

LABOR MIGRATION IN KAZAKHSTAN





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- Technology, Media & Telecommunications
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> 22

countries of presence



> 31

years of experience



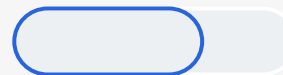
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professionals



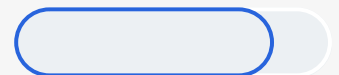
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practice areas



7 700+

clients



15 000+

projects

LABOR MIGRATION IN KAZAKHSTAN



Zaira Sarsenova

Partner

T: +7701768 0785

E: zsarsenova@gratanet.com

Today the dynamics and scale of migration processes in Kazakhstan is one of the important components of the economic development of the country, and in this aspect migration for the purpose of labor activity remains relevant.

According to the demographic statistics of migration of the population of the Republic of Kazakhstan for 2022, arrivals for this year amounted to **17,293** people, of which the main migration exchange of the country took place with the CIS countries. The share of arrivals from CIS countries was **85.9%**.

A large proportion of those arriving in Kazakhstan were Russians, namely in connection with the geopolitical situation in September 2022 about **98,000** Russians entered Kazakhstan, while the number of those leaving is **64.2 thousand**. For the first quarter of 2023, the number of those who arrived was **3,880**, and those who left was **1,733**.

Based on the above data, it can be assumed that the remaining part of the citizens of the Russian Federation who entered the country (more than **30,000** people) were employed in Kazakhstan.

At the same time, as of 1 April 2023, **14,417** foreign nationals were working in the Republic on the basis of permits from local executive bodies.

LABOR PERMIT:

- The main legal act regulating employer-employee relations in the territory of the Republic of Kazakhstan is the Labor Code. According to Article 26 of the Labor Code, It is not allowed to enter into an employment contract: with foreigners and stateless persons temporarily staying in the territory of the Republic of Kazakhstan, until the employer receives permission from the local executive body to attract foreign labor, or until a foreign employee receives a certificate of compliance with qualifications for self-employment or a permit for a labor immigrant issued in accordance with the procedure determined by the authorized body on migration issues, or without compliance with restrictions or exemptions established by the laws of the Republic of Kazakhstan;

1. Obtaining a permit to a labor immigrant.

- A permit to a labor immigrant is issued if he or she is employed by an individual. This permit is issued and renewed through the application to the non-profit joint-stock company "State Corporation "Government for Citizens" NJSC by submitting the necessary package of documents.
- The local executive body issues permits within the quota allocated by the authorized body for employment issues territorially, by regions of the country.

3. Obtaining permits to employers for the engagement of foreign labour.

- To obtain a permits to employers for the engagement of foreign labour, the employer or his authorized representative must apply to the local executive body at the place of employment of foreign labour with an application and the required documents attached to it.
- Engagement of foreign labor in Kazakhstan is allowed only within the quota. The government establishes the number of foreign workers attracted to work in Kazakhstan each year. Thus, employers need to apply for the quota in the coming year well in advance.

2. Obtaining certificate of qualification for independent employment.

- Certificate of qualification for independent employment (hereinafter referred to as the Certificate) – document of the established form, issued in the manner, determined by the authorized body on employment of population, to an alien or a stateless person, according to qualification requirements and level of education, for self-employment in the Republic of Kazakhstan in occupations, demanded in economic priority sectors (types of economic activities).
- A foreign citizen is required to submit an application in order to obtain this certificate. The application and required documents are submitted through e-government websites: www.egov.kz, www.elicense.kz. However, to send the application to the government portal, you must first obtain an Individual Identification Number (IIN), which is required to obtain an Electronic Digital Signature (EDS).

THE PROCEDURE FOR OBTAINING A RESIDENCE PERMIT.

It is important to note that foreign nationals can also obtain a document confirming the right of a foreigner for permanent residence in the Republic of Kazakhstan - it is a residence permit. Due to which they can carry out labor activities without obtaining any permits. In order to obtain a residence permit, it is necessary to obtain a permanent residence permit. The permit is issued in the territorial police departments. The main requirement for those arriving in the Republic of Kazakhstan and wishing to obtain a residence permit is proof of their ability to pay.

In order to obtain a residence permit, you must personally submit all documents to the authorized state agency and obtain a permanent residence permit.



Based on the above information, labor migration in Kazakhstan is quite a time-consuming process. It is important to note that under the Agreement of the Eurasian Economic Union of May 29, 2014 (hereinafter - the Treaty), ratified by Kazakhstan, employers and (or) customers of works (services) of a member state have the right to engage in labor activities of workers of member states without regard to restrictions on the protection of national labor market. At the same time, workers of member states do not need to obtain permission to work in the state of employment. Also, according to the Agreement, citizens of a member state arriving for the purpose of work or employment in the territory of another member state, and family members are free from the obligation to register (register) within 30 days from the date of entry.

It can be assumed that migrants from nearby countries, including the Russian Federation, having legislative benefits in the field of labor migration to Kazakhstan, are freely employed, almost at the same level as citizens of Kazakhstan, thus creating healthy competition to the personnel market in the country.

Labor migration plays an important role in the global economic development of the Republic of Kazakhstan. Issues related to compliance with labor legislation require special attention and regulation. Compliance with labor legislation is an integral part of successful migration, and migrants should be informed about the rules and requirements, given their status and employment.



GLOBAL PRESENCE

Integrated Offices

- | | | |
|--|--|-------------------------------|
| Azerbaijan
Baku | Kyrgyzstan
Bishkek | Tajikistan
Dushanbe |
| Belarus
Minsk | Moldova
Chisinau | Ukraine
Kyiv |
| Georgia
Tbilisi | Mongolia
Ulaanbaatar | Uzbekistan
Tashkent |
| Kazakhstan
Astana
Almaty
Atyrau
Aktau, etc. | Russia
Moscow
Rostov-on-Don
St. Petersburg | |

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Yerevan
- Cyprus**
Limassol
- Russia**
Samara
- Turkmenistan**
Ashgabat
- Turkey**
Istanbul
- UAE**
Dubai

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Beijing
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Frankfurt
- Malaysia**
Kuala Lumpur
- Switzerland**
Zurich
- UK**
London
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