

25 February 2016



Our reference: MIN/93011/2016

Foreign &
Commonwealth
Office

The Rt Hon Fiona Mactaggart MP
House of Commons
London
SW1A 0AA

King Charles Street
London SW1A 2AH

Minister for Europe

Thank you for your email of 28 January regarding Mr Paramjeet Singh and extradition policy within the European Union.

You suggested an EU-wide agreement to prevent those individuals recognised as refugees in one Member State being at risk of extradition to a Third State if they travel to another Member State. I can understand why you propose such an agreement but it would present complex practical difficulties. There is no mutual recognition of refugee status between Member States as it is for each Member State to determine whether an individual is a refugee. In addition, an individual's immigration status or status as a refugee is confidential and may not be made known to a Member State they are visiting, or to any Third State seeking arrest or extradition.

In this particular case, Mr Singh was arrested by the Portuguese as result of an Interpol Red Notice and not a formal extradition request. Red Notices are issued by Interpol to all countries and it is for them to decide how to take action on the Red Notice. Some countries, such as Portugal, provisionally arrest on the basis of a Red Notice alone whilst a full extradition is awaited. It therefore appears Mr Singh's travel to Portugal triggered his arrest and extradition proceedings, rather than India deliberately choosing Portugal as the forum for extradition proceedings.

You will be aware that after you wrote to me, India formally requested Mr Singh's extradition from Portugal. As the Foreign Secretary said in the House of Commons on 12 January, we made the Portuguese authorities aware of Mr Singh's asylum status in the UK but the decision of whether or not to extradite Mr Singh would be for the Portuguese authorities.

On 11 February the Portuguese Justice Minister declined India's request for Mr Singh's extradition. Mr Singh was released immediately and I can confirm that he returned to the UK on 12 February.

THE RT HON DAVID LIDINGTON MP