

AGREEMENT
between the Government of the Republic of India and the Government
of the Russian Federation on Cooperation in Combating Irregular
Migration

The Government of the Republic of India and the Government of the Russian Federation, hereinafter referred to as "the Parties",

being guided by the provisions of the Memorandum of Understanding on Combating Irregular Migration between the Government of the Republic of India and the Government of the Russian Federation, of December 21, 2010;

considering cooperation in combating irregular migration as one of the important aspects of migration regulation in the territories of the States of the Parties;

expressing the intention to take joint actions for the prevention of irregular migration;

based on universally recognized principles and norms of the international law and the legislation of the States of the Parties;

willing to create a legal framework for bilateral cooperation of the Parties in combating irregular migration,

have agreed as follows:

Article 1

Purpose of the Agreement

In accordance with the legislation of their States and this Agreement, the Parties shall cooperate in combating irregular migration.

Article 2

Scope of Application

This Agreement shall not apply to nationals of the State of any Party who arrived in the territory of the State of the other Party to seek asylum,

refugee status or other form of protection, if their petitions for asylum (applications or requests) are duly filed with the relevant authorized bodies of the State of such other Party according to the procedure provided for by the legislation of this State.

Article 3

Definitions

For the purpose of this Agreement the following terms shall have the following meanings:

a) «irregular migration» - entry in the territory of the State of any Party, temporal staying (residence) in such territory in violation of requirements of the legislation of the State of this Party governing entry, exit and stay (residence) of foreign nationals;

b) «requesting Party» - the Party, whose State's competent authority submits a request in accordance to this Agreement;

c) «requested Party» - the Party, to whose State's competent authority a request is submitted in accordance to this Agreement;

d) «transfer and admission of nationals of the States of the Parties» or «transfer and admission» - transfer by the competent authorities of the State of the Requesting Party and admission by the competent authorities of the State of the Requested Party, of nationals of the State of the requested Party who have entered, are staying (residing) in the territory of the State of the Requesting Party in violation of the legislation of this State governing entry, exit and stay (residence) of foreign nationals according to the procedure, on the conditions and for the purposes provided for by this Agreement;

e) «national of the State of a Party» - any person who holds the nationality of the Republic of India or the Russian Federation in accordance with their legislation;

f) «border crossing point» - a crossing point at the State border of the Republic of India or the Russian Federation, open for international traffic, according to the national legislation of the State of the relevant Party.

Article 4
Competent Authorities

1. This Agreement shall be implemented by the following competent authorities of the States of the Parties (hereinafter competent authorities):

a) for the Indian Party: the Ministry of External Affairs of the Republic of India, and Bureau of Immigration (BoI), Ministry of Home Affairs of the Republic of India;

b) for the Russian Party: the Ministry of the Interior of the Russian Federation, the Federal Security Service of the Russian Federation and the Ministry of Foreign Affairs of the Russian Federation.

2. Within 60 calendar days from the date this Agreement enters into force the Parties shall notify each other of the contact data and information on distribution of powers between the competent authorities in writing through diplomatic channels and further on they shall notify each other of the changes of the competent authorities and their powers as soon as possible.

Article 5
Modalities of Cooperation

1. The competent authorities shall hold consultations by mutual agreement with a view to coordinating and raising the efficiency of cooperation implemented in accordance with this Agreement.

2. The Parties shall use the Hindi, Russian and English languages when cooperating within the framework of the implementation of this Agreement.

Article 6
Areas and Forms of Cooperation

The Parties shall cooperate within the framework of this Agreement in the following key areas:

a) transfer and admission of nationals of the States of the Parties;

b) training and advanced training of employees of the competent authorities dealing with combating irregular migration, including organization of seminars and conferences in this sphere as well as conducting joint scientific researches;

c) other mutually acceptable areas of cooperation in the sphere of combating irregular migration.

