

Republic of Kazakhstan

Migration Profile Light

2015



PURPOSE OF THE REPORT AND DISCLAIMER

After the adoption of the Building Migration Partnerships Joint Declaration in Prague in April 2009, the Building Migration Partnerships initiative (BMP) started to work on establishing the BMP Knowledge Base. The Knowledge Base, nowadays known as the Prague Process Knowledge Base, consists of a set of Extended Migration Profiles¹ elaborated and endorsed in 2010-2011 and the interactive online map (i-Map), which visualizes the available information.

The Prague Process Targeted Initiative (PP TI) is an EU-funded project, which builds upon the BMP initiative and implements selected priorities identified in the Prague Process Action Plan endorsed in Poznan in November 2011. One of the objectives of PP TI is to maintain the Knowledge Base, keep it up-to-date and develop it further.

While continuous attention to updating and developing Extended Migration Profiles remains, the PP TI has taken into account the feedback received from the Prague Process participating states and has proposed the concept of the Migration Profile Light. In comparison to the Extended Migration Profile, which from its name indicates that the information should be of thorough and detailed nature, the Migration Profile Light should be a handy tool with a limited number of pages clearly indicating the areas of interest. The Migration Profile Light should aim at key priorities and problems, easy annual updatability and standardized data for all countries involved.

The proposed Migration Profile Light (MPL) concept has been well received by the Prague Process participating states and Germany volunteered in testing the concept by filling in the template. The MPL on Germany has been developed and the process of its establishment has led to identification of gaps in the first template, which have been covered in cooperation with the PP TI Support Team at ICMPD. At the time of publication, MPLs were prepared by Germany (2013), Hungary (2014), Republic of Armenia (2014), Czech Republic (2015), and Republic of Uzbekistan (2015).

The aim of the PP TI is to establish the Knowledge Base as a useful tool consisting of state-owned migration profiles with standard and comparable data categories. While aiming at the seven leading states of PP TI and the PP TI non-EU participating states, the interest of the Prague Process is to collect national MPLs for all 50 Prague Process participating states.

The MPL is an exercise, which targets all states, believing that this will lead to mutual understanding of the migration situation in partner states, existing migratory flows, priorities, problems and interests. The MPL should serve as an informative but also policy making tool. In case of need, methodological and expert support is planned to contribute to development of MPL in states with limited experience with such exercise.

Ownership and responsibility of the content in terms of data provided in this Migration Profile resides solely with the country elaborating the report.

This MPL was approved by the Ministry of National Economy of the Republic of Kazakhstan in April 2016.

¹ Albania (endorsed 2010), Armenia (2011), Azerbaijan (2010), Bosnia and Herzegovina (2010), Czech Republic (2010), Georgia (2011), Hungary (2011), Kazakhstan (2010), Kyrgyzstan (2011), Poland (2010), Romania (2010), Slovakia (2010), Tajikistan (2010), Ukraine (2011). Belarus, Russia, Turkmenistan and Uzbekistan continue working on their Extended Migration Profiles.

The PP TI Support Team within the International Centre for Migration Policy Development (ICMPD) is ready to help and can be contacted at ppti@icmpd.org. The Knowledge Base of the Prague Process is accessible at www.pragueprocess.eu and www.imap-migration.org, section Prague Process.

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1. BACKGROUND INFORMATION ON THE COUNTRY

1.1. Size, population, bordering countries and length of borders

Official name	Republic of Kazakhstan
Capital	Astana
Territory	2,724,902 km ²
Population	17,670.9 thousand persons (as of January 1, 2016)
Neighboring countries	Russia, Kyrgyzstan, China, Uzbekistan, and Turkmenistan
Length of borders	13,200 km (7,591 km with Russia, 1,783 km with China, 1,242 km with Kyrgyzstan, 2,351 km with Uzbekistan, 426 km with Turkmenistan)

1.2. Short characteristics of the country

The Republic of Kazakhstan is a unitary state with a presidential form of government. The administrative and territorial composition of the Republic, as well as the status of its capital are outlined by law. Administratively and territorially the Republic of Kazakhstan (RK) is made up of 14 regions, the city of republican status (Almaty) and the capital (Astana). The legislative and executive branches are represented both at national and local levels.

In legal terms the framework of external migration management is based on the Constitution of the Republic of Kazakhstan and composed of the provisions of the Laws of the Republic of Kazakhstan "On population migration" of July 22, 2011, and "On legal status of foreigners" of June 19, 1995.

The specific feature of Kazakhstan in the field of migration is the existence of multi-ethnic community of people, creation of which was conditioned by the peculiarities of the country's historical development.

