

STATE COMMITTEE FOR NATIONALITIES AND MIGRATION OF UKRAINE

ORDER

September 09, 2005 # 69

Registered with the Ministry of Justice of Ukraine
on November 1, 2005 under # 1319/11599

On Approval of the Procedure for Execution, Issuance and Extending Validity of a Refugee's Certificate

In order to assure issuance of refugee's certificates, in pursuance of the Resolution of the Cabinet of Ministers of Ukraine *On Approval of Regulations on a Refugee's Certificate* dd. October 11, 2002 # 1527 (1527-2002-p) (as amended) I HEREWITH ORDER TO:

1. Approve the Procedure for Execution, Issuance and Extending Validity of a Refugee's Certificate (hereinafter — "the Procedure"), as attached.

2. Make following amendments to clause 6 of the *Temporary Instruction on Execution of Documents Required for Solving Issues of Granting, Loss and Deprivation of the Refugee Status*, as approved by the Order of the State Committee for Nationalities and Migration of Ukraine dd. April 29, 2002 N 20 (z0422-02), registered with the Ministry of Justice of Ukraine on May 11, 2002 under N 422/6710:

To declare null and void sub-clauses 6.2, 6.3;

In this connection, to consider sub-clauses 6.4, 6.5 as sub-clauses 6.2, 6.3, respectively.

3. T.Ye.Fandykova, Deputy Head of the Department for Refugees and Migration, should assure public registration of the Order with the Ministry of Justice of Ukraine.

4. K.P.Denha, Chartered Secretary and Chief Accountant, should provide migration service departments (agencies) in the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities with the required number of application forms and should assure production of stamps for extending validity of refugee's certificates and issuance of a refugee's travel documents for traveling abroad.

5. L.S.Hryshko, Head of the HR Department, should assure informing heads of migration service departments (agencies) in the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities on the Order within five days after its coming into effect.

6. Heads of migration service departments (agencies) in the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities should assure implementation of the Procedure as approved herein.

7. The Order shall come into effect in 10 days upon its state registration with the Ministry of Justice of Ukraine.

8. Cancel the Order of the State Committee for Nationalities and Migration of Ukraine dd. October 21, 2004 # 55 On Approval of the Procedure for Execution, Issuance and Extending Validity of a Refugee's Certificate.

9. Yu.M.Sukhov, Deputy Head, shall be responsible for control over execution of the Order.

V.Voronin, First Deputy Head

COORDINATED WITH:

Administration of the State Border Service of Ukraine

P.A.Shysholin,

Deputy Head of the State Border Service of Ukraine,

Director of the State Border Guard Department

Ministry of Foreign Affairs of Ukraine

V.O.Makukha,

Deputy Minister of Foreign Affairs of Ukraine

Ministry of Internal Affairs of Ukraine

V.M.Rudik,

Deputy Minister of Internal Affairs

APPROVED BY:
the Order of the State Committee for
Nationalities and Migration of Ukraine
dd. September 09, 2005 # 69

REGISTERED WITH:
The Ministry of Justice of Ukraine
on November 1, 2005
under # 1319/11599

PROCEDURE FOR EXECUTION, ISSUANCE AND EXTENDING VALIDITY OF A REFUGEE'S CERTIFICATE

The present Procedure has been executed in accordance with the *Regulation on a Refugee's Certificate*, approved by the Resolution of the Cabinet of Ministers of Ukraine dd. October 11, 2002 N 1527 (1527-2002-p) (as amended)

1. General Provisions

1.1. A refugee's certificate (hereinafter — “the Certificate”) shall be a passport document, which identifies a person, confirms the fact of granting the refugee status in Ukraine to such person; it shall be used for execution of rights and fulfillment of obligations, as provided for by the Law of Ukraine *On Refugees* (2557-14) and other laws of Ukraine.

1.2. The Certificate shall be issued to a foreigner or a stateless person aged 16, by a migration service agency in the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities (hereinafter — “migration service agencies”) based on decisions of the State Committee for Nationalities and Migration of Ukraine on granting the refugee status in Ukraine to a foreigner or a stateless person.

A separated child, who has been granted the refugee status in Ukraine, shall be given a certificate before reaching 16.