In so doing the following forms of cooperation shall be used:

a) sending and receiving of requests including for transfer and admission of nationals of the States of the Parties (hereinafter request for transfer and admission) and answers thereto;

b) exchange of information about regulatory legal acts of the States of the Parties in the migration sphere;

c) exchange of experience in the sphere of preventing and combating irregular migration, including information on measures taken in this field;

d) exchange of information on irregular migration organizers in the territories of the States of the Parties, on points of departure and destination, routes, carriers and means of transport used in the course of irregular migration's organizing and committing, methods and channels to receive documents necessary to enter into the territory of the States of the Parties, and their use for the purpose of irregular migration;

e) exchange of lists and samples of documents on the basis of which the persons' nationality of the relevant State shall be determined as well as of documents issued by the competent authorities and giving the right to enter into the territory of the relevant State;

f) exchange of other information of mutual interest for the competent authorities in connection with the implementation of this Agreement;

g) creation of working groups on migration issues.

Article 7

Submission of Requests or Information

1. Cooperation between the competent authorities of the States of the Parties within the framework of this Agreement shall be effected based on a request from a competent authority of the State of the Requesting Party to a competent authority of the State of the Requested Party as well as by

submitting information at the initiative of a competent authority of the State of one Party to a competent authority of the State of the other Party without a request if there are grounds to believe that such information is of interest for the competent authority of the State of that other Party.

2. The request, the answer to the request and documents attached thereto shall be submitted in writing in the language of the State of the Requesting Party with translation into the English language by mail or courier or using technical means of information transfer in compliance with the legislation of the States of the Parties on personal data protection.

With the exception of requests for transfer and admission, in urgent circumstances a request may be communicated verbally, but it must be confirmed in writing not later than within 48 hours using technical means of information transfer in compliance with the legislation of the States of the Parties on personal data protection.

Should any doubts as to the authenticity or the contents of the request arise, additional confirmation may be asked for.

3. The request and the answer thereto shall be signed by the head of the competent authority, his/her deputy or by an authorized person, and shall be certified by the seal of this competent authority.

Within 60 calendar days after this Agreement enters into force, the Parties shall exchange lists of persons authorized to sign the requests and answers thereto, as well as samples of signatures and seals through diplomatic channels.

In case of changes into the lists or samples set in indent two of this paragraph, the Parties shall notify each other thereof through diplomatic channels as soon as possible.

4. Documents available to the competent authority of the State of the Requesting Party (according to the Annex to this Agreement) proving or giving grounds to believe that the person to be transferred and admitted holds the nationality of the State of the Requested Party shall be attached to the request for transfer and admission.

Within 60 calendar days after this Agreement enters into force, the Parties shall exchange samples of documents proving or giving grounds to believe that the person to be transferred and admitted holds the nationality of the State of the Requested Party through diplomatic channels.

5. A request may not be needed if the person to be transferred and admitted has a valid travel document proving the identity of the national of the State of the Requested Party.

6. If none of the documents provided for by the Annex to this Agreement can be presented, within 21 calendar days from the day the competent authority of the State of the Requested Party receives the request, the competent authorities shall agree to take measures in respect of this person in order to obtain information about his/her nationality and if necessary shall agree for the competent authorities of the Requested Party to hold an interview.

7. If the competent authority of the State of the Requesting Party believes that other documents not provided for by the Annex to this Agreement may be substantial to identify the nationality of the person to be transferred and admitted, such documents may also be attached to the request.

Article 8 **Execution of Requests**

1. The legislation of the State of the Requested Party shall be applied for the execution of the requests.

2. The competent authorities of the State of the Requested Party shall take all necessary measures for a quick and complete execution of the request.

3. The request, except for the request for transfer and admission, shall be examined and responded to within a period not exceeding 60 calendar days after the day of its receipt.

