbhushan the request of this nature would be decided on the basis of merits.

Question

India has decided to put all bilateral interactions on hold over the death sentence to Commander Kulbhushan Jhadev. The meeting between Pakistan Maritime Security Agency and Indian Coast Guard which were postponed and even release of Pakistani prisoners who have completed sentences has been withheld. How do you see the Indian reaction to save a terrorist who has confessed to all his committed crimes? (Amjad Ali = PTV)

Supplementary Question

My question is regarding the sentence awarded to Kulbhushan Jhadev that the Indian media is saying that it is violation of Vienna Convention Art. 36 that he is not being given Consular Access. What is your take on this? My second question is that as summer season starts in Pakistan, foreign tourists will start coming to Pakistan for hiking and mountaineering. Has there been a special desk established in our missions for promoting tourism in Pakistan? (Fida Hussain - Radio News Network)

Answer

First the second question regarding tourism. There is a comprehensive policy for promoting tourism. In this regard guidelines are provided from time to time to the Pakistan missions abroad. There are different types of tourism such as 'Sightseeing', students of history come and see the historical places or heritage of Pakistan. There are set guidelines for issuing visas for trekking and mountaineering. For that activity there are authorized tour operators and those who facilitate trekkers and mountaineers. The contacts and website details of authorized people, who can arrange these expeditions, are available online and also our Missions Abroad. Those who are seeking to come to Pakistan for tourism may get the information from those sources.

As to your second question about Commander Jhadev, who is responsible for espionage, sabotage and terrorism in Pakistan, was tried according to the law of the land, in a fully transparent manner while preserving his rights, as per the Constitution of Pakistan. His sentence is based on credible, specific evidence proving his involvement in espionage and terrorist activities in Pakistan, resulting in the loss of scores of precious lives of Pakistanis.

The reaction from India, especially withholding the release of Pakistani prisoners, who have completed their sentences, for a spy and terrorist working against Pakistan's national interests, is disappointing. Inflammatory statements emanating from India are against international norms and will only result in escalation, serving no constructive purpose. Indian reaction should be seen in the backdrop of exposure of its state involvement in perpetrating subversive and terrorist activities in Pakistan.

I would once again underscore the point that Indian reaction must be seen in the backdrop of its exposure of involvement in terrorism and terror-financing in Pakistan.

Question

Prime Minister of Azad Jammu & Kashmir has asked the government of Pakistan to convince the Organization of Islamic Cooperation to carry out economic blockade of India because of rising atrocities in IoK. Will Pakistan take any initiative in this regard? (Khawaja Nayaar Iqbal - Kashmir Post)

Answer

OIC has always extended its unequivocal support to the Kashmiris for their right to self-determination in accordance with UN Security Council resolutions. There is also an OIC Contact Group on Kashmir.

Recently, a high ranking delegation of Independent Permanent Human Rights Commission (IPHRC) of OIC visited Pakistan and AJK from 27 to 29 March 2017. Regrettably, they were denied access by India in Indian occupied Kashmir. Their visit enabled them to get a clearer understanding of what was happening in Kashmir. Pakistan openly welcomed the delegation, and during their 3-day stay they met family members of victims of Indian atrocities. Moreover, OIC Secretary General also visited Pakistan recently and expressed deep concern over Indian brutalities and gross human rights violations in IoK.

The Government of Pakistan will continue to approach the international community including OIC and UN to bring to their notice the grave situation prevailing in IoK. We remain committed to extending moral, political and diplomatic support to oppressed Kashmiris in IoK, who must be given their legitimate right to self-determination, in accordance with the relevant UN Security Council Resolutions.

We remind the international community that much revered values of humanity, justice, freedom and international human rights must not be compromised for the political or economic expediencies.