Upon gaining its independence on December 16, 1991, the Republic of Kazakhstan (RK) became an active participant of international migration processes. The first decade of independence was characterized by mass *emigration*, which peaked in 1994, when 481,000 persons left the country. The main emigration flow was then composed of those leaving for permanent residence in Russia and Germany, as well as Israel, USA, Canada, and Australia. During this period, the main migration trends were represented by large-scale emigration of the Slavic population; emigration of ethnic Germans and other ethnic groups, who had been deported previously; irretrievable intellectual emigration; repatriation of ethnic Kazakhs; wide-spread transit and illegal migration, including refugee and IDP flows from conflict zones; de-urbanization, and some others.

From 1999 on the intensive migration of population from the Republic abated. After an initial outflow of the members of certain ethnic groups for the permanent residence abroad, Kazakhstan has turned into a regional centre of attraction for labour migrants. The main flow of *immigrants* is the repatriation of *oralman* Kazakhs from the CIS and non-CIS states. The stable development of the national economy and the emergence of opportunities for self-employment became important drivers for the formation of migration flows directed into the Republic of Kazakhstan.

2. MIGRATION FLOWS AND STOCKS OF IMMIGRANTS AND EMIGRANTS

2.1. Migration Flows

External migration into Kazakhstan reduced its intensity in 2009-2014: flows were 40% lower and decreased from 41.5 thousand to 16.8 thousand persons by the end of the period (Table 1).

Migrants principally came to Kazakhstan from the CIS countries (83% of the total flow of immigration for 6 years under the survey); about 17% of immigrants came from the non-CIS countries.

The influx of ethnic Kazakhs, conditioned by the desire to preserve national identity and return to historic homeland, dominates the immigration flow.

Table 1. Flows of external migration to/from Kazakhstan

	2009	2010	2011	2012	2013	2014
IMMIGRANTS, persons	41,511	42,057	38,016	28,296	24,105	16,784
From CIS countries	32,082	33,916	30,996	23,889	20,331	14,833
%	77%	81%	82%	84%	84%	88%
From non-CIS countries	9,429	8,141	7,020	4,407	3,774	1,951
%	23%	19%	18%	16%	16%	12%
EMIGRANTS, persons	33,985	26,541	32,920	29,722	24,384	28,946
Left for CIS countries	31,727	24,956	31,303	28,274	22,565	26,098
%	93.4%	94.0%	95.1%	95.1%	92.5%	90%
Left for non-CIS countries	2,258	1,585	1,617	1,448	1,819	2,848
%	6.6%	6.0%	4.9%	4.9%	7.5%	10%

Source: Committee on Statistics of the Ministry of National Economy of the RK

Within the CIS, Russia is the main host country for the migration flow from the Republic of Kazakhstan. The Russian Federation received about 90% of all emigrants from Kazakhstan to the CIS countries from 1995 to 2014 (Table 2). However, the emigration to the RF reduces its intensity.

Table 2. Emigration from the RK to the CIS countries: 1995-2014

Total to the CIS countries			To RF		
1995	208,366	100%	1995	187,390	89.9%
1999	120,724	100%	1999	108,436	89.8%
2004	47,117	100%	2004	44,344	94.1%
2009	31,727	100%	2009	30,088	94.8%
2014	26,098	100%	2014	23,859	91.4%

Source: Committee on Statistics of the Ministry of National Economy of the RK

2.2. Migrant stocks

According to the data from Committee on Statistics of the Ministry of National Economy, based on the register by the Migration Service of the RK Ministry of Internal Affairs, in 2014 the number of immigrants amounted to 16,784 and emigrants to 28,946. The balance of migration thus was minus 12,162.

According to statistics, in the first 11 months of 2015 16,670 persons came to the Republic of Kazakhstan (of these: 14,077 from the CIS countries and 2,593 from the non-CIS countries), and 30,080 left the country (of these: 27,020 left for the CIS countries and 3,060 for countries other than CIS). Thus, the balance of migration was minus 13,410 (for the same period of 2014 the balance of migration was minus 12,157).

Table 3. Migration flow structure by ethnic groups, January-September 2015²

	Arrived, %	Left, %
Kazakhs	53.3	4.9
Russians	17.7	70.9
Koreans	2.7	0.56
Karakalpaks	2.3	0.08
Ukrainians	2.1	6.8
Uzbeks	2	0.4
Kyrgyz	1.9	0.2
Tatars	1.4	2.4
Germans	1.4	7.9
Poles	0.2	1
Others	9	4.86

Source: Committee on Statistics of the Ministry of National Economy of the RK

Immigrants

The main category of immigrants is returning *oralman* Kazakh migrants. According to official statistics, in 11 months of 2015 of the total number of immigrants the share of the Kazakhs was 59.3% (9,878 persons), Russians - 17.7% (2,953), Koreans - 2.7% (411), Karakalpaks – 2.3% (385), Ukrainians - 2.1% (351), Uzbeks - 2% (329), Kyrgyz - 1.9% (315), Tatars – 1.4% (240), Germans - 1.4% (239)

² Percentage of the total www.stat.gov.kz.

