

India

EU engagement to date

A Joint Declaration on a Common Agenda on Migration and Mobility (CAMM) between India and the European Union and its Member States, was agreed on 29 March 2016, in the framework of the EU-India High Level Dialogue on Migration and Mobility (HLDMM). Irregular migration is one of the 4 priority areas of the CAMM (alongside regular migration, the development impact of migration and international protection).

Cooperation on readmission

In 2019, 9 745 Indian nationals staying illegally in the Member States were issued return decisions and 1 570 effectively returned to India resulting a **return rate** of 16%. Member States submitted 1 325 readmission requests to Indian authorities, who issued 352 travel documents resulting in an **issuance rate** of 27%.

A total of 21 Member States reported having approached the authorities of India for readmission matters related to its nationals in 2019.

Only one Member State reports having a **bilateral arrangement** in place with India, whose relevant provisions are very often respected.

A third of Member States, where more than two-thirds of Indian nationals ordered to leave were to be found, assess the cooperation with India in the **identification procedure** as average. Another third of the responding Member States, representing 9% of Indian nationals ordered to leave, consider it good or very good and the remaining third, standing for 11% of Indian nationals ordered to leave, poor or very poor.

This is reflected in 11 Member States having an established routine for cooperation on identification that is generally effectively implemented with Indian diplomatic missions.

For two-thirds of responding Member States consular interviews are almost always performed upon their request as necessary, with, outcomes either (very) satisfactory, acceptable or unsatisfactory in similar proportions.

Interviews are also almost always requested by Indian authorities even in case where sufficient evidence to establish nationality was already provided (e.g. valid or expired travel documents), in the case of 13 Member States.

Evidence accepted includes not only valid or expired passports, but also information extracted from the VIS in the case of seven responding Member States, other identity documents in the case of 15 responding Member States, photocopies of documents in the case of 17 responding Member States, other evidence, and biometric evidence in the case of six Member States.

According to more than two-thirds of the responding Member States, where more than 85% of Indian nationals ordered to leave are to be found, the **issuance of travel documents** often to always takes place in a timely manner.

Additional elements other than nationality are also very taken into account by India when deciding whether to issue travel documents or not, in the case of three Member States.

Returns by **charters flights** are generally not accepted by India.

Certain restrictions are applied in case of returns by **scheduled flights**, namely visa requirements for escorts.

In general, Member States have assessed the **overall cooperation on return and readmission** as stable or improving since 2015.

With a total of 9 745 Indian nationals ordered to leave in 2019, India ranks 12th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. Overall, two-thirds of Member States interact with India, with only one (non-EU) having a bilateral arrangement in place. No jointly agreed procedures are in place at EU level, but half of Member States who engaged have an established readmission routine. Those practices deliver mixed results, yet mostly satisfactory/acceptable for Member States representing two-thirds of the return decisions issued, where identification processes are conducted successfully, including through interviews, and with timely issuance of travel documents. For a more effective and predictable readmission cooperation, the better cooperation practices would need to be consolidated and extended to all Member States. Identification processes could be expedited, by issuing travel documents without interviews for documented cases, by availing itself of alternative means of identification (missions, phone or videoconference) and by accepting biometrics as evidence from all Member States. Further improvements could be envisaged by accepting charter flights from all requesting Member States.