

Labor Migration System (On the Example of Uzbekistan)

Olim Kholmamatovich Narzullaev

Doctor in Law, Tashkent State University of Law.

Abstract: This article discusses the legal regulation of relations in the field of migration. A fund has been set up to support individuals working abroad and to protect their rights and interests. The practice of insuring the lives and health of migrant workers and allocating mortgage loans for their family members has been introduced. It is impossible to solve these important tasks without accurate information on the factors, directions and results of external labor migration and the labor resources involved in it.

Keywords: legal regulation; relations; field of migration; support; individuals; working abroad; competitiveness, labor resources, migration, labor exports, protect rights; interests; practice of insuring; lives; health; migrant workers; mortgage loans; family members

Introduction

In recent years, research has been carried out in the field of migration in order to identify public administration and its strategic aspects, study its priorities, eliminate existing problems and shortcomings, and improve the system of effective regulation of migration processes. In this regard, the innovative project “Development of a digital visa platform for migration” is of particular importance.

Work has been done to raise the sphere of external labor migration to a new level in 2020, expand benefits and guarantees provided to labor migrants and their families, legal, material and social support for labor migrants abroad, establish a safe, orderly and legal system of labor migration.

Over the past four years, attitudes towards citizens working abroad have changed radically, communication with migrant workers has been established, and a new system for studying and solving their problems and needs has been introduced.

A fund has been set up to support individuals working abroad and to protect their rights and interests. The practice of insuring the lives and health of migrant workers and allocating mortgage loans for their family members has been introduced.

At the same time, it is necessary to take comprehensive measures to improve the mechanisms of support for citizens working abroad, to ensure the reintegration of returnees, to create favorable conditions for them to engage in entrepreneurial activities.

The main findings and results

In order to improve the activities of the competent authorities in the field of external labor migration, training of persons wishing to work abroad in high-demand professions, protection of the rights of citizens abroad, employment of returning migrant workers, as well as social support for their families.

The word migration is derived from the Latin word ‘migrans’, which means a person moves from one area to another for permanent or temporary residence. The origins of the migration process go back to ancient times, when the first division of labor took place and livestock was separated from agriculture.

Labor migration is an effort to change one’s workplace. Labor migration is divided into 2 types. 1. Internal labor migration is the movement of labor across a country. 2. External labor migration is the movement of labor from one country to another. Internal labor migration is regulated by national laws, the labor code. External labor migration is managed on the basis of interstate agreements in accordance with national legislation, UN standards and guidelines and recommendations of the International Labor Organization (ILO). External labor migration plays an important role in international economic relations, primarily by reducing the number of unemployed in labor-exporting countries, ensuring that they receive foreign currency from countries that receive labor.

In the 21st century, the importance of labor migration in the world is constantly growing. Disclosure of the socio-economic content and nature of labor migration shows how important it is. An important social function of labor migration is to create an alternative system of employment at the initiative of the population. In such circumstances, one way to solve the problem is to export labor to countries near and far abroad. Labor exchange is an objective reality.

Public administration bodies are of special importance in this regard. These include the Ministries of Foreign Affairs, Justice, Home Affairs, Investment and Foreign Trade, Higher and Secondary Special Education, Public Education, Culture, Health, Central Bank, State Statistics, it cooperates with the Tourism Development Committees, the National Center for Human Rights of the

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Republic of Uzbekistan, the Youth Agency, Information and Mass Communications Agencies, entities in the Russian Federation and Kazakhstan, foreign employers, citizens' organizations, labor attachés and other authorities. It is impossible to solve these important tasks without accurate information on the factors, directions and results of external labor migration and the labor resources involved in it.

Approved by the Resolution of the President of the Republic of Uzbekistan № 3001 "On measures to organize the activities of the Ministry of Employment and Labor Relations of the Republic of Uzbekistan" and the Comprehensive Program of Measures to Ensure Employment "to study the possibility of ratifying the ILO Convention № 97 on labor migrants.

This Convention covers all aspects related to the employment of migrants, their property and family members. In addition, in accordance with the above decision, the law "On the activities of non-governmental organizations (recruitment agencies) promoting employment" will regulate the activities of private recruitment agencies, as well as sharply reduce the number of illegal migrant flows, both internal and external. Also, in order to regulate the activities of external labor migration of citizens of the Republic of Uzbekistan, a draft law "On labor migration" was developed. The adoption of this law will ensure the protection of the legitimate interests and rights of migrant workers and regulate the process of employment of citizens in foreign countries.

The legal basis for the employment of citizens of the Republic of Uzbekistan abroad and the organization of labor activity of foreign citizens in Uzbekistan will be created and uncontrolled illegal migration activities will be eliminated. Adoption of the Law "On Labor Migration" will be the basis for the introduction of mechanisms to protect the international legal interests of migrant workers and is a fundamental core of migration policy of the Republic of Uzbekistan.

The Government of the Republic of Uzbekistan, as well as the Ministries of Economy and Foreign Affairs and the United Nations Representative in Uzbekistan have signed a "Roadmap Action Plan for further development of cooperation between the Republic of Uzbekistan and the United Nations". The Ministry of Employment and Labor Relations and a number of other relevant ministries and agencies will assess the possibility of Uzbekistan's accession to the International Organization for Migration, as well as implement joint projects to combat human trafficking, regulate labor migration, protect the rights of Uzbek migrant workers.