4. When a request for transfer and admission is received, the competent authority of the State of the Requested Party shall establish the identity of the person to be transferred and admitted and shall verify whether the mentioned person holds the nationality of the State of the Requested Party:

within 45 calendar days if the documents specified in paragraphs 1, 2 of the Annex to this Agreement are attached to the request for transfer and admission;

within 90 calendar days if the documents specified in paragraphs 3, 4 of the Annex to this Agreement are attached to the request for transfer and admission;

5. Should there be factual obstacles to a timely reply to the request, the time limits for replying to the request shall be extended but not more than by 60 calendar days whereof the competent authority of the State of the Requested Party shall notify the relevant competent authority of the State of the Requesting Party.

6. If the information about the nationality of a person to be transferred and admitted is not confirmed in the execution of the request, the competent authority of the State of the Requested Party shall inform the competent authority of the State of the Requesting Party thereof in writing

In case there are grounds for transfer and admission of such a person, the competent authority of the State of the Requested Party shall inform the competent authority of the State of the Requesting Party about its consent for admission in writing.

7. After the competent authority of the State of the Requested Party has given its consent to admit a person to be transferred and admitted, the diplomatic mission or consular post of the State of the Requested Party in the State of the Requesting Party shall issue a travel document necessary to return this person, irrespective of such a person's will, within 15 working days after the date the consent of the competent authority of the State of the Requested Party is received.

Where by any reason such a person may not be transferred within the period of validity of this travel document, the diplomatic mission or consular post of the State of the Requested Party in the State of the Requesting Party shall issue a new travel document to such a person as soon as possible.

8. If the execution of the request is outside the remit of the competent authority of the State of the Requested Party, this authority shall transfer the request to another competent authority of the State of the Requested Party authorized to execute it, and shall immediately notify the competent authority of the State of the Requesting Party thereof.

Article 9
Refusal to Execute a Request

1. The competent authority of the State of the Requested Party may fully or partially refuse to execute a request within the framework of this Agreement if it believes that the execution of the request may harm the sovereignty, security, public order or other essential interests of its State or contradicts the legislation or international obligations of its State.

2. In case of refusal to execute the request or its partial granting the competent authority of the State of the Requested Party shall inform the competent authority of the State of the Requesting Party thereof in writing with indication of the reasons for refusal or partial execution of the request.

Article 10
**Procedure for Transfer and Admission of Nationals
of the States of the Parties**

1. The transfer and admission of nationals of the States of the Parties shall be carried out in border crossing points opened for international traffic.

2. The Parties shall transfer and admit nationals of the States of the Parties by air.

3. The Parties shall agree the date, place, time and conditions for the transfer of nationals of the States of the Parties in relation to which the competent authority of the State of the Requested Party has given its consent for transfer and admission, as well as in relation to persons specified in paragraph 5 of Article 7 of this Agreement not later than 15 working days prior to the day of the planned transfer.

If in the said time limit the Requested Party has expressed no objections as to the date, place, time and conditions for the transfer planned by the Requesting Party, such transfer shall be considered agreed.

4. The transfer of the national of the State of the Requested Party in respect of whom the competent authority of the State of the Requested Party has given its consent for admission, shall be carried out within 30 calendar days after the date such consent is received by the competent authority of the State of the Requesting Party, unless otherwise agreed by the competent authorities on a case-by-case basis.

5. The person specified in paragraph 5 of Article 7 of this Agreement may be transferred to the competent authority of the State of the Requested Party within 30 calendar days after the date the fact of his/her unlawful entry, stay (residence) in the territory of the State of the Requesting Party is established, unless otherwise agreed by the competent authorities on a case-by-case basis.

6. If it is impossible to transfer the person to be transferred and admitted within the set time limit, the competent authority of the State of the Requesting Party shall send a relevant written notification of the necessity to extend the time limit for the mentioned person's transfer and the reasons of such extension, to the competent authority of the State of the Requested Party.

Unless otherwise agreed by the competent authorities on a case-by-case basis, this time limit may be extended up to 90 calendar days from the day the time limit set by paragraphs 4 and 5 of this Article expires.

7. If necessary the person to be transferred and admitted shall be escorted by employees of the competent authorities of the State of the Requesting Party. The competent authorities of the State of the Requested Party shall provide possible assistance to such escorting employees if necessary.

