

**LEGAL ADVISORY COLUMN**

Dear Readers,

It has been said that the respect of the rule of law is one of the main issues for modern Kyrgyzstan in order to develop predictability and attract foreign investment. With the aim to provide additional services to our International readership, from this issue we start a new column devoted to legal issues written by competent leading jurists of several legal firms of Kyrgyzstan and other Central Asian countries. Should you need further details, feel free to contact directly the legal firm and the jurist that has provided the material, quoting The Times of Central Asia.

*Giorgio Fiacconi*  
*Publisher of The Times of Central Asia*

## How to obtain a work permit and a labor visa for a foreigner in Kyrgyzstan?

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### Regarding the work of foreign citizens in the Kyrgyz Republic, the employer (a company duly registered in the Kyrgyz Republic) and the foreign employee should be aware of the following:

Employing foreign citizens, including the head of the company, requires a permission to employ foreign labor (the "Permit for Attraction") and work permits for each individual foreign employee (the "Work Permit"). These permits are issued by the authorized territorial Department of the Ministry of Labor, Employment and Migration (the "Authorized Department"). To obtain the abovementioned permits the employer has to submit an application and other documents, a list of which can be acquired in the Authorized Department only at attendance. Having received the documents, the representatives of the Authorized Department can visit the employer's office for an inspection. This inspection includes a review of documents of the company, questions about the company activities and the duties of the employee and the inspection of working conditions.

The decision to grant the Permit for Attraction or its refusal should be rendered within 30 days from the date of application. However, in practice it may take more than 30 days.

Foreign citizens, to be employed by the company, should also obtain an individual Work Permit at the employer's application. The decision to grant the Work Permit should be rendered within 15 days from the submission of all necessary

documents. However, in practice it also may take more than 15 days.

The validity term of the Permit for Attraction and Work Permit is one year with a possibility for extension. The state fee for the issue of the Permit for Attraction is 4000 Kyrgyz soms, for the Work Permit it is 2000 Kyrgyz soms.

After having received the necessary permits, a foreign citizen can apply to the Department of Consulate Services under the KR Ministry of Foreign Affairs ("DCS") for obtaining a labor visa. The foreign citizen should submit to DCS the required documents (visa application, the founding documents of the company and other documents). Visa fees vary, depending on the term of the visa, between 60 and 190 USD. The consular fee for the review of the documents is 10 USD. The decision on granting the labor visa or its refusal should be made within 10 days from the date of application.

Citizens of the Russian Federation and Kazakhstan do not have to apply for a labor visa. They do, however, need to obtain a Work Permit. Additional information about visas is available on the DCS website <http://www.dcsmf.kg>.

Violation of the rules regarding the attraction and use of foreign labor in Kyrgyzstan is sanctioned with an administrative fine. Violation of the order of stay in Kyrgyzstan by the foreign citizens also entails an administrative responsibility.

The foreign head of a company should be aware of the invalidity of concluded and signed deals or contracts by him without having a Work Permit and a Permit for Attraction.