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Title: The Minister of Home Affairs laid a statement regarding Visit of the Interior Minister of Pakistan to India on December 14<sup>th</sup>-16<sup>th</sup>, 2012.

THE MINISTER OF HOME AFFAIRS (SHRI SUSHILKUMAR SHINDE): Sir, I beg to lay a statement regarding the visit of the Interior Minister of Pakistan to India on 14-16 December, 2012. The Interior Minister of Pakistan, Shri Rehman Malik visited New Delhi on 14-16 December, 2012. This visit was in response to the mutual invitation extended when we met on the sidelines of the SAARC Interior Ministers' meeting in Maldives on September 26, 2012. The invitation was both in response to Shri Malik's desire to visit India and so also to continue with the overall strategy to continue engaging Pakistan.

The House may recall that the India-Pakistan dialogue commenced in 2004 and has eight subjects, one of which is Terrorism and Drug Trafficking, which with other allied subjects, is discussed at the Home Secretary (HS) Level Talks with Pakistan.

Due to the Mumbai terror attacks in November, 2008, the HS Level Talks were not held in 2009 and 2010 - as a conscious decision by Government of India.

The dialogue was resumed in 2011 and the Indo- Pak HS level Talks of the "resumed dialogue" were held in New Delhi on 28-29<sup>th</sup> March, 2011 and subsequently at Islamabad on 24-25 May, 2012.

In the Home Ministry led bilateral interactions, the agenda has focused on:-

- i) Pakistan's continued support to terrorism and operation of terrorist camps in PoK.
- ii) The prosecution and trial of the key masterminds and conspirators of the Mumbai Terror Attack of 26.11.2008.
- iii) Bringing fugitives of the Mumbai bomb blasts of 1993 to justice.
- iv) Issues of firing across the Line of Control as well as international borders.
- v) Terrorist financing and fake currency notes.
- vi) Humanitarian Issues with respect to Fishermen and civilian prisoners and Indian POWs in Pakistan, Visa and Consular issues.
- vii) Narcotics and drugs trafficking in particular the Signing and ratification of the MoU between India and Pakistan.
- viii) The need to conclude the MLAT and Extradition Treaty, the drafts of which have already been shared with Pakistan.

The discussions also included separate technical Groups/JWG's on Visas, fishermen, CBI-Federal Investigation Agency (FIA), NIA-FIA, and the Judicial Committee.

The official visit commenced with the announcement of the operationalization of the new Visa Agreement which was signed during the visit of the External Affairs Minister to Islamabad on 8<sup>th</sup> September, 2012. The new Agreement introduces several liberalized features in the visa regime, including increase in the number of permissible places to visit to five (from the earlier three places) under the Visitor Visa category, long term visa for upto two years for persons above 65 years and for nationals of one country married to nationals of the other country as well as their children below 12 years. It introduces Visa on Arrival at Attari/Wagah Check Posts for persons more than 65 years old, and Group Tourist Visa for travel in groups between ten to fifty members organized by approved tour operators. The Agreement provides for grant of business visa with exemption from police reporting for businesspersons with annual income above Pak Rs.5 million or equivalent, or annual turnover above Pak Rs.30 million or equivalent. The Visa on Arrival will be operationalized from 15<sup>th</sup> January 2013 and the Group Tourist Visa scheme will become effective from 15<sup>th</sup> March, 2013.

In the talks which followed, I made it clear that the key issues in the mind of the Indian Govt. & our public is the issue of bringing the guilty of the Mumbai Terror Attacks to justice. I pointed out that many of the real mastermind and conspirators as well as key participants in the Mumbai Terror Attacks had not yet been charge sheeted. In this context I specially mentioned the fact that our investigation have shown that one Hafiz Saeed was one of the Mastermind of the 26/11 attack conspiracy and Pakistan has yet to take effective action to charge him. I reiterated the value of the voice samples for establishing the identity of those who were audacious to be caught on tape while directing the attackers. I also emphasized the need to respond to the Letter Rogatories sent to Pakistan pursuant to the investigation by the NIA. With regard to the Judicial Commission's visit to India to complete the "cross-examination" of the four witnesses, we had already conveyed our in principle approval. We have also emphasized to the Pakistan side the need to ensure that the revised Terms of Reference/Agreement need to be worked out carefully in consultation with the senior Law Officers of both sides so that this time there are no legal lacunae. Accordingly, it was agreed that a team from India will visit Pakistan in this week to settle this document so that the Judicial Commission may come at the earliest.

