

LAW OF THE REPUBLIC OF TAJIKISTAN
ON REFUGEES

This law determines grounds and procedures for recognition of asylum-seekers as refugees in the Republic of Tajikistan, lays down economic, social and legal safeguards for protection of refugees' rights and legitimate interests and determines the legal status of refugees.

Article 1. Legislation of the Republic of Tajikistan on refugees

Legislation of the Republic of Tajikistan on refugees is based on the Constitution of the Republic of Tajikistan and comprises the present Law and other normative legal acts of the Republic of Tajikistan as well as international legal instruments recognized by the Republic of Tajikistan. (Law №919 of 28.12.12)

Article 2. Principal definitions (Law №919 of 28.12.12)

This Law uses the following principal definitions:

Refugee is a person who is not a citizen of the Republic of Tajikistan and resides in its territory owing to well-founded fear of being persecuted in the country of his citizenship for reasons of race, religion, nationality, membership of a particular social group or political opinion, and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a certain citizenship and being in the Republic of Tajikistan as a result of such events, is unable or, owing to such fear, is unwilling to return to the country of his permanent residence;

Asylum-seeker is a foreign citizen or stateless person who has left the country of his citizenship or the country of his former habitual residence with the intention to apply for refugee status in the Republic of Tajikistan;

Place of temporary residence is a place of temporary stay of asylum-seekers and their family members applying for refugee status or who have been recognized as refugees; (Law №1124 of 26.07.14)

Temporary asylum-seeker certificate is a document certifying the identity and legal status of asylum-seekers applying for refugee status in the Republic of Tajikistan in accordance with this Law; (Law № 1124 of 26.07.14)

Temporary accommodation center is a specialized center of internal affairs body for the temporary accommodation of asylum-seekers and the members of their families applying for refugee status for the duration of initially envisaged measures for the identification and registration; (Law №1124 from 26.07.14)

Travel document is a document issued by the internal affairs body to persons recognized as refugees for the purpose of traveling outside the Republic of Tajikistan and the entry into the territory of the Republic of Tajikistan; (Law №1124 of 26.07.14)

Refugee certificate is a document of an established template certifying the identity of asylum-seekers recognized as refugees in the Republic of Tajikistan;

Refugee status is a legal status (a set of general rights, freedoms, obligations and legal interests defined by the legislation of the Republic of Tajikistan) of asylum-seekers recognized as refugees in the Republic of Tajikistan.

Article 3. Persons undeserving international protection or not in need of it

1. Provisions of the current Law shall not apply to asylum-seekers and refugees in the following cases:

- if there are sufficient grounds to presume that they have committed a war crime, a crime against peace, or a crime against humanity as defined in the international instruments recognized by the Republic of Tajikistan;
 - if there are sufficient grounds to presume that they have committed a serious non-political crime outside the Republic of Tajikistan prior to arrival;
 - if there are sufficient grounds to believe that they have been guilty of acts contrary to the purpose and principles of the United Nations Organization;
 - if they are receiving protection or assistance from the United Nations organs or agencies other than the United Nations High Commissioner for Refugees;
2. The provisions of this Law shall not apply to persons who have fled their country of nationality (former residence) for social and economic reasons, as a result of famine, epidemic or emergency situations of natural and technological nature (Law №1124 of 26.07.14).

Article 3.1 Principles of work with asylum-seekers and refugees

Work with asylum-seekers and refugees is based on the following principles:

- Non-discrimination;
- Non-refoulement;
- Family reunification;
- Confidentiality;
- Priority to protect the interests of vulnerable persons. (Law №1124 of 26.07.14)

Article 4. Public administration authorities on refugee issues

The public administration authorities ensuring the implementation of the policy with respect to refugees are:

- internal affairs body of the Republic of Tajikistan;
- national security body of the Republic of Tajikistan;
- foreign Affairs body of the Republic of Tajikistan;
- local executive branch of the state authority (Law №590 of 12.01.2010)