Emigrants

In 11 months of 2015 of the total number of emigrants the share of the Russians was 70.9% (21,335), Germans 7.9% (2,341), Ukrainians - 6.8% (2,055), Kazakhs - 4.9% (1,472), Tatars - 2.4% (713), Koreans - 0.56% (411).

3. LEGAL MIGRATION WITH SPECIAL FOCUS ON LABOUR MIGRATION

3.1. Responsible state authorities

The Ministry of National Economy of the RK gives shape to the state policy in the sphere of migration; organizes and implements cooperation with the competent authorities of foreign countries related to the regulation of migration processes; develops procedures for entry and registration of participants and (or) staff members of the specialized International Exhibition on the territory of the Republic of Kazakhstan.

The Ministry of Internal Affairs of the RK and the Ministry of Foreign Affairs of the RK in coordination with the National Security Committee set up the order for registration of passports of immigrants, their movement within the country, as well as entry into certain areas (territories) closed to visits by foreigners, the order of transit of foreigners and stateless persons through the territory of the Republic of Kazakhstan.

The authorities of the Migration Police of the Ministry of Internal Affairs of the Republic of Kazakhstan provide migrants with the following types of public services:

- registration of the reception and renunciation of citizenship of the Republic of Kazakhstan;
- issuance of identity cards to persons without citizenship and residence permits to foreigners permanently residing in the Republic of Kazakhstan;
- registration and issuance of permits to foreigners and stateless persons for the permanent residence in the Republic of Kazakhstan;
- registration of foreigners and stateless persons staying in the Republic of Kazakhstan temporarily;
- issuance of invitations for entry into the Republic of Kazakhstan for private matters and for the purpose of family reunification;
- issuance of departure documents for the permanent residence outside the Republic of Kazakhstan;
- renewal and issuance of exit visas;
- issuance of permits to enter and to stay in the border zone;
- assignment and renewal of refugee status in the Republic of Kazakhstan.

Moreover, the authorities of the Migration police of the Ministry of Internal Affairs of the Republic of Kazakhstan grant and revoke permissions for immigrants to work (provide services) in the private households.

The Ministry of Health and Social Development of the Republic of Kazakhstan (MHSD) is the state body authorized in the issues of the population migration and implementing the state policy in the field of migration. It monitors migration processes, annually approves a list of professions that are in demand on the domestic labour market, distributes between regions, the cities of republican status and the capital the quotas for foreign labour force, compiles uniform database of labour migrants.

The Ministry of Foreign Affairs of the Republic of Kazakhstan and RK agencies abroad contribute to the dissemination of information about the state policy of the Republic of Kazakhstan in the field of

migration, accept and register documents of immigrants applying for entry into the Republic of Kazakhstan, carry out international cooperation related to migration.

Local executive authorities (LEA) apply to the Committee of Labour, Social Protection and Migration with the proposals for the quotas for foreign labour force; within these quotas issue foreign workers permits for employment and employers for attracting foreign labour to perform works on the territory of specified administrative and territorial units or, otherwise, via intra-corporate transfer beyond quotas; suspend and revoke the above authorizations; register and count labour migrants; provide oralms and immigrants with health care, organize the activities of the Centres for adaptation and integration of oralms, as well as of temporary accommodation centres.

3.2. Policy and policy documents

The Concept of the Foreign policy of the Republic of Kazakhstan for 2014 - 2020, approved by Presidential Decree № 741 of January 21, 2014, establishes priorities and tasks for Kazakhstan's foreign policy, including the following:

1. The Republic of Kazakhstan will strengthen strategic partnership with the European states, as well as with the European institutions and associations, with which it has signed or is in process of negotiating relevant treaties. The efforts to develop full scale relations with the European Union - the largest trade, economic and investment partner of Kazakhstan - will be continued, as well as the efforts to conclude a new agreement on expanded partnership and cooperation, liberalization of visa regime with the prospect of a gradual transition to a visa-free regime for citizens of the Republic of Kazakhstan and the European Union.
2. Kazakhstan is interested in politically stable, economically sustainable and safe development of the Central Asia.
3. Regarding the Eurasian economic integration as one of the most effective ways to advance the country on a path of firm integration into the system of global economic relations, Kazakhstan will strengthen the Customs Union and Common Economic Space in order to construct on this basis the Eurasian Economic Union.
4. Kazakhstan will continue to work to legally complete the international framing of its state borders, as well as to determine the legal status of the Caspian Sea and strengthen stable and friendly relations among the coastal states, relying on universally recognized principles and norms of international law.

The principal tasks of the state policy in the sphere of labour migration are:

- protection of the domestic labour market through the establishment of quotas for foreign labour force;
- attraction of highly qualified foreign personnel to working in the Republic of Kazakhstan.

Republic of Kazakhstan has finished constructing the legal framework regulating the issues of internal and external migration regarding the terms and the order of stay for foreigners wishing to work in the Republic of Kazakhstan. These legal basics are framed by the laws "On migration," "On Employment", "On Legal Status of Foreigners" and a number of subordinate legislative acts.

