

Unofficial Translation

*Approved
under the Decree
of President of Turkmenistan
of Alp Arslan 20 2002, #5833*

REGULATIONS

**on order of granting permission for permanent
residence in Turkmenistan**

The given Regulations, based on common principles and norms of international right and in compliance with the legislation of Turkmenistan about legal status of foreign persons in Turkmenistan, identifies an order of granting permission for permanent residence in Turkmenistan (further referred to as **residence permit in Turkmenistan**)

I. General Provisions

1. Foreign citizens and persons without citizenship have right be granted residence permit in Turkmenistan. The documents for granting residence permit in Turkmenistan shall to be drawn up through diplomatic representatives and consular institutions of Turkmenistan abroad and bodies for internal affairs of Turkmenistan.
2. Applications for granting residence permit in Turkmenistan shall be addressed to President of Turkmenistan through bodies for internal affairs of velayats or the City of Ashgabat (further referred to as bodies for internal affairs), diplomatic representatives and consular institutions of Turkmenistan abroad.

Foreign citizens and persons without citizenship granted with residence permit in Turkmenistan arrive on the territory of Turkmenistan without arranging visas.

3. Application shall be considered as accepted for consideration from the date of presenting all necessary documents, duly drawn up, envisaged by the present Regulations.
4. Application for granting residence permit in Turkmenistan shall be sent by an applicant in writing, indicating the date of handling, and signed in person.

Residence permit in Turkmenistan of parents or one of them shall be applied to under-age (including adopted ones) and newly borne children.

Residence permit in Turkmenistan of legal representatives shall be applied to persons recognized in fixed order as incapable.

5. The form of application on granting residence permit in Turkmenistan shall be approved by the Ministry of Internal Affairs of Turkmenistan along with the Ministry for Foreign Affairs of Turkmenistan.

6. The period of consideration of applications in the Ministry of Internal Affairs of Turkmenistan and bodies for internal affairs in provinces, in the Ministry for Foreign Affairs of Turkmenistan shall not exceed one month in each of these bodies; in the National Security Committee of Turkmenistan this period shall be not more than 45 days.
7. Repeated application on granting residence permit in Turkmenistan is considered after expiry of 6 months after pronouncing the previous decision on this issue. In case of appearing of significant circumstances the repeated application could be considered earlier.

II. Bases for granting residence permit in Turkmenistan

8. Bases for granting residence permit in Turkmenistan shall be:
 - a. Turkmen nationality;
 - b. Marriage with a citizen of Turkmenistan;
 - c. Residence of close relations in Turkmenistan (spouse, parents, brother, sister, children, including adopted ones, grandchildren, grandfather and grandmother);
 - d. Validating in a fixed order tutelage and tutorage of citizens of Turkmeistan;
 - e. Investments of a capital of not less than USD 500 thousand into the economy of Turkmenistan;
 - f. Availability of high qualification in different professions, as well as significant achievements in the sphere of science, culture, arts and sports, which could be used in the interest of Turkmenistan;
 - g. Citizens of CIS countries and persons without citizenship arrived from CIS countries, registered in Turkmenistan before introduction of visa regime with CIS countries.

To receive residence permit in Turkmenistan a foreign citizen or a person without citizenship shall have permanent income or means necessary for keeping themselves and family members in Turkmenistan. If such means are unavailable, a guarantee of their employment or commitments of other person to keep them and their family members shall exist.

III. Bases for refusal in granting residence permit in Turkmenistan

9. A foreign citizen or a person without citizenship could be refused in granting residence permit in Turkmenistan in cases:
 - a. If they have committed a crime against mankind;
 - b. If they have committed grave crime or a criminal case has been brought against them;
 - c. Is his residence on the territory of Turkmenistan is in contradiction to interests of national security of Turkmenistan, or could aggravate civil order or cause moral damage to the population of the state;

- d. If he is infected with HIV-infection, venereal or other disease, enlisted in the list identified by the Ministry of Health Care and Medical Industry of Turkmenistan, or suffers from drug abuse;
- e. If to be granted residence permit in Turkmenistan he deliberately gave false information;
- f. If earlier he was granted a limitation for arrival in Turkmenistan – till the date of this limitation expiry.

IV. Types of residence permit in Turkmenistan

10. A foreign citizen or a person without citizenship could be granted:

with residence permit in Turkmenistan for a definite period;

permanent residence permit in Turkmenistan.

V. Order of recognizing residence permit in Turkmenistan to be invalid and its annulment

11. Residence permit in Turkmenistan shall be recognized to be invalid and shall be annulled if a person:

- a. When obtaining residence permit in Turkmenistan gave deliberately false information;
- b. Is convicted under the court decision to be guilty in commitment of grave crime;
- c. Excites proved anxiety in regard for the violation of public order or threatens interests of national security of the state;
- d. Is a member of a terrorist, antigovernment, extremist and other criminal organization;
- e. Has joined the military or any other public service of a foreign state except cases when it is envisaged by international agreements of Turkmenistan;
- f. Is registered in a narcological institution;
- g. Was married a citizen of Turkmenistan for the purpose of establishing bases to be granted residence permit in Turkmenistan;
- h. Has terminated labor relations related to which residence permit in Turkmenistan was obtained;
- i. During five years dissolves a marriage with a citizen of Turkmenistan and does not have any child in this marriage, or if a marriage was a basis to be granted residence permit in Turkmenistan;
- j. Is continuously beyond the bounds of Turkmenistan for one year, except good reason confirmed by appropriate documents.

