

INFORMATION FOR ASYLUM-SEEKERS AND REFUGEES IN THE REPUBLIC OF KAZAKHSTAN

The Republic of Kazakhstan has acceded to the 1951 Convention relating to the Status of Refugees and it has a national law on refugees that entered into force in 2010. As such, all claims for asylum should be submitted to the Department of Employment and Social Programs of the Republic of Kazakhstan.

Who is an asylum-seeker in Kazakhstan?

In accordance with national legislation of Kazakhstan, an asylum-seeker is a foreigner or stateless person who has expressed intention to apply for asylum in the Republic of Kazakhstan until a final decision is delivered by the authorized body on their asylum application.

Who is a refugee in Kazakhstan?

In accordance with national legislation of Kazakhstan, refugee is a foreigner who owing to a well-founded fear of being persecuted for reasons of race, ethnicity, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country; or a stateless person, who is outside the country of his former habitual residence and is unable or, unwilling to return there owing to such fear.

What agency is responsible for asylum issues in Kazakhstan?

The Ministry of Labor and Social Protection of Population and the Department of Employment and Social Programs are the competent government authorities responsible for asylum issues in Kazakhstan.

How can I apply for refugee status in Kazakhstan?

In accordance with national legislation of Kazakhstan, an asylum-seeker may submit an asylum application in writing, in person or through an authorized representative, to the Department of Employment and Social Programs in respective city of stay within five calendar days upon arrival to Kazakhstan or from the moment an asylum-seeker has learnt about circumstances giving rise to fear to become victim of persecution based on race, ethnicity, religion, nationality, membership of a particular social group or political opinion.

When crossing the State Border of the Republic of Kazakhstan, a person shall submit a written asylum application to the structural subdivision of the of the Border Service. In case of irregular border crossing, the asylum-seeker shall apply to the authorized Department of Employment and Social Programs within one day.

If you wish to apply for asylum, you may approach:

Department of Employment and Social Protection of Astana city

- *Astana city*: 9 Beibitshilik St.

Department of Employment and Social Programs of Almaty city, Almaty oblast and Shymkent city

- *Almaty city*: 85 Dostyk ave.

- *Shymkent city*: 89 Baiterekova St.
- *Almaty region*: Konaev, 1st Microdistrict, 43

You may also file asylum application at the Department of Employment and Social Programs in other cities. For more information on addresses of Departments of Employment and Social Programs in different cities, please refer to the following website:

https://egov.kz/cms/en/articles/job_search/department_of_employment

I registered my asylum application. What is next?

Once an asylum application is registered, you will be issued an asylum-seeker's certificate which will provide you with confirmation of a legal status allowing you to remain in Kazakhstan until the final adjudication of the asylum application will be made.

Within three months of the registration of the asylum application, you will be invited to an interview with Department of Employment and Social Programs where you will be given opportunity to explain the reasons of your flight from your country and fear of return there.

You will be notified about the decision within three months after registration. In some cases, when additional review is needed, a decision may be issued within one year from the registration date.

My application for refugee status was rejected. What is next?

If your asylum application is rejected, you will receive written notification with the reasons for rejection. If you believe that you have been issued with an erroneous decision, you have the right to appeal the negative decision within three months from your receipt of the decision at the court (three instances). The decision of the Supreme Court is final.

What are my rights and obligations as an asylum-seeker in Kazakhstan?

As an asylum-seeker, you have the following rights in accordance with the legislation of Kazakhstan: to access free interpretation/translation services and information about the refugee status determination procedure, asylum-seeker rights and responsibilities; to withdraw your refugee status application; to appeal the decision of Department of Employment and Social Programs on rejection of refugee status; to reside in the Republic of Kazakhstan until a final decision is made on your asylum application, including appeal periods; to voluntary return to your country of origin or voluntarily depart to another country; to health services in accordance with the healthcare legislation of the Republic of Kazakhstan; to freedom of employment and entrepreneurship in accordance with the legislation of the Republic of Kazakhstan; to judicial protection of property and personal non-property rights and benefits.

You also have other rights and freedoms as well as responsibilities provided by the Constitution, laws and international treaties of the Republic of Kazakhstan.

What are my rights and obligations as a refugee in Kazakhstan?

As a refugee, you have the following rights in accordance with the legislation of Kazakhstan: to stay in Kazakhstan and move within the country; request for information from relevant state authorities about your relatives staying in the country of origin; appeal against the decision of the authorised body on revocation, cessation or refusal to extend your refugee

status; to health services in accordance with the healthcare legislation of the Republic of Kazakhstan; to freedom of employment and entrepreneurship in accordance with the legislation of the Republic of Kazakhstan; to judicial protection of property and personal non-property rights and benefits.

You have a right for family reunification with your spouse and dependent children. You shall not be forcibly returned to a territory where you may face danger.

You also have other rights and freedoms as well as responsibilities provided by the Constitution, laws and international treaties of the Republic of Kazakhstan.

Where can I find more information about support for refugees and asylum-seekers in Kazakhstan?

For more information on asylum procedures in Kazakhstan, including the contact details of the relevant authorities and type of assistance provided by UNHCR, please visit <https://help.unhcr.org/centralasia/kazakhstan>.

What are UNHCR's role and activities in Kazakhstan?

UNHCR in Kazakhstan provides legal assistance to persons of concern through its partners and has an advisory role to promote implementation of the 1951 Refugee Convention. Partners of UNHCR may cover medical expenses of and provide limited financial assistance to the most vulnerable refugees and asylum-seekers.

UNHCR and its partners monitor access of asylum-seekers to the territory and asylum procedures, and advocate for integration of refugees in Kazakhstan.

For any issues related to asylum in Kazakhstan you can contact **UNHCR National Office Kazakhstan**:

- *Astana*: 14 Mambetov Street; Tel: +7 717 269 6545, +7 717 269 6546
- *Hotline*: +7 701 744 7238.

Who are UNHCR partner organizations in Kazakhstan?

UNHCR works in close cooperation with NGO partners to promote refugees' access to asylum procedures, protection and integration in Kazakhstan. All services and assistance provided to refugees and asylum-seekers are free of charge.

Kazakhstan International Bureau for Human Rights (BHR), provides legal counselling and assistance to asylum-seekers, refugees and stateless people:

- *Almaty*: 103 Abylai Khan Avenue, Office 411, Tel.: +7 747 748 4480, +7 777 465 8397
- *Shymkent*: Office 44, 49 Kazybek Bi Street; Tel.: +7 701 558 9253
- *Astana*: 12 Saryarka Street, Office 603, Tel.: +7 775 516 2121

Kazakhstan Red Crescent Society, provides limited financial assistance to the most vulnerable refugees and asylum-seekers:

- *Almaty*: 86 Kunaev Street, First Floor, Tel.: +7 727 236 7617; +7 701 249 6401

CONFIDENTIALITY

All information provided by asylum-seekers and refugees is confidential.

UNHCR is committed to providing a trustful, respectful and inclusive environment in which the people we serve and those who work for the organization feel safe, are heard, equipped and empowered to speak up for themselves as well as to responding to and preventing sexual exploitation/abuse and sexual harassment.