



A GUIDE FOR MIGRANTS

How to Claim Residence Permit,
Refugee or Humanitarian Status in Georgia



Are you interested in getting a Georgian residence permit?

Then you should know Challenges and flaws

Despite simplified legislative procedures, you may face a number of problems at various stages, often resulting in unjustified denial. After the decision enters into force, the residence permit seekers are forced to leave the country.

7416 people applied for international protection in 2012-2018. During this period, 28% of the applicants, 2117 people were denied international protection in Georgia.

According to common practice, state security interests are named as the reason for the denial. Therefore, you must be prepared for a denial and a part of the justification will be kept as a secret.

In 2014-2018, 413 persons were denied international protection in Georgia on grounds of state security. You can appeal the Ministry's decision in court, though you should know that this will not be a short process.

Even as you overcome barriers and obtain a residence permit, refugee, or humanitarian status, new types of problems arise, the most important of which is asylum.

The shelter in Martkopi village, located 30 kilometers from Tbilisi, is not big enough to accommodate everyone. The situation is particularly worse for LGBT+ people - the technical maladaptation of the shelter is compounded by homophobia and security concerns.

You will not be eligible for a universal state health program in Georgia, until you receive refugee or humanitarian status.¹

You should keep in mind that when applying for a residence permit, refugee or humanitarian status from the relevant authority, you may be left without a shelter, therefore you will need to take care of your own accommodation and finding money for it. Due to these problems, those seeking international protection are sometimes left without asylum.

¹ http://ssa.gov.ge/files/01_GEO/KANONMDEBLOBA/Kanon%20Qvemdebare/92.pdf

What do you need to do to get a residence permit?

You should apply Public Service Development Agency in person or through an authorized representative; or fill out the application electronically to Public Service Development Agency.²

When submitting copies of the documents, you must notarize them. A document in a foreign language must be submitted to the Agency together with a certified Georgian translation if it has not been transliterated³ into Latin.

You will have to pay

On the 10th business day - 30 GEL;

On the 5th business day - 40 GEL;

On the third business day - 50 GEL;

On the second business day - 60 GEL;

On the same day - 65 GEL.

A temporary residence permit for a refugee is issued for a period of 3 years, and for a person with humanitarian status for up to 1 year.

An alien who has been refused a residence permit in Georgia, within one month, have the right to reapply on the same grounds, although this does not guarantee that the re-submitted application will be upheld.

A person under a temporary protection has to leave Georgia within 30 days after the denial comes into force. Otherwise, they will be fined and forced to leave the country.

Besides the residence permit, you can obtain **Refugee and humanitarian status**

Refugee status is granted to a person having a reasonable fear that he/she may **be the victim of persecution on the grounds of sexual orientation or gender identity... and is unable or unwilling to return to its country of origin because of such fears**⁴.

Humanitarian status

Issued to a person who:

² https://sda.gov.ge/?page_id=11645&lang=en

³ <https://www.matsne.gov.ge/ka/document/view/2483468?publication=0>

⁴ <https://matsne.gov.ge/ka/document/view/3452780?publication=4>

- Is forced to flee his/her country of origin because of violence, external aggression, occupation, internal conflicts, mass violations of human rights and Needs other credible humanitarian assistance

Humanitarian status is granted to a person for a period of one year and may be extended if the circumstances on the basis of which they were granted this status remain.

You will not receive international protection if:

- You are recognized by another country as a refugee and have no reasonable fear of being persecuted in that country;
- You are a citizen of two or more countries and are eligible for the protection of one of them; You have the option of internal displacement;
- Enjoy the protection or assistance of the United Nations other than the United Nations High Commissioner for Refugees (UNHCR);
- The authorities of another country of residence have granted the rights and responsibilities which the citizens of that country have;
- Your stay in Georgia for other important circumstances is against the country's interests.

Types of the residence permit

The residence permit is either temporary or permanent. You can obtain a temporary residence permit if you have refugee or humanitarian status. If you wish to obtain a permanent residence permit, you must have permission for permanent residence granted on the basis of the agency's report. The residence certificate confirms the citizenship, identity and residence of a foreigner residing in Georgia.

You can obtain one of the following types of residence permits in Georgia:

- **Work residence permit** - Issued for entrepreneurial or labor activity in Georgia, as well as for a person of freelance profession.
- **Study residence permit** - Issued for studies at an authorized educational institution in Georgia.
- **Residence permit for family reunification** - Issued to family members of aliens with a residence permit.
- **Residence permit for a former citizen of Georgia** - Issued to an alien who has lost the Georgian citizenship.
- **Residence permit for stateless person** - Issued to a person having the status of stateless person in Georgia.

- **Special residence permit** - Issued to aliens who are persecuted for their sexual orientation or gender identity, who are victims of trafficking; Persons persecuted for political beliefs or for acts that are not considered a crime under Georgian law, persecuted for the protection of human rights and peace, for progressive social, political, scientific and creative work, or when no other state consents to the alien's admission.
- **Permanent residence permit** - Issued to a spouse, parent, child of a citizen of Georgia. Issued to an alien who has lived in Georgia for the past 6 years with a temporary residence permit. This period shall not be considered a period of life for study or medical treatment in Georgia, or working in diplomatic and equal representation.
- **Investment residence permit** – Issued to a foreigner who has invested at least 300,000 GEL in Georgia. Also to his family members: a spouse, a minor child, and an incapacitated dependent person.
- **Temporary residence permit** – Issued to an alien who has been granted a victim status under the Georgian Law on the Prevention of Domestic Violence, Protection and Assistance of Victims of Domestic Violence.
- **Short-term residence permit** - Issued to an alien who owns property in the territory of Georgia (other than agricultural land) with a market value of more than USD 35,000 equivalent in GEL and his / her family members.

Further information on residence permits and issuance of a certificate can be found at:

https://sda.gov.ge/?page_id=11645&lang=en <http://psh.gov.ge/main/page/1/72>

Legal acts and web pages used:

Constitution of Georgia

<https://matsne.gov.ge/ka/document/view/30346?publication=35>

Procedure for discussing and resolving matters regarding issuing a residence permit in Georgia

<https://www.matsne.gov.ge/ka/document/view/2483468?publication=0>

Law of Georgia on International Protection

<https://matsne.gov.ge/ka/document/view/3452780?publication=4>

Online application - Remote Service Agency of the Public Service Development Agency.

https://sda.gov.ge/?page_id=11645&lang=en

Information for asylum seekers.

<http://www.mra.gov.ge/eng/static/705>