

**Migration and Mobility Partnership**

**Agreement**

**between**

**The Government of the**

**Republic of India**

**and**

**The Government of the**

**French Republic**

The Government of the Republic of India and the Government of the French Republic herein after referred to as the "Parties",

Having regard to the historic links of friendship and co-operation that unite their two countries and to give a new impetus to the Indo-French Strategic Partnership;

Within the framework of India-France Joint Statement dated December 6, 2010 wherein "France and India, reiterating the importance they attach to encouraging people-to-people contacts and human exchanges in accordance with the joint declarations of 25 January 2008 and 30 September 2008, reaffirm their determination to co-operate closely in the field of migration, with a view to encourage legal and orderly migration of students, professional and skilled workers to each others' country, depending on opportunity available, to assure the return to their country of illegal migrants who have been properly identified as their national and to combat irregular migration";

Determined to implement the India-France Joint Statements of 14 February 2013; 10 April 2015 and 25 January 2016 wherein "the leaders affirmed their commitment to pursue their discussions on this Agreement with a view to conclude them as soon as possible";

Convinced that such human exchanges and migratory movements help to bring people together and that their management in partnership is a factor of economic, social and cultural development for both countries;

Resolved to facilitate temporary and circular migration based on mobility and the encouragement for a return of skills to the home country;

Determined to jointly take appropriate steps to prevent and suppress irregular migration, smuggling of migrants and trafficking in human beings, in accordance with respective national legislation;

Having regard to the Social Security Agreement between the Government of the Republic of India and the Government of the French Republic signed in Paris on 30 September 2008;

Bearing in mind the Strategic Partnership between the European Union and India adopted at the fifth EU-India Summit of 8 November 2004 at The Hague, the Joint Action Plan forming part of the Strategic Partnership adopted on 7 September 2005 and the EU-India High Level Dialogue on



Migration Issues and Visa Policy which led to the Joint Declaration on Common Agenda on Migration and Mobility between India and EU and the Member States, signed on 29 March 2016;

Respecting the rights and guarantees set forth in their respective national legislations and the relevant international treaties and conventions;

Have agreed as follows:

## **CHAPTER 1**

### **Article-1 Scope of the Agreement**

This Agreement aims to establish and develop co-operation between India and France in the following areas:

- i. the circulation of persons,
- ii. the facilitation of mobility of students, academics, and researchers, migration for professional and economic reasons, abiding by equal treatment of nationals of both Parties in similar situation. The provisions of this Agreement will be without prejudice to the application of national laws on the stay of foreigners on all the points that are not dealt with in this Agreement.
- iii. the prevention of and the fight against irregular migration and the exploitation and trafficking in human beings in accordance with their laws and respective obligations.
- iv. The provisions of this Agreement shall not substitute deeper engagement of the Parties in respect of the temporary movement of natural persons for the purpose of providing services as a result of a free trade agreement binding the Parties. All actions undertaken by the Parties pursuant to this Agreement shall be consistent with the Parties' obligations under relevant international law including any obligation of the Parties under the WTO.



## **CHAPTER II**

### **CIRCULATION OF PERSONS**

#### **Article-2 Short-stay, multiple-entry visas**

**2.1** In order to encourage movement between the two countries for regular short stays of persons who are actively and sustainably contributing to the vitality of bilateral relations, the Parties undertake, in compliance with their respective obligations, to facilitate the issuance of a short-stay, multiple-entry visa, valid for at least one year, as early as possible to the other Party's nationals who hold valid ordinary passports, belonging in particular to one of the categories listed below.

**2.1.1** The relevant categories include the following:

Business people, academics, scientists, researchers, intellectuals, experts and specialists conducting missions not exceeding three months, who actively participate in economic, commercial, academic, scientific and cultural relations between the two countries.

**2.1.2** For the French Party, in accordance with the rules defined by the visa Code of the European Union, short-stay, multiple entry visa allows for a total length of stay which should not exceed 90 days over a period of 180 days and is valid for one to five years according to the quality and purpose of application submitted, the duration of the planned activities in the host State and the validity of the passport.