8. If the results of the verification received after the transfer of the person prove there are no conditions necessary for his/her transfer, the competent authority of the State of the Requested Party shall immediately notify the competent authority of the State of the Requesting Party thereof. The competent authority of the State of the Requesting Party shall readmit the transferred person within 30 calendar days from the date he/she is admitted by the Requested Party.

Article 11 **Confidentiality**

1. The competent authorities of the State of the Requested Party shall take necessary measures to ensure confidentiality of the fact that the request is received, of its contents and of any documents attached thereto as well as the fact the assistance is rendered, on demand of the competent authorities

of the State of the Requesting Party, if the information is restricted or the competent authority providing such information considers its disclosure undesirable.

The degree of restriction of such information and documents shall be determined by the competent authority providing such information.

2. In case it is impossible to ensure confidentiality when executing the request the competent authorities of the State of the Requested Party shall notify the competent authorities of the State of the Requesting Party thereof who shall decide whether to execute the request under such circumstances.

3. The information submitted by the Parties may not be used for purposes other than those for which it was requested and (or) provided.

4. A preliminary written consent of the Party providing the information shall be required to transfer the information received by one Party according to this Agreement to a third party.

5. Personal data exchanged by the competent authorities in connection with the implementation of the provisions of this Agreement shall be subject to protection in the State of each of the Parties in accordance with its legislation on personal data protection and international agreements whereto the relevant State is a party.

Article 12

Protection of Rights and Lawful Interests

1. Nationals of the State of one Party lawfully staying or residing in the territory of the State of the other Party, may not be expelled from it, unless in pursuance to a decision made in accordance with the legislation of the State of that other Party.

2. Employees of the competent authorities of the State of one Party during the detention of a national of the State of the other Party on the territory of their State shall be guided by the principles of observance of his/her rights and lawful interests and inadmissibility of discrimination on the grounds of the nationality or ethnicity.

Article 13
Settlement of Disputes

All disputes arising between the Parties related to the implementation or interpretation of this Agreement shall be settled by means of consultations and negotiations.

Article 14
Costs

1. The Parties shall bear their own costs incurred during the implementation of this Agreement, unless otherwise agreed by the Parties on a case-by-case basis.

2. The costs related to transfer and admission of the persons to be transferred and admitted shall be borne by the said persons, and in case the costs can not be paid by such person by themselves, the relevant costs shall be borne by the Requesting Party.

Article 15
Annex

The Annex to this Agreement shall be an integral part of this Agreement.

Article 16
Final Provisions

1. Amendments and additions may be made to this Agreement upon mutual consent of the Parties that shall be drawn up as separate protocols.

2. This Agreement shall enter into force on the first day of the second month after the date the last written notification about the fulfillment by the Parties of their internal procedures necessary for its entry into force is received through diplomatic channels.

3. This Agreement shall be effective for the period of 5 years and be automatically extended for subsequent similar periods if neither Party notifies the other Party of its intention to terminate it not later than 6 months

before expiry of the initial or any subsequent period, in writing through diplomatic channels.

4. In case this Agreement is terminated the Parties shall settle the obligations arisen within its duration.

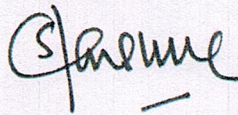
5. Each Party may suspend the application of this Agreement fully or partially due to reasons related to protection of national security, public order or public health.

6. Either Party shall notify the other Party of its decision to suspend or renew the application of this Agreement in writing through diplomatic channels not later than 72 hours before the said suspension or renewal enters into force.

Done in New Delhi on the "04" day of December 2025 in two originals, each in the Hindi, Russian and English languages, all the texts being equally authentic.

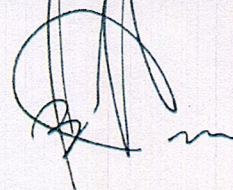
For the purposes of interpretation of this Agreement the text in the English language shall be used.

