

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, 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 enactments of the Republic of Tajikistan as well as international legal instruments recognized by the Republic of Tajikistan.

Article 2. Principal Definitions Used in this Law

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, citizenship, ethnic 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 it.

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 settlement (Centre) is a place of temporary stay of asylum-seekers and their family members applying for refugee status or who have been recognized as refugees, who are not able to settle in the Republic of Tajikistan on their own;

Temporary certificate of application registration is a document certifying the identity and legal status of an asylum-seeker applying for refugee status in the Republic of Tajikistan in accordance with this Law.

Refugee certificate is a document of a set form certifying the identity of asylum-seekers recognized as refugees in the Republic of Tajikistan.

Refugee status is a legal standing (system 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. Limitations in Granting Refugee Status in the Republic of Tajikistan

This Law does not apply to the following persons:

with respect to whom there are sufficient grounds to presume that they have committed a crime against peace, war crime or crime against humanity as defined in the international instruments drawn up to make provision in respect of such crimes;

with respect to whom there are sufficient grounds to presume that they have committed a serious non-political crime outside the Republic of Tajikistan prior to arrival in its territory, and who claim refugee status;

with respect to whom there is information about their possible connection with special agencies of the country of their citizenship, international terrorist organizations or drug mafia structures;

with respect to whom there are sufficient grounds to believe that they have been guilty of acts contrary to the purpose and principles of the United Nations, Organization for Security and Cooperation in Europe;

receiving from organs or agencies of the United Nations, Organization for Security and Cooperation in Europe other than the United Nations High Commissioner for Refugees protection or assistance;

This Law is neither applicable to persons who have left the country of their citizenship (their former habitual residence) for economic reasons as a result of famine, epidemics or emergency situations of natural or man-made character.

Article 4. State Administration Organs Dealing with Refugee Related Issues

The state administration organs ensuring implementation of the policy with respect to refugees are:

State Migration organ;

Security organs of the Republic of Tajikistan;

Interior organs of the Republic of Tajikistan;

Foreign Affairs organs of the Republic of Tajikistan;

Tajikistan State Border Protection organs;

Local executive authorities organs.

Article 5. Authority and Interaction of State Administration Organs

State Migration organ:

Coordinates the activity of state power bodies on refugee issues:

manages and monitors the activities of the territorial migration organs, defines through its orders their authority (tasks, functions, rights and responsibilities);

in accordance with the established order receives and passes on to the territorial migration organs information on political, socio-economic, sanitary and epidemiological situation in the country of citizenship (former habitual residence) of the person applying for refugee status as well as information on changes of the passport-and-visa regime in foreign states and the rules of stay of asylum-seekers in the Republic of Tajikistan;

prepares proposals for approval by the Government of the Republic of Tajikistan of a draft list of states in which temporary stay prior to arrival in the Republic constitutes a ground to refuse registration of a person's application for refugee status and refuse to recognize him as a refugee. Prepares draft provisions on refugee certificate, its design of a set form, suggests points for temporary accommodation and a list of settlements where temporary residence of asylum-seekers and refugees is prohibited as well as other normative-legal documents within the competence of the state migration organ;

Organizes centers for temporary residence of asylum-seekers applying for refugee status;

Receives without indemnity from individual persons and legal entities, irrespective of their form of ownership, information necessary for verification of the data provided by an asylum-seeker applying for refugee status;

Assists persons applying for refugee status or who have been recognized as refugees, who have not reached the age of 18 and who arrived in the Republic of Tajikistan unaccompanied by their legal representatives, in obtaining information on the current place of residence of their parents, or legal representatives or relatives;

Decides on recognition of a person as a refugee on the basis of conclusions of the state migration organ's Commission on granting refugee status and documents including an application for refugee status received from migration territorial organs;

Verifies the authenticity of personal data provided by asylum-seekers against the registration documents of Interior organs (Department for Visa and Registration of Foreign Citizens);

Issues temporary certificates of application registration;

Issues standard refugee certificate to persons who have been granted refugee status;

Carries out yearly re-registration of the refugees;

Decides on forfeiture or divestiture of refugee status in accordance with this law;

Interacts with state administration organs, local executive authorities, individual persons and legal entities, irrespective of their form of ownership, with regard to other issues within its competence;

Security organ of the Republic of Tajikistan:

