

No deal on illegal migrants

Prime Minister Narendra Modi being greeted by his British counterpart Theresa May at the official welcome ceremony for the Commonwealth meet in London. APStefan Rousseau

The failure of Britain and India to sign a key memorandum of understanding on the return of illegal migrants during Prime Minister Narendra Modi's visit on Wednesday has been greeted with surprise, as the agreement was seen as a key element of the visit.

As recently as January, the MoU, which would have updated a previous agreement that expired in 2014, was pegged as one of the central pieces of the bilateral visit, building on an issue repeatedly raised by Britain. During her visit to India in 2016, British Prime Minister Theresa May said the U.K. would consider an improved visa deal, "if, at the same time, we can step up the speed and volume of returns of Indians with no right to remain in the U.K."

During a visit by Commerce and Industry Minister Suresh Prabhu and Minister of State for Home Affairs Kiren Rijiju, it appeared that an agreement on the terms of the memorandum had been reached, with plans for the Memo to be signed during the prime ministerial visit. The signing — which would have been seen as a gesture of goodwill from India — would have placed the onus on Britain to deliver on Indian requests around visas for professionals and students, thereby making a crucial breakthrough in issues that have presented challenges to the bilateral relationship.

"The returns issue is very important," an MEA spokesperson had said in a briefing in New Delhi ahead of the visit, pointing to a national portal that enabled the identification of nationality, that would enable someone's status to be swiftly verified once someone had been identified as illegal by Britain. "So this is already in place and the agreement that we are looking at is a continuation of what we have agreed before."

Matter of contention

However, it is understood that a failure to reach an agreement on the numbers of returns and the speed at which they would be required to be returned led to hopes of a swift deal being reached fading. A source suggested Britain's expectations on these issues were beyond the level India was willing to commit to. Discussions on the issue are expected to continue at Home Secretary level next month.

Last year, the British Home Office was caught up in a controversy after data based on a new system of exit checks at Britain's border found that just over 4,600 international students were overstaying their visa, compared to roughly 1,00,000 that had been suggested by an International Passenger Survey that the government had been relying on to date.

"The whole point of the better economic closer relationship between India and the U.K. was predicated on greater visas access which in turn was predicated on the return of illegal migrants, estimates on the numbers of which varies dramatically, so it doesn't look good for the pace of growing economic ties," said Gareth Price, a South Asia expert at Chatham House.

The MoU would also have come at a politically sensitive time for Britain, amid questions about its treatment of the "Windrush generation" — men and women from the Caribbean who came to the U.K. between the late 1940s and early 1970s, many as children, before U.K. legislation no longer gave Commonwealth citizens the automatic right to reside in Britain.

Recent toughening up of immigration requirements has resulted in some being wrongly denied access to public services and threatened with deportation, or even deported, despite being British citizens.

Though this controversy pertains to British citizens rather than illegal migrants, the government has faced wider questions around its treatment of Commonwealth citizens, particularly as it pegs the Commonwealth as a route for post-Brexit trade to flourish.

“I would presume Britain will have to come to terms that with this talk of free trade, the quid pro quo is greater access not more restricted access for people: the Windrush issue and the Indian [illegal returns memo] issue have suggested Britain wanted to go in the other direction, so putting it all together we are not going to get what we want when we have the focus on tightening up immigration,” said Mr. Price.

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