Documents about recognition of residence permit in Turkmenistan to be invalid and its annulment are addressed to President of Turkmenistan by the Ministry of Internal Affairs of Turkmenistan, the Ministry for Foreign Affairs of Turkmenistan, and National Security Committee of Turkmenistan.

VI. Drawing up of documents to be granted residence permit in Turkmenistan

12. A foreign citizen or a person without citizenship permanently living on the territory of Turkmenistan shall address his application on granting him residence permit in Turkmenistan to President of Turkmenistan and in bodies of internal affairs at the place of permanent residence.

A foreign citizen or a person without citizenship permanently living beyond the bounds of Turkmenistan shall address his application on granting him residence permit in Turkmenistan to President of Turkmenistan to the diplomatic representatives or consular institution of Turkmenistan abroad. If such organization is not available in the country of residence, the application shall be addressed to the Ministry for Foreign Affairs of Turkmenistan.

For consideration of an issue of granting residence permit in Turkmenistan the following documents shall be submitted in two copies:

- a. Application (in a fixed form);
- b. Curriculum Vitae;
- c. A document confirming the legal source of livelihood on the territory of Turkmenistan or a guarantee for keeping an applicant by other people;
- d. A document on the citizenship of other state;
- e. For a person without citizenship: a document about lack of citizenship;
- f. A document about payment of a state duty or exemption from duty;
- g. Documents about place of residence and family staff;
- h. Four photos.

If under-age children are available depending on circumstances copies of marriage certificate and children's birth certificates shall be submitted.

Other documents could be attached to the application, which are of significance for the settling of issue of granting residence permit in Turkmenistan.

VII. Conclusion on applications for granting residence permit in Turkmenistan

13. A primary examination of documents attached to the application for granting residence permit in Turkmenistan shall be executed by bodies of internal affairs of Turkmenistan, diplomatic representatives and consular institutions of Turkmenistan abroad.

Bodies of internal affairs, diplomatic representatives and consular institutions drawing up documents on granting residence permit in Turkmenistan shall make a reasonable conclusion for each of application, and together with all material transfer it to the Ministry of Internal Affairs of Turkmenistan. The Ministry of Internal Affairs of Turkmenistan or

the Ministry for Foreign Affairs of Turkmenistan address these materials with their own conclusions to the National Security Committee of Turkmenistan for further considerations. The National Security Committee of Turkmenistan according to results of examination shall make a conclusion and address all the materials with conclusions to President of Turkmenistan for further consideration, informing the Ministry of Internal Affairs of Turkmenistan or the Ministry for Foreign Affairs of Turkmenistan about this.

VIII. Order of considering materials on issues of granting residence permit in Turkmenistan

14. Citizenship and Pardon Commission under the President of Turkmenistan shall execute a preliminary consideration of materials on granting residence permit in Turkmenistan, and shall submit a suggestion for consideration of President of Turkmenistan on satisfaction or rejection of satisfaction of application for granting residence permit in Turkmenistan.
15. A Decree of President of Turkmenistan shall be passed on granting or rejection of granting residence permit in Turkmenistan.

The Decree of President of Turkmenistan on granting residence permit in Turkmenistan includes a full name, date and place of birth, nationality and belonging to the citizenship of a person, which is granted residence permit in Turkmenistan.

IX. Order of fulfillment of Decree of President of Turkmenistan on granting residence permit in Turkmenistan

16. The Ministry of Internal Affairs of Turkmenistan and the Ministry for Foreign Affairs of Turkmenistan in 10-day period after passing a Decree of President of Turkmenistan shall inform an applicant on granting him residence permit in Turkmenistan.

The Ministry of Internal Affairs of Turkmenistan shall draw up a residence permit in Turkmenistan of a fixed form and send it to a body of internal affairs at the place of residence of a foreign citizen and a person without citizenship to be handed over to him.

The Ministry of Internal Affairs of Turkmenistan shall draw up a residence permit in Turkmenistan with respect of persons living beyond the bounds of Turkmenistan under the submission of the Ministry for Foreign Affairs of Turkmenistan. The Ministry for Foreign Affairs of Turkmenistan shall send the drawn up residence permits in Turkmenistan to diplomatic representatives and consular institutions to be handed over.

A pattern form of residence permit in Turkmenistan shall be approved under a decree of President of Turkmenistan.

17. Residence permit in Turkmenistan shall be granted to foreign citizens and persons without citizenship having a permission for permanent living in Turkmenistan on reaching a 16-year age.

Validity period of a residence permit in Turkmenistan is not limited.

On reaching by foreign citizens and persons without citizenship the age of 25 and 45 bodies of internal affairs shall paste in photos into a form of residence permit in Turkmenistan corresponding to the mentioned age.

In case of loss a residence permit in Turkmenistan foreign citizens and persons without citizenship shall be obliged to immediately appeal to the bodies of internal affairs at the place of residence.

18. Foreign citizens and persons without citizenship granted with residence permit in Turkmenistan and permanently living in Turkmenistan shall be registered in the order stipulated for citizens of Turkmenistan in bodies of internal affairs at the place of residence.
19. The Ministry of Internal Affairs of Turkmenistan and the Ministry for Foreign Affairs of Turkmenistan shall inform the Managerial Personnel of President of Turkmenistan about execution of decrees of President of Turkmenistan on granting residence permit in Turkmenistan.
20. The Managerial Personnel of President of Turkmenistan shall be entrusted with the control of execution of decrees of President of Turkmenistan on granting residence permit in Turkmenistan.
21. Foreign citizens and persons without citizenship shall have a right to appeal a decision on granting residence permit in Turkmenistan in an order fixed by the legislation of Turkmenistan.