In this regard, the Cabinet of Ministers of the Republic of Uzbekistan adopted Resolution № 97 "On improving the registration of citizens of the Republic of Uzbekistan traveling abroad for employment". According to the resolution, the Ministry of Employment and Labor Relations of the Republic of Uzbekistan annually conducts in-depth sociological research with migrant workers. The analysis of the study revealed the socio-demographic composition of labor migration participants, factors, directions, geography of external labor migration, assessment of migrants' living abroad, working conditions, income, their future plans, employment opportunities in their place of residence, regulation of labor migration processes. including ideas and suggestions on how to build.

External labor migration status by the Agency on a regular basis by the Agency for External Labor Migration, labor migrants summary analytical newsletters and comparative analytical tables on the work done in the field of support and protection of their rights, as well as during the pandemic. As a result of analytical studies in this area, **based on the needs of the external labor market, a list of the most frequently observed specialties in practice was identified: masters of the general construction industry – plastering, painting, bricklaying, furniture production, parquet work and drywall work, work with aluminum and plastic frames;**

technical professions - service and service sector - cosmetologist, waiter, hairdresser and decorative cosmetics, masseur, caregiver for young children and the elderly, production of garments, cookery, confectionery, development of bread and bakery products. It should be noted that short courses on Russian, English, Korean and Japanese languages have been organized for future labor migrants based on the geography of labor activity.

Uzbekistan is one of the first countries to support the Global Migration Agreement. In particular, it was the first country in the UN region in Europe and Central Asia to submit a voluntary report on the implementation of the Global Compact. Improving the skills of prospective migrants, protecting their rights abroad, expanding cooperation with the diaspora Resolution of the President of the Republic of Uzbekistan dated September 15, 2020 № PP-4829 “On measures to introduce a system of safe, orderly and legal labor migration” to support the reintegration of persons returning from labor migration fully meets the universally recognized principles of international law.

At the CIS Summit on December 18, 2020, President of the Republic of Uzbekistan Shavkat Mirziyoyev said that “it is time to create a single mechanism for mutual recognition of labor migrants’ documents, to this end, the proposed “Development and adoption of a program of cooperation of the CIS countries on labor migration” clearly demonstrates the position of the republic in the field of organizational and legal regulation and management of labor migration.

At the same time, despite the widespread use of modern information and communication technologies aimed at ensuring the transparency of public services in the field of labor migration and the simplification and optimization of procedures, the level of

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introduction of ICT in the system remains low. At the same time, the situation with the implementation of scientific and innovative research aimed at further expanding the amount of income from labor migration to our economy is not satisfactory.

The existing problems in the field of organizational and legal regulation of labor migration are also based on the following:

1) Given that the main source of labor supply to the national economy is the people of the country, it is necessary to create favorable conditions for the voluntary movement of labor resources. The need to create organized forms of internal labor migration in Uzbekistan, to ensure the availability, quality and completeness of information on employment opportunities of administrative-territorial units remains high. There is no clear mechanism for solving these tasks and no electronic (transparent) system to control it;

2) There is no clear mechanism to ensure effective control over the full compliance of employers (individuals and legal entities) that attract and use labor migrants with the requirements of the labor and tax legislation of the Republic of Uzbekistan;

3) Lack of an adequate regulatory framework guaranteeing the right of citizens engaged in temporary employment abroad to receive pensions and other social guarantees, as well as regulating border labor migration in Uzbekistan;

4) Scientific and analytical data on the identification and generalization of labor migration problems have not been sufficiently studied. In particular, the system of international standards for the legal regulation of migration processes and the possibility of applying foreign experience to national policy have not been studied in depth. Uzbekistan does not have a system of training, retraining and advanced training of specialists responsible for regulating labor migration;

5) There are no modern innovative methods of recording and evaluating legislation in the field of labor migration. In particular, the rapid development of structural changes in the legislation on labor migration has led to an increase in the number of regulations. The fragmentation of legislation makes it difficult to understand them in practice, leading to legal differences and conflicts, over-regulation and bureaucracy.

Conclusion

Research shows that Uzbeks intending to work abroad have a high potential for formal employment in the United States, Canada, Germany, the Netherlands, Norway, Saudi Arabia, Qatar and Kuwait, and their employment in high-tech industries will increase their professional knowledge and skills. For example, in the

United States in the fields of services, agriculture, forestry, medicine; In Canada in the fields of agriculture, fisheries, telecommunications, programming, medicine, social services for adults; In programming, telecommunications, industrial enterprises in Germany; In Saudi Arabia, Qatar and Kuwait, there is a shortage of labor in the fields of oil production and refining, tourism and services.

In order to improve the regulation of labor exports in Uzbekistan, it is necessary to increase the legal awareness of the population on labor migration, promote legal labor migration, take necessary measures based on the analysis of the social and economic situation of migrant workers abroad, effective use of remittances and encourage migration. The development of measures will also play an important role in increasing the competitiveness of our labor resources.

Activation of external labor migration in Uzbekistan is a matter of time, it is important to ensure a large balance in the labor market. Today, no country can succeed in isolation from the world community. Deepening the integration of national labor markets will be accompanied by intensification of processes in the field of international labor migration. Uzbekistan's participation in the international labor market is characterized by its demographic indicators - high population growth, high share of young people in the total labor force, on the one hand, their education, high level of education, on the other. The active participation of the Republic in the process of international labor migration will allow it to integrate into the world community.

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