

Ministry
of Foreign Affairs
of Kyrgyz Republic

Order

On approval of “Instruction on the Procedure of Issue, Exchange, Renewal, Registration and Storage of Asylum-Seeker Certificates”

In compliance with the Law of Kyrgyz Republic “On Refugees” and the Resolution of the Government of Kyrgyz Republic “On approval of sample forms of refugee identity cards and asylum -seeker certificates” of 6 November 2002 N0 740, as well as with the view of provision for the issue, exchange, renewal, registration and storage of certificates on registration of applications for refugee status

IT IS ORDERED:

1. To approve enclosed “Instruction on the procedure of issue, exchange, renewal, registration and storage of asylum-seeker certificates”
2. For the Department of Migration Service under the MFA of Kyrgyz Republic to carry out a registration of this order in the Ministry of Justice of Kyrgyz Republic.
3. For Turganbaev T.S, the director of the Department of Migration Service under the MFA of Kyrgyz Republic:
 - a) to provide for studying and implementation of the Instruction on the procedure of issue, exchange, renewal, registration and storage of asylum-seeker certificates by the staff of the Department;
 - b) to provide for informing of according bodies on the procedure of issue, exchange and renewal of certificates on registration of applications for refugee status.
4. Control for implementation of this order shall be imposed on Turganbaev T. S., the director of the Department of Migration Service under the MFA of Kyrgyz Republic.

Minister A. Aitmatov.

Approved by the Order of the Ministry
of Foreign Affairs of
Kyrgyz Republic on 18 December 2002 No 168-p

Instruction
on the Procedure of issue, exchange, renewal, registration and storage of
asylum-seeker certificates

I. General Provisions

1. The present instruction is issued in pursuance of the Law of Kyrgyz Republic "On Refugees" of 25 March, 2002 and Resolution of the Government of Kyrgyz Republic "On approval of sample forms of refugee identity cards, asylum-seeker certificates" of 6 November 2002 No 740, and shall identify the procedure of issue, exchange, renewal, registration and storage of asylum-seeker certificates on the territory of Kyrgyz Republic.
2. Asylum-seeker certificate (hereinafter - certificate) – shall be a document attesting identity of the person (hereinafter - person) applied for recognition of refugee status, and shall be the ground for registration of this person and members of his/her family with the bodies of internal affairs in accordance with the procedure established by legislation of Kyrgyz Republic.
3. Exchange, renewal, registration, storage of certificates and annulment thereof shall be performed by the Department of Migration Service under the Ministry of Foreign Affairs of Kyrgyz Republic and its territorial agencies (hereinafter – Department and its territorial agencies).
Certificate shall be issued by the Department and its territorial agencies on the ground of registration of application for refugee status.
4. Period of validity of the certificate shall be 3 months. Period of validity may be extended in course of consideration of application by the Director of the Department or the head of its territorial agency.
5. Certificate forms shall be the document of strict accounting.
6. The responsibility for receipt and use of certificate forms shall be imposed on the Head of the department for work with refugees.

II. Procedure of issue, exchange and renewal of certificates, and
annulment thereof

7. Certificate shall be issued on the grounds of registration of application for refugee status.
8. To receive the certificate the person shall submit:
 - registration card of established form;
 - passport or substitute document in the absence thereof attesting the identity of the person;
 - in the absence of the document attesting the identity of the person, the document explaining the reasons for its absence, or explanations on its absence shall be submitted;

- documents of the family members, accompanying him/her (passport, birth certificate);
 - marriage certificate;
 - 2 black and white personal photos measuring 35x45 mm with clear image of the full face without hat (individuals constantly wearing glasses are required to submit a photo with glasses with clear lenses)
9. Certificate shall contain:
- last name, first name, patronymic of the certificate bearer;
 - year of birth;
 - citizenship;
 - registration number with indication of date of registration
 - term of validity of the certificate;
 - date and place of issuance of the certificate
 - signature of the head of the body issued the certificate;
 - domiciliary registration of the person and removal from registry by the bodies of interior;
 - information on minor members of the family of person, accompanying him/her;
 - personal signature;
 - record on extension of validity term;
 - home address.
10. Entry of the data, notes and records not provided for by this Instruction into the certificates is prohibited.
11. In case of change of the data entered into the certificate, corresponding records shall be made in it;
12. Certificate shall be issued to persons attained to the age of 16. Information on the minor members of the family shall be entered into the certificate of one of the parents, and in the absence thereof – into the certificate of one of the adult members of the family who bears responsibility for their behavior, upbringing and development, and by the consent of this adult family member. Certificate shall be issued against acknowledgement of receipt.
13. For transfer of the certificate to another person, its falsification, utilization of fraudulent certificate, the person is subject to responsibility according to the legislation of the Kyrgyz Republic.
14. Exchange and renewal of the certificate shall be made on one of the following grounds:
- expiration of the certificate
 - change of last name, first name, patronymic, data on the birth date;
 - worthless of the certificate for further utilization due to wear, damage or other reasons, leading to impossibility of identification of the certificate holder;
 - detection of inaccuracy or fallacy of records made in the certificate;
 - impossibility of further entry of necessary records due to lack of free space on the required pages of the certificate;
 - loss of the certificate.
15. For exchange of the certificate the person shall submit:
- application for exchange of the certificate;