Question

Fresh videos of Indian atrocities in IoK have come to fore which exposed the horrible practices of Indian occupation forces in Indian occupied Kashmir against the defenceless Kashmiris. Voices within India, including its media, have raised voice against these ghastly instances. Your comments please! Has Pakistan taken up this issue internationally also? (Shahid Maitla - ARY News)

Answer

The Indian brutalities have intensified, especially since 8 July 2016. The popular and

indigenous demand for their right to self-determination has further intensified in the wake of brutalities unleashed by the Indian occupation forces. Hundreds of thousands of Kashmiris have thronged to the streets in IOK, peacefully demanding their inalienable right to self-determination. The Indian occupation forces have been using live ammunition and pellet guns against the protesters, as a result of which more than 200 civilians have been killed so far, and around 20,000 injured. The Indian occupation forces have mass blinded the Kashmiri youth, including women and children, by deliberately targeting their eyes with pellet gun shots. This is the first incident of mass blinding in human history as rightly pointed out in a British daily, The Guardian's 12-page article published on 8 Nov. 2016, which said: 'There is no recorded instance of a modern democracy systematically and willfully shooting at people to blind them.'

We strongly condemn the Indian barbarities in IoK and call upon the international community including the UN to take immediate notice of the gross human rights violations.

Question

Afghan Ambassador Zakhilwal hinted that a joint operation against TTP leader Mullah Fazlullah could be possible in near future. Has the Afghan side officially contacted Pakistan in this regard? Have they shared information about the whereabouts of TTP leadership? Has Afghanistan also extended such cooperation to hunt top leadership of JuA, especially after surrender of former TTP Spokesman Ehsan Ullah Ehsan?

Secondly, what is your reaction on North Korea's recent missile tests? (Essa Naqvi - Dunya News)

Answer

As to your first question, Pakistan has been stating that there are hideouts of JuA and TTP in Afghanistan from where they continue to launch attacks in Pakistan. We have urged the Afghan Government to take action against these terrorists.

On your second question, Pakistan regrets that DPRK continues to undertake actions in violation of its international obligations under the relevant UNSC resolutions. Pakistan expresses grave concern at the recent missile launches carried out by DRPK.

Question

First there are 50 Pakistanis detained in Libya, holding legal passports and Visas. According to information, six persons are in Massada, seven are in Karak and so on. Our embassy is helpless in their release. There is deplorable condition of our embassy there is no officer there, it is run by grade 15 officer.

Secondly, in Afghanistan mother of all bombs was dropped, was there a Pakistani or Taliban terrorist killed, has info been shared with us? (Abbas Yawar - Urdu Express)

Supplementary Question

In Afghanistan mother of all bombs was dropped, was there any environmental impact on Pakistan? (Anwar Abbas Waqt News)

Answer

As to Mr. Abbas Yawar's first question, I don't have information on this particular case of 50 detainees as of now. I have noted your specific query but let me reflect on the issue of Pakistanis' welfare abroad as a matter of policy. Pakistani living or working in a foreign country are required to follow the local laws. They are usually arrested when found in violation of the local laws. If there is an Embassy, it is our responsibility, which we fulfill, whenever we receive a report about detention of any Pakistani in any crime, we approach and request the host government to get the crime for which he or she is detained. And accordingly we take up the case with that government. The procedure also involves ascertaining of the person's antecedents whether he or she is a Pakistani or not.

Question

After the "do more" rhetoric of Obama Administration and the mounting pressure on Pakistan, do you think that the Trump Administration's policies towards Pakistan are any different from his predecessor? (Ayaz Gul - VOA)

Supplementary Question

Since the American Administration is increasingly concerned about terrorist activities, and its debilitating effect in the region, did Pakistan raise up the issue of Kulbhushan Yadav with the visiting US NSA, since his case is a testimony to India's active involvement in state terrorism and terror financing in Pakistan? (Tariq Mahmood - SAMAA TV)

Answer

This was the first high level visit from Trump Administration to Pakistan. It reflected the high importance the new administration attaches to its relations with Pakistan. We had issued the press release on the outcome of the visit. The larger context of the meeting was to reflect on the regional situation, with particular reference to situation in Afghanistan, and how Pakistan and the US could address the situation in Afghanistan together, and bring lasting peace to the region. The question of Kashmir in the context of Pakistan-India relations was also discussed, as the situation has raised concerns across the world. Pakistan wishes to build its relations with the new administration and on the basis of existing solid foundation, we want to take it the next levels.

As far as recognition of Pakistan's efforts towards fight against terrorism is concerned, the US and the entire world at various levels of political leadership have time and again recognized Pakistan's contributions, sacrifices and economic losses in the fight against terrorism. We draw no distinction, and have taken action against all types of terrorists, the manifestation of

which is the improved security and economic situation in the country.