Article 5. Jurisdiction and cooperation of public administration authorities

1. *Internal affairs body:* (Law №590 of 12.01.10)
 - shall coordinate activity of state authorities on refugee issues;
 - shall administer and oversee performance of local units of relevant bodies of internal affairs (Law №1124 of 26.07.14);
 - in prescribed manner shall receive and transmit to the relevant bodies of internal affairs information on political, socio-economic, sanitary and epidemiological situation in the country of citizenship (former residence) of the person applying for refugee status as well as information on changes of the passport-and-visa regime of foreign states and the rules of stay of asylum-seekers in the Republic of Tajikistan (Law №590 of 12.01.2010);
 - shall submit to the Government of the Republic of Tajikistan the regulation on the refugee certificate, refugee certificate forms, travel document, as well as proposals for the improvement of normative legal acts in the given area (Law №1124 of 26.07.14);
 - shall set up temporary accommodation centers for asylum-seekers and members of their families, and ensures their operation (Law №1124 of 26.07.14);
 - receive free of charge from individual persons and legal entities, irrespective of the form of their legal constitution, information necessary for verification of the information provided by an asylum-seeker applying for refugee status; (Law № 919 of 28.12.12)
 - shall assist persons applying for refugee status or who have been recognized as refugees, who have not reached the age of 18 and arrived in the Republic of Tajikistan unaccompanied by their legal

representatives, in obtaining information on the current place of residence of their parents or other legal representatives or relatives;

- shall grant or refuse to grant refugee status in the Republic of Tajikistan on the basis of a decision taken by the Joint Standing Commission on Refugee Status Determination under the internal affairs body (Law №1124 of 26.07.14);

- shall verify the credibility of personal information provided by persons applying for refugee status against the registration documents (Law №590 of 12.01.10, Law №1124 of 26.07.14);

- shall issue asylum-seeker temporary certificate (Law №1124 of 26.07.14);

- shall issue refugee certificate and travel document of an established template to persons granted refugee status (Law №1124 of 26.07.14);

- shall carry out annual re-registration of refugees together with corresponding units (Law №1124 of 26.07.14);

- shall decide on cessation or cancellation of refugee status in accordance with this law;

- shall interact with public administration authorities, local executive branches of the state authorities, individual persons and legal entities, irrespective of the form of their legal constitution, with regard to other issues within its competence; (Law № 919 of 28.12.12)

- shall register and extend registration period of asylum-seekers and refugees (Law №1124 of 26.07.14);

- shall draw up and issue to persons and their family members who have been recognized as refugees temporary residence permit in accordance with the procedure established by the laws of the Republic of Tajikistan as well as extends its validity; (Law №590 of 12.01.2010);

- if necessary carry out personality identification procedure in relation to persons applying for refugee status and having no any identification documents (Law №590 of 12.01.2010);

- shall carry out fingerprinting of persons applying for refugee status (Law №590 of 12.01.2010).

- shall carry out within its competence expulsion of asylum-seekers and refugees in case of their refusal to leave voluntarily the territory of the Republic of Tajikistan in accordance with the laws of the Republic of Tajikistan (Law №1124 of 26.07.14).

2. *National security body of the Republic of Tajikistan* (Law №590 of 12.01.2010)

- within the scope of its competence shall provide the internal affairs body with information on existence of circumstances stipulated in Articles 3 and 7 of this Law pertaining to persons applying for refugee status (Law №590 of 12.01.2010);

- in coordination with the Office of the Prosecutor General of the Republic of Tajikistan shall issue an order on deportation of persons and their family members with respect to whom a decision has been taken on rejection to register refugee status application and granting refugee status, on cessation and cancellation of refugees status, and who failed to leave the Republic of Tajikistan within the prescribed time limit;

- shall carry out deportation of persons with respect to whom an order on their deportation was issued, if the persons to be deported have not appealed this decision to a higher body or court within one week after the order has been issued;

- in accordance with the established procedures shall detain at the border entry points or outside them asylum-seekers crossing the state border of the Republic of Tajikistan without a permit to enter the Republic of Tajikistan but who claimed asylum in the Republic of Tajikistan due to the circumstances stipulated in paragraph 2 of the Article 2 of this Law, and inform about this to the respective departments of internal affairs body within 72 hours, while observing the principle of *non-refoulement* (Law №590 of 12.01.2010, Law №1124 of 26.07.14).