2. Execution of the Certificate

2.1. When a migration authority has executed a written conclusion on granting / refusal in granting the refugee status, a foreigner or a stateless person — subject of the decision on execution of documents for solving the issue of granting the refugee status (hereinafter — “an applicant”) — should be summoned to the migration authority for execution and submission of:

- an application for issuance of a refugee's certificate (hereinafter — “an application form”) in a form of the Attachment 1, signed by an applicant;
- two pictures having dimensions of 35 x 45 mm;
- two 35 x 45 mm pictures of each family member of an applicant under 16, who stays with him/her in Ukraine, and data on whom have been entered into an application form of a person appealing for the refugee status (one picture should be pasted in an attachment to an application form alongside with a child's personal data).

A foreigner or a stateless person may file the above documents to a migration service agency in person or through his/her legal representative.

A migration service agency should verify data presented in documents, as referred to in clause 2.1 herein.

Validity of entries in an application form should be certified with a signature of the head of a migration service agency and the seal of such agency.

An application form with accompanying documents should be attached to a personal file of an applicant; it shall form an integral part thereof.

A completed personal file of an applicant shall be sent to the State Committee for Nationalities and Migration of Ukraine in accordance with paragraph 8 of sub-clause 5.1. of the *Temporary Instruction on Execution of Documents Required for Solving Issues of Granting, Loss and Deprivation of the Refugee Status*, approved by the Order of the State Committee for Nationalities and Migration of Ukraine dd. April 29, 2002 # 20 (z0422-02), registered with the Ministry of Justice of Ukraine on May 11, 2002 under # 422/6710 (as amended).

The State Committee for Nationalities and Migration of Ukraine shall fill in a certificate and send it to the relevant migration service agency by courier for further handing to a refugee within three days after adoption of a decision on granting the refugee status.

An entry on execution of a certificate should be made in a reserved field of an application form.

3. Procedure of Filling In the Refugee's Certificate

3.1. A refugee's certificate should be executed in line with data indicated in an application.

3.2. Data of a certificate should be printed in black in the visual inspection field. Printing height should be 3 mm, with horizontal printing density — 15 charters / 24.5 mm.

Field titles should be printed in black. Height of capital letters should be up to 1.3 mm, small letters — up to 1 mm.

3.3. Filling in data fields:

Data element	Field title	Filling in data elements	Maximum number of charters
Family name	Family name	Family name should be indicated	16
Name(s) (patronymic)	Name(s) (patronymic)	Name(s) (patronymic) should be indicated	48
Citizenship	Citizenship	Citizenship should be indicated	15
Date of birth	Date of birth	Date of birth should be indicated	9
Sex	Sex	Sex should be indicated	7
Family status	Family status	Family status should be indicated	10
State of habitual residence	State of habitual residence	State of habitual residence should be indicated	15
Certificate's number	Certificate's number	Certificate's number should be indicated	8
Date of issuance		Date of issuance should be indicated	9
Term of validity, date of termination / extending a certificate's term of validity	Term of validity	Date of termination / extending a certificate's term should be indicated	9
Place of residence	Place of residence	Place of residence should be indicated	
Authority, which has decided on granting a refugee status in Ukraine	Decision on granting a refugee status in Ukraine	Name of deciding authority should be indicated	50
Date of a decision on granting a refugee status in Ukraine	Decision on granting a refugee status in Ukraine	Decision and its reference number should be indicated	50

Name of an officer		Name of an officer should be indicated	32
Signature of an officer		Signature of an officer	
Sign manual of an officer		Sign manual of an officer	
Identification element		Picture	

3.4. Dates should be indicated as follows:

Day — 2 figures (1 to 9 should be preceded by 0), followed by a white space,

Month — 3 letters

January — JAN; July — JUL;
February — FEB; August — AUG;
March — MAR; September — SEP;
April — APR; October — OCT;
MAY — MAY; November — NOV;
June — JUN; December — DEC.

Year — white space followed by two last figures.

3.5. If a date of birth or a part thereof is missed, they shall indicate "XX " or "XX" instead of a date or a year, and "XXX" — in place of a month, and "XX XXX XX" — in place of a date, month and year, respectively.

3.6. Sex shall be indicated as follows: “female” for female, and “male” for male.

3.7. Data on children shall be field in the special filed “Children” on pages 3, 4 and 5 of the document.

3.8. An official stamp of the State Committee for Nationalities and Migration of Ukraine should be affixed to the uppers right corner of a picture of a receiving applicant, pasted in a reserved field of the Certificate. An official stamp of the State Committee for Nationalities and Migration of Ukraine should be affixed to pictures of children pasted on pages 3, 4 and 5 of the Certificate and seal of an authorized officer of the State Committee for Nationalities and Migration of Ukraine.