**2.1.3** For the Indian Party, in accordance with the extant rules, appropriate category of visa allows for stays of six months on each visit and is valid for one to five years according to the quality and purpose of application submitted, the duration of the planned activities in the host State and the validity of the passport.

**2.2** For the Indian Party, persons travelling on a visa referred to in this Article paragraph 2.1 with a validity of up to 180 days are not required to accomplish any registration formality on their arrival in the host State. In case stay is going to be beyond 180 days, prior registration will be required.



## **CHAPTER III**

### **MOBILITY OF STUDENTS, ACADEMICS AND RESEARCHERS, MIGRATION FOR PROFESSIONAL and ECONOMIC REASONS**

#### **Article-3 Students**

##### **3.1. Reception of students**

**3.1.1** It is a priority for the Parties to facilitate the arrival of students from the other Party who wish to continue their studies in India or France and are registered at a recognised higher education institution.

**3.1.2** To that end, the French Party undertakes to step up activities carried out by Campus France in India in order to enhance and promote possibilities for higher education and vocational training in France, as indicated in Annexure- I to this Agreement.

**3.1.3** It may issue a long-stay visa as residence permit bearing the word "Étudiant" (Student) to Indian students who have come to pursue their studies in France. On expiry of the long-stay visa, valid for a maximum of one year, the Indian student shall receive a long term residence permit valid for the duration of his or her studies. The supporting documents to be provided by the student for obtaining his/her long term residence permit are listed in Annexure-II.

**3.1.4** The Indian Party may issue French students with a long stay visa bearing the word "Student" valid for the duration of their studies or for a maximum period of 5 years, whichever is earlier.

##### **3.2. Acquisition of initial professional experience**

**3.2.1** Indian students wishing to supplement their training with initial professional experience in France after successfully completing a training cycle leading to a diploma at least equivalent to a Master's, either in French higher education institution authorised at national level or in an Indian higher education institution linked to a French higher education institution by a diploma award convention in international partnership, may, in the prospect of their return to India, be granted permission to reside in France, valid for one year, to be extended for another year, following the agreement by exchange of letters between the Parties on 18 September, 2015. During that time they shall be authorised to seek and, take up



employment related to their training that is paid at least one and a half times the prevailing minimum monthly wage.

**3.2.2** On expiry of the one or two year period, the persons concerned already in employment or with a promise of employment who meet the conditions set forth above may continue to reside in France for carrying out their professional activity without being subject to the situation of the employment market.

### **3.3. Student Internship**

Indian and French students in higher education in the country of which they are nationals who wish to visit the other country to carry out a student internship in a French or Indian enterprise or public entity or duly recognised association under a tripartite student internship agreement concluded between the higher education institution, the host enterprise or public entity and the student may receive from the competent French or Indian authorities a temporary long-stay visa dispensing them from a residence permit bearing the word "stagiaire" (intern) for the French Party and the word "student" for the Indian Party, valid for more than three months but not longer than twelve months, on presentation of the above-mentioned Student Internship agreement. The duration of this visa shall be as stipulated in the student's education programme.

## **Article-4**

### **Immigration for professional and economic reasons**

#### **4.1. General provisions**

**4.1.1** Both Parties undertake to encourage the mobility of skilled workers between the two countries and towards this create optimal conditions for establishing contacts and the exchange of knowledge between employers' organisations in different sectors of the economy.

**4.1.2** To this end, they shall agree to keep each other regularly informed of the conditions for entry, residence and work in their country and of situation on their respective labour markets and of the possibilities it offers. They shall endeavour to diligently process applications for entry and residence submitted by the other Party's national under this Article.



**4.1.3** The persons to whom the provisions of this Article apply shall benefit from equal treatment as accorded to host-State nationals in all matters relating to the enforcement of laws, regulations and customs governing working relations and conditions, social protection, health, hygiene and workplace safety. Their employer shall pay them a salary equivalent to the salary paid to host State nationals working under the same conditions.