Within the scope of its competence provides the state migration organ with information on existence of circumstances stipulated in Articles 3 and 7 of this Law pertaining to persons applying for refugee status;

In coordination with the Procurator General's Office of the Republic of Tajikistan takes decision on deportation of persons and their family members with respect to whom a decision has been taken on refusal to register refugee status application and grant refugee status, on forfeiture and divestiture of refugees status, and who failed to leave the Republic of Tajikistan within the set period of time;

Carries out deportation of persons with respect to whom a decision on their deportation has been taken, if the persons to be deported have not appealed this decision to a higher organ or court of law within one week after this decision was taken;

Interior organ of the Republic of Tajikistan:

At the written request from the state migration organ:

registers and extends registration of persons whose applications for refugee status are being processed for registration, and who have temporary certificates of application registration;

draws up and issues 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;

if necessary carries out procedures requisite for identification of persons applying for refugee status and having no any identification documents;

carries out fingerprinting of persons applying for refugee status.

Foreign Affairs organ of the Republic of Tajikistan:

participates in negotiations, elaboration and preparation of draft treaties and agreements pertaining to refugee issues, and in proposal making 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 pertaining to refugee issues of which the Republic of Tajikistan is a party;

together with other competent organs, takes up the issue 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 competence, assists in implementation of the requirements of this law, deportation of persons who have been rejected refugee status, forfeited or divested of refugee status.

Tajikistan state border protection organ:

in conjunction with the border units of other countries stationed in the Republic of Tajikistan, in accordance with the established legal procedures detains at the border entry points or outside them asylum-seekers crossing the state border of the Republic of Tajikistan without a proper permit to enter the Republic of Tajikistan but who claimed asylum in the Republic of Tajikistan due to the circumstances stipulated in paragraph 2, Article 2 of this Law, and informs of it the state migration organ within 72 hours.

Local executive organs:

identify sites for temporary residence of persons whose applications for refugee status have been registered with the state migration organ;

assist in integration of persons recognized as refugees with due regard to availability of job vacancies on the labour market;

provide temporary accommodation to persons recognized as refugees who are unable to settle on their own.

Article 6. Procedure of Submitting and Reviewing Applications for Refugee Status

A person wishing to arrive in the Republic of Tajikistan to seek asylum may forward an application for refugee status to the diplomatic representative or consulate of the Republic of Tajikistan in his country of residence.

An asylum-seeker claiming refugee status, who has reached the age of 18 must submit either personally or through an authorized representative an application in writing to the following organs:

in case of a forcibly illegal crossing of the state border of the Republic of Tajikistan, to the state border protection organs, security organs and state migration organ at the state border crossing check-point of the Republic of Tajikistan, within 24 hours. In case of circumstances beyond the control of asylum-seekers that prevent their timely submission of applications for refugee status, the set application time-frame may exceed 48 hours but no longer than the period while the said circumstances persist;

to the state migration organ within the period of not later than one month, in case of legal entry to the Republic of Tajikistan;

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

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 border force units or security organs without applying sanctions established by the legislation of the Republic of Tajikistan for illegal entry or stay in the Republic of Tajikistan.

Units of the state border protection organs and security organs shall, within 72 hours, notify the nearest migration territorial organ about asylum claims to be reviewed for registration.

Information about the family members arriving with an asylum-seeker, who have not reached the age of 16, 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, support and upbringing of the family members below 16 years of age.

In case of arrival in the territory of the Republic of Tajikistan of persons below 16 years of age, unaccompanied by legal representatives, and who wish to be recognized as refugees, the state migration organ shall interview such persons and fill out a questionnaire. Actions shall be taken to hand the mentioned persons over to patronage and custody organs of the Republic of Tajikistan pending the decision determining their legal status, in accordance with this Law and other enactments of the Republic of Tajikistan.

Legal status of asylum-seekers who have been found incapable shall be determined in accordance with the legislation of the Republic of Tajikistan.

Review of applications from asylum-seekers being members of the same family shall be conducted individually with each member of the family who has reached the age of 16, with due regard to the requirements of this Law.

In case there are no circumstances stipulated in this Law to qualify one of the family members, who has reached the age of 16, a refugee, this member of the family shall also be recognized as a refugee at his consent, in order to ensure the family unity.