4. Issuance of a Certificate

4.1. A certificate shall be issued by a migration service agency, which considers the relevant case on granting the refugee status, within seven working days after the State Committee for Nationalities and Migration of Ukraine hands over the certificate, to a person whose name is indicate in a certificate, in person.

In order to receive a certificate, a refuge should arrive at the migration service agency.

A refugee shall certify reception of a Certificate with his/her personal signature in a relevant field of a Certificate and the refugee certificates’ registration log (Attachment 2).

The State Committee for Nationalities and Migration of Ukraine should be informed on a data of a Certificate’s issuance and the reference number thereof without delay.

The reference number of a Certificate and date of its issuance should be entered into the reference databank of the centralized informational system of the State Committee for Nationalities and Migration of Ukraine of Ukraine.

4.2. At issuance of a refugee certificate, a certificate the fact that a decision was made to process a person's documents for solving the issue of granting refugee status in Ukraine or a certificate confirming appeal to court should be withdrawn from a refugee.

5. Exchange and Renewal of a Certificate

5.1. A certificate shall be exchanged if all pages reserved for its extending, change of a refugee's family name and/or name are filled in, some discrepancies in entries are revealed or it becomes unsuitable for use.

5.2. In order to exchange a certificate, a refugee shall file documents, as referred to in clause 2.1 herein, and a certificate the migration service agency at the place of his/her residence. If a certificate is exchanged due to alteration of a family name, name, discrepancies revealed, a refugee should also submit documents validating reasons of such exchange.

5.3. In case of loss of a certificate, a refugee should inform an interior body and a migration service agency at the place of his/her residence thereof within three working days.

5.4. In order to renew a certificate, he/she shall submit:

- documents, as referred to in clause 2.1 herein;
- a certificate confirming registration of a refugee's application on loss of a certificate, issued by an interior body, or a certificate on opening (refusal in opening) or closing a criminal case on stealing a certificate, issued by an interior body.

5.5. Within three days, a migration service agency shall verify data, as referred in an application form and documents attached thereto. Should any doubts concerning credibility of information or any need in authentication and verification of documents validity occur, a migration service agency shall have the right to address appropriate requests to interior bodies, the State Security Service, other governmental authorities, bodies of local self-government and civic organizations in order to receive assistance in determination of true facts concerning such person

Based on verification results, the head of a migration service agency shall sign an application form and affix an official seal thereto.

An application form and enclosed documents should be sent to the State Committee for Nationalities and Migration of Ukraine.

A certificate to be exchanged should be given back to a refugee before the actual exchange takes place.

5.6. A certificate should be exchanged / renewed subject to the relevant decision of a migration service agency with making a special entry in a reserved field of an application form.

The State Committee for Nationalities and Migration of Ukraine shall exercise the new certificate within seven working days after the relevant decision is made.

An executed certificate shall be sent to the relevant migration service agency for handing over to a refugee.

6. Extending Validity of a Certificate's Term

6.1. A Certificate's validity shall be extended at re-registration of a refugee by a migration service agency at a place of his/her residence.

6.2. In order to extend a certificate's validity, a refugee shall submit:

- his/her application on extending a certificate's validity (Attachment 3) bearing his/her signature;
- a certificate to be extended bearing an entry of an interior body on registration of a refugee at the place of his/her residence.

If an application is filed through a legal representative, his/her powers should be verified under the procedure established by the law.

An application and enclosed copies of documents shall be registered in the refugee certificates' registration log.

6.3. A migration service agency shall consider an application on extending a refugee's certificate validity within seven working days after its submission.

Based on consideration results, a migration service agency shall pass its decision.

6.4. A term of validity of a certificate shall be extended based on the relevant decision on extending of a certificate's validity with making a relevant entry in a special reserved field of an application.

6.4. A migration service agency shall extend a certificate's validity by affixing a stamp on extending of a certificate's validity (Attachment 4); a sealed certificate shall be handed over to a refugee.

A stamp on extending of a certificate's validity should be affixed to pages 7-8 of a certificate.

6.6 If a travel document for traveling abroad is issued to a person, a relevant stamp shall be affixed to page 6 of a certificate.

7. Procedure of Review and Appeal against Decisions on Refusal in Exchange / Renewal or Extending a Certificate's Validity

7.1. During re-consideration of an application on exchange / renewal or extending a certificate's validity, relevant documents submitted before, should be taken into account.

In case of refusal in exchange / renewal or extending a certificate's validity, a repeated application may be positively resolved if circumstances preventing exchange / renewal or extending of a certificate's validity ceased to exist.