**4.2. Exchanges of young professionals and joint action in favour of such exchanges**

**4.2.1** Both Parties agree to develop between each other exchange of French or Indian young professionals aged between 18 and 35 already in employment or entering working life, who wish to visit India or France to improve their career prospects through the experience of salaried work in a company registered as per host country laws.

(i) These young professionals shall be authorised to take up employment under the conditions set forth in this Article without consideration being given to the employment situation. Where regulated professions are concerned, the young professionals are subject to the criteria defined by the host State.

(ii) They must hold a diploma/degree which validates as far as possible at least three years' higher education corresponding to the qualification required for the employment on offer or have professional experience of comparable level in the sphere of activity concerned and be able to express themselves in language(s) of the host country.

(iii) The authorised work period varies from six to twelve months and may be extended to a maximum period of 24 months.

(iv) Young Indian or French professionals may not continue to reside in the host State after the authorised work period expires. Both Parties shall take measures to ensure that the young professionals concerned return to their home country.

(v) Where relevant, they may be authorised to continue their stay in the other country provided that they obtain an employment contract which is accepted by the host State's competent authority.



(vi) The young professionals, according to this Article, paragraph 4.1 shall benefit from the same treatment as host State nationals in all matters relating to the enforcement of laws, regulations and customs governing working relations and conditions, social protection, health, hygiene and workplace safety. Their employer shall pay them a salary, equivalent to the salary paid to host State nationals working under the same conditions, subject to the applicable law.

(vii) The number of young Indian and French professionals admitted by either Party may not exceed 500 per year. This quota may be amended by an exchange of letters between the Parties.

(viii) To this end, young Indian professionals authorised to stay and work in France shall receive visas valid as residence permits for a maximum of twelve months and bearing the words "temporary worker". If their work period is extended as indicated in paragraph 4.2.1(iii), they shall receive a residence permit bearing the same words on the expiry of long-term visa.

(ix) Young French professionals authorised to stay and work in India shall receive an "employment visa" valid for the duration of the employment contract and renewable within the limit of eighteen months.

(x) The terms and conditions for implementing the provisions of paragraph 4.2 of this Article are set forth in Annexure-III to this Agreement.

**4.2.2.** In order to encourage implementation of the preceding subparagraph, the Parties agree to cooperate on the organisation of promotional actions to facilitate the access of French or Indian young professionals to offers of employment suited to their profile.

**4.2.3** In accordance with the Joint Statement of 10 April, 2015 and the exchange of letters that followed between the Parties, India has raised the number of slots offered annually from 50 to 250 for the French Volunteers for International Experience (VIE) program. In future, the number of French Volunteers for International Experience (VIE) authorised to work in India and contributing to the development of Indo-French relations shall be determined by exchange of letters between the Parties. Such candidates sent to India shall be issued by competent authorities with an Intern Visa and a Residence Permit on producing a certificate from the competent French organisation seconding them to an enterprise in India.



**4.2.4** The residence permits mentioned in paragraph 4.2 of this Article are renewed to a maximum of 24 months in the host State without any obligation for the beneficiary to temporarily leave the territory of that state in order to apply for a new visa.

### **Article 4.3 Skilled mobility**

#### **4.3.1. Employees seconded between enterprises of the same group**

(i) The French Party undertakes to encourage the international mobility of Indian employees on secondment between enterprises of the same group. To that end, it shall facilitate the issuance of residence permits bearing the words "passeport talents" (employee on assignment) to Indian nationals holding an employment contract dating back to at least three months earlier with an employer outside France, seconded by that employer to the other Party's country, where such secondment is made between establishments of the same enterprise or between enterprises of the same group provided that the person concerned can produce proof in France of gross remuneration not below one and a half times the legal minimum monthly wage in force. The residence permit is valid for the duration of the secondment, for a maximum period of four years and may be renewed for the same period provided that the beneficiary continues to perform his or her duties in the same group.