In addition, activities are constantly carried out to establish in the country a free market of highly qualified professionals.

To that end, amendments have been made to the legislation on Migration and Employment envisaging:

- the introduction of a tax for issuing permits for employers to hire foreign workers. The collection rate is to be set differentially depending on industry and category of workers involved. Moreover, the lower the qualification of the worker, the higher collection rate is to be.

- the possibility of self-employment for foreign workers (outside the quota and without an invitation from an employer) for a period not exceeding three months on the basis of a certificate of compliance with the qualification list for priority sectors (by types of economic activities), including works involving complex and high technologies.

- implementing, in accordance with the requirements of the WTO, the principle of free movement of personnel (intra-corporate transfer) for legal entities, branches, subsidiaries, representative offices or affiliates of foreign legal persons established on the territory of the Republic of Kazakhstan and operating in priority economic sectors (manufacturing, agro-industrial sector, exploration).

In accordance with the amendments approved, the new rules governing the procedure and conditions for attracting foreign labour have been established.

On April 12, 2014 the bodies of the Migration Police of the Ministry of Internal Affairs began issuing *permits for labour immigrants to carry out labour activities in private households of physical persons*.

Labour immigrants must meet the following requirements:

- be nationals of countries with which the Republic of Kazakhstan signed an agreement on visa-free entry and stay, providing the opportunity to stay in Kazakhstan without a visa for a period of not less than three months;

- present a proof of a criminal record or absence thereof;

- must present a medical certificate confirming the absence of diseases, preventing individuals from carrying out of works on the profession chosen;

- must have a valid health insurance (in effect starting from 01.01.2017).

The maximum period of continuous temporary residence of a labour immigrant in the Republic of Kazakhstan must not exceed twelve months.

A permit issued to a labour immigrant provides the basis for him/her to conclude a labour contract for the performance of works (services) for employers who must be individual householders on the territory of that administrative-territorial unit, where the permit was issued. One physical person as an employer may employ no more than five labour immigrants simultaneously.

In order to establish the *Eurasian Economic Union*, the Heads of States of the Republic of Belarus, Republic of Kazakhstan and the Russian Federation signed on May 29, 2014 in Astana the Treaty on the Eurasian Economic Union, effected on January 1, 2015.

As the basis of "Labour Migration" section of the Treaty on the Eurasian Economic Union (hereinafter - the Treaty) the agreements reached by the Member States in the framework of the Agreement on the Legal Status of Labour Migrants and Members of their Families of November 19, 2010, were taken.

In accordance with Article 97 of the Treaty employers and (or) commissioners of works (services) of a Member State may attract to the implementation of labour activities the workers-nationals of the Member States without taking into account the limitations adopted for the protection of national labour markets. Simultaneously, the workers of the Member States are not required to obtain permits for carrying out work in the State of employment.

This section also provides to labour migrants from the Member States the following guarantees:

- exemption from the obligation to register while entering the territory of the state of employment for a period of up to 30 days;
- compulsory insurance of temporary disability, maternity, accidents while performing labour (service) duties, and health insurance;
- possibility to join trade unions;
- accounting of the employment (insurance) record in the calculation of insurance payments in the State of employment;
- obtaining certificates confirming the period of work, wages, information about the name of professions engaged in.

As of now, the Treaty was joined by the Republic of Armenia and the Kyrgyz Republic.

In addition, to date, bilateral agreements on labour migration were compacted with the Republic of Tajikistan, the Kyrgyz Republic, the People's Republic of China and the Socialist Republic of Vietnam.

In general, the citizens of all the CIS countries, Mongolia and Turkey enjoy the right of visa-free entry to the Republic of Kazakhstan. Foreign nationals temporarily staying in the Republic of Kazakhstan must register within 5 calendar days from the date of crossing the border at the place of permanent or temporary residence. Registration is carried out on the basis of identification documents and migration cards received at entrance.

3.3. Statistics

Labour immigrants in Kazakhstan

Within the CIS, the largest group of labour migrants is made up of the citizens of Uzbekistan, Kyrgyzstan and Tajikistan, of whom an average of about 15% are officially registered and have the status of labour migrants; the remaining 85% work illegally, mainly in the construction industry and in households. Legal labour migrants in Kazakhstan are principally engaged in agriculture, plant farming, construction, mining and manufacturing industries, real estate, trade and services. Labour migrants are predominantly male, aged 18 to 45. Women make up about a quarter of the total number of labour migrants.

Outside the CIS countries the main countries of origin of labour migrants are China (19.5%) and Turkey (11.5%), as well as the US, Russia and the United Kingdom. From 1996 to 2010, the leader in the number of foreign labour force in the Republic of Kazakhstan was Turkey, with the share of labour migrants ranging from one third to one half of all labour migrants. Since 2010, when the general trend towards the reduction prevailed, China took the first place, which is mainly related to the construction of the highway Western China - Western Europe.

