

*The information contained in this report is current as of July 2021. It is provided as a service to users and it is therefore general and should not be considered or relied on as comprehensive or as legal advice. Nothing contained herein creates an attorney-client relationship between IRAP or any of the law firms that participated in this project and any users of this information.*

**Uzbekistan**

<p><b>Is there a refugee protection program?</b></p>	<p>Uzbekistan has expressed intentions to sign the 1951 Geneva Refugee Convention and its 1967 protocol, but has not yet done so.<sup>1</sup></p> <p>Currently, Uzbekistan refugee policy is dictated by a 2017 Presidential Decree.<sup>2</sup> This provides for an application system that allows for lawful residence in the country.</p>
<p><b>Who runs any available refugee protection program? Who determines which applicants qualify for refugee protection?</b></p>	<p>The Ministry of Internal Affairs runs the refugee program through the various local territorial bodies of internal affairs.<sup>3</sup></p> <p>The Ministry is supposed to approve political asylum for refugees and their families who face a real threat of persecution due to their social and political activity, religious beliefs, race or national affiliation (and general human rights violations). They <i>do not</i> grant political asylum when the refugee faces only economic, or environmental hardship. Nor do they grant asylum for emergencies related to man-made situations, or social reasons.<sup>4</sup> These last two categories allow the Ministry to deny or accept refugees based solely on the way in which the government categorizes the situation in the refugee's home country.</p>

<sup>1</sup> <https://www.unhcr.org/centralasia/en/14421-un-and-unhcr-support-uzbekistan-joining-refugee-and-statelessness-conventions.html>

<sup>2</sup> <https://www.refworld.org/docid/593a4a934.html>

<sup>3</sup> <https://www.refworld.org/docid/593a4a934.html>, page 2

<sup>4</sup> <https://www.refworld.org/docid/593a4a934.html>, page 2

<p><b>Is the refugee protection program functional? For example, how long does it take for decisions to be issued? What percentage of applications are granted?</b></p>	<p>By presidential decree the refugee application process shall not exceed one year. In practice, relevant data on this new policy is unavailable.</p>
<p><b>Do refugees have a right to work? A right to education? A right to medical care?</b></p>	<p>By Presidential Decree, a refugee awaiting a political asylum decision can obtain a certificate granting status equal to that of a foreign citizen – although certificate holders must report to the territorial body of internal affairs at least twice a month.<sup>5</sup> Once they are granted political asylum, they will receive a residence permit for up to five years. As lawful residents, they and their families will be able to work, have access to medical care, and no longer be at risk for deportation.</p> <p>How these rights play out is presently unclear. Before 2017 refugees were at constant risk of deportation and lacked basic legal rights or access to a more permanent status.<sup>6</sup> While the 2017 Presidential decree is a positive step, when the decree was passed the Uzbekistan government was aware of 13 Afghan refugees in the country.<sup>7</sup> How the decree will be implemented in the face of thousands of refugees is unclear.</p>
<p><b>Are those seeking refugee protection free to live freely or forced to reside in camps?</b></p>	<p>A number of Afghans already live and work freely in South Uzbekistan (in Termez), but this level of freedom may shift if thousands of refugees start entering the region. Uzbekistan security forces have established a large camp in the region with tents, beds, and some support equipment. The latest reports indicate this camp is still unoccupied. It is unclear whether this will be a mandatory refugee housing facility or a temporary processing facility.<sup>8</sup></p>

<sup>5</sup> <https://www.refworld.org/docid/593a4a934.html>, page 3

<sup>6</sup> <https://www.refworld.org/country,,UNHCR,,UZB,,5b0830154,0.html>

<sup>7</sup> <https://migrants-refugees.va/country-profile/uzbekistan/>

<sup>8</sup> <https://eurasianet.org/uzbekistan-bracing-for-possible-afghan-refugee-crisis>

<p><b>Does a grant of refugee protection result in a pathway to permanent status? In other words, can a refugee eventually become a citizen? Is there another form of legal permanent status available for people with refugee status?</b></p>	<p>Refugees who are granted political asylum receive a residence permit for up to 5 years.<sup>9</sup> If they meet the below criteria, they may apply for citizenship at the end of that period:</p> <p>(1) renouncing other citizenships, (2) residing continuously (at least half of every year) in Uzbekistan with a residence permit for 5 years, (3) obtaining a legitimate source of income, (4) following the Constitution, and (5) speaking the state language (Uzbek). The 5 year requirement can be waived to 3 years of residence following marriage to an Uzbek citizen. Numbers 1 and 2 can be waived entirely if the stateless person has a “direct ascendant relative” who is a citizen and resident of Uzbekistan, or if the stateless person has skills or qualifications of interest to Uzbekistan – including high achievements in science, technology, culture or sports.<sup>10</sup></p> <p>Children born to refugees while within Uzbekistan, and whose parent(s) have applied for political asylum and obtained a temporary certificate, or who have been granted political asylum, are considered citizens of Uzbekistan.<sup>11</sup></p>
<p><b>Does the country offer temporary protections available other than refugee status? If so, what are they?</b></p>	<p>Refugees can receive political asylum by following the application process with the local territorial body of internal affairs.<sup>12</sup> While awaiting a decision on political asylum they receive a certificate allowing rights equivalent to that of a stateless person. The application must be addressed to the President of Uzbekistan and include:</p> <ul style="list-style-type: none"> <li>- application form in 2 copies;</li> <li>- autobiography in 2 copies;</li> <li>- 4 photos of the size 3.5 x 4.5;</li> </ul>

<sup>9</sup> <https://www.refworld.org/docid/593a4a934.html>, page 4.

