

# Mechanism of Interaction of the Republic of Uzbekistan with Foreign Countries in the Field of External Labor Migration

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## Abstract

This work is dedicated to analyzing the mechanisms of interaction between the Republic of Uzbekistan and foreign countries in the field of external labor migration. In the context of contemporary global challenges and changes in international politics and economics, particular attention is paid to studying agreements, regulatory mechanisms, and partnership relations in the migration sphere between Uzbekistan and foreign countries. Both bilateral agreements and participation in international organizations on migration issues are analyzed. Special focus is placed on practical mechanisms for protecting the rights and interests of Uzbek labor migrants abroad, including social security, medical services, and legislative protection. The paper provides an overview of existing problems and challenges, as well as offers recommendations for improving the effectiveness of interaction mechanisms with foreign partners in the field of external labor migration for mutual benefits and sustainable development.

Keywords: labor migration, Agency of external labor migration, Republic of Uzbekistan, protection of migrant workers' rights, Labor migration agreements

## Introduction

Among the CIS countries, labor migration is the most voluminous type of migration in terms of quantity, which is caused by both objective and subjective factors. At the same time, the main suppliers of labor migrants are Uzbekistan, Tajikistan and Kyrgyzstan, and the countries to which migrant workers go are Russia, Kazakhstan and Belarus. The main institutional mechanism implementing the migration policy of the CIS is the Advisory Council on Labor, Migration and Social Protection of the Population of the CIS Member States. The main activities of this Council are: the development and implementation of a coordinated policy in the field of migration and labour relations; development of cooperation and interaction in



addressing migration and employment issues; organization of measures to ensure the protection and improvement of working conditions.

A qualitative improvement in the interaction of Uzbekistan with the countries that receive our labor migrants is possible only if the spontaneous nature of labor migration is abandoned in favor of a civilized regulated process that meets the priorities of sustainable development of New Uzbekistan [1]. Such regulation is possible only under the conditions of using the capabilities of the state. The state's activities in this area should not take the form of strict control, but should be carried out by organizing and assisting the flows of external labor migration, protecting and supporting our citizens who go abroad to work.

In modern conditions, the high degree of social and state significance of labor migration leads to the fact that most countries of the world form and implement state policy in this direction, carry out legal regulation and management, and also interact with each other in this area. This circumstance attaches great importance to the consideration of the mechanism of interaction between Uzbekistan and foreign countries on this issue.

When analyzing the mechanism of such interaction with foreign countries, the international contractual form of interaction is of no small importance, which is due to the objective need for cooperation on labor migration issues. This interaction should be based on certain priorities of state policy and the implementation of the strategic line of policy. Such a priority, in our opinion, is the full provision and protection of the rights, freedoms and legitimate interests of our citizens working abroad.

In the above-mentioned mechanism, the treaty appears as the most important method and at the same time the basis of interaction. Therefore, the functional characteristic of a treaty is such that it can be interpreted as both a form and a means of interaction. In recent years, Uzbekistan has concluded dozens of such agreements, both at the government and departmental levels. Thus, according to the website of the Ministry of Employment and Labor Relations, today with foreign partners **More than 40 cooperation agreements and memoranda of understanding** regulating international cooperation have been signed.

In the context of the intensification of migration processes in the world, ensuring the rights and freedoms of labor migrants abroad should become an important area of state policy. One of the means of this policy is international cooperation in this area, aimed at the implementation and coordination of concerted actions, the implementation of signed agreements, as well as the study and exchange of positive experience. Such cooperation contributes to "optimizing the processes of legalization of illegal migrants" and "eliminating (reducing) the negative consequences of migration processes"[2].

In today's world, some countries have established new mechanisms to facilitate coordination of migration activities. For example, Sri Lanka has established an inter-ministerial mechanism that works with the national network and other stakeholders to develop a migration policy strategy. Bangladesh has held dialogues with stakeholders to identify obstacles that require new or more effective legal measures in the area of migration. Kenya has established a National Coordination Mechanism on Migration, which brings together non-governmental organization stakeholders. The International Organization for Migration and the Government of Iraq have jointly developed a national migration strategy, which has become the main instrument for regulating migration processes at the national level.



Uzbekistan's cooperation with foreign countries in the field of external labor migration is carried out through two main channels - within the framework of international organizations and on the basis of agreements with foreign countries[4]. Based on the scope of cooperation between Uzbekistan and international organizations in the field of labor migration, S. Ishankhodjaev classifies it into the following categories: (a) Cooperation within the framework of the universal United Nations organization; b) cooperation within the framework of the OSCE interregional organization; c) cooperation within the framework of the regional organization of the CIS, the EU; d) cooperation within the framework of the specialized agencies of the ILO and IOM[5].

