

Regulatory framework of regulation and organization of foreign labor migration

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Abstract

The main goal of this research is to study regulatory framework of regulation and organization of foreign labor migration. In the article *ин еру ферщк* have been outlined the necessity and importance of establishing the perfect regulatory framework for regulating the current migration of the population in the Republic of Uzbekistan. Also, there are many common problems in the process of labor migration, as well as cases of violations of human rights and discrimination in the country, and made suggestions and recommendations for their elimination.

Keywords: Normative-legal bases, international conventions, human trafficking, discrimination, rules of stay in a foreign country

Introduction

Creating a perfect regulatory framework for regulating labor migration is important for each country. One of the complicated aspects of regulating labor migration is that there is a certain degree of proportionality of the legislation of the sending and receiving countries of migrants, that is, the coherence of the mutual agreement. It means the need to act in a way that meets the interests of participating nations.

Problem statement

One of the most common problems in the process of labor migration is the violation of migrants' rights, human trafficking and discrimination. Also, one of the most problematic issues is the fact that migrants,

especially the informal migrant workers, do not have personal safety in their vehicles traveling overseas or returning home.

Insufficient level of legal literacy of migrants, non-elaboration of normative-legal acts on bilateral and multilateral basis, absence of systemic basis for regulation of labor migration, ie creation of a unified legal system - can be considered as a cause of problems in this area.

Analysis and results

The solution to these problems requires the development of normative documents, agreements and arrangements that have the same uniform regional or inter-state impact, based on international conventions and norms.

At the same time, the task of improving mechanisms for systematic regulation and control of labor migration processes in the republic is a very important issue of current review of the legal framework of these processes.

In the Republic of Uzbekistan, a great deal of attention is paid to the protection of human rights, including the rights of migrant workers, in conjunction with many international human rights norms. During the years of independence, a number of normative and legal acts have been adopted to protect the rights and freedoms of labor migrants, to regulate their activities, to ensure their security abroad and to avoid falling into various frauds.

In particular, the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan from October 19, 1995 of N 408 "About labor activity of citizens of the Republic of Uzbekistan abroad and foreign citizens in the Republic of Uzbekistan", from November 12, 2003 "About measures for enhancement of the labor activity of citizens of the Republic of Uzbekistan abroad" (505) [2] defines the main directions of labor migration regulation. At the same time, in order to improve the registration of citizens of the Republic of Uzbekistan abroad for labor activity and conduct research on the socio-economic impact assessment of labor migration processes, the Cabinet of Ministers of the Republic of Uzbekistan dated May 15, 2007 "On Improvement of the Registration of Citizens of the Republic of Uzbekistan" No 97. In accordance with paragraph 4 of the Resolution, the Ministry of Labor and Employment establishes in-depth specialized

sociological surveys of labor migration of Uzbek citizens. [3]

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Resolution No. 42 of the Cabinet of Ministers of the Republic of Uzbekistan "On Measures to Prevent and Prevent Emergency Situations in Passenger Transport, as well as to Ensure the Protection of the People's Homeland Security" from January 23, 2018, security measures during traveling, traveling abroad, docking for personal safety rights and responsibilities of citizens during the external migration process.

In recent years, the government's efforts to regulate external labor migration have been positively assessed by migrants surveyed and 57.1% said they believe that "very effective policies are being pursued" (Table 1). Almost 16% of migrants have confirmed that they have the opportunity to travel overseas, while 6.6% of respondents said that the level of labor rights of migrant workers abroad has been further strengthened. However, about 6 percent of respondents have mentioned options that reflect the negative response to the question.

Table-1: Citizens' opinions on state policy on the regulation of external labor migration in Uzbekistan,% [7].