For 2015 the quota is set at 0.7 percent of the economically active population of the Republic, that is 63 thousand.

According to the Ministry of Health and Social Development, as of January 1, 2016, there were in operation 32.4 thousand permits, falling within the following categories:

- first (senior officers and their deputies) – 1,987.;
- second (heads of departments) – 5,958;
- third (experts) – 13,968;
- fourth (qualified workers) – 10,450.

The enterprises, attracting foreign labour (1,592 companies), employed 468 thousand Kazakh citizens, which made up 93.5% of the total number of employees.

The main countries of origin of labour migrants were China – 13,373 persons, Turkey -. 4,844, Ukraine -. 1,620, Uzbekistan -. 1,303 and India – 1,235.

In 2015 the employers attracting foreign labour created 25,350 jobs for the Kazakh citizens. Moreover due to their activities 3,035 Kazakh citizens carried out additional professional training, 12,620 local workers upgraded their professional training, 2,393 Kazakh workers were professionally trained and 55 foreign specialists were replaced by local personnel.

In 2015 the Migration Police units issued labour immigrants 141,254 permits to carry out labour activities at individual households, of whom 9.7 thousand were issued to women. It is estimated that the country's budget received more than 1.3 billion tenge (or 5.3 mln. USD).

The legalized immigrants are mostly the citizens of Uzbekistan (132 thousand or 93%) and Tajikistan (5.3 thousand or 3.8%).

115 thousand or 81.4% received permits for construction/repair works with private individuals, 10 thousand as gardeners, 6.8 thousand as nurses /nannies, 2.8 thousand as cooks and 6 thousand for other types activities.

4. IRREGULAR MIGRATION IN THE COUNTRY

4.1. Responsible state authorities

The bodies of the Migration Police of the Ministry of Internal Affairs of the Republic of Kazakhstan compile a united database registering entry and exit of foreigners and stateless persons, provide for systematic update of information and carry out timely information exchange with the competent authority on migration of the population (Ministry of Health and Social Development of the RK), the Ministry of Foreign Affairs of the Republic of Kazakhstan and the Kazakhstan's National Security Committee; issue visas to exit and enter the Republic of Kazakhstan to immigrants staying on the territory of the Republic of Kazakhstan; carry out accounting and registration of foreigners and stateless persons; monitor immigrants' compliance with the established entry and exit rules, rules of stay in the Republic of Kazakhstan and transit through the territory of the Republic of Kazakhstan; take measures to prevent illegal immigration; in accordance with the legislation of the Republic of Kazakhstan take decisions on reducing the length of stay of immigrants in the Republic of Kazakhstan; determine the procedure for issuing and issue foreigners and stateless persons permits for temporary and permanent residence in the Republic of Kazakhstan.

The Border Service of the National Security Committee of the RK approves immigrants' entry into the Republic of Kazakhstan and their access to certain areas (territories) closed to foreigners; approves permits for temporary and permanent residence of immigrants in the Republic of Kazakhstan; issues migration cards

to immigrants entering the Republic of Kazakhstan and collects these upon their exit from the Republic of Kazakhstan.

To prevent irregular migration to the RK, the **Prosecutor General's Office, MIA, Migration police, and National Security Committee** carry out specialized operations to prevent and stop irregular migration aimed at detecting individuals staying in the RK illegally.

4.2. Policy and policy documents

The RK geopolitical position, specifically its proximity to South-East Asia, transparency of the borders with the CIS countries, as well as a favorable economic climate, social and political stability, and a liberal migration policy are the main factors facilitating irregular migration. The main challenge is posed by the activities of organized transnational migrant-smuggling groups, which form channels of illegal import and export of migrants from/to/through Kazakhstan.

With the IOM financial support, the RK implemented a project “Regional Labour Migration Program for the Central Asia and Russia” (July 2010 – August 2013). The Program’s objective: to protect the rights and improve the social and economic situation of labour migrants and their families and to promote the regulation of labour migration issues. Within the Program a Migrant Support Center has been established. The objective of the Migrant Support Center is to promote reduction in irregular migration by increasing the share of labour migrants with a settled legal status and to raise awareness of labour migrants of their rights and obligations related to their stay and work in the RK.

In 2012-2014 a Program for the CIS states cooperation in preventing irregular migration was carried through.

4.3. Statistics

Irregular migration to the RK is mainly characterized by illegal entry to the country and illegal employment without permits. According to expert estimates, the number of such migrants varies from 200-300 thousand to 700 thousand persons a year and several times exceeds the number of legally employed foreign labor.³

According to the Ministry of Internal Affairs of the Republic of Kazakhstan, 1,434 employers in 2014 and 2,080 in 2015 were prosecuted for violating the legislation of Kazakhstan on attracting foreign labour and labour immigrants.