The most active work on the development and harmonization of international norms in the field of labor migration is carried out within the framework of universal international organizations. Among them, the ILO and IOM occupy a central place, whose tasks are to form universal legal regulation and a coordinated policy of states on labor and migration issues. Thus, the most important priority of the ILO is the creation of effective guarantees for the rights of migrant workers. The Declaration on the Aims and Objectives of the ILO defines the need to develop measures for the legal regulation of labor migration and to ensure the work of tools for the protection of their rights and freedoms[6].

At present, Uzbekistan has adopted more than a dozen resolutions and decrees, regulatory legal acts regulating relations in the field of external labor migration, signed a number of treaties and agreements with international organizations and foreign countries. For example, on April 30, 2021, the Government of Uzbekistan and the Eurasian Economic Commission signed a Memorandum of Cooperation and an Action Plan providing for mutually beneficial cooperation in the field of social and labor protection labor migrants [7]. The Republic of Uzbekistan is a participant in international programs such as the Employment Permit System of the Republic of Korea and the Technical Training Program for Trainees in Japan. Cooperation has been established **with the Korea International Cooperation Agency (KOICA) on the** implementation of the project "Development of Vocational Training Opportunities in Uzbekistan", within the framework of which Vocational Training Centers have been established in the regions.

ILO Convention No. 117 of 22 June 1962 "On the Basic Aims and Standards of Social Policy"[8], according to which agreements between labour donor countries and recipient countries should provide that migrant workers enjoy protection and benefits no less than workers who live in areas where labour is used. This applies to accidents at work, sickness, disability, maternity protection, death, as well as all other cases that are covered by the social security system in accordance with the legislation of the country.

Thus, the study of the mechanism of interaction between Uzbekistan and foreign countries in the field of external labor migration allows us to formulate some conclusions and proposals.

1. The Republic of Uzbekistan recognizes the universally recognized principles and norms of international law, as well as international conventions and other acts, as an integral part of its legal system. International standards in the field of external labor migration demonstrate the multifaceted nature of the concept under consideration and have significant potential in the mechanism of international legal regulation of labor migration. The maximum reflection of these standards in Uzbekistan's agreements with other countries concluded in this area

contributes to a significant increase in the level of realization of the rights of our labor migrants in these countries.

2. The main emphasis in the international legal regulation of the status of labor migrants should be placed on the mechanism for ensuring and protecting the rights of migrant workers. In this regard, fixing in bilateral agreements with states that accept labor from Uzbekistan, a specific order, forms, methods and procedures for such protection is a priority task of the authorized bodies of our country. It is also advisable to ratify a number of ILO conventions establishing the principles and procedures for the social and legal security of migrant workers, which have not yet been ratified by Uzbekistan. This will be another guarantee of their rights.

### References:

1. Speech of the newly elected President of the Republic of Uzbekistan Shavkat Mirziyoyev at the inauguration ceremony at the joint meeting of the chambers of the Oliy Majlis on November 6, 2021 / <https://president.uz/ru/lists/view/4743>, the access mode is open.
2. Press release of the United Nations on the results of the summit "High-level Dialogue on International Migration and Development" [Electronic resource] // Official website of the United Nations in New York. URL: <http://www.un.org.ru>.
3. Global Compact for Safe, Orderly and Regular Migration. Report of the UN Secretary-General to the Seventy-fifth Session of the UN General Assembly. A/75/542 Distr.: General 26 October 2020. / [https://migrationnetwork.un.org/sites/default/files/docs/russian\\_0.pdf](https://migrationnetwork.un.org/sites/default/files/docs/russian_0.pdf), the access mode is free.
4. Tursunova, S. (2018) "Legal Foundations for the Protection of the Rights of Migrant Workers" // *Yuridik fanlar axborotnomasi-Bulletin of Legal Sciences-Review of Law Sciences* 3, (2018). -P. 100-107
5. Ishankhodjaev S. Cooperation of Uzbekistan with International Organizations in the Field of Labor Migration / *Yuridik fanlar axborotnomasi - Bulletin of Legal Sciences - Review of Law Sciences* 4 (2018). - P. 38-46.
6. Declaration on the Goals and Objectives of the International Labor Organization // *The Constitution of the International Labor Organization and the Rules of Procedure of the International Labor Conference*. Geneva, 1996. - P. 23-25.
7. Abdulla Aripov spoke at the EAEU summit in Kazan and signed a memorandum of cooperation // <https://review.uz/post/abdulla-aripov-vstupil-na-sammite-eaes-v-kazani-i-podpisa-memorandum-o-sotrudnichestve>, the access regime is open.
8. Conventions and Recommendations adopted by the International Labour Conference. 1957–1990. Geneva, International Labour Office, 1991. - pp. 1321–1329.