The US Commanders and Senior army personnel, who visited Pakistan recently and visited those areas in Pakistan that were previously considered terrorist infested areas, lauded Pakistan's gains made in its fight against terrorism. Not only did they leave satisfied, but they also made their views public.

Question

Indian media reported that US National Security Adviser H.R McMaster after talks with Afghan leaders in Kabul, has called on regional countries, including Russia and Pakistan, not to support the Afghan Taliban. Did he raise the issue and what was Pakistan's response?
(Saima Shabbir - Bol News)

Answer

The purpose of McMaster's visit to Afghanistan and Pakistan was to gain perspective on peace and stability in Afghanistan as the Trump Administration is presently undertaking its review of the Afghan policy. In this regard, the two sides had a constructive exchange of views. Afghanistan, Pakistan and the US have a shared interest in promoting peace in Afghanistan.

Question

Reportedly, Prime Ministers of Pakistan and India may meet on the sidelines of SCO Summit despite the hostile environment between the two countries. Do you foresee any likelihood of such a meeting, as it is being said that the US leadership is pushing for such a meeting?
(Asghar Ali Mubarak - Daily Mail Islamabad)

Answer

There is nothing on the table yet as SCO Summit is almost two months away. Nevertheless, we have consistently maintained that meaningful, result oriented dialogue, sustainable and constructive engagement to address all outstanding issues, particularly Kashmir dispute, is the only way forward. Hostility and escalation benefits none.

Question

During US NSA McMaster's talks in the Foreign Office, the subject of Daesh was raised, as we have seen several arrests in the past few days to this effect. My question is that we have previously said that Daesh has no footprint in Pakistan. However, there are these arrests especially on the Pak-Afghan border what steps are Pakistan taking to tackle this issue?
(Naveed Akbar - Daily Dunya)

Answer

I have said this previously also that there is no organized presence of Daesh in Pakistan. What you are referring to are sporadic instances of a few volunteers who either do it for money or profiling. As far as the presence of Daesh in Afghanistan is concerned, it has been confirmed by the UN and US Commander John Nicholson in their recent reports. This is a matter of growing concern for many countries in the region, and has been a central issue at the recent meeting on Afghanistan in Moscow. There is a common concern that Daesh and other terrorist outfits are coming together and gaining foothold in Afghanistan and endangering regional peace and stability. Regional countries are mindful and considering ways to tackle the issue.

Question

In the case of kidnapped Colonel Habib Zahir we have heard reports about Indian involvement in the matter. Has Pakistan formally taken up the matter with India? (Saad Umar - Roze News)

Answer

As regards your question, you are aware that Lt. Colonel Retired Mohammad Habib Zahir has been missing since 6 April 2017 from Lumbini, Nepal where he went for a job interview. In view of the revelations about the fake emails and website he was contacted from, we cannot rule out foul play by hostile agencies in his disappearance. The government of Pakistan has taken up the matter of his disappearance with the Nepal Government with the request to trace him. An FIR each has also been lodged both in Islamabad and in Nepal.

We have also shared additional information with the Nepal government on 18 April 2017 about the individuals who reportedly received him at Lumbini, made his hotel reservations and booked his tickets which we believe may be helpful in locating him. His family is very distressed and we hope that he is located at the earliest.

Question

What is the outcome of the Moscow talks? Is the Afghan Taliban also the part of it?

Secondly, Wall Street Journal has reported that Pakistan has deployed five thousand troops on Saudi-Yemen border and it will also fight against the rebels in Yemen. Has Pakistan changed its policy Yemen? (Ali Husnain - Business Recorder)

Answer

As to your second question, this is a media report and does not warrant any response.

Regarding the Moscow talks, it was about the situation in Afghanistan, and 11 countries participated in the talks including Afghanistan. There was a consensus that all participating

countries were concerned about the deteriorating security situation in Afghanistan, particularly the growing presence of terrorist outfits, including Daesh in Afghanistan, and its implications on regional peace and stability. This also figured in Moscow talks. Participating countries discussed that there is urgent need to deal with the security situation in Afghanistan. The outcome was a common concern and understanding as to how the situation in Afghanistan should be dealt with.

Question

Whether a Pakistani Parliamentary delegation plans a visit to Afghanistan? (Rabia - Radio Mashaal)

Answer

I need to check the details.