- certificate to be exchanged;
 - 2 black and white personal photos measuring 35x45 mm.
16. For renewal of the certificate the person shall submit:
- application for renewal of the certificate with indication of place, date of issuance and issued authority, persons entered into it, circumstances of loss of the certificate;
 - reference from the address bureau of MIA of Kyrgyz Republic on non-finding of the lost document and/or reference on fact of registration of theft of the certificate with the law-enforcement bodies;
 - 2 black and white personal photos measuring 35x45 mm.
17. In cases when upon collation of documents attesting the identity of the petitioner the identity is not found or any misfit of records on certificate holder with the data provided by petitioner is detected, additional measures shall be taken in order to establish the identity of the petitioner and reasons for discrepancy.
18. The decision on exchange and renewal of the certificate shall be made by the Department and its territorial agencies in the presence of grounds indicated in item 14 of this Instruction.
19. Documents and photos for issue, exchange and renewal of the certificate shall be submitted by the person no later than 10 days after coming of circumstances, indicated in items 7, 14 of this Instruction.
20. Day of the receipt of documents shall be the day of submitting of all duly completed documents and photographs provided for by this Instruction.
21. Certificate shall be issued to person within 10 days from the day of receipt of the documents.
Handing over of the certificate shall be performed by the heads of structural subdivisions responsible for work with refugees of the Department and its territorial agencies, who shall ascertain that the recipient of certificate is just the person the certificate is being issued to.
22. Certificate shall be recognized invalid in the absence of photography of the person, presence of inaccuracies or wrong records, as well as worthless for further use due to wear, damage or other reasons leading to impossibility to establish identity of the certificate holder.
23. Seizure of certificate from the person may be executed in cases of granting of refugee status, as well as in other cases provided for by the legislation of Kyrgyz Republic.
24. Certificate must be returned to the Department and its territorial agencies in cases of:
- granting of the refugee status;
 - refusal of granting of refugee status;
 - death of the person received certificate.
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- III. Registration and storage of certificate forms.
25. Registration and storage of certificates shall be processed in order providing reliable safety thereof.
26. Certificate forms shall be stored in separate safes or strongboxes, cases.

Safes (boxes, cases) with certificate forms shall be sealed up by the supervisor or employee who is directly performing functions of registration and storage of certificate forms.

27. Employees directly performing functions of registration and storage of certificate forms shall bear personal responsibility for registration and storage thereof.
28. Only persons concerned with registration and storage of forms shall have access to the place of storage of certificate forms, as well as their immediate supervisors and officials examining conditions of storage and registration of forms (in presence of employees responsible for storage of forms).
29. Upon receipt of certificate forms, employees performing duties of registration and storage thereof shall check whether the package and marking tags (labels) of the manufacturing plant are intact and their condition, compliance of the quantity of received forms with the quantity indicated in accompanying documents, as well as compliance of series and numbers of certificate forms showed in the marking tags (labels) with the series and numbers indicated in accompanying documents.
30. Upon delivery to the Department and its territorial agencies, certificate forms shall be registered in the Book of registration of receipt and issuance of certificate forms (Annex 1).
Used certificates forms shall be written off through the same books. Invoices shall be the grounds for writing off certificate forms (Annex 2).
31. Conveyance of certificate forms shall be carried out by courier communication or by special communication in the package guaranteeing its safety.
32. In case of conveyance of certificate forms by the employees of the Department or its territorial agencies, persons who are entrusted the conveyance shall be notified that after receipt of forms they are ought to immediately follow to the destination point. They are prohibited to transfer the trust to guard and conveyance of certificate forms to other persons, as well as simultaneously perform any other missions, even of official nature.
33. Unsealing of packages with certificate forms shall be performed in the presence of the members of the commission appointed by the order of Department Director, who recount and fully examine received forms.
34. After unsealing and examination of unsealed package certificate forms shall be fully registered through the Journal of registration of receipt of certificates and issue thereof to persons (Annex 3).
35. In case of shortage, excess or detection of faulty certificate forms (absence or damage of printed text, doubled numbers, splay fonts, incorrectly bound certificates or not corresponding numbers showed in marking tags (labels) of the manufacturing plant on the package), reports shall be drawn up in 2 copies. First copy of the report with attached packages and marking tags (labels) of the manufacturing plant, as well as faulty certificate forms shall be forwarded to the supplier (manufacturing plant). Second copy of the report shall be the ground for writing off certificate forms through the Journal of registration of receipt of certificates and issue thereof to refugees.
36. Certificates acknowledged as invalid are subject to disposal.

Disposal of invalid certificates shall be executed through the deed of disposal of invalid certificates (Annex 4) by means of burning no rare than once per year by the commission mentioned in item 34 of this instruction.

37. In cases of loss or theft of certificate forms official investigation for establishment of reasons and circumstances of the occurrence shall be conducted. Materials of official investigation shall be submitted within 10 days from the day of revealing of the fact of loss or theft to the management of the Department for taking measures.
38. Inspections on provision of registration and storage of certificates in the Department and its territorial bodies shall be conducted no rare than once per year by the commission annually appointed by the order of the Department Director.
39. The commission is ought to inspect:
 - 1) condition of registration and storage of certificate forms, prompt and completeness of posting thereof, writing off (issuance), compliance of remainder of certificate forms by the Journal of registration of receipt of certificates and issuance thereof to persons with actual availability; provision for safety of certificate forms; accuracy of records in the Journal of registration of receipt of certificates and issuance to persons; observance of rules of use special production;
 - 2) accuracy of registration and validity of issuance of certificates;
 - 3) prompt clearing off of certificates acknowledged invalid, procedure of storage and disposal thereof.
40. Reports shall be drawn up on the results of inspection, revealing defects and containing suggestions on elimination thereof.
The report shall be approved by the Director of the Department.
Members of the commission shall bear responsibility for completeness of inspection and accuracy of the information contained in the report in accordance with the legislation of Kyrgyz Republic.