

Joint Declaration on a Common Agenda on Migration and Mobility between India and the European Union and its Member States

The Republic of India and the European Union, and the participating Member States of the European Union, (hereinafter referred to as "the Signatories");

ACTING within the existing framework for cooperation, in particular the 1994 EU-India Co-operation Agreement, as well as the 2004 EU-India Strategic Partnership, and the Joint Action Plan, as agreed in 2005 at the EU-India Summit in The Hague and revised in 2008 at the EU-India Summit in Marseille;

RECALLING the February 2012 EU-India Summit, and particularly the December 2010 EU-India Summit, which recognised the important implications of the movement of people for India and the EU, and agreed to explore initiatives that could lead to a regular, comprehensive and structured dialogue on migration issues, with a view to deepening cooperation in this field;

BUILDING on the results of the EU-India High Level Dialogue on Migration and Mobility held on 2nd July 2012 in New Delhi;

ACTING without prejudice to the competences of the EU and of the EU Member States, as laid down in the Treaty on the Functioning of the European Union;

REAFFIRMING the shared commitment to facilitate the mutually beneficial movement of persons between India and the European Union, whilst ensuring better management of these migration flows and mobility, including the prevention and combating of irregular immigration;

NOTING the relevance for the EU of the EU Global Approach to Migration and Mobility;

NOTING the high degree of convergence between India and the EU on policy objectives and priorities in the field of migration and mobility and the common emphasis on quality research;

RECOGNISING the existing migration-related bilateral agreements and arrangements between India and EU Member States;

ACKNOWLEDGING the shared interest of the EU and India in further exploring mutually beneficial possibilities for cooperation concerning the facilitation of the issuance of visas and the return of persons residing without authorisation;

HAVE DECIDED to establish a Common Agenda on Migration and Mobility (CAMM) between India and the EU and the participating EU Member States, based on partnership and reciprocity. The EU-India CAMM provides a framework for cooperation on joint objectives, recommendations and actions, with a view to better organizing and promoting regular migration, fostering well-managed mobility, preventing and combating irregular migration, addressing trafficking in human beings, promoting international protection, and maximising the development impact of migration and mobility;

And ENDEAVOR, to this end, to further develop their dialogue and cooperation on migration and mobility, in particular along the following lines:

Priority areas

1. Work towards better management of migration and mobility, supported by an improved knowledge base of migration flows of all kinds between India and the EU, while ensuring the human rights of migrants, serving the interests of, and taking into account the respective competences of the Signatories, and focusing on the following four priority areas:
 - a. better organizing and promoting regular migration at relevant skill levels and fostering well-managed mobility, including the enhanced issuance of visas;
 - b. maximising the development impact of migration and mobility, including through cooperation on social security issues between India and EU Member States;
 - c. preventing and combating irregular migration and addressing trafficking in human beings;
 - d. promoting international protection, in line with the respective obligations of the Signatories.

Dialogue, Recommendations and Actions

2. Hold dialogue to exchange information on legislation, policies and best practices and explore possibilities for concrete cooperation, make policy recommendations, and develop actions in the four priority areas.
3. In the area of regular migration and fostering well-managed mobility, address issues, such as:
 - (i) supporting research, with a view to making relevant practical and innovative policy recommendations;
 - (ii) exchanging and comparing information and statistics regarding labour and other regular migration flows between the EU and India;
 - (iii) enhancing the efficiency and security of respective procedures for entry, residence and registration, where necessary by improving relevant legislation and practices e.g. where appropriate, with regard to processing time and documentation;
 - (iv) building legal and administrative capacity to monitor and manage migration, *inter alia* through the development of human resources;
 - (v) exploring possibilities for attracting, in particular highly-skilled workers, including scientists and technologists, IT specialists and managers, with a view to strengthening mobility for these categories and fostering innovation in a reciprocal manner, including consideration of circular migration, efficient grant of visas, including possible grant of visas with long-term validity;
 - (vi) matching immigration to labour market needs and, in this context, stimulating targeted and appropriate skills development;
 - (vii) making progress towards the mutual recognition of foreign qualifications;
 - (viii) developing programmes and policies for pre-departure orientation, including to facilitate integration;
 - (ix) exploring possibilities for enhanced mobility of business persons, and mobility and exchange of students and researchers, as well as other *bonafide* travellers, in a safe and secure environment, including through efficient grant of visas for those categories;
 - (x) exploring possibilities for a visa waiver agreement for diplomatic passport holders.