ANNEX 10


Agreement on Consular Access

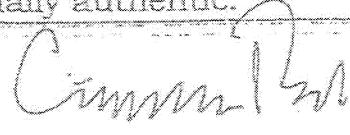
The Government of India and the Government of Pakistan, desirous of furthering the objective of humane treatment of nationals of either country arrested, detained or imprisoned in the other country, have agreed to reciprocal consular facilities as follows:

- (i) Each Government shall maintain a comprehensive list of the nationals of the other country under its arrest, detention or imprisonment. The lists shall be exchanged on 1st January and 1st July each year.
- (ii) Immediate notification of any arrest, detention or imprisonment of any person of the other country shall be provided to the respective High Commission.
- (iii) Each Government undertakes to expeditiously inform the other of the sentences awarded to the convicted nationals of the other country.
- (iv) Each Government shall provide consular access within three months to nationals of one country, under arrest, detention or imprisonment in the other country.
- (v) Both Governments agree to release and repatriate persons within one month of confirmation of their national status and completion of sentences.
- (vi) In case of arrest, detention or sentence made on political or security grounds, each side may examine the case on its merits.
- (vii) In special cases, which call for or require compassionate and humanitarian considerations, each side may exercise its discretion subject to its laws and regulations to allow early release and repatriation of persons.

This agreement shall come into force on the date of its signing.

Done at Islamabad on 21 May, 2008 in two originals, in English language, each text being equally authentic.


Shahid Malik
High Commissioner of Pakistan
For the Government of the
Islamic Republic of Pakistan


Satyabrata Pal
High Commissioner of India
For the Government of the
Republic of India

ANNEX 11

<https://www.dawn.com/news/1327063>

Jadhav's case: bar warning to lawyers

THE NEWSPAPER'S STAFF REPORTER PUBLISHED APR 15,
2017 06:43AM

LAHORE: The Lahore High Court Bar Association (LHCBA) on Friday warned the lawyers against accepting brief of convicted Indian spy Kulbhushan Jadhav.

LHCBA secretary Amir Saeed Rawn said it had decided to take action, including cancellation of membership, against the lawyer(s) found pursuing appeal of Jadhav against his conviction by a military court. He said India had been calling Jadhav its son and pressurising Pakistan government for his release.

Mr Rawn said the lawyers would not allow release of Jadhav who had been found guilty of playing with the lives of innocent people in Pakistan.

Published in Dawn, April 15th, 2017

INTERNATIONAL COURT OF JUSTICE

**Case Concerning the Vienna Convention on Consular
Relations**

(India vs. Pakistan)

**REQUEST FOR THE INDICATION OF
PROVISIONAL MEASURES OF
PROTECTION**

The Hague, 8 May 2017

**REQUEST FOR THE INDICATION OF
PROVISIONAL MEASURES OF PROTECTION
SUBMITTED BY THE GOVERNMENT OF
THE REPUBLIC OF INDIA**

1. I have the honor to refer to the Application submitted to the Court this day instituting proceedings in the name of the Republic of India against the Government of the Islamic Republic of Pakistan. In accordance with Article 41 of the Statute of the Court and Articles 73, 74 and 75 of the Rules of Court, I respectfully submit an urgent request that the Court indicate provisional measures to preserve the rights of the Republic of India.

2. The Court has jurisdiction pursuant to Article 36 of the Vienna Convention on Consular Relations 1963 and Article 1 of the Optional Protocol to the Vienna Convention on Consular Relations Concerning the Compulsory Settlement of Disputes.

I. FACTS

3. As more fully set forth in the Application, the authorities of Pakistan arrested, detained, tried and sentenced to death on 10 April 2017 an Indian national, Mr. Kulbhushan Sudhir Jadhav, in egregious violation of the rights of consular access guaranteed by Article 36, paragraph 1, of the Vienna Convention.

4. India was informed on 25 March 2016 that an Indian national (Kulbhushan Sudhir Jadhav) was allegedly arrested on March 3, 2016. On that very day, India sought consular access to the said individual at the earliest. The request did not evoke any response. Thus, on 30 March 2016 India sent a reminder reiterating its request for consular access to the individual at the earliest. Thirteen more reminders were sent by India on 6 May 2016, 10 June 2016, 11 July 2016, 26 July 2016, 22 August 2016, 3 November 2016, 19 December 2016, 3 February 2017, 3 March 2017, 31 March 2017, 10 April 2017, 14 April 2017 and 19 April 2017. All these requests fell on deaf ears.