3. Part 3 is excluded (Law №590 of 12.01.2010)

4. *Foreign affairs body of the Republic of Tajikistan*

- participates in negotiations, elaboration and preparation of draft treaties and agreements pertaining to refugee issues, and makes proposal on their conclusion between the Republic of Tajikistan and other countries;

- analyses, coordinates and provides information on political, socio-economic, sanitary-and-epidemiological situation in the country of citizenship of asylum-seekers applying for refugee status;

- prepares information about changes of the passport-and-visa regime and rules of stay in foreign states;

- monitors implementation of international treaties and agreements of the Republic of Tajikistan pertaining to refugee issues;
 - together with other competent bodies considers the issues of legal status of the persons seeking asylum in the Republic of Tajikistan;
 - draws up and issues to persons duly recognized as refugees and their family members documents for exit from and return to the Republic of Tajikistan in the manner set by the laws of the Republic of Tajikistan, and extends their validity;
 - within the scope of its authority contributes to the implementation of this law and deportation of persons who have been rejected refugee status, for whom refugee status has ceased to apply or whose refugee status has been cancelled, from the Republic of Tajikistan.
5. Part 5 is excluded (Law №590 of 12.01.10)
6. Local executive branch of the state authorities: (Law №590 of 12.01.2010)
- identify sites for temporary settlement of persons whose applications for refugee status have been registered with internal affairs body (Law №590 of 12.01.2010);
 - assist in integration of persons recognized as refugees taking into account the availability of vacancies in the labor market;
 - provide places for temporary residence to persons recognized as refugees who are unable to settle on their own.

Article 6. Procedure of submitting and reviewing applications for refugee status

1. Persons wishing to arrive in the Republic of Tajikistan to seek asylum may submit an application for refugee status to the diplomatic representative or consulate of the Republic of Tajikistan in their country of residence.

2. Asylum-seekers claiming refugee status, who have reached the age of 18, shall submit either personally or through an authorized representative a written application to the below mentioned bodies:

- the state border guards, national security and internal affairs body at the state border crossing check-point of the Republic of Tajikistan, in case of forced illegal crossing of the state border of the Republic of Tajikistan, within 1 day since the moment of border crossing. In case of existence of the circumstances beyond the control of asylum-seekers that prevent their timely submission of applications for refugee status, the application time-frame may exceed 2 days, but no longer than the period of existence of occurred circumstances (Law №590 of 12.01.2010);

- a person, legally residing in the territory of the Republic of Tajikistan, due to circumstances arisen in the country of his citizenship, may apply for refugee status in the prescribed manner as provided by this Law (Law №1124 of 26.07.14);

- the internal affairs body within the period of not later than one month, in case of legal stay in the Republic of Tajikistan (Law №590 of 12.01.2010).

3. If an asylum-seeker is unable to claim refugee status in person due to his health condition, his authorized representative can do it for him by submitting a medical document certifying the applicant's health condition.

4. A person forced to illegally cross the state border of the Republic of Tajikistan, claiming refugee status in the Republic of Tajikistan, shall be detained by units of border troops of national security body without applying sanctions established by the legislation of the Republic of Tajikistan for illegal entry or stay in the Republic of Tajikistan (Law №919 of 28.12.12, Law №1124 of 26.07.14).

5. Units of border troops of national security body shall, within 72 hours, notify the nearest relevant internal affairs body about asylum claims to be reviewed for registration (Law №590 of 12.01.2010, Law №1124 of 26.07.14).

6. Information about the family members arriving with an asylum-seeker, who have not reached the age of 18, shall be entered into the application of one of the parents, and in case of the absence of parents, into the application of their legal representative or into the application of a family member who has reached the age of 18 and has by his own free will assumed the responsibility for the

behavior, upkeep and upbringing of the family members below 18 years of age (Law №1124 of 26.07.14).

7. In case of arrival in the territory of the Republic of Tajikistan of persons below 18 years of age, unaccompanied by legal representatives, and who wish to be recognized as refugees, the internal affairs body shall interview them and fill out a questionnaire. Actions shall be taken to hand the mentioned persons over to guardianship body of the Republic of Tajikistan until the decision on determination of their legal status is taken in accordance with this Law and other normative legal acts of the Republic of Tajikistan (Law №590 of 12.01.2010, Law №919 of 28.12.12, Law №1124 of 26.07.14).

8. Legal status of asylum-seekers who have been found legally incapacitated and willing to be recognized as refugees shall be determined in accordance with the legislation of the Republic of Tajikistan.