<sup>10</sup> <https://www.refworld.org/country,LEGAL,,,UZB,,5e8d89964,0.html>, page 5.

<sup>11</sup> <https://www.refworld.org/country,LEGAL,,,UZB,,5e8d89964,0.html>, page 4 (grants citizenship to children born within Uzbekistan to stateless parents); <https://www.refworld.org/docid/593a4a934.html>, page 3 (gives a status equal to stateless persons to holders of a certificate granted upon application for political asylum).

<sup>12</sup> <https://www.refworld.org/docid/593a4a934.html>, page 2

	<p>- a certificate confirming health status obtained in medical institutions of the Republic of Uzbekistan;</p> <p>- a copy of the identity document.<sup>13</sup></p>
<b>What, if any, penalties are there for people without status or people who are denied refugee protection?</b>	There are no penalties, but the person denied refugee status is treated as a foreign citizen or stateless person. A person has the right to reapply after one year. <sup>14</sup>
<b>What organizations exist in-country that can help displaced people seek available protections? What other organizations in the country may be able to help displaced people access services and rights, even if their mission is not to specifically work with refugees and displaced people?</b>	<p>The Uzbekistan government forced the UN Refugee Agency (UNHCR) field office to close in 2006.<sup>15</sup> Their field office is currently in Kazakhstan.<sup>16</sup></p> <p>The Catholic church has a presence in the country, including various affiliated charitable organizations. These operate in Tashkent, Samarkand, Bukhara, Urgench and Fergana.<sup>17</sup></p> <p>A Trafficking Rehabilitation Centre (a state affiliated charitable organization) supports victims of human trafficking with medical, job placement and legal assistance. They have a telephone hotline that can provide more information, and have regional offices in Tashkent, Namangan, Nukus, Urgench, Bukhara, Andijan, Samarkand, Gulistan and Karshi.<sup>18</sup></p>
<b>Is there other information that might be valuable for displaced people arriving in that country to know?</b>	<p>Uzbekistan has struggled in the past with internal refugees and large numbers of stateless citizens.<sup>19</sup></p> <p>The current president has made great strides in solving this problem by implementing comprehensive policy on refugees, a new law creating a path to citizenship, and announcing</p>

<sup>13</sup> <https://www.refworld.org/docid/593a4a934.html> page 2

<sup>14</sup> <https://www.refworld.org/docid/593a4a934.html>, page 4.

<sup>15</sup> <https://www.unhcr.org/en-us/news/latest/2006/4/4445136c4/unhcr-reluctantly-leaves-uzbekistan-13-years-helping-refugees.html>

<sup>16</sup> <https://www.unhcr.org/uzbekistan.html>

<sup>17</sup> <https://migrants-refugees.va/country-profile/uzbekistan/>

<sup>18</sup> <https://migrants-refugees.va/country-profile/uzbekistan/>

<sup>19</sup> <https://migrants-refugees.va/country-profile/uzbekistan/>

	<p>intentions to sign on to the Geneva Refugee Convention.</p> <p>But, all of this progress is tenuous and new. The processes in place to aid refugees have not been tested in any massive way, and international aid organizations which were ejected from the country under the previous administration have not yet returned to establish a permanent presence. Early indications are that if Uzbekistan is faced with large numbers of refugees, particularly over the southern crossing, they will place these refugees into camps until their internal infrastructure and international aid organizations can react.<sup>20</sup> In short, the situation is hopeful, but extremely tenuous.</p>
--	--

Worth noting: No post-2017 data on the impact of the new refugee policy and Uzbekistan has not yet outlined a comprehensive response to the expected refugee influx from Afghanistan. The law reads like good intentions, but the wriggle room in the categories suggests that it is intentionally not a blank check to help refugees – and so US involvement will be key.

The C5+1 conference concluded mid-July 2021 (Kazakhstan, Kyrgyz, Tajikistan, Turkmenistan, Uzbekistan, and the US). See <https://www.state.gov/joint-statement-of-the-c51-on-the-international-conference-central-and-south-asia-regional-connectivity-challenges-and-opportunities/>; & <https://apnews.com/article/joe-biden-europe-middle-east-taliban-55fd9fcfd898adf354c1205b53e9da7>. The conference happened to be located in Uzbekistan, and included high-level US involvement as well as meetings between Ghani and Mirziyoyev (Uzbekistan President). The result was a statement outlining intentions for further cooperation, particularly along economic lines, but nothing addressing refugees in particular. See <https://www.state.gov/joint-statement-of-the-c51-on-the-international-conference-central-and-south-asia-regional-connectivity-challenges-and-opportunities/>.

A trickle of unarmed Afghans would likely be accepted and cared for (military forces in retreat have apparently been denied access <https://eurasianet.org/uzbekistan-bracing-for-possible-afghan-refugee-crisis> ), but a flood of refugees may create issues. Still, the proactive US involvement and current trajectory of Uzbek foreign policy give hope that the international community may be able to get ahead of any crisis before it gets out of hand.

---

<sup>20</sup> <https://eurasianet.org/uzbekistan-bracing-for-possible-afghan-refugee-crisis>