



Photo: UNHCR / Frederic Noy

Protecting Asylum-Seekers, Refugees and Stateless People

UNHCR, the United Nations Refugee Agency, is a global organization dedicated to saving lives, protecting rights and building a better future for refugees, forcibly displaced communities and stateless people.

UNHCR supports the Government of the Republic of Kazakhstan to protect people forced to flee and those without any nationality, ensuring they can exercise their basic human rights and supporting them to build better futures.

With multiple government, civil society, non-governmental and UN partners, UNHCR promotes alignment of national laws with international standards and local integration of the people it serves, ensuring no one is left behind.

In Kazakhstan, UNHCR works in close collaboration with civil society partners:

- Kazakhstan International Bureau for Human Rights and the Rule of Law
- Kazakhstan Red Crescent Society
- Legal Centre for Women's Initiatives Sana Sezim.

FOR MORE INFORMATION

Download UNHCR Analysis of National Legislation of Kazakhstan on Refugees and Statelessness, or visit:



unhcr.org/centralasia/unhcr-in-kazakhstan

reporting.unhcr.org/kazakhstan

twitter.com/UNHCR_Cent_Asia

facebook.com/unhcr.ca

UNHCR maintains email and phone 'hotlines' for anyone in need of information or consultation on refugee and asylum issues. People forced to flee can find key contacts and updated information on help.unhcr.org/centralasia.

Protecting people forced to flee

During its 30 years of independence, Kazakhstan has sheltered thousands of people fleeing war, persecution, conflicts or human rights violations.

The [1951 Refugee Convention](#) is a key legal document that defines who refugees are and their rights – refugees are protected in international law. In 1999, Kazakhstan acceded to the 1951 Refugee Convention and its 1967 Protocol, committing to share responsibility with other refugee-hosting countries, and to not return (refoule) refugees into danger, but provide them with access to their territory, quality asylum procedures and protection, and basic human and socio-economic rights. UNHCR supports Kazakhstan to protect:

Asylum-Seekers

An **asylum-seeker** is a person who is seeking protection in another country, but their request for sanctuary has not yet been concluded.

Being able to seek safety in another country, when in fear for your life, is a human right – everyone should be allowed to enter another country to seek asylum.

Refugees

A **refugee** is someone who has fled conflict or persecution, crossed an international border to find safety, and has had their request for sanctuary processed.

Not everyone who seeks safety in another country is a refugee. Someone who has committed a crime against humanity or serious non-political crime, for example, does not qualify for refugee status.

Refugees are also distinct from 'migrants' who are people who choose to leave and can return to their countries.

Many refugees in Kazakhstan have been living in the country for years, or even decades. They often speak Kazakh and/ or Russian, have family ties with citizens, and are culturally integrated.

Like other countries, Kazakhstan currently hosts 'Convention' and 'Mandate' refugees:

- **Convention'** refugees have been recognised by Kazakhstan – through its Refugee Status Determination procedures – as being a refugee. While Kazakhstan provides convention refugees with some of the rights accorded by the 1951 Convention – like education, employment, and minimal healthcare – they are still excluded from social support and naturalization.
- **Mandate'** refugees have been recognised by UNHCR – under UNHCR's global mandate. While their stay is tolerated in Kazakhstan, without legal status, mandate refugees do not have access to rights, basic services (except education) or socio-economic safety nets and are therefore particularly vulnerable.

UNHCR supports Kazakhstan to strengthen asylum procedures and improve national legislation, ensuring people forced to flee can access all rights encompassed in the 1951 Refugee Convention – including naturalization. With due rights, refugees can more meaningfully integrate into host communities and contribute to Kazakhstan's economic and social development.

The [Global Compact on Refugees](#) is a framework for more predictable and equitable responsibility-sharing, recognizing that a sustainable solution to refugee situations cannot be achieved without international cooperation. The Compact provides a blueprint for governments, international organizations, and other stakeholders to ensure that host communities get the support they need and that refugees can lead productive lives.

Protecting people without any nationality

Following the dissolution of the Soviet Union, many residents did not manage to confirm or acquire the nationality of a successor independent State. Without a nationality, tens of thousands of people across Central Asia are without the protection of any country.