Decision on registering an application for refugee status shall be taken by the state migration organ's Commission for refugee status determination within ten working days from the time of submission of the application upon the results of questionnaires of asylum-seekers, completion of the questionnaire on the basis of conducting individual interviews as well as verification of information received about the person and accompanying family members.

A person whose application for refugee status has been registered shall be issued a temporary certificate of application registration (hereinafter certificate), which serves a document certifying his identity.

Information about asylum-seeker's family members who have not reached the age of 16 shall be entered into the certificate of one of the parents and, in case there are no parents, into the certificate of their legal representative or into the certificate of one of the family members who has reached the age of 18 and has on his own free will assumed the responsibility for the behavior, support and upbringing of the family members below 16 years of age.

An asylum-seeker under 16 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 patronage and custody organs.

The certificate is a ground for registration in the set manner of a person and his family members, applying for refugee status, with the local interior organs for the period of the application consideration.

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

Article 7. Restriction of the Rights of Asylum-Seekers Applying Refugee Status

The rights of asylum-seekers applying for refugee status can be restricted in cases provided for by laws and other enactments of the Republic of Tajikistan with the aim to ensure protection and security of the state, safeguard the fundamentals of the constitutional system, protect morality, health, rights and freedoms of other persons.

Article 8. Grounds for Refusal to Register an Application for Refugee Status

The following circumstances shall be regarded as grounds for refusal to register asylum-seeker's refugee applications and denial to grant refugee status:

if the application is clearly groundless or it represents malpractice on the part of the applicant;

in case of revealing exclusion clauses foreseen by this law;

if a person was earlier rejected refugee status due to the absence of the circumstances which would make him become a victim of persecution subject that the situation in the country of his citizenship (his former habitual residence) has not changed from the day of the previous refusal until the submission of the new application;

if a person is also a citizen of a third country and can use to its protection or if he enjoys the right of legal stay in the territory of a third country, in the absence of grounded fear to become a victim of persecution in that country;

in case a person arrived directly from the territory of another country where he temporarily resided until his arrival in the Republic of Tajikistan and was not subjected to persecutions or could duly receive asylum and refugee status;

if a person left the country of his citizenship (his former habitual residence) and does not will to return to the country of his citizenship (his former habitual residence) for fear to be punished in accordance with the legislation of that country for illegal exiting its territory or for other legal offence committed in its territory;

if a person was forced to illegally cross the state border of the Republic of Tajikistan with the intention to apply for refugee status but did not submit an application for refugee status in the manner provided for in this Law;

if 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;

if 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;

if a person has a permit for permanent residence in the Republic of Tajikistan (residence permit).

Article 9. Consequences of Denial to Register an Application for Refugee Status

When the registration of an asylum-seeker's application for refugee status is denied due to the circumstances foreseen in this law, the state migration organ shall, not late than five working days from the day of taking this decision, hand or forward to the person a notification mentioning the reason of the denial and the procedure of appeal of the decision and explaining his and his family members' legal status in the Republic of Tajikistan.

The state migration organ shall inform interior and security organs of its irrevocable decision to deny registration of an application for refugee status in the Republic of Tajikistan. Concurrently, it shall request the relevant organ to issue the person an exit visa valid for a period necessary for him to appeal the decision of denial to register his application for refugee status.

A person who submitted to a state migration organ an application for refugee status and received a notification of denial to register his application, and who has not exercised his right to appeal this decision, is, in accordance with this law, obliged to leave the Republic of Tajikistan together with his family members no later than one month from the day the notification of denial was received unless he has other legal grounds to stay in the Republic of Tajikistan.

Article 10. Rights and Obligations of a Person whose Application for Refugee Status is Registered

An asylum-seeker whose application for refugee status has been registered as well as the accompanying him family members shall have the rights to:

- 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 settlement determined by migration organs 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;

- emergency medical aid in the state health institutions;

- receiving primary and secondary education;

- financial compensation in the manner and amount set by the Government of the Republic of Tajikistan;

- submit a letter of request to cease the application review.

An asylum-seeker whose application for refugee status has been registered as well as the accompanying him family members shall be obliged to:

- observe the Constitution of the Republic of Tajikistan, this Law and other enactments of the Republic of Tajikistan;

- leave for the place of temporary settlement within 72 hours after receipt of a referral letter to temporary settlement and upon arrival, within three working days, register with the local interior organ, producing for this purpose the referral letter of the State Migration Service and personal documents;

- observe the established order of residence and abide by the set sanitary-hygienic standards of residence in places of temporary settlement;

- undergo the obligatory medical examination without delay, in accordance with the requirements set health security organ;

- provide the migration organs with reliable information necessary for deciding on the merits of the application;

- notify the migration organ about changes of personal details and place of residence.