5. Almost a year after India's first request for consular access, on 23 January 2017, India received from Pakistan a request for assistance in investigation of what was described as "FIR No. 6 of 2016." Subsequently, on 21 March 2017, Pakistan formally communicated to India that consular access by a State to Mr. Jadhav "*shall be considered in the light of Indian side's response to Pakistan's request for assistance in investigation process and early dispensation of justice.*" This was totally against Pakistan's obligation under the Vienna Convention that does not lay down any limitation on right of consular access by a State to its national and also the right of the Indian national to freely communicate with Indian authorities under Article 36 of the Convention.
6. India learnt from Press reports on 10 April 2017 that Pakistan proceeded to have a military trial against Mr. Jadhav and he was sentenced to death purportedly on the basis of a confessional statement.
7. India received on 10 April, 2017 another note verbale from the Pakistan Ministry of Foreign Affairs, Islamabad conveying that consular access

shall be considered in the light of India's response to Pakistan's request for assistance in the investigation process.

8. India responded to this on 10 April, 2017 itself pointing out that this offer was being iterated after the death sentence had been confirmed – the information of which was given in a press release by Pakistan. India stated that this offer *“underlines the farcical nature of the proceedings and the so-called trial by a Pakistan military court martial”*. India pointed out that despite its repeated requests consular access had not been allowed.
9. Pakistan was under an international legal obligation to India, a party to the Vienna Convention, to comply with the rights of consular access under sub-paragraphs (a) and (c) of paragraph 1 of Article 36. Pakistan was also under an obligation under international law and the Vienna Convention to allow Indian national to seek consular access.
10. It was only after the trial had been concluded that Pakistan, on 21 March 2017, proposed to consider the request for consular access, and that

too, on the condition that India first accede to its request for assistance in investigation. The death sentence was awarded to the Indian national on 10 April 2017. On the same day, Pakistan merely reiterated its proposal of 21 March 2017.

11. Pakistan continues to deny consular access and to provide any information regarding the proceedings against the Indian national including whether an appeal has been filed in the matter. India submits that, in any event, an appeal is an illusory remedy for the reasons set forth in detail in the accompanying Application. Notwithstanding the above, the mother of Mr. Kulbhushan Sudhir Jadhav filed an appeal under Section 133 (B) and a petition to the Federal Government of Pakistan under Section 131 of the Pakistan Army Act 1952. The appeal and the petition were handed over to the Pakistan Government by the Indian High Commissioner in Islamabad on April 26, 2017.

12. The request for provisional measures assumes great urgency as Mr. Jadhav has already been sentenced to death and he has only forty days to file an appeal. India has no access to Mr. Jadhav and no access to any information of

what is in play in the matter. His conviction, as per the Press Statement of 17th April 2017, appears to be based on his “confession” made when he was in captivity and without consular access. India has no confidence that he will be in a position to file an appeal that would seriously challenge his conviction and sentence. It therefore becomes vital to immediately suspend the execution of the death sentence awarded to him.

13. An appeal has been filed on his behalf by his mother, and from the press reports it appears that a court of appeal has already been constituted. There is thus great urgency in the matter as it is possible that the appeal may be disposed of even prior to the expiry of the period of 40 days available for filing.

II. THE AUTHORITY OF THE COURT

14. Article 41 (1) of the Statute of the Court vests the Court with “*power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party*” pending a final

judgment in the case. Orders of provisional measures pursuant to Article 41 establish binding obligations. *La Grand (Germany v. United States of America)*, Judgment, ICJ Reports 2001, p.466 para. 109.

15. The Court has, in three reported cases, indicated provisional measures to prevent executions in applications based on the violation of Article 36 of the Vienna Convention on Consular Relations and which reflects the concern of the Court in matters of human rights violations such as those that result from violation of consular access and assistance in legal proceedings.