(ii) Reciprocally, the Indian Party undertakes to facilitate the issuance to French employees seconded to India between enterprises of the same group of an "employment visa" giving rise to the granting of a residence permit valid for two years, renewed in India for a maximum period of 5 years from the date of issue of the initial employment visa, on a year to year basis, on production of the necessary documents in support of continued employment and income tax compliance by the individual concerned.

#### **4.3.2 Encouraging the mobility of skills and talents**

(i) The French Party undertakes to encourage the visit of Indian nationals wishing to place their skills at the service of the bilateral relationship and to contribute via their professional projects to the economic development and influence of France and India. To that end, it shall facilitate the issuance of a residence permit bearing the word "passeport talents" (skills and talents), valid for four years and renewable, to Indian nationals with a project of an economic, scientific, technological, cultural or humanitarian



nature likely to make a significant contribution to the development of relations between the two countries.

(ii) Reciprocally, the Indian Party undertakes to encourage the issuance of an "employment visa" giving rise to the granting of a residence permit valid for three years and renewable to French nationals with projects of similar nature.

#### **4.3.3.**

(i) When the residence permits mentioned in paragraphs 4.3.1 and 4.3.2 of the present Article are issued or renewed, the labour market situation may not be asserted against the applicant. They are renewed in the host State, without any obligation for the beneficiary to temporarily leave the territory of that State in order to apply for a new visa.

(ii) The family members, spouse and minor child or children of the beneficiaries of such residence permits shall receive a residence permit in respect of private and family life, valid for an identical period to that of the residence permits mentioned in paragraphs 4.3.1 and 4.3.2 of the present Article, and renewable, allowing the exercise of a professional activity under the conditions set forth in the respective laws.

(iii) This residence permit, issued automatically by the French Party, shall bear the word "vie privée et familiale" (private and family life). To that end, the Indian Party shall grant dependent visa of appropriate sub-category to the spouses. Except in cases of spouses of intra-company transferees, dependents have to apply for a separate employment visa as per extant regulations.

(iv) Both parties shall, in such cases, endeavour to grant residence permit or employment visa, as the case may be, expeditiously.

### **Article 4.4 In-house training**

**4.4.1** Indian employees of French enterprises established in India or of Indian enterprises linked by a partnership to a French enterprise who wish to come to France in an enterprise of the same group or in a partner enterprise to accomplish a training course that includes a theoretical part provided by an authorised training organisation and a practical part in the host enterprise may receive from the competent French authorities a visa authorising a visit of more than three months but not more than eighteen



months on presentation of a training agreement concluded between the concerned parties .

4.4.2 The training agreement shall define the contents of the training course, the respective lengths of the theoretical and practical parts and the conditions of residence, accommodation and social and practical parts and the conditions of residence, accommodation and social protection in France.

4.4.3 Reciprocally, French employees wishing to carry out a work placement in India for the same reasons as the Indian trainees mentioned in paragraph 4.4.1 of the present Article may receive from the Indian competent authorities a business visa leading to a temporary residence permit valid for up to eighteen months.

#### **Article 4.5 Researchers and academics**

4.5.1 Both Parties undertake to encourage the mobility of researchers and doctoral students with an appropriate contract between the two countries.

4.5.2 For French and Indian nationals wishing to carry out research or university level teaching in a public or private research or higher education institution in the other country under a hosting agreement, the Parties shall facilitate the issuance of a residence permit valid for the duration of their research or teaching activities under the conditions set forth in French or Indian laws.

4.5.3 To this end, the French Party may issue a residence permit mentioning 'Passeport Talent-Chercheur' valid for the duration of the hosting agreement for a maximum of four years and renewable for the duration of the research or university-level teaching activities.

4.5.4 The Indian Party may issue a "research visa" valid for the duration of the research or university-level teaching activities.



## **Chapter-IV**

### **COOPERATION RELATING TO THE PREVENTION AND COMBATING OF IRREGULAR MIGRATION OF AND TRAFFICKING IN HUMAN BEINGS**

#### **Article-5 Return of Persons in an Irregular Situation**

**5.1** Both Parties undertake to accept the return of their nationals who do not meet or no longer meet the conditions for legal entry into or legal residence in the territory of the other country and to agree to simplify the procedures to be followed in such cases. Return of persons in such irregular situation will be effected only after the nationality is conclusively established by the requested Party.