9. Examination of applications of asylum-seekers who are members of the same family shall be conducted individually with each member of the family who has reached the age of 18, in accordance with the requirements of this Law (Law №1124 of 26.07.14).

10. In case of absence of circumstances stipulated in this Law in respect of one of the members of the family who has reached the age of 18, in order to ensure family reunion, this member of the family shall also be recognized as a refugee at his consent (Law №1124 of 26.07.14).

11. Decision on registering an application for refugee status shall be taken by the Joint Standing Commission on Refugee Status Determination under the internal affairs body within ten working days from the time of submission of the application upon the results of interviewing asylum-seekers, completion of the questionnaire on the basis of individual interviews as well as verification of information about the person and accompanying family members (Law №590 of 12.01.2010, Law №1124 of 26.07.14).

12. Part 12 is excluded (Law №1124 of 26.07.14).

12. Information about the family members of asylum-seekers, who have not reached the age of 18, shall be entered into the application of one of his parents, and in case of the absence of parents, into the application of their legal representative or into the application of a family member who has reached the age of 18 and has by his own free will assumed the responsibility for the behavior, upkeep and upbringing of the family members below 18 years of age (Law №1124 of 26.07.14).

13. An asylum-seeker under 18 years of age, who arrived in the territory of the Republic of Tajikistan unaccompanied by his legal representatives, can also be issued the certificate taking into account the opinion of the guardianship body (Law №1124 of 26.07.14).

14. The certificate is a ground for registration in the prescribed manner of a person and his family members applying for refugee status with local internal affairs body at their place of residence for the period of the application examination.

15. When necessary, the certificate is also a ground for an asylum-seeker and his family members to receive a referral to a temporary accommodation.

16. The Joint Standing Commission on Refugee Status Determination under the internal affairs body composed of representatives of the Executive Apparatus of the President of the Republic of Tajikistan, internal affairs body, public health and social protection of the population body, labor, migration and employment body, national security body, and foreign affairs body. Regulations governing the creation and activities of the Joint Standing Commission on Refugee Status Determination under the internal affairs body are determined by the Government of the Republic of Tajikistan (Law №1124 of 26.07.14).

Article 7. Restriction of the rights of asylum-seekers applying for refugee status

The rights of asylum-seekers applying for refugee status can be restricted in cases provided for by laws and other normative legal acts of the Republic of Tajikistan with the aim to ensure national security of the state, protection of foundations of the constitutional system, morality, health, rights and freedoms of other persons (Law №590 of 12.01.10, Law №919 of 28.12.12).

**Article 8. Grounds for rejection to grant the refugee status to asylum-seeker
(Law №1124 of 26.07.14)**

The following circumstances shall be regarded as grounds for rejection to grant the refugee status to asylum-seeker, if (Law №1124 of 26.07.14):

- the application is clearly groundless or it represents malpractice on the part of the applicant;
- exclusion clauses, foreseen by this Law, were revealed;
- a person was earlier rejected refugee status due to the absence of the circumstances which would make him become a victim of persecution, provided that the situation in the country of his citizenship (his former residence) has not changed from the day of the rejection until the submission of the new application;
- a person is a citizen of a third country and can enjoy its protection, or he has the right of legal stay in the territory of a third country, in the absence of well-founded fear to become a victim of persecution in that country;
- a person arrived directly from the territory of a third safe country where he temporarily stayed until his arrival in the Republic of Tajikistan and was not subjected to persecutions or could receive asylum and refugee status according to the established procedure (Law №1124 of 26.07.14);
- a person left the country of his citizenship (his former residence) and is not willing to return to the country of his citizenship (his former residence) due to the fear to be punished in accordance with the legislation of that country for illegally exiting its territory or for other legal offence committed in its territory;
- a person was forced to cross illegally the state border of the Republic of Tajikistan with the intention to apply for refugee status but without reasonable grounds did not submit an application for refugee status in the manner provided for by this Law (Law №1124 of 26.07.14);
- a person refuses to provide information about himself or provides deliberately false information about himself and (or) about the circumstances of his arrival in the Republic of Tajikistan;
- a person is married to a Tajik citizen and has, in accordance with the legislation of the Republic of Tajikistan, the possibility to obtain a permanent residence permit in Tajikistan;
- a person has a permit for permanent residence in the Republic of Tajikistan (residence permit).