In 2015, for violation of the RK legislation in the field of migration 106,945 *foreigners and stateless persons* were brought to administrative liability, including:

- for staying in the country without registration with the bodies of internal affairs for up to three days after the expiry of five days period set by the legislation of the Republic of Kazakhstan for registration – 32,123;
- for staying in the country without registration with the bodies of internal affairs for up to three days after the expiry of five days period set by the legislation of the Republic of Kazakhstan for registration, or residence at the address other than given at registration, as well as failure to comply with the rules of transit travel through the territory of Kazakhstan – 23,742;

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³*Protection of Migrants' Social and Labour Rights in the CIS*. Analytical Digest. Available at: http://mirpal.org/files/files/sbornik_blok_print.pdf, last accessed on Oct. 21, 2014.

- for not leaving the country within three days after the expiry of the period specified in visa or migration card – 14,196;
- for violating the RK legislation in the field of migration, or failure to depart within three days after the expiry of the period specified in visa or migration card – 11,507;
- for non-conformity of actual activities to the purposes specified in visa and (or) migration card, or carrying out work in the Republic of Kazakhstan without obtaining a work permit, where such permission is prerequisite to employment - 12,514 foreigners and persons without citizenship.

5. RETURN, READMISSION AND REINTEGRATION

5.1. Responsible state authorities

The bodies of the Migration Police of the Ministry of Internal Affairs of the Republic of Kazakhstan carry out accounting and registration of foreigners and stateless persons; monitor immigrants' compliance with the established entry and exit rules, rules of stay in the Republic of Kazakhstan and transit through the territory of the Republic of Kazakhstan; take measures to prevent illegal immigration.

5.2. Policy and policy documents

The Migration Policy of the Republic of Kazakhstan provides for a system-based and consistent policy, focusing on stimulating the return of compatriots residing abroad. The Republic of Kazakhstan creates conditions for the return of persons who were forced to leave the territory of the republic during the periods of mass repressions, forced collectivization or as a result of other inhumane political actions, as well as their descendants or Kazakhs living in other countries.

To date, the Republic of Kazakhstan has signed 12 readmission agreements, of which 7 are ratified and 5 in the final phase of coordination procedure awaiting ratification.

Another 13 agreements on readmission with the CIS- and non-CIS countries - Afghanistan, Bulgaria, Greece, Iran, Iraq, Canada, Cyprus, Republic of Korea, Kyrgyzstan, Pakistan, Poland, Tajikistan and Ukraine – are being developed and are at different stages of negotiation.

5.3. Statistics

According to the Ministry of Internal Affairs of Kazakhstan, the practical implementation of readmission agreements in the RK has just begun. Therefore, there have been no facts of readmission yet.

6. INTEGRATION

6.1. Responsible state authorities

The President of the Republic of Kazakhstan is an official authority taking decision on citizenship issues: 1) admission to the citizenship of the Republic of Kazakhstan; 2) restoration of the citizenship of the Republic of Kazakhstan; 3) renunciation of the citizenship of the Republic of Kazakhstan.

The bodies of the Migration Police of the Ministry of Internal Affairs of the Republic of Kazakhstan:

- 1) accept applications on the citizenship issues from persons permanently residing in the Republic of Kazakhstan and together with necessary documentation submit these to the President of the Republic of Kazakhstan;
- 2) carry out registration of the acquisition of and exit from the citizenship of the Republic of Kazakhstan provided for by international treaties of the Republic of Kazakhstan;
- 3) register the loss of the citizenship of the Republic of Kazakhstan by persons permanently residing in the Republic of Kazakhstan;
- 4) register admission into the citizenship of the Republic of Kazakhstan according to simplified (registration) procedure;
- 5) determine the status of belonging (not belonging) to the citizenship of the Republic of Kazakhstan of the persons permanently residing in the Republic of Kazakhstan.

The Ministry of Foreign Affairs and foreign institutions of the Republic of Kazakhstan:

- accept applications on citizenship issues from persons permanently residing outside the Republic of Kazakhstan and together with necessary documentation submit these to the President of the Republic of Kazakhstan;
- register the loss of the citizenship of the Republic of Kazakhstan by persons permanently residing outside the Republic of Kazakhstan;
- keep the record of the RK citizens permanently residing outside the Republic of Kazakhstan;
- determine the belonging to the citizenship of the Republic of Kazakhstan of persons permanently residing outside the Republic of Kazakhstan.
- inform ethnic Kazakhs wishing to voluntarily resettle in the Republic of Kazakhstan on the conditions of entry, including the list of regions defined by the Government of the Republic of Kazakhstan in the framework of the regional quotas of oralman reception, reception conditions and measures of social support.

The Ministry of Health and Social Development of the Republic of Kazakhstan determines the admittance into the oralman status; develops and submits proposals to the Government of Kazakhstan to identify areas for the resettlement of the repatriates, as well as on the formation of regional quotas of oralman reception for a medium term period or the forthcoming year; distributes regional quotas of oralman repatriates between the regions, cities of republican status, the capital; monitors the implementation of the regional quotas of oralman reception.