Article 11. Procedure of Recognizing Asylum-Seekers as Refugees

Applications for refugee status in the Republic of Tajikistanis are reviewed by the state migration organ through:

summarising the questionnairing of an asylum-seeker, on the basis of individual interviews;
verification of the information received about the asylum-seeker and accompanying him
family members;

reviewing the circumstances of arrival in the Republic of Tajikistan;

reviewing the contents of submitted documents;

reviewing duly registered explanatory notes, if available;

reviewing other documents;

Application for refugee status shall reviewed within three months from the day of its registration by the state migration organ. Concurrently, interior organs extend their registration for the same period.

The period of reviewing an application can be extended by the state migration organ in case it encounters difficulties in determining the foundation 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.

The procedure of recognizing a person as a refugee can be discontinued at any stage if during the reviewing process of the application it has been found that the person provided deliberately false information about himself or committed an act jeopardizing the security of the country of his sojourn or violating the public order.

Decision on granting or denial of refugee status shall be taken by the state migration organ on the basis of conclusions of the Commission on refugee status determination under the state migration organ and the submitted results of reviewing the application and personal file of the asylum-seekers.

In accordance with the "Instruction on the Refugee Certificate" approved by the Government of the Republic of Tajikistan, the state migration organ shall issue a certificate of a set form to an asylum-seeker who has been recognized as a refugee and reached the age of 16.

The certificate can also be issued to a person, who has reached the age of 16 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 patronage and custody organs.

The certificate along with a written request of the state migration organ shall be a ground for proper registration of the person recognized as a refugee and his family members with the local interior organ at the place of their residence. It is also a ground for receiving a residence permit for the duration of the refugee status validity.

An asylum-seeker shall be recognized as a refugee for the period of up to three years. If the circumstances, due to which he became a victim of persecution, continue to exist in the country of his citizenship (former habitual residence), the validity of refugee status and registration with the interior organs of this person shall be extended by the state migration organ for another period of three years.

In case a person is denied recognition as a refugee the state migration organ within three working days from the day of taking this decision shall hand over or forward to this person, at the place of his residence, a notification mentioning the reasons of the denial and appeal procedure against the decision as well as explaining the person's legal status and that of his family.

The state migration organ shall inform the relevant organ of its irrevocable decision to deny the person refugee status and request to strike him off the register and issue him and his family members an exit visa of the Republic of Tajikistan.

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

Article 12. Rights and Obligations of the Person Recognized as a Refugee

A person, who has been recognized as a refugee, and his accompanying family members shall be entitled to:

- 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 settlements established by the Government of Tajikistan;
- choose a settlement for independent settling, provided by the state migration organ in accordance with an agreement on renting a living premises, on the basis of the refugee certificate;
- 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;
- receive a referral letter from migration territorial organ to temporary settlement in accordance with Provision on refugees' stay in the Republic of Tajikistan, approved by the Government of Tajikistan, if he is not able to settle on his own;
- participate in integration programs developed by the state migration organ;
- medical aid, job placement, journey-work or business undertakings in accordance with the enactments of the Republic of Tajikistan, unless otherwise is established;
- receiving primary and secondary education;
- assistance from the state migration organ in obtaining information about relatives residing in the country of his citizenship (former habitual residence);
- request assistance from the local state migration organ in arranging Tajikistan exit/entry travel documents for him and his family;
- receive at the local interior organ a proper residence permit and other relevant documents;
- apply for permanent residence permit in the the Republic of Tajikistan on the grounds not linking 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 habitual residence);
- depart to take a residence 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.

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 enactments of the Republic of Tajikistan;
- get registered with the local state migration and interior organs not later than three working days after receiving the refugee certificate, when settling independently;
- depart, no later than three working days after receiving from the state migration organ a referral letter to temporary settlement, for the indicated settlement, and upon arrival, within three working days, get registered with the local interior organ;
- produce, no later than one working week, to the state migration organ and, if necessary, to the respective interior organ 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;
- inform the state migration organ about the intention to change the place of residence within the Republic of Tajikistan or leave the Republic of Tajikistan;

get struck off the register at the state migration organ and respective interior organ upon change of place of residence, and get registered at the local migration and interior organs within three working days after arrival in the new place;
undergo yearly re-registration within the time-frame set by the state migration organ;
fulfil 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. Forfeiture and Deprivation of Refugee Status

Refugee status shall be forfeited if the person:
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;
can not refuse from the protection of the country of his permanent residence because the circumstances that served as a ground to recognize him as a refugee have ceased to exist.