16. In the *Case Concerning the Vienna Convention on Consular Relations (Paraguay v. United States of America)*, Provisional Measures, Order of 9 April 1998, ICJ Reports 1998, p.248, the Court indicated provisional measures to prevent the execution of the Paraguayan national Angel Francisco Breard pending final judgment. The Court afforded similar relief in *La Grand (Germany v. United States of America)*, Provisional Measures, Order of 3 March 1999, ICJ Reports 1999, p.9 to prevent the execution of the German national Walter La Grand.

In *Avena and Other Mexican Nationals (Mexico v. United States of America)*, *Provisional Measures, Order of 5 February 2003*, *ICJ Reports 2003*, p.77, the Court directed the United States of America to take all measures necessary to ensure that three Mexican nationals were not executed pending final judgment.

17. International law recognizes the sanctity of human life. The International Covenant on Civil and Political Rights [ICCPR], to which Pakistan is a party, establishes that every human being has the inherent right to life and which shall be protected by law. Article 14 of the ICCPR entitles every person to a fair and public trial by an impartial tribunal. The fairness of the trial depends substantially upon the means available to an accused to defend himself effectively. Where a person is arrested in a foreign country, the right to consular access, and to seek the assistance of his home country in his defence is what fulfills the aspiration of a fair trial in a foreign state.

18. The violation of the Vienna Convention by Pakistan has resulted in the imposition of the death penalty on the Indian national. It has

prevented India from exercising its rights under the Convention and has also deprived the Indian national from the protection accorded under the Convention.

19. India respectfully submits that Mr. Kulbhushan Sudhir Jadhav will be subjected to execution unless the Court indicates provisional measures directing the Government of Pakistan to take all measures necessary to ensure that he is not executed until this Court's decision on the merits of India's claims. The execution of Mr. Kulbhushan Sudhir Jadhav would cause irreparable prejudice to the rights claimed by India. *Case Concerning the Vienna Convention on Consular Relations (Paraguay v. United States of America)*, Provisional Measures, Order of 9 April 1998, ICJ Reports 1998, p.248, para 37; *La Grand (Germany v. United States of America)*, Provisional Measures, Order of 3 March 1999, ICJ Reports 1999, p.9, para 24; *Avena and Other Mexican Nationals (Mexico v. United States of America)*, Provisional Measures, Order of 5 February 2003, ICJ Reports 2003, p.77, para 55;

20. India, therefore, submits this urgent Request for Provisional Measures to protect the life and liberty of India's national, Mr. Kulbhushan Sudhir Jadhav and to ensure the Court's ability to order the relief that India seeks. Without the provisional measures requested, Pakistan will execute Mr. Kulbhushan Sudhir Jadhav before this Court can consider the merits of India's claims and India will forever be deprived of the opportunity to vindicate its rights. The Court's indication of provisional measures in three prior cases supports India's right to the relief sought.

21. As stated above, there is immense urgency in the matter as the 40 day period expires in any event on 19th May, and besides the appeal by the mother already having been filed, and the court of appeal already having been constituted, the disposal of the appeal may take place any day.

III. THE ORDER REQUESTED

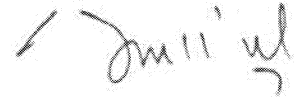
22. On behalf of the Government of the Republic of India, I therefore respectfully request that, pending final judgment in this case, the Court indicate:

- (a) That the Government of the Islamic Republic of Pakistan take all measures necessary to ensure that Mr. Kulbhushan Sudhir Jadhav is not executed;
- (b) That the Government of the Islamic Republic of Pakistan report to the Court the action it has taken in pursuance of sub-paragraph (a); and
- (c) That the Government of the Islamic Republic of Pakistan ensure that no action is taken that might prejudice the rights of the Republic of India or Mr. Kulbhushan Sudhir Jadhav with respect to any decision this Court may render on the merits of the case.

23. In view of the extreme gravity and immediacy of the threat that authorities in Pakistan will execute an Indian citizen in violation of obligations Pakistan owes to India, India respectfully urges the Court to treat this Request as a matter of the greatest urgency and pass an order immediately on provisional measures suo-motu without waiting for an oral hearing. The President is requested that exercising his power under Article 74, paragraph 4

of the Rules of Court, pending the meeting of the Court, to direct the Parties to act in such a way as will enable any order the Court may make on the Request for provisional measures to have its appropriate effects.