Local executive authorities consider and take decisions on the applications of ethnic Kazakhs, on assignment of the oralman status, on the inclusion of oralmen in the regional quotas; create and organize the activities of Centres for adaptation and integration of oralmen, as well as temporary accommodation centers.

6.2. Policy and policy documents

In accordance with the Law "On Citizenship of the Republic of Kazakhstan," foreigners and stateless persons may be granted the citizenship of the Republic of Kazakhstan on their application. An application for citizenship is submitted to the President of Kazakhstan. The citizenship of the Republic excludes recognition of another state's citizenship.

According to the Ministry of Internal Affairs of the RK, from 1991 to the present, 960,967 persons were granted the citizenship of Kazakhstan.

In 2014, 23,011 people were granted citizenship of the Republic of Kazakhstan; 659 renounced the citizenship.

In 2015, 8,451 people were granted citizenship of the Republic of Kazakhstan; 473 renounced the citizenship.

The citizenship of the Republic of Kazakhstan can be granted to:

- persons residing in the territory of the Republic of Kazakhstan legally for at least five years or married to citizens of the Republic of Kazakhstan for at least three years;
- citizens of the former Soviet republics, arriving for permanent residence in the Republic of Kazakhstan, one of whose close relatives is a citizen of the Republic of Kazakhstan. These can be: children (including adopted), spouse, one of the parents (adoptive parents), sister, brother, grandfather or grandmother, regardless of the length of their residence in the Republic of Kazakhstan.

Issues of citizenship pertaining to soldiers who are on military service and stationed on the territory of the Republic of Kazakhstan are resolved in accordance with intergovernmental treaties of the Republic of Kazakhstan.

The citizenship of the Republic of Kazakhstan in a simplified (registration) procedure may be granted to:

- 1) oralmen permanently and legally residing on the territory of the Republic of Kazakhstan, regardless of the length of their residence;
- 2) rehabilitated victims of mass political repressions, as well as their descendants, who were deprived of or lost their citizenship without their free will, permanently and legally residing on the territory of the Republic of Kazakhstan, regardless of the length of their residence;
- 3) ethnic Kazakhs enrolled in higher education institutions of the Republic of Kazakhstan.

The period for processing the documents for citizenship submitted according to the simplified (registration) procedure should not exceed three months from the date of submission.

The policy of supporting ethnic Kazakhs returning to their homeland is regarded as a separate area of state policy and is also a part of state's employment policies for the citizens of Kazakhstan.

Integration of oralman at new locations includes:

- creation of necessary conditions and assisting in the realization of state-guaranteed fundamental rights and freedoms;
- development and implementation of social support measures, assistance in employment and retraining of the unemployed, promotion of entrepreneurship; ensuring effective access to social protection.

A program specifically focused on the return of oralman exists in the Republic of Kazakhstan since 1991. In 1997, oralman in Kazakhstan gained legally framed status.

Oralman is an ethnic Kazakh who at the time, when the Republic of Kazakhstan gained its sovereignty was permanently residing abroad, as well as his/her ethnically Kazakh children who were born and permanently resided abroad after the Republic of Kazakhstan gained its sovereignty, and who arrived in the Republic of Kazakhstan for permanent residence in their historic homeland and received the appropriate status in the manner prescribed by the present Act.

Ethnic Kazakhs unlike other foreign nationals can obtain a residence permit by applying to the Migration Police without confirmation of their solvency.

Regional quotas of oralman reception have been established.

In accordance with the legislation, certain social assistance is provided to oralman, ethnic Kazakhs and members of their families. So, oralman enjoy such benefits as free adaptation and integration services with oralman adaptation and integration centers, medical care; get places in schools and preschool institutions, enjoy social protection on a par with Kazakhstan citizens, have an opportunity to get education in accordance with the quotas for admission to educational organizations of technical and vocational training, post-secondary and higher education; get assistance in employment in accordance with the legislation of Kazakhstan; they are provided with land lots on the right of temporary gratuitous land use (for private farming, gardening, country house construction, as well as for arranging a peasant or farm establishment in view of market-oriented agricultural production).

6.3. Statistics

The repatriation of ethnic Kazakhs has been the main focus of the RK migration policy over the past 24 years.

During the period of independence, starting from 1991, the Republic of Kazakhstan received 261,104 families or 957,772 oralman. As of now, their share in the total population is about 5.5 percent.

Ethnic Kazakhs arrived: 61.6% from Uzbekistan, 14.2% from China, 9.2% from Mongolia, 6.8% from Turkmenistan, 4.6% from the Russian Federation and 3.6% from other foreign countries.

As of January 1, 2016, 1,920 families or 4,890 ethnic Kazakh moved in the country and received oralman status. The majority of oralman - 78.3 % - came from the Republic of Uzbekistan, 6.1% from Turkmenistan, 6.9% from China, 2.8% from Mongolia, 1.1% from Russia and 4.8% from other countries.