Refugee status shall be deprived if the person:
provided deliberately false information or produced faked documents that served grounds for his recognition as a refugee;
poses a threat to the national security, fundamentals of the constitutional system, public order, health and moral of the population of the Republic of Tajikistan.

Decision on the forfeiture or deprivation of refugee status shall be taken by the state migration organ upon representation of the state administration organs defined in this law.

Notification on the forfeiture or deprivation of refugee status, mentioning the ground for taking this decision and describing the appeal procedure against the decision shall be handed over or forwarded to the person by the state migration organ no later than three working days from taking the decision.

The state migration organ shall inform the respective organ of its decision to forfeit or deprive a person of refugee status, and concurrently shall forward a request to strike the person off the register and draw up a visa for him and his family members to exit the Republic of Tajikistan.

In case of forfeiture or deprivation of refugee status, the refugee certificate shall be returned to the state migration organ and shall be considered void.

A person, whose refugee status has been forfeited or deprived 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 from receiving the notification about the forfeiture or deprivation of his refugee status, inless he has other legal grounds to stay in the Republic of Tajikistan.

A person, whose refugee status has been forfeited or deprived due to the circumstances stipulated in parts one and two of this Article, and his family members, shall, after the final decision has been made, lose the rights to use the living quarters provided by the local authorities for temporary accommodation.

Article 14. Guarantees of the Rights of Asylum-Seekers and Refugees

Asylum-seekers applying for refugee status, recognized refugees forfeited or deprived of refugee status cannot be returned or refouled against their will to the territory of a state where their

life and freedom would be threatened on account of his race, religion, citizenship, membership of a particular social group or political opinion.

The circumstances stipulated in part one of this Article shall not apply to refugees whom there are reasonable grounds for regarding as a danger to the security of the country in which they are, or who, having been convicted by a final judgement of a particularly serious crime, constitute a danger to the community of the country.

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

Decisions and actions (inactions) of state bodies and officials pertaining to the implementation of this Law can be appealed in a higher organ and/or court of law.

Appeal to a higher organ or court of law shall be submitted no later than one month from the day of receiving written notification about denial to register an application for refugee status, about forfeiture or divestiture of refugee status. Complaint to a higher organ does not exclude submission of an appeal to a court of law. A person has the right to apply to a court of law, if, within one month, he has not received a reply in writing to his complaint to a higher organ.

Pending a decision on the complaint, the person who lodged the complaint and his family members enjoy the rights and comply with the obligations stipulated in this Law. At the same time, the temporary certificate of registration of refugee status application or refugee certificate shall be extended for a period of taking a decision by a higher organ or court of law. Concurrently, upon a written request of the state migration organ, an interior organ extends the validity of registration of the person and his residence permit.

A person who received a notification about denial to register his application for refugee status, denial to grant him refugee status, or about forfeiture or divestiture 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 denial to 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

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 authorities in the location of the territorial migration organ that registered the application.

Points (centres) for temporary accommodation of refugees may be created in order to provide accommodation to persons applying for refugee status. Such points are established at the proposal of the state migration organ in coordination with relevant ministries and agencies on the basis of a decision of the Government of Tajikistan.

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 oblast and district of the republic.

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

Decision on providing a person recognized as a refugee with leaving quarters for temporary settlement shall be taken by a territorial migration organ in the manner established in accordance with the provision on the stay of residence of refugees in the Republic of Tajikistan.

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 Relating to the Implementation of this Law

Funding of expenses borne for 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, forfeited or deprived of refugee status 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 due to inputs from international organizations and other states on the basis of treaties (agreements) concluded by the Republic of Tajikistan and due to voluntary contributions from individual persons and legal entities.

Article 17. International Cooperation on Refugee Problems

With the purpose of addressing refugee problems, 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 guilty of violating this Law shall be held responsible in accordance with the legislation of the Republic of Tajikistan.

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, of 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
10 May 2002
N 52