Article 9. Consequences of rejection to grant the refugee status (Law №1124 of 26.07.14)

1. If an asylum-seeker was refused of granting the refugee status, then internal affairs body within five working days after the decision shall hand or forward to the person a notification mentioning the reasons of the rejection and the procedure of appeal against the decision, and explaining his and his family members' legal status in the Republic of Tajikistan (Law №1124 of 26.07.14).

2. Internal affairs body shall inform national security body about final decision on rejection of registration of an application of a person for getting refugee status in the Republic of Tajikistan. Concurrently, internal affairs body shall request the relevant body to issue the person an exit visa valid for a period necessary for him to appeal the decision of rejection to register his application for refugee status (Law №590 of 12.01.2010).

3. A person who submitted to internal affairs body an application for refugee status and received a notification of rejection to register his application, and who has not exercised his right to appeal this decision, in accordance with this law, is obliged to leave the Republic of Tajikistan together with his family members no later than one month from the day the notification of rejection was received unless he has other legal grounds to stay in the Republic of Tajikistan (Law №590 of 12.01.2010).

**Article 10. Rights and obligations of asylum-seekers and their family members
(Law №1124 of 26.07.14)**

1. An asylum-seeker and members of his family have the following rights:
 - receive information about the asylum procedure, their rights and obligations in accordance with this Law;
 - reside, while the case is under consideration, in a place of temporary accommodation determined by internal affairs body or settle on their own in the family of a Tajik citizen or in the family of a foreign citizen or stateless person permanently residing in the Republic of Tajikistan;
 - receive emergency medical aid in the state health institutions;
 - receive primary and secondary education;
 - receive social aid in the manner prescribed by the Government of the Republic of Tajikistan (Law №1124 of 26.07.14);
 - work and engage in entrepreneurial activity in accordance with the legislation of the Republic of Tajikistan (Law №1124 of 26.07.14);
 - submit a request to cease the examination of the application.
2. Asylum-seekers and members of their families shall be obliged to (Law №1124 of 26.07.14):
 - observe the Constitution of the Republic of Tajikistan, this Law and other normative legal acts of the Republic of Tajikistan (Law №919 of 28.12.12);
 - inform the internal affairs body within three working days about the change of place of residence in the territory of the Republic of Tajikistan and the intent to leave the territory of the Republic of Tajikistan (Law №1124 of 26.07.14);
 - observe the established order of residence and abide by the set sanitary-hygienic standards of residence in places of temporary accommodation;
 - undergo the obligatory medical examination without delay in accordance with the requirements set by the institution of health and social protection of the population (Law №1124 of 26.07.14);
 - provide the internal affairs body with reliable information necessary for deciding on the merits of the application;
 - notify the internal affairs body about changes of personal details provided in the application form and place of residence (Law №590 of 12.01.10).

Article 11. Procedure of recognizing asylum-seekers as refugees

1. Grounds and procedure for recognition of an asylum-seeker in the Republic of Tajikistan as a refugee shall be determined by the internal affairs body after establishing the following requirements (Law №1124 of 26.07.14):
 - the results of questioning of an asylum-seeker on the basis of individual interviews;
 - credibility of the information received about the asylum-seeker and his family members accompanying him;
 - circumstances of arrival in the Republic of Tajikistan;
 - the contents of submitted documents;
 - duly registered explanatory notes, if available;
 - other documents;
2. Application for refugee status shall be examined no later than three months after the day of its registration by internal affairs body. Concurrently, duration of the registration period is extended for the same period (Law №590 of 12.01.2010).
3. The period of examination of an application can be extended by internal affairs body in case it encounters difficulties in determining the grounds of the applicant's fear to become a victim of persecution, but not beyond 3 months from the day of registration of the application for refugee status (Law №590 of 12.01.2010).
4. The procedure of recognizing a person as a refugee can be suspended at any stage if during the examination process of the application it has been found that the person deliberately provided

false information about himself or committed an act jeopardizing the security of the country of his residence or disturbing the public order (Law №590 of 12.01.2010).

5. Decision on granting or rejecting refugee status shall be taken by the internal affairs body on the basis of conclusions of the Joint Standing Commission on Refugee Status Determination under the internal affairs body and the examination of the application and personal file of the asylum-seeker submitted, according to the set procedure (Law №590 of 12.01.2010, Law №1124 of 26.07.2014).