Local executive authorities organize the activities of temporary accommodation centers (TAC), i.e. dwellings intended for temporary accommodation of ethnic Kazakhs and their families prior to obtaining the oralman status. TAC operate in 14 regions except Almaty and Mangistau region.

To provide oralmen and members of their families with adaptation and integration services and temporary housing the "Centres for adaptation and integration of oralmen" were set up in Aktau, Karaganda and Shymkent, and also in the village Aksukent of the South Kazakhstan region.

Adaptation programs carried out by the Centres provide legal counseling, training in the state language and (optionally) in Russian, vocational training, retraining and advanced training.

For effective delivery of these services the best high school teachers (psychologists, lawyers, economists, sociologists, and others) are invited on a contractual basis.

Table 4. Centres for adaptation and integration of oralmen (CAIO)

CAIO	Capacity	Actual residents (As of October 1, 2015 года)
Aktau, Mangistau region	200 families (1 room apts. – 70 , 2 room - 62 , 3 room – 68).	156 oralman families or 650 persons
Karaganda, Karaganda region	120 persons.	15 oralman families or 55 persons
Shymkent, South Kazakhstan region	170 persons. (39 rooms).	12 oralman families or 48 persons
Aksukent village, Sairam district, South Kazakhstan region	140 persons. (31 rooms).	4 oralman families or 12 persons

Source: Committee of Labor, Social Protection and Migration of MHSP of the RK

7. MIGRATION AND DEVELOPMENT

7.1. Responsible state authorities

The **Ministry of Foreign Affairs** facilitates maintaining links with the compatriots residing abroad. The policy of establishing direct contacts with the communities abroad is implemented through diplomatic missions.

7.2. Policy and policy documents

Expert recommendations on development of draft RK Strategic Development Plans until 2020 call for infrastructure development to increase inner and international mobility of employees, specifically, development of the rent housing system, social infrastructure, simplified registration procedure, etc.

7.3. Statistics

There are over 4 mln. ethnic Kazakhs residing outside the RK in 14 countries of the former USSR and other countries of the world. Of them about 800,000 are the diaspora, with the rest being Kazakh irredenta, i.e. residing in the adjacent territories. The Kazakh diaspora is mainly concentrated in the RF, Turkey, and China.

The Kazakh diaspora in the USA and Western Europe (mainly Germany, France, and Scandinavia) were formed as a result of going for studies and in the wake of labour migration. According to the data of the Head of the European Federation of Kazakh Communities based on statistics from cultural centres, about 15,000 Kazakhs reside in the European countries. 10 European cities have Kazakh cultural centres.

Some 13,000 ethnic Kazakhs reside in Turkey (including Kazakhs relocated from Afghanistan and Iran). The Turkish Kazakh diaspora adapted to the country of residence better than others due to cultural, religious, and linguistic proximity of the Turkic nations.

8. ASYLUM AND INTERNATIONAL PROTECTION

8.1. Responsible state authorities

The bodies of the Migration Police of the Ministry of Internal Affairs of Kazakhstan within the framework of asylum and international protection:

- 1) develop procedure for the registration and hearing of the application for refugee status;
- 2) develop sample identity and refugee travel documents, asylum-seeker certificates and carry out their issuance;
- 3) carry out procedures of assignment, extension, termination and deprivation of refugee status;
- 4) develop a model regulation on the Commission for the implementation of procedures of assignment, extension, termination and deprivation of refugee status;
- 5) decide on the complaints regarding the refusal of territorial authorities to grant refugee status, oralman status or include into the quotas of oralman immigration;
- 6) compile monthly lists of asylum-seekers and refugees and transmit these to national security agencies.
- 7) assist, within their competence, a person recognized as a refugee, in obtaining information on relatives living in the country of origin.

8.2. Policy and policy documents

Under the RK law "On Refugees", refugee status is granted for one year. Within five working days from the date of the decision, a person granted with refugee status is issued a refugee certificate. If the circumstances in the country of origin of the refugee remain the same as those that provided the basis for granting refugee status, refugee status shall be extended by one year and so on by an authorized body on the basis of an application submitted by the refugee a month before the specified term ends.

By joining on December 15, 1998, the 1951 Convention and its Protocol of 1967, Kazakhstan has assumed certain international obligations towards refugees. First of all, it is the duty to respect the principles of non-refoulement, provide access to the procedure of granting refugee status, information and the possibility of appealing the decision, as well as provide registration for a period of hearing the case and the appeal.

8.3. Statistics

Refugees in Kazakhstan

According to the Kazakhstan MIA, in 2014 the number of refugees in the RK was 640, of whom 357 were male and 283 female.

In 2015 the number of refugees in the RK was 678, of whom 379 were male and 299 female.

The refugees are mainly registered in Almaty (383), South Kazakhstan region (240), Almaty region (49) and Zhambyl region (6).



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