08 May 2017



(Dr. Deepak Mittal)
Joint Secretary
Ministry of External Affairs
Government of India

विदेश मंत्री
भारत



Minister of External Affairs
India

सुषमा स्वराज
Sushma Swaraj

**Institution of Proceedings before the International Court of Justice
by the Republic of India against the Islamic Republic of Pakistan**

New Delhi, 06 May 2017

Dear Mr Philippe Couvreur,

As required under paragraph 3 of Article 38 of the Rules of Court, I hereby authorize Dr. Deepak Mittal, Joint Secretary, Ministry of External Affairs, Government of India to file an application in the Registry of the International Court of Justice, against the Islamic Republic of Pakistan along with the Application for the prescription of Provisional Measures, in the matter of Mr Kulbhushan Sudhir Jadhav, an Indian national, facing death sentence as a result of unfair trial in a Pakistan Military Court.

I hereby authenticate the signature of Dr. Deepak Mittal which appear on the Annex.

Sincerely yours

(Sushma Swaraj)

**Minister of External Affairs
Republic of India**

To,

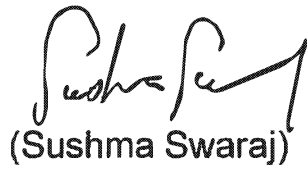
**Mr. Philippe Couvreur
The Registrar
International Court of Justice
The Hague, Netherlands.**

Annex to the Letter

A handwritten signature in black ink, appearing to read 'Dr. Mittal', written over a horizontal dotted line.

(Dr. Deepak Mittal)

The above signature of Dr. Deepak Mittal are authenticated.

A handwritten signature in black ink, appearing to read 'Sushma Swaraj', written in a cursive style.

(Sushma Swaraj)

Minister of External Affairs

Republic of India

विदेश मंत्री
भारत



Minister of External Affairs
India

सुषमा स्वराज
Sushma Swaraj

**Institution of Proceedings before the International Court of Justice by the
Republic of India against the Islamic Republic of Pakistan**

New Delhi, 08 May 2017

Dear Mr. Philippe Couvreur,

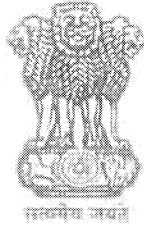
I, hereby, appoint Dr. Deepak Mittal, Joint Secretary, Ministry of External Affairs, Government of India as the Agent for the Republic of India before the International Court of Justice for the purpose of filing Application for instituting proceedings against the Islamic Republic of Pakistan concerning the violation of the Vienna Convention on Consular Relations, 1963, along with the Application for the prescription of Provisional Measures in the matter of Mr. Kulbhushan Sudhir Jadhav, an Indian national facing death sentence as a result of unfair trial in a Pakistan Military Court, and for further proceedings before the Court.

Your Sincerely,


(Sushma Swaraj)

**Mr. Philippe Couvreur
The Registrar
International Court of Justice
The Hague, Netherlands**

Dr. Deepak Mittal
Joint Secretary



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI


**FILING OF APPLICATION AGAINST THE ISLAMIC REPUBLIC OF
PAKISTAN ALONGWITH APPLICATION FOR PROVISIONAL MEASURES**

Upon instructions of my Government, I have the honour to submit herewith an application of the Republic of India as well as an urgent request for provisional measures pursuant to Articles 40 & 41 of the Statute of the Court and Articles 73, 74 & 75 of the Rules of Court against the Islamic Republic of Pakistan for violations of Vienna Convention on Consular Relations, 1963.

The request for provisional measures is of extreme urgency. Given the lack of transparency in the entire trial process, there is a high likelihood that Pakistani authorities may execute Indian national Kulbhushan Sudhir Jadhav at any time without any notice and this eventuality would deprive both this Court and India of the opportunity to have the case decided on its merits.

The contact details for further communication are as follows:

1. Dr. Deepak Mittal, Joint Secretary, C/o Embassy of India, Buitenrustweg 2, 2517 KD, The Hague, The Netherlands
2. Dr. Deepak Mittal, Joint Secretary, Ministry of External Affairs, Room 149 B, South Block, New Delhi – 110001, Email: jspai@mea.gov.in, Tel: 2301 5060, Fax: 2301 2139, Mobile: +91-7042130882.


(Dr. Deepak Mittal)
May 8, 2017

To,

Mr. Philippe Couvreur
The Registrar
International Court of Justice
The Hague, Netherlands