



INDIA-EU MIGRATION GOVERNANCE: INITIATIVES TO PREVENT AND TACKLE IRREGULAR MIGRATION AND MOBILITY

INTRODUCTION

Irregular border crossings to the EU takes place through three main routes, Western Mediterranean, Central Mediterranean and Eastern Mediterranean and change rapidly. In 2018 the main route was the Western Mediterranean, whilst in 2019 it was along the Eastern Mediterranean. The number of overall irregular detections in the EU have been dropping in the last two years, but attention needs to remain high, as this remain a significant problem, often involving smuggling services provided by criminal organisations. In 2018, 135 nationalities were detected using fraudulent documents upon entry in to the EU and Schengen Associated Country (SAC). In the same year, 8,490 Indian nationals were found to be residing irregularly within the EU-27, 7,980 return decisions were issued to nationals believed to be of Indian origin, out of which 1,625 were returned (source: EUROSTAT).

Most irregular suspected migration from India is found to be from specific regions within the country (Punjab, Haryana, West Bengal) and mostly motivated by economic benefit or lured by unscrupulous recruiting agents (or sub-agents)., Some job seekers (low skill or unskilled people) have been found to opt for a tourist visa to migrate for employment purposes.

Preventing irregular migration and addressing smuggling of migrants and trafficking in human beings, as outlined in the **India-EU Common Agenda on Migration and Mobility (Camm)**, is a priority area for both India and the EU. Specifically, developing research in support of policy recommendations; collecting and exchanging information and statistics; addressing relevant policy gaps and implementation; and building capacity in border management in preventing irregular migration.



Local Partner



Implementing Partner



Implementing Partner

Given this framework, the **Migration Governance Seminar** in 2019 – held in New Delhi – discussed prevention of irregular migration between EU and India. **Key insights** and proposed **recommendations** are listed below.

KEY INSIGHTS

1. An Emigration Check is required (from the office of Protector of Emigrants) for certain passport holders prior to their travelling for employment to 17 countries¹. Additionally, 12 officers are empowered at the national level in India to take penal actions against irregular agents. Similar measures could be taken to check India-EU irregular migration.
2. To combat irregular immigration and raise awareness about legal ways of migration, engagement and dissemination of information at the community level through local self-help groups, charity organisations and panchayat/village leaders is essential. Bringing the dialogue to colleges and skill training centres was also seen as vital.
3. Other steps which can be taken to tackle irregular migration include counsellor dialogue, biometric passports and prosecution of irregular agents.
4. EU is trying to develop a network of Immigration Liaison Officers (ILOs). According to the information provided by Member States 16 ILOs are deployed in India and could be instrumental in exchange of information on irregular migration from India, but also in supporting stakeholders (e.g. commercial carriers and Indian authorities) in tackling irregular migration in all its aspects (e.g. documentary fraud).
5. Challenges experienced in handling irregular migration included lack of effective action against unauthorised recruiting agencies, mismatch of promised versus paid wages, dispute between the employer and the employee upon the enforcement of agreement; claiming compensation amount for death of the emigrant and injuries sustained in the work place. The process of returning migrants also involves re-inclusion or reincorporation of a person into his or her own culture, family and society, and often such reintegration is not seamless.



1. <https://www.mea.gov.in/emigration-clearance-system.htm>

GOVERNMENT OF INDIA INITIATIVES

A program named '**Surakshit Jayein, Prashikshit Jayein**' (Go Trained and Go Safe).

Pravasi Bharatiya Sahayata Kendra (PBSK), which provides 24x7 assistance and counselling facilities to prospective emigrants.

Nationality Verification Portal has been set up, 11,386 cases have been referred so far, of which 9,201 have been verified, 229 are in process and 1,102 cases are pending. The strike rate of verification is 81%.

EU POLICY FRAMEWORK ON IRREGULAR MIGRATION

EU adopted an Agenda on Migration in 2015 and amongst many of its objectives are: saving lives at sea, targeting criminal smuggling networks, relocation and resettlement of asylum seekers, working in partnership with key countries outside EU and helping front-line members states.

To better manage migration, there is a need to address its root causes, combat smuggling and initiate more effective returns, reinforce border management and stronger asylum system. EU Action Plan against Migrant Smuggling (2015-2020) aims to prevent and combat exploitation of migrants by criminal networks, through a multi-disciplinary approach and building stronger investigation capacity and prosecution, investigation exchange of information and intelligence, enhanced prevention of smuggling and assistance and stronger cooperation with partner countries.

Deployment of Immigration liaison Officers from Member States, Commission and EU agencies, improving exchange of information, building cooperation networks and are some of the steps taken to foster stronger cooperation with partner countries. An EU Return Liaison Officer was also in place from 2018-2019 to improve European cooperation in return matters by posting return liaison officers in strategically important countries as well as by using existing networks.

Return of irregular migrants found is an integral part of the EU Migration Policy. As a reflection of the critical importance of return and readmission in EU policy, the new Visa Code entered into force in February 2020 establishes a link between cooperation on readmission by third countries and visa issuance for their nationals.

RECOMMENDATIONS FOR THE FUTURE

1. To combat irregular immigration and raise awareness about legal ways of migration, engagement at the community level with local self-help groups, charity organisations and panchayat/village leaders is essential.
2. Seminars in India and EU Member States (engaging diaspora communities) were encouraged to increase awareness building about visa types, avoiding the use of fraudulent agents, educating about the realities of life in the EU as an irregular migrant.
3. Strengthen cooperation of the local network of immigration liaison officers in order to facilitate exchange of information, transmission of information to EU and common initiatives on the ground.
4. Some initiatives taken at the state level to reduce irregular migration were highlighted: short films made to raise awareness on regular and safe migration, conducting awareness workshops, booklets and leaflets.
5. Understanding the perspective of the migrant – economic, social and emotional, will help protect the migrant from being exploited.
6. To prevent irregularity, safe migration practices through ethical recruitment checks needs to be created at the community level in conjunction with private sector. Pre-departure orientation is also a helpful practice. Capacity building at the provincial level, mainstreaming of welfare schemes are some of the other means to support prevention of irregularity.

INFORMATION

An experience of re-integration of Indians from Europe was presented conducting awareness campaigns against unsafe migration, advocacy with local self-help groups and panchayat/village leaders in Punjab. This was supported by Dutch Ministry of Justice and Safety. Progress was monitored by working groups consisting of British High Commission and an EU Liaison Officer.

Though figures of return migrants are not high and most have returned voluntarily, good practices of return and reintegration need to be established to assist others who are irregularly staying in Europe to return. Apart from Punjab some other states like Gujarat, Haryana and West Bengal are also recording returnees and have been reintegrated.