6. In accordance with the “Instruction on the Refugee Certificate” approved by the Government of the Republic of Tajikistan, internal affairs body shall issue a certificate of a set form to an asylum-seeker who has been recognized as a refugee and reached the age of 18 (Law №590 of 12.01.2010, Law №1124 of 26.07.14).

7. The certificate can also be issued to a person, who has reached the age of 18 and been recognized as a refugee, and who arrived in the Republic of Tajikistan unaccompanied by his legal representatives, taking into account the opinion of the guardianship body.

8. The certificate along with a written request of internal affairs body shall be considered as a ground for getting residence permit by a person recognized as a refugee along with his family members for the duration of the refugee status validity (Law №590 of 12.01.2010, Law №1124 of 26.07.14).

9. An asylum-seeker is recognized as a refugee for 3 years, for the same period he or she shall be given a refugee certificate. If the circumstances, due to which he became a victim of persecution, continue to exist in the country of his citizenship (former residence), the period of validity of refugee status and refugee certificate shall be each time extended for another three years on the basis of the decision of the Joint Standing Commission on Refugee Status Determination under the internal affairs body (Law №1124 of 26.07.14).

10. Part 10 is excluded (Law № 1124 of 26.07.14).

10. Internal affairs body shall inform the relevant authority of their final decision regarding the rejection to recognize the person as a refugee, strike him off the register and make a request to issue him and his family members an exit visa from the Republic of Tajikistan (Law №590 of 12.01.2010).

11. A person who has received a notification of rejection to grant him refugee status, in accordance with this law, shall be obliged to leave the Republic of Tajikistan together with his family members not later than one month from the day the notification of rejection was received, unless he has other legal grounds to stay in the Republic of Tajikistan.

12. A person who has been rejected refugee status, in connection with new circumstances, have the right to reapply before the internal affairs body to grant him refugee status in accordance with the procedure established by this Law (Law № 1124 of 26.07.14).

Article 12. Rights and obligations of the person recognized as a refugee

1. A person who has been recognized as a refugee and his accompanying family members have the following rights:

- receive information about their rights and obligations as well as other information in accordance with this Law;
- reside in the Republic of Tajikistan for the period of their recognition as refugees in accordance with the list of populated areas established by the Government of Tajikistan;
- third paragraph is excluded (Law №1124 of 26.07.14).
- settle on his own in the family of a Tajik citizen or of a foreign citizen or stateless person permanently residing in the Republic of Tajikistan in accordance with the legislation of the Republic of Tajikistan;
- fifth paragraph is excluded (Law № 1124 of 26.07.14).
- participate in integration programs developed by internal affairs body;
- medical aid, job placement, employment or entrepreneurial activity in accordance with the normative legal acts of the Republic of Tajikistan, unless other procedure is established (Law №919 of 28.12.12);
- receive primary and secondary education;

- assistance from internal affairs body in obtaining information about relatives residing in the country of his citizenship (former residence) (Law №590 of 12.01.2010);
- apply to internal affairs body at their place of residence in order to obtain assistance in issuance of travel documents for him and his family members in consultation with the national security body of the Republic of Tajikistan (Law №1124 of 26.07.14);
- receive at the local internal affairs body in a prescribed manner a residence permit and other relevant documents;
- apply for permanent residence permit in the Republic of Tajikistan on the grounds not linked to refugee status, or, apply for the citizenship of the Republic of Tajikistan in accordance with the legislation of the Republic of Tajikistan;
- voluntarily return to the country of his citizenship (former residence);
- depart to reside in another country;
- receive financial and other kinds of assistance in the manner defined by the Government of the Republic of Tajikistan;
- enjoy other rights stipulated in the legislation of the Republic of Tajikistan for foreign citizens and stateless persons permanently residing in the Republic of Tajikistan.