In the 2009 National Population Census, 57,000 people identified themselves as stateless. Since then, and with the support of UNHCR, Kazakhstan has made significant progress in reducing and preventing statelessness.

While not yet a State party to the 1954 and 1961 Statelessness Conventions, Kazakhstan has increasingly brought its legislation and practices in line with their provisions, including enshrining universal birth registration in its Code on Marriage and Family and introducing Statelessness Determination Procedures.

UNHCR supports the Government of Kazakhstan in identifying, documenting and protecting:

Stateless Persons

A “**stateless person**” is a person who is not considered as a national by any State under the operation of its law.

In Kazakhstan, the Government issues them “Stateless Person” certificates with which they can stay in the country, and access work, public services and healthcare. After five years of residence with the status of “stateless person”, they can apply to be naturalized as citizens of Kazakhstan.

Persons with undetermined nationality

People with undetermined nationality do not have proof of having any nationality, but do have links to more than one State by birth, descent, marriage or habitual residence, or are perceived and treated by authorities in the State of residence as having such links. They do not have legal status in Kazakhstan and cannot access basic rights and services such as education, healthcare, employment and freedom of movement.

With no legal status or valid identification documents, it is like these people do not exist.

As only States can grant or confirm nationality, the cooperation of Kazakhstan in preventing and reducing statelessness in the country is crucial. UNHCR supports the government to identify and document people of undetermined nationality and to prevent statelessness from occurring.

#IBelong Campaign to End Statelessness

Launched in 2014, the global [#IBelong Campaign](#) aims to end statelessness by 2024.

Kazakhstan is making great progress to end statelessness, including by adopting Statelessness Determination Procedures, and amending legislation to ensure universal birth registration. UNHCR encourages Kazakhstan to become party to the 1954 and 1961 Statelessness Conventions – the universal implementation of which would end statelessness within a single generation.

The #IBelong campaign directly links to target 9 of Sustainable Development Goal 16: to provide legal identity for all, including birth registration, by 2030.



STORY

Shadow of child statelessness set to lift following changes in birth registration laws

Every day, when Roza walks her nine-year-old daughter Marzhan to school, she has a knot in her stomach. While proud of her daughter's accomplishments, Roza is anxious that the school administrator will again ask for Marzhan's identity documents to formalize her enrolment. But Marzhan doesn't have identity documents, nor does Roza – they are both stateless persons with undetermined nationality.



Photo: UNHCR/ Frederic Noy

Roza lost her nationality due to a lack of safeguards in national laws; gaps which Kazakhstan is taking steps to address. Born in Uzbekistan, Roza renounced her Uzbek citizenship when she moved to Kazakhstan ten years ago, understanding it to be a necessary step to apply for 'kandas' (ethnic Kazakh) status which would entitle her to Kazakh citizenship. Before the process could be completed, she lost her Uzbek passport, which would have proven her ethnicity, and having renounced one citizenship to acquire another, Roza was left without either. Without legal status, Roza could not register the birth of her children, so Marzhan and her two siblings are also without a nationality.

Roza's only dream is to save her children from a life of hardships caused by statelessness. "I want them to live a normal life, not hiding from anyone."

Thanks to changes to birth registration laws passed in 2019, all children born in Kazakhstan are now entitled to be registered at birth and issued with birth certificates, regardless of the legal status of their parents. The law is retroactive, making it possible for Roza's children to be issued birth certificates.

With the legal support of UNHCR partner 'Sana Sezim', a case to apply for birth certificates for Roza's children was opened, and is now close to completion. Sana Sezim is also pursuing documentation for Roza. The day may soon come when Roza can present Marzhan's identity documents and instead of being anxious when walking her daughter to school, she can just be proud.

UNHCR is grateful for contributions directly to the UNHCR Representation to Kazakhstan, Kyrgyzstan, Turkmenistan and Uzbekistan, as well as donors of unearmarked and flexible funding:



CONTACTS

- Hans Friedrich Schodder, UNHCR Representative for Central Asia, schodder@unhcr.org
- Irina Bilyalova, Head of Kazakhstan National Office, bilyalov@unhcr.org
- Mariko Hall, External Relations Officer, hallma@unhcr.org