**For the Government of
the Republic of India**



(Dr. Subrahmanyam Jaishankar)
External Affairs Minister

**For the Government of
the Russian Federation**



(Mr. Vladimir Kolokoltsev)
Minister of Internal Affairs

Annex
to the Agreement between the Government
of the Republic of India and the Government of the Russian Federation
on Cooperation in Combating Irregular Migration

Proof of Nationality

1. The nationality of the Russian Federation shall be proved by any of the following documents:

- a) a diplomatic passport;
- b) a service passport;
- c) a passport of the national of the Russian Federation identifying the national of the Russian Federation outside the territory of the Russian Federation including one with an electronic data carrier;
- d) a passport of the national of the Russian Federation identifying the national of the Russian Federation on the territory of the Russian Federation;
- e) a certificate of acquired nationality of the Russian Federation by birth issued by the competent authority of the Russian Federation (with regard to children under the age of 14);
- f) a birth certificate with a mark confirming the nationality of the Russian Federation put by an official of the competent authority of the Russian Federation and the seal of this authority (with regard to children under the age of 14);
- g) a document issued by an authorized body of a foreign state (with translation into the Russian language) with a mark certifying the nationality of the Russian Federation put by an official of the competent authority of the Russian Federation and the seal of this authority (with regard to children under the age of 14);
- h) the documents, specified in subparagraphs a to d of this paragraph, that include information about children and are certified by a signature of an official of the competent authority of the Russian Federation and the seal of this authority (with regard to children under the age of 14).

2. The nationality of the Republic of India shall be confirmed by any of the following documents:

- a) a consular registration card;
- b) a passport or national identity card including those with expired term of validity;
- c) a positive response to a request for transfer and admission of the national of the Republic of India signed less than one year ago;
- d) a certificate of nationality or citizenship;
- e) an international travel document issued by the authorized bodies of the Republic of India;
- f) a certificate of naturalization or of restoration of nationality;
- g) a military passbook;
- h) a seaman's discharge book or seafarer's identity document;
- i) any document issued by an authorized body of the Republic of India bearing a photograph of a national of the Republic of India and stating the nationality.

3. There are grounds to believe that a person is a national of the Russian Federation if any of the following documents is available:

- a) any of the documents specified in subparagraphs a-d and h of paragraph 1 of this Annex to the Agreement between the Government of the Republic of India and the Government of the Russian Federation on Cooperation in Combating Irregular Migration (hereinafter Annex), whose term of validity has expired;
- b) copies or duplicates of the documents specified in paragraph 1 of this Annex;
- c) a passport of the national of the USSR with an insert on the nationality of the Russian Federation;
- d) a passport of the national of the USSR with a stamp of registration in the place of residence on the territory of the Russian Federation as of February 6, 1992;
- e) a birth certificate with data entered on the nationality of the Russian Federation of both parents, one of the parents or a single parent (with regard to children under the age of 14);
- f) a military identity card with an insert proving the nationality of the Russian Federation, military passbook with a mark on military registration on the territory of the Russian Federation;

g) a seaman's identity card issued by authorized bodies of the Russian Federation;

h) a certificate for a return to the Russian Federation;

i) other documents issued by the authorized bodies of the Russian Federation;

j) written explanations of witnesses taken on legal grounds by the authorized bodies of the Russian Federation;

k) written explanations of officials of the authorized bodies of the Russian Federation;

l) positive results of an interview with a person to be transferred and admitted.

4. There are grounds to believe that a person is a national of the Republic of India if any of the following documents is available:

a) documents specified in paragraph 2 of this Annex whose term of validity expired except for a passport and a national identity card;

b) an official document stating the identity or the nationality of the person;

c) a driving license;

d) a birth certificate;

e) copies of the documents specified in paragraph 2 and subparagraphs a-d of paragraph 4 of this Annex;

f) a positive response to a request for transfer and admission of a national of the Republic of India signed between one and three years ago;

g) positive results of an interview with a person to be transferred and admitted.