2. A person who has been recognized as a refugee and his accompanying family members shall be obliged to:

- observe the Constitution of the Republic of Tajikistan, this Law and other normative legal acts of the Republic of Tajikistan (Law №919 of 28.12.12);
- get registered with the local internal affairs body not later than three working days after receiving the refugee certificate, when settling independently (Law №590 of 12.01.10);
- depart, no later than three working days after receiving from internal affairs body a referral letter to temporary settlement, for the specified settlement, and upon arrival, within three working days, get registered with the local internal affairs body;
- provide, within one working week, to internal affairs body information about changes of name, surname, family composition, marital status, about acquiring the citizenship of the Republic of Tajikistan or other country, about obtaining the permanent residence permit in the Republic of Tajikistan (Law №590 of 12.01.10.);
- inform internal affairs body about the intention to change the place of residence within the Republic of Tajikistan or about departure from the Republic of Tajikistan (Law №590 of 12.01.10.);
- deregister at internal affairs body upon change of place of residence and register at the local internal affairs body within three working days after arrival in new place; (Law №590 of 12.01.2010).
- undergo yearly re-registration within the time-frame set by internal affairs body (Law №590 of 12.01.10.);
- fulfill other obligations stipulated in the legislation of the Republic of Tajikistan for foreign citizens and stateless persons permanently residing in the Republic of Tajikistan.

Article 13. Cessation and cancellation of refugee status (Law №1124 of 26.07.14)

1. Refugee status shall cease if the person (Law №1124 of 26.07.14):
 - has been granted the permanent residence permit in the Republic of Tajikistan;
 - obtained the citizenship of the Republic of Tajikistan or of other country;
 - left the Republic of Tajikistan for permanent residence;
 - voluntarily re-availed himself of the protection of the country of his nationality or residence (Law № 1124 of 26.07.14);
 - voluntarily returned to the country of his nationality which he left due to the fear of persecution (Law of №1124 26.07.14);
 - can not refuse from the protection of the country of his permanent residence because the circumstances that served as basis to recognize him as a refugee have ceased to exist.
2. Refugee status shall be cancelled if:
 - the person provided deliberately false information or forged documents that served as a ground for his recognition as a refugee;

- one of the considerations provided in Article 3 of this Law was revealed (Law №1124 of 26.07.14);

- the person poses a threat to the national security, foundations of the constitutional system, public order, health and moral of the population of the Republic of Tajikistan.

3. Decision on the cessation or cancellation of refugee status shall be taken by the Joint Standing Committee on Refugee Status Determination under the internal affairs body (Law №1124 of 26.07.14).

4. Notification on the cessation or cancellation of refugee status by the Joint Standing Committee on Refugee Status Determination under the internal affairs body, with reasons for taking this decision and the appeal procedure against the decision, shall be handed over or forwarded to the person by the internal affairs body no later than five working days after the decision was taken (Law №1124 of 26.07.14).

5. Internal affairs body shall inform the respective bodies about its decision on cessation or cancellation of refugee status of a person, deregisters him and concurrently shall forward a request to issue a visa for him and his family members to exit the Republic of Tajikistan (Law №590 of 12.01.2010).

6. In case of cessation or cancellation of refugee status, the refugee certificate shall be returned to internal affairs body and shall be considered invalid (Law №590 of 12.01.2010).

7. A person, whose refugee status has ceased or has been cancelled due to the circumstances stipulated in parts one and two of this Article, and who does not exercise his right to appeal against this decision, shall, in accordance with this Law, be obliged to leave the Republic of Tajikistan together with his family members no later than one month after receiving the notification about the cessation or cancellation of his refugee status, unless he has other legal grounds to stay in the Republic of Tajikistan.

8. A person, whose refugee status has ceased or has been cancelled due to the circumstances stipulated in parts one and two of this Article, and his family members, after the final decision, lose the rights to use the living quarters provided by the local executive branches of the government for temporary accommodation.

Article 14. Guarantees of the rights of asylum-seekers and refugees

1. Asylum-seekers, persons applying for refugee status, recognized refugees, and whose refugee status has ceased or has been cancelled cannot be returned or deported against their will to the territory of a state where their life and freedom would be threatened on account of their race, religion, citizenship, membership of a particular social group or political opinion.

2. The circumstances stipulated in part one of this Article shall not apply to refugees whom there are reasonable grounds to regard as a danger to the national security of the country in which they are, or who have been convicted by a final judgment for a serious crime and constitute a danger to the country.

3. Information about persons applying for refugee status as well as those granted refugee status shall not be provided to the authorities and public organizations of the country of their citizenship (of their previous residence) without their written consent.