**5.2** Both Parties will promote voluntary return for nationals of the other Party subject to a return decision. Failing which forced repatriation on a case-by-case basis will be resorted to by the requesting Party in accordance with the applicable law after the verification of the national identity of those nationals by the requested party.

**5.3** With regard to a person in an irregular situation whose nationality is validly assumed to be that of the other country, on the basis of the documents listed in Annexure IV, paragraph 4, the requesting country shall request a nationality verification, in view of possible issuance of a consular Laissez-Passer/Emergency Certificate. To this end, at the request of either party, the migrant shall be interviewed without delay by officials of the Diplomatic Mission of the requested party.

**5.4** Persons in an irregular situation whose nationality is conclusively established by the requested Party to be that of the said country will be immediately returned on behalf of the requesting Party in accordance with procedures set out by its national regulation/legislation and a consular laissez-passers shall be issued immediately. Documents that can be used to provide proof of nationality, subject to their authenticity by the requested Party, are listed in Annexure-IV, paragraph 3.

**5.5** Both Parties recognise that short deadlines which are useful as regards the legal situation of the migrant who is subject to a return decision must be observed both for the reply to the return application and the issuance of the consular laissez-passers. To this end, in accordance with their wish for effective cooperation, both Parties agree that e-mail or



any other modern medium allowing the fastest possible data transmission can be used for communication between competent authorities involved in the return procedures. They further agree to the use of biometric identification means, wherever possible.

**5.6** Both Parties agree that the requesting Party shall cover the costs associated with the return.

**5.7** Both Parties agree that any person who has been deported from the territory can be readmitted, where it is established within a period of time not exceeding three months that the person's conditions of return were not fulfilled at the time they left that territory. On an exceptional basis, on the demand of the requested Party, this period can be extended to six months.

**5.8** The Parties will develop a common programme of action to share best practices and to strengthen capacity to fight irregular migration, human smuggling and human trafficking and to enhance cooperation in this field including through mutual visits.

## **Article-6**

### **Technical and operational police cooperation to combat irregular migration**

Both Parties undertake to develop technical and operational police cooperation within the framework of respective laws with the aim of combating irregular migration in the following areas:

#### **6.1 Fight against smuggling of migrants and trafficking in human beings**

**(i)** The Parties undertake to develop training for officers responsible for dismantling irregular migration and migrants' exploitation networks.

**(ii)** The fight against organised irregular migration is based on the acquisition, centralisation and analysis of intelligence in order to identify criminal organisations, on the physical and technical surveillance of networks and on the gathering of evidence. Exchanges of police officers and attachment courses in specialist units will be planned as per the respective regulatory framework in order to enable exchanges of professional experience in this area.



## **6.2 Fight against document fraud**

(i) The Parties undertake to co-operate by way of exchange of expertise in order to increase the level of security of their nationals' identity and travel documents and to design new documents as per agreed international norms.

(ii) Both Parties shall exchange information relating to falsifications and forgeries of travel documents and help to identify suspect documents.

(iii) The French Party is willing to share its expertise to train specialists in the fight against document fraud and to provide its expertise in the field of detection equipment.

## **CHAPTER-V FINAL PROVISIONS**

### **Article-7 Joint Working Group**

(i) Both Parties decide to create a Joint Working Group to monitor implementation of this Agreement, comprising representatives of both Parties' administrations. The Joint Working group shall meet at least once a year in either country alternately, or as necessary at the request of either Party.

(ii) It shall evaluate the implementation of the provisions set forth in the Agreement and frame all appropriate proposals to improve it, as necessary. The agenda and the composition of the Joint Working Group shall be set for each meeting by mutual consultation.

### **Article-8**

#### **Difficulties regarding the interpretation and application of the Agreement**

Any difficulties relating to the interpretation or application of this Agreement shall be settled within the Joint Working Group referred to in Article 7 or otherwise through diplomatic channels.

