

LATEST LEGISLATION AMENDMENTS ON MANDATORY DACTYLOSCOPY REGISTRATION OF FOREIGNERS AND OBTAINMENT OF INDIVIDUAL IDENTIFICATION NUMBER

Law No. 50-VIII

Date: 23 December 2023

IMPORTANT!

On 23 December 2023, Kazakhstan adopted the Law introducing amendments into a number of regulatory legal acts governing, among other things, the issues of mandatory dactyloscopy registration of foreigners and stateless persons. These amendments were put into effect on 1 January 2024. Certain amendments relating to obtainment of individual identification numbers by foreigners will also enter into force since 24 February 2024.

Please see below the most important amendments.

■ Dactyloscopy Registration

- Voluntary dactyloscopy registration is introduced for the citizens of the Republic of Kazakhstan.
- Mandatory dactyloscopy registration is introduced for the foreigners and stateless persons who have reached the age of 16 in cases, as follows:
 - 1) when issuing a seafarer identity card of the Republic of Kazakhstan;
 - 2) when executing a temporary or permanent permit to reside in the Republic of Kazakhstan;
 - 3) to obtain a foreigner residence permit in the Republic of Kazakhstan, person's identification document;
 - 4) when obtaining the status of a person seeking for refuge, refugee certificate and/or a travel document;
 - 5) in case of deportation outside the Republic of Kazakhstan or readmission in accordance with international treaties ratified by the Republic of Kazakhstan; and
 - 6) when obtaining visas of the Republic of Kazakhstan.
- To introduce data into the system the fingerprints are taken only once.
- It is worth mentioning that this requirement is suspended until 1 July 2025 with respect to execution and issuance of visas in international airports of the Republic of Kazakhstan and visas issued electronically without visiting the foreign establishments of the Republic of Kazakhstan.

- If a foreigner already holds an effective residence permit, temporary residence permit or a visa as of the date the legislative amendments enter into force, it is not necessary to undergo this procedure now; however, in case of extending, re-issuing or changing a document, it will be necessary to undergo the dactyloscopy procedure.
- To undergo the dactyloscopy procedure (have one's fingerprints and handprint taken) it is necessary to apply to the migration service department at the place of stay of a foreigner in Kazakhstan and submit the individual identification number (IIN) for this purpose and a notarized translation of a passport if this document is in a foreign language. After undergoing the procedure, a relevant certificate of the established form is issued.
- In Kazakhstan, information for the base will be provided by the employees of the Ministry of Internal Affairs, Ministry of Foreign Affairs and the National Security Committee. Outside Kazakhstan, the dactyloscopy information of the citizens of Kazakhstan will be collected by the employees of foreign establishments of the Republic of Kazakhstan.
- According to Article 443-1 of the Administrative Code of the Republic of Kazakhstan, a refusal to undergo dactyloscopy registration entails administrative liability in the form of deportation.

■ **Obtainment of IIN**

- Starting 24 February 2024, Kazakhstan will introduce a requirement on personal application to the registration authority in the Kazakhstan territory in order to obtain IIN. Foreigners and stateless persons could previously do this at the place of actual stay on the basis of a power of attorney issued to another person. They will no longer have such opportunity.
- At the same time, this gives rise to the issue of how a foreigner will be able to obtain IIN, personally staying in Kazakhstan if he/she needs a visa for this, and visa obtainment will accordingly require dactyloscopy registration, which, in turn, requires submission of IIN to the authorized agency. Only time will show how this legal dead end will be settled in practice.

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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