4. In the area of irregular migration and trafficking in human beings, address issues, such as:
 - (i) supporting research, with a view to making relevant practical and innovative policy recommendations;
 - (ii) collecting and exchanging available information and statistics, as well as analysing trends, regarding irregular migration flows and routes;
 - (iii) addressing any relevant gaps in policy and its implementation;
 - (iv) building capacity in border management, preventing irregular migration, and addressing trafficking of human beings, including the needs of the victims, through mutually agreed activities, such as joint training of border guards;
 - (v) exploring ways of reducing visa overstay;
 - (vi) strengthening interagency cooperation, coordination and exchange of information both within India, the EU and its Member States, as well as between India and the EU;
 - (vii) improving travel document security, including through biometrics and strengthening capacity to detect forged and falsified documents;
 - (viii) building awareness among all stakeholders about the risks of irregular migration, and building capacity and exploring ways for prevention of irregular migration;
 - (ix) cooperating on facilitation of the return of irregular migrants, including on the establishment of nationality by the competent authority, and timely issuance of travel documents required for return, while seeking to make the process swifter and more efficient;
 - (x) exploring possibilities for a Readmission Agreement.
5. With a view to maximising the development impact of migration, address issues, such as:
 - (i) supporting research on migration to India, as well as from India to the EU, including on its root causes, with a view to making relevant, practical and innovative policy recommendations;
 - (ii) harnessing the contribution of migrants to the economy of destination countries as well as countries of origin;
 - (iii) facilitating the secure and cost-effective flow of remittances and their development effect;

- (iv) supporting diaspora networks and the integration of migrants in the interest of development of countries of origin and countries of destination;
 - (v) mitigating the social consequences of migration for countries of origin, including consideration of circular migration;
 - (vi) optimising the benefits deriving from return migration, including through cooperation on social security issues between India and EU Member States.
6. With a view to promoting international protection, in line with the respective obligations of the Signatories, address issues, such as:
- (i) collecting and exchanging available statistics and information on the situation of third country nationals and stateless persons in need of international protection;
 - (ii) sharing of information on practices, related legislation, and applicable international norms;
 - (iii) cooperating with international organisations, such as UNHCR, and relevant agencies, where appropriate and mutually agreed upon, under the international obligations applicable to each Signatory;
 - (iv) meeting the specific needs of unaccompanied minors and other vulnerable groups in need of international protection;
 - (v) cooperation on capacity building and training, including on processing claims of persons in need of international protection, as well as any other activities and actions mutually agreed upon.

Framework for cooperation

7. Confirm that a Common Agenda is a non-exhaustive and flexible framework for cooperation in the mutual interest of the Signatories, based on the principle of voluntary participation of interested EU Member States, and on the basis of full reciprocity. Cooperation between the Signatories may be undertaken with India at EU level, between India and individual, or groups of Member States, and between India and relevant agencies of the EU or of the Member States.

8. The overall steering of the implementation of the CAMM will be provided by the annual EU-India High Level Dialogue on Migration and Mobility that will be held alternatively in Brussels and New Delhi, supported in this task by additional meetings at the working level, as agreed.
9. Actions implementing the CAMM are to be included and described in an Annex to this Joint Declaration.

Done at Brussels on the *twenty-ninth* day of March in the year two thousand and sixteen, in the original, in the English language.

For India



For the European Union and its Member States