### **Article 9**

#### **Duration, Renewal, Termination and Amendment of the Agreement**

(i) The Agreement shall remain valid for a period of 7 years from the date of coming into force.



(ii) Unless terminated by any Party, this Agreement shall be automatically renewed for similar successive periods.

(iii) This Agreement may be terminated in writing by either Party subject to three months prior notice served through diplomatic channels.

(iv) Such termination of the Agreement shall not affect the Parties' rights and obligations resulting from the implementation of this Agreement, unless otherwise agreed by the Parties.

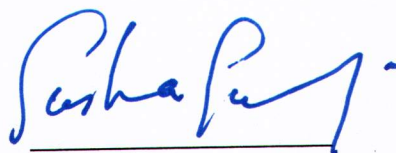
(v) This Agreement may be amended by the mutual written consent of the Parties.

#### **Article 10 Entry into Force**

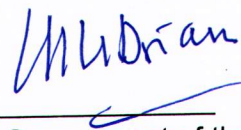
This Agreement shall enter into force on the first day of the second month following the date of receipt of the last notification, through diplomatic channels, of the completion by each of the Parties of the required constitutional and legal procedures.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Agreement.

Done at New Delhi, on 10 March 2018, in two originals each in the French, English and Hindi, languages, all texts being equally authentic.



For Government of the  
Republic of India  
Smt. Sushma Swaraj  
External Affairs Minister



For Government of the  
French Republic  
Mr. Jean-Yves Le Diran  
Minister for Europe and Foreign  
Affairs



## **Annexure-I**

### **Actions to Promote Higher Education in France**

In accordance with Article 3, paragraph 3.1.2, the French Party shall contribute to the financing of Campus France's actions to promote higher education in France, as below:

- (i) improve the reception of Indian students and the processing of pre-consular procedures,
- (ii) promote French higher education at Master's or doctorate level by organising:
  - a. France-India higher education week with student fairs and university meetings in several Indian cities to strengthen Franco-Indian academic cooperation,
  - b. thematic university missions at Master's level and thematic missions for the managers of doctoral schools in order to strengthen research partnerships between France and India, and
  - c. missions to promote French as a foreign language in order to contribute to the development of French departments in Indian universities.
- (iii) train the Espace Campus France network in India, Alliance Française managers and French language tutors in India (French teachers in Indian higher education institutions, scientific/ technological institutions and/ or universities).
- (iv) dissemination of information regarding the possibilities of obtaining scholarships for studies in France.



## **Annexure-II**

### **Implementing provisions pursuant to Article 3, paragraph 3.1.3 on Students**

Indian students who wish to renew their residence permit may submit their application within three months prior to the expiry of their residence permit. The French party examines and processes the application as soon as possible so that the new residence permit can be issued not later than the expiry of the previous visa. The documents to be produced by Indian students wishing to renew their residence permit for the continuation of their studies are the following:

- A currently valid passport,
- The long-stay visa or the residence permit the student wishes to renew,
- Proof of the student's residential address dated less than 3 months previously (e.g. a rent receipt),
- Proof of enrolment by the educational establishment<sup>1</sup>,
- Proof of possession of adequate means of support
- A certificate attesting to membership of a medical insurance scheme,
- A fiscal stamp,
- 3 identity photos (ISO/IEC 19794-5 compliant).

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<sup>1</sup> A preliminary registration document will suffice at the time of initial submission of the renewal application if proof of enrolment can be produced no later than the date of issuance of the residence permit.



## **Annexure-III**

### **Exchange of young professionals**

#### **1. Practical terms for the exchange of young professionals**

The government authorities responsible for implementing Article 4, paragraph 4.2 shall be:

– for the French Party: the Ministry of Interior, and the French Office for Immigration and Integration,

- for the Indian Party: Ministry of Home Affairs.

**2.** Young professionals wishing to take advantage of the provisions of Article 4, paragraph 4.2 of the present Agreement must apply to the organisation in their country responsible for the collection and submission of applications. The organisations concerned shall be designated in an exchange of letters between the Parties.