I then took up the issue of non-compliance/ execution of long pending Red Notices against the absconders of the Mumbai Blast case of 1993 - in which more than 400 people were killed - being a blot on our bilateral cooperation in bringing fugitives from law to justice. The D-Company operatives - led by Dawood Ibrahim still evade arrest. International community has now universally acknowledged the danger this criminal- terrorist groups poses. Recently, the US designated Dawood Ibrahim as a Specially Designated Global Terrorist and another person of the same group as a Drug kingpin. Pakistan has to ensure full cooperation in the capture of these absconders in right earnest.

The Pakistan Minister was informed that in 2012 we saw concerted attempts by terrorists to infiltrate across the Line of Control in J&K and these have occurred across several sectors of the Line of Control. Besides, there have been a large number of cases of unprovoked violations of the ceasefire. Our inputs indicate that the number of terrorist camps and launching pads in PoK remain intact. Thus, we are yet to see effective action on ground.

I highlighted the fact of the increasing number of consignments of fake Indian Currency notes being seized in India and by other countries from individuals coming from Pakistan. This indicated that the production and circulation of FICN is growing in Pakistan, direct or indirect patronage of influential elements/groups in Pakistan cannot be ruled out.

Pakistan's attention was drawn to the disturbing increase in the attempts to push drugs across the Punjab border, including through railway cargo wagons. The need to ensure effective counter measures on the Pakistan side was noted by the Pakistan side.

The work done by the Judicial Committee on Prisoners for their release, repatriation and humane treatment was reviewed and attention was drawn to the issue of missing Defence personnel and POW's. I reiterated the proposal made by India earlier that the mandate of this Judicial Committee could be extended to also cover missing Defence personnel and POWs.

The issue of prompt return of the fishermen's boats and so also on working out the modalities for return of inadvertent fishermen crossers was discussed in detail as these are humanitarian issues affecting the livelihood of poor and marginal fishermen.

I commended the mercy petition by the family of Sarabjeet Singh, who has been imprisoned now for more than 20 years. The Pakistan side raised the issue of progress of investigations in the Samjhauta Express Blast. NIA updated the FIA. It was also clearly stated that the progress of Samjhauta investigation could not be equated to the Mumbai Terrorist Attacks.

In the official level follow up discussions, the Home Ministry and NIA officers met their FIA & Interior Ministry counterparts. The Indian side outlined the further action/steps needed by the Pakistan side to ensure that the evidence available in Pakistan is gathered by FIA and that all conspirators of the Mumbai Terrorist Attack as well as of the wider conspiracy to cause terrorist attacks to inflict mass casualties in India, are brought to justice.

In conclusion, the following immediate next steps/outcomes, were agreed to:

- (a) India delegation will visit Pakistan in this week to settle the revised terms of agreement so as to facilitate an early visit of the Judicial Commission from Pakistan - preferably- immediately after the Courts reopen in January, 2013 and the convenience and Orders of the respective Judicial forums is obtained.
- (b) MHA, NIA & NCB team will visit Pakistan in January 2013 to operationalize the "Task Force" on counterfeiting and drugs trafficking.
- (c) That the Home Secretaries would endeavour to meet in the first quarter of 2013 to review progress.

The Interior Minister also called on the Hon'ble Prime Minister & Hon'ble Leader of Opposition Smt. Sushma Swaraj. Thus to conclude, the emphasis was that the continuing peace process, Confidence Building Measures (CBMs) and enhanced people-to- people contacts between the two countries have to proceed in an atmosphere free of terrorism and violence. In this context, the need for bringing guilty of the Mumbai terror attack to justice was emphasized as being of paramount importance. On a larger plane, it was stated that terrorism is affecting all aspects of the relationship and that we must deal with this menace effectively.

Mr. Rehman Malik, Interior Minister of Pakistan has been telling us repeatedly that he had arrested Mr. Hafiz Saeed thrice and that on each occasion, he was let off by the courts for lack of evidence. We had been given to understand by the Interior Minister of Pakistan that Mr. Hafiz Saeed had been arrested on the charges of being a part of the conspiracy for the 26/11 Mumbai terror attacks. During my talks with him, he stated that if we desire, he will give us the FIRs and the Judgements pertaining to the three occasions when Hafiz Saeed was arrested and let off by the courts. When we pursued this matter, they have given us papers pertaining to the detentions of Shri Hafiz Saeed in 2002 and 2009. From the papers given to us, it is clear that the detentions of Shri Hafiz Saeed in the aforesaid cases were for other reasons and not for his role as a conspirator in the 26/11 Mumbai terror attacks. Therefore, I can only say that Mr. Rehman Malik appears to have been misinformed in the matter.

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