7.2. In case in refusal in exchange / renewal or extending of a certificate's validity, a migration service agency shall inform the person concerned thereof in writing, specifying the reasons of refusal.

7.3. If a claim is satisfied, a migration service agency and the State Committee for Nationalities and Migration of Ukraine shall fulfill a court decision without delay.

P.Melnyk,
Head of the Department for Refugees and Migration
of the State Committee for Nationalities
and Migration of Ukraine

Attachment # 1
to clause 2.1. of
the Procedure for Execution, Issuance
and Extending Validity of a Refugee's Certificate

State Committee for Nationalities
and Migration of Ukraine

APPLICATION FORM #
For issuance of a refugee's certificate

Picture

Date of issuance of a document:

Issued by:

Official's family name:

Document received by:

(signature)

Please, fill in capital block letters:

Family name:

Name (names, patronymic):

Citizenship:

Sex:

Female / Male

(delete as appropriate)

Date of birth:

Day

Month

Year

State of habitual residence:

Family status:

Resides at:

Data on an applicant's children under 16 (subject to copies of birth certificates)

Full name	Date of birth	Picture

Application form filled on:

_____ 200 ____

(signature of an applicant)

Data presented in the application form have been verified against a personal file N____,

A refugee status has been granted subject to a decision _____

dd. _____ "____" 200 ____ N

on _____ "____" 200 ____ (signature, family name of an official of a migration service agency)

L.S.

Decision of the State Committee for Nationalities and Migration of Ukraine on
Issuance of a Refugee's certificate

_____ day / month/ year/

(to exchange / extend / issue / refuse in issuance)

L.S.

P.Melnyk,

Head of the Department for Refugees and Migration

of the State Committee for Nationalities and Migration of Ukraine

Attachment # 2
to clause 4.1. of
the Procedure for Execution, Issuance
and Extending Validity of a Refugee's Certificate

REFUGEE CERTIFICATES' REGISTRATION LOG

Item #	Registration # of a personal file	Family name, name (names, patronymic) of a refugee	Citizenship / nationality, state of habitual residence	Place of residence in Ukraine	Date, number of a decision on granting the refugee status	Series, number, term of validity of a certificate	Date of issuance of a certificate	Date of extending a certificate's validity	Series, number, term of validity of an extended certificate	Note	Signature of a person receiving a certificate
1	2	3	4	5	6	7	8	9	10	11	12

P.Melnyk,
Head of the Department for Refugees and Migration
of the State Committee for Nationalities and Migration of Ukraine

Attachment # 3
to clause 6.2. of
the Procedure for Execution, Issuance
and Extending Validity of a Refugee's Certificate

To the migration service agency _____

Application #
On Extending Validity of a Refugee's Certificate of

_____ (family name, name (names, patronymic))

Date, month, year of birth _____

Place of birth _____

(state, province / oblast, rayon, city, village, settlement)

Citizenship / nationality, state of habitual residence: _____

Place of residence in Ukraine: _____

Telephone: _____

(home)

(office)

I appeal for extending validity of a refugee's certificate

An applicant's signature: _____

_____ " ____ " 200 ____

L.S.

Signature _____

(family name, office of a person receiving the application)

Head of the migration service _____

(signature, family name)

Term of validity of a refugee's certificate has been extended based on a decision

_____ (series and number of a refugee's certificate, date of issuance,
term of validity of a certificate and an issuing migration service agency)

of the migration service agency of Ukraine on extending validity of a refugee's certificate

(to extend / to refuse in extending)

_____ " ____ " 200 ____

L.S.

(Signature, office and family name
of an official who has passed a decision)

P.Melnyk,
Head of the Department for Refugees and Migration
of the State Committee for Nationalities and Migration of Ukraine

Attachment # 4
to clause 6.5. of
the Procedure for Execution, Issuance
and Extending Validity of a Refugee's Certificate

Extended until:	_____ “__” 200 _
(signature)	(family name of an official)
_____ “__” 200 _	
L.S.	

32

75

P.Melnyk,
Head of the Department for Refugees and Migration
of the State Committee for Nationalities and Migration of Ukraine

Attachment 5
to clause 6.6. of
the Procedure for Execution, Issuance
and Extending Validity of a Refugee's Certificate

A refugee's travel document for traveling
abroad was issued on:
_____ " __ " 200 _
(signature) (family name of an official)
_____ " __ " 200 _
L.S.

32

75

P.Melnyk,
Head of the Department for Refugees and Migration
of the State Committee for Nationalities and Migration of Ukraine