**3.** Young professionals must include all necessary information about their degrees or professional experience with their application and also the name of the enterprise for which they are requesting the work permit.

**4.** One of the organisations mentioned in paragraph 2 of this Annexure shall be responsible for reviewing this application and for sending it when the conditions are met, to the organisation of the other Party. These organisations shall do their utmost to process applications promptly.

**5.** To make it easier for candidates to find work, the organisations designated in paragraph 2 will provide them with the necessary documentation for seeking employers and take all appropriate steps to inform enterprises of the possibilities afforded by the exchange of young professionals. Information on living and working conditions in the host State shall also be made available to the concerned Parties.

**6.** The government authorities referred to in paragraph 1 of the Annexure shall do their utmost to ensure that young professionals promptly receive the entry visas and residence permits stipulated by the prevailing legislation in the host country from the competent administrative authorities and that any difficulties that may arise are settled as quickly as possible.



7. The family reunification procedure is not applicable to the spouse and children of young professionals.



## **ANNEXURE-IV**

### **Practical Details Regarding the Return Procedure**

**1.** The competent authorities for implementing Articles 5 and 6 of the Agreement shall be:

**1.1** For the French Party:

Filing of return applications: the competent prefectural authority or, where relevant, the Interior Ministry (Central Border Police Directorate).

Processing of return applications: the competent diplomatic or consular authority.

Settling difficulties with interpretation of the Agreement: The Interior Ministry (General Directorate of Foreigners in France).

**1.2** For the Indian Party:

Filing of return applications: the competent state governments.

Processing of return applications: the competent diplomatic or consular authority.

Settling difficulties with interpretation of the Agreement: Ministry of External Affairs. For Article 6, Ministry of Home Affairs will be the competent authority.

Both Parties shall send through diplomatic channels the direct contact details of the competent authorities as well as any subsequent changes thereto.

**2.** The Parties' competent authorities shall use their national official language(s) when implementing the return procedure and, where applicable and by mutual Agreement, another language of their choice.

**3.** For the purpose of Article 5, paragraph 5.4, nationality shall be deemed to be determined on the basis of the documents subject to their authenticity, verified by the requested Party, listed below:

- an expired passport or national identity card, valid or expired;



- a positive response to a return application from less than one year ago;
- a consular registration card;
- a certificate of nationality or citizenship;
- an expired consular laissez-passer;
- where relevant, an expired European Union travel document (European laissez-passer) or an international travel document issued by the Indian authorities;
- a certificate of naturalisation or of restoration of nationality;
- a military passbook;
- a seaman's discharge book or seafarer's identity document issued under the Geneva Convention of 19 June 2003 and the London Convention of 9 April 1965.
- any government document, supported by another government document, bearing a photograph and stating or clearly indicating the citizenship.

4. For the purpose of Article 5, paragraph 5.3, the nationality validly assumed to be that of requested country, subject to verification by the requested Party, may consist of documents listed below:

- one of the expired documents listed in point 3 above, with the exception of an expired passport, national identity card, consular laissez-passer or European laissez-passer;
- an official document stating the identity or the nationality of the person concerned;
- a driving licence;
- a birth certificate;
- photocopies of any of the aforementioned documents;
- a positive response to a return application between one to three years ago. A statement obtained from the concerned person by the judicial or administrative authorities of the requesting Party.

5. For the purposes of return, the Parties have designated the following border crossing points:



**5.1** For the French Party: Paris (Charles de Gaulle airport)

**5.2** For the Indian Party: International airports at Delhi, Mumbai and Bengaluru.

The date, time, border-crossing point and other return arrangements shall be decided upon by mutual agreement between the Parties' competent authorities and sent via e-mail or any other technical medium allowing the fastest possible data transmission.

**6.** The list of documents and/or places set out in points 3, 4 and 5 above may be subject to amendments, after consultation, through an exchange of diplomatic notes. If either of the two Parties deems it necessary for the return application to be laid out in a particular manner, it shall inform the other Party beforehand through diplomatic channels.

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