

## **CORONAVIRUS: A ONE-MONTH STATE OF EMERGENCY IS IN EFFECT IN KAZAKHSTAN**

There is an ongoing outbreak of Coronavirus (COVID-19) which has reached the Kazakhstan on March 13. On 19 March Kazakhstan has 44 confirmed coronavirus cases, the rapid spread of the virus has sparked alarm.

### **IMPORTANT!**

Links to government sites with relevant information regarding epidemiological situation, current state measures, travel restrictions/closure of borders/immigration restrictions:

[Ministry of Foreign Affairs of the Republic of Kazakhstan](#)

[Ministry of healthcare of the Republic of Kazakhstan](#)

### **International Travel**

As of March 16, until April 15, a one-month **state of emergency is in effect in Kazakhstan** that [restricts entry to and exit from country](#) by all means of transport with specific protocols for diplomatic passport holders, essential personnel and Kazakh citizens. International passenger links\* have been reduced to a minimum. Foreign nationals should monitor local media and government reports for up-to-date information. Some measures have also been taken by the state authorities regarding limitations of visas or work permits issued to citizens of countries in Categories 1A, 1B and 2 (see *below*) with a high risk of exposure to coronavirus.

The Chief State Sanitary Doctor of Kazakhstan has set out measures aimed at curbing the spread of illness that apply to all individuals, both Kazakhstani citizens and foreign nationals entering Kazakhstan from certain countries divided into three categories. The information below is accurate as of 19 March 2020, but is subject to change by the Ministry of Health as the situation evolves.

<b>Category:</b>	<b>Applies to individuals arriving from the following countries:</b>	<b>Measures to be taken:</b>
<b>1A</b>	France, Iran, Italy, Spain, Germany	Individuals arriving from these countries will be quarantined for 14 days in a hospital. From the date of discharge, these individuals will be subject to 10 days of medical monitoring, which will take place by telephone on a daily basis.
<b>1B</b>	China, South Korea, Schengen countries	Individuals arriving from these countries will be quarantined at home with daily medical observation for 14 days, followed by medical monitoring at home by daily telephone calls for 10 days.

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2	Philippines, Qatar, India, the United Arab Emirates, the United Kingdom, Azerbaijan, Thailand and the United States	Individuals arriving from these countries will be subject to 14 days of daily medical monitoring by telephone following their arrival to Kazakhstan.
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### ■ Intercity Travel

From 19 March, the Government of Kazakhstan enacted **city-wide quarantine** measures intended to combat the spread of COVID-19 in **Nur-Sultan and Almaty**. The checkpoints introduce at all entry-exit points blocking all traffic into and out Almaty and Nur-Sultan, apart from a "green corridor" for essential goods, food, medicine and medical products, protective equipment and hygiene products. The Prosecutor General's Office announced that quarantine violation will lead to legal sanctions.

### ■ Quarantine and containment

Citizens are advised to isolate themselves and avoid unnecessary contacts. Schoolchildren are sent to long unscheduled spring vacations from 16 March through 5 April (this period may be extended during a state of emergency), while the students are switched to distant learning.

Cinemas, theaters, exhibitions, large shopping and entertainment centers and other objects of mass gatherings in Kazakhstan are forced to suspend their activities. During the quarantine period in Nur-Sultan and Almaty, work will be also suspended at kindergartens, non-food trading markets with the exception of facilities that sell food and medicines and other places with large numbers of people.

### ■ Impact on employment

Kazakhstan employers feel impact of latest measures, as the government prepares to unveil plans to help the economy and businesses. Some organizations are advised to limit their activities or to reassign the employees on a remote basis. The Kazakh labor legislation provides for using the reasonable (or less costly) alternative working arrangements such as part-time work, remote (home-based) work, as well as temporary transfer to another position. In all workplaces, an additional agenda of measures should be adopted, including the provision of annual paid for the employees forced to stay with their children during the enforced vacation period and the payment of downtime (if the alternative working arrangements proves inapplicable or insufficient) at minimum wage rate of KZT 42,500 per month.

Sick employees, employees who were in contact with a sick employee and those who are in quarantine after arriving from high-risk countries, are provided with the work incapacity certificate with a state-guaranteed payment of up to 15 MCI (in 2020, 1 MCI, monthly calculation index is KZT 2,651).

Failure to comply with requirements of governmental agencies entails as follows:

- administrative liability (Administrative Code):
  - Article 476 ("Violation of the state of emergency regime");
  - Article 667 ("Insubordination to police");

- Article 462 ("Failure to fulfill ordinances of sanitary and epidemiological supervision authority");
- Article 425 ("Violation of sanitary rules and hygienic norms").
- criminal liability (Criminal Code):
  - Article 304 ("Violation of sanitary rules or hygienic norms");
  - Article 379 ("Insubordination to a legal demand of a public officer during the state of emergency").

*\*Air Transportation Help Line: The Aviation Administration of Kazakhstan has a 24-hour call system specifically to answer travel questions on issues of canceled or limited regular destinations at +7 (7172) 645-841 and +7 (7172) 645-840.*

Should you have any additional questions in connection with this Legal Update, we would be happy to provide more detailed information.

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Legal Updates shall not be treated as a legal advice or a reason for making specific decisions on the Kazakh law issues. Should you need a legal advice, we would be happy to assist.