



**PROCEDURE
FOR GRANTING
THE STATUS OF A
STATELESS PERSON
IN GEORGIA**



www.stateless.ge

WHO IS ELIGIBLE

Status of a stateless person is assigned to an individual

- ▶ who is not considered a national by Georgia;
- ▶ who is not considered a national by any State.

Any person in Georgia, regardless of the legality of his/her stay in Georgia, who has not been issued a decision of expulsion from Georgia, has the right to request status determination.

DOCUMENTS TO BE SUBMITTED

To determine the status, the person applies to any territorial office of the State Services Development Agency or any branch of the Public Service Hall. The application must be accompanied by:

- ▶ 2 photos, size of 3/4;
- ▶ identity proof or travel document issued by a foreign country (if any);
- ▶ any other document that can be used to confirm the fact that the status seeker does not have citizenship.

The application should mention the following information about the status seeker:

- ▶ identification data (name, surname, previous citizenship, sex, place, and date of birth, pre- and post-marital surname of the mother);
 - ▶ requisites of identity proof or travel document (if any) issued by a foreign country (type and number of the document, validity period, place and date of issue, issuing authority);
 - ▶ marital status, date of marriage, citizenship and place of birth of children, name, surname and citizenship of spouse (ex-spouse);
 - ▶ countries of residence and period of residence in these countries;
 - ▶ education;
 - ▶ workplace;
 - ▶ place of residence.
-

REVIEW OF THE APPLICATION

The Agency issues a temporary identification card for a period of 1 year to the status seeker;

In case the status seeker does not have identity proof or travel document, the Agency investigates the identity of a status seeker;

- ▶ The Agency is entitled to invite the person to an interview in order to establish the identity of the status seeker;
- ▶ For a status seeker who is in Georgia without a legal basis, the period of stay in Georgia during the administrative proceedings on status determination is considered to be reasonable;
- ▶ A status seeker, who is in Georgia without a legal basis, cannot be expelled from the country during the administrative proceedings on status determination;

To determine the circumstances important for determining the status, the Agency may:

- ▶ use the help of diplomatic representations and consular institutions of Georgia abroad, other state bodies, as well as international or non-governmental organizations;
- ▶ request information from state bodies regarding the compatibility of the status determination issue with the interests of the state security and public order protection of Georgia;

If the need/necessity of granting international protection to a person is revealed during the review of the application, the Agency will stop the administrative proceedings and forward the case materials to the Migration Department of the Ministry of Internal Affairs in order to start administrative proceedings on the issue of granting asylum to the person;

The decision to determine or refuse to determine the status leads to the cancellation of the temporary identification card.

MAKING A DECISION

- ▶ Application for determining the status is reviewed and a decision is made within 6 months from the submission of the application, which can be extended for a period of no more than 3 months. The total term for making a decision should not exceed 9 months;
-

-
- ▶ The decision is notified to the applicant within 3 working days of its adoption;
 - ▶ In case of a positive decision on status determination, the decision indicates the issue of a stateless person's residence permit;
 - ▶ An individual with the status of a stateless person is issued a temporary residence permit for a period of 3 years.

GROUNDINGS FOR TERMINATION OF ONGOING ADMINISTRATIVE PROCEEDINGS FOR STATUS DETERMINATION

The administrative proceedings shall be terminated if the status seeker

- ▶ passed away;
- ▶ despite notification in an established manner, avoids appearing at the interview;
- ▶ has lost interest in status determination in Georgia (if the status seeker is no longer interested in the issue of status determination, he/she is entitled to apply in writing to the Agency and request the termination of administrative proceedings);
- ▶ does not cooperate with the Agency to determine the circumstances necessary to obtain the status;
- ▶ the status of a refugee, a person under humanitarian or temporary protection has been established.

GROUNDINGS FOR REFUSAL TO DETERMINE THE STATUS

The status seeker may be refused the status if:

- ▶ citizenship of Georgia or another country is established;
 - ▶ submitted forged documents or incorrect information about important circumstances to determine the status;
 - ▶ there is a conclusion of an authorized body about the inadvisability of his/her living in Georgia in order to protect the interests of the state and/or public security;
 - ▶ identification of the person is impossible;
 - ▶ there are circumstances defined by the UN Convention on the Status of Stateless Persons.
-

The status of a person will be terminated if:

- ▶ he/she has received or has been established the citizenship of Georgia or another country;
- ▶ he/she submitted forged documents or incorrect information about important circumstances for status determination;
- ▶ there is a conclusion of the authorized body about the inadvisability of his living in Georgia in order to ensure the protection of the interests of the state and/or public security;
- ▶ there are circumstances defined by the UN Convention on the Status of Stateless Persons;
- ▶ one of the contracting states of the UN Convention on the Status of Stateless Persons took responsibility for him/her.

DECISION ENTRY INTO FORCE AND APPEAL

- ▶ The decision to terminate the status comes into force 1 month after its adoption;
- ▶ The decision on refusal or termination of the status determination can be appealed in court within 1 month from the date of notification of the decision.

FREE LEGAL ASSISTANCE

If you need legal assistance, contact "Rights Georgia":

 +995 (593) 111 405  office@rights.ge

 www.stateless.ge / www.rights.ge

 Tbilisi, Akaki Gakhokidze Str. №11a

PUBLIC SERVICES

For obtaining the status of a stateless person, apply to offices of the Public Service Development Agency or Public Service Hall:

 +995 (32) 240 10 10  online@sda.gov.ge

 www.sda.gov.ge / www.psh.gov.ge

 Tbilisi, Zviad Gamsakhurdia Named Right Bank №1 (Public Service Hall)