4. Decisions and actions (inactions) of public administration authorities and officials pertaining to the implementation of this Law can be appealed in a higher body and/or court.

5. Appeal to a higher body or court shall be submitted no later than one month from the day of receiving written notification about rejection to register an application for refugee status, about cessation or cancellation of refugee status. Appeal to a higher body does not exclude submission of an appeal to a court. In case the person has not received a written response to his appeal from a higher body upon the expiration of one month period or has been rejected, then he has a right to appeal to the court.

6. Until a decision is taken on an appeal, the person and his family members who submitted it enjoy the rights and comply with the obligations stipulated in this Law and other normative legal acts of the Republic of Tajikistan. In such case the validity of temporary certificate of asylum-seeker or refugee certificate shall be extended by internal affairs body for a period needed to examine the

appeal and take a decision by a higher body or court. At the same time, the internal affairs body extend the registration period of the asylum-seeker or validity of refugee certificate and permission for their stay. (Law №590 12.01.10., Law № 1124 of 26.07.14)

7. A person who received a notification about rejection to register his application for refugee status, rejection to grant him refugee status, or about cessation or cancellation of refugee status in accordance with this Law and who has used the right to appeal the decision is, in accordance with this Article, obliged to leave the Republic of Tajikistan together with his family members no later than one month from the day a notification of rejection of his appeal was received unless he has other legal grounds to stay in the Republic of Tajikistan.

Article 15. Accommodation of asylum-seekers and refugees

1. Accommodation of asylum-seekers applying for refugee status, who are not able to get an accommodation on their own, shall be organized by local executive branches of the government where the internal affairs body registering the application is located (Law №590 of 12.01.2010).

2. Temporary accommodation centers for asylum-seekers may be established in order to provide accommodation to persons applying for refugee status. Such centers are established at the proposal of internal affairs body in coordination with relevant ministries and agencies on the basis of a decision of the Government of the Republic of Tajikistan (Law №590 of 12.01.2010).

3. Accommodation of persons recognized as refugees and who are not able to settle on their own shall be carried out in accordance with a quota of receiving refugees which is yearly set by the Government of the Republic of Tajikistan for every region and district of the country.

4. Living quarters for temporary settlement of persons recognized as refugees shall be provided by the chairmen of regions and districts in accordance with the established quota on a lease agreement concluded for the duration of their refugee status.

5. Decision on providing a person recognized as a refugee with living quarters for temporary accommodation shall be taken by a corresponding state body in the manner established in accordance with the Regulation on Stay of Refugees in the Republic of Tajikistan (Law №1124 of 26.07.14).

6. In case of a mass influx of asylum-seekers into the Republic of Tajikistan applying for refugee status on the grounds provided for in this Law, their settlement and living conditions shall be defined by the Government of the Republic of Tajikistan.

Article 16. Funding related to the implementation of this law

Financing of expenses related to the reception of and assistance to persons and their family members applying for refugee status as well as expenses pertaining to deportation from the Republic of Tajikistan of persons denied refugee status, persons whose refugee status has ceased or has been cancelled and their family members shall be carried out in the manner and amounts determined by the Government of the Republic of Tajikistan as well as from funds of international organizations and other states on the basis of treaties (agreements) concluded by the Republic of Tajikistan, and from voluntary contributions from individual persons and legal entities.

Article 17. International cooperation on refugee issues

For the purpose of addressing refugee issues, the Republic of Tajikistan cooperates with other states, the United Nations High Commissioner for Refugees and other international organizations.

Article 18. Liability for the violation of this law

Individual persons and legal entities shall be held responsible for violation of this Law in accordance with the legislation of the Republic of Tajikistan (Law №1124 of 26.07.14).

Article 19. Invalidity of the law of the Republic of Tajikistan “On Refugees”

The Law of the Republic of Tajikistan “On Refugees” of July 20, 1994 (published in the Records of the Supreme Council of the Republic of Tajikistan, 1994, №15-16, Article 243; Bulletin of *Majlisi Oli* of the Republic of Tajikistan, 1997, № 9, Article 117; of 2001, № 4, Article 182) shall be regarded as null and void.

President of the Republic of Tajikistan

E. Rahmonov

Dushanbe, May 10, 2002
№ 50