	Questions	Share
1	Very effective policy is being pursued	57,1
2	The opportunities for travel abroad have increased	15,8
3	Opportunities for skilled work abroad have increased	3,8
4	The work of the external labor migration agency has improved	7,3
5	The level of labor rights protection of migrant workers abroad has been further strengthened	6,6
6	There are no changes	2,1
7	The work done is not enough	3,8
8	It is difficult to answer	17,0

In addition to the policy of external labor migration regulation in the country, migrants surveyed on external labor migration reform (TABLE 2). 47.5% of migrants suggested that people should be employed mainly in developed countries, while 28% of respondents said that it would be expedient to create new jobs in Uzbekistan due to the construction of large industrial enterprises. It has also been highlighted that the issues that have been recently discussed are the importance of simplifying the bureaucratic

barriers and documenting of citizens abroad by the External Labor Migration Agency. If wages and timely provision of salaries are provided in Uzbekistan (especially in remote areas), the target is 13.4 percent of respondents. 11.1 percent of respondents mentioned that the Migration Agency was opened in all districts and towns of the country, where citizens were provided with all the consultative services for traveling overseas abroad.

Table 2: Foreign Labor Migrants in Uzbekistan migration regulation proposals,%[7].

	Activities	Share
1	Expanding the ability of the state to hire new citizens in developed countries	47,5
2	Increasing employment opportunities in Uzbekistan, building large enterprises	28,0
3	Simplify registration of documents required for overseas work	16,2
4	Raising and timely delivery of salaries in Uzbekistan	13,4
5	Opening centers for citizens in every district, city to go abroad for work	11,1
6	Other	17,5

It is known that human trafficking today is one of the most serious problems facing the world's nations, and its prevention is becoming one of the most pressing issues for the countries. According to the International Labor Organization (ILO), currently more than 12.3 million people are victims of forced labor and trafficking victims. Worse, 80 percent of victims are women and children [6]. Some people's confidence and lack of legal knowledge are the cause of the crime.

According to the United Nations, about 2 million in the world each year 800 thousand people are victims of this crime [6].

Most migrant workers are forced labor migrants abroad to carry out their labor activity. Therefore, the problem of minimizing the origin of these negative emotions, reducing the likelihood that people will be able to separate themselves from external influences and deceit is now becoming one of the pressing issues facing each country.

Uzbekistan has created the necessary legal and regulatory framework to combat and combat trafficking in human beings and to protect and promote labor migrants who are trafficked. The Law of the Republic of Uzbekistan "On Combating Trafficking in Human Beings" contains the main objectives and principles of anti-trafficking. Also, Articles 135, 138 and 141 of the Criminal Code of the Republic of Uzbekistan have also established a number of severe punishments for offenses related to trafficking in persons.

Taking into account the crucial task of supporting the victims of trafficking, the Cabinet of Ministers 2008

On November 5, the Cabinet of Ministers Resolution No. 240 "On the establishment of the Republican Rehabilitation Center for the Assistance and Protection of Trafficking Victims" was adopted [5]. The decree establishes a Republican Rehabilitation Center for Assistance and Protection of

Trafficking Victims and has assigned a number of functions. In particular, they are not limited to the social rehabilitation and medical treatment of victims of trafficking in the center, and they have all the necessary conditions for their health improvement in recreation camps.

The Decree of the President of the Republic of Uzbekistan from May 24, 2017 "About measures on the organization of work of the Ministry of Labor and employment of the Republic of Uzbekistan"

The Comprehensive Program of Action for the Further Improvement of Labor Legislation and Employment of Population, approved by the Resolution No. 3001, establishes the possibility of ratifying the ILO Convention No. 97 on Labor Migrants. This Convention covers all aspects of labor migration, their property and family members.

Conclusion and recommendations

According to the results of the research, the following is suggested: given that most of the regulatory and legal documents relating to labor migration have been adopted years ago and do not fully reflect the current situation in the field of labor migration, it is necessary to review them and make relevant amendments and additions taking into account the current situation. At the same time, the main part of labor migrants is to take into account the changes in the legislation of the countries in which they operate. It is important to speed up the adoption and adoption of draft laws on the activities of labor migration and recruiting agencies in the field of legislation and regulations that are drafted and adopted in the field of ministries and agencies for consideration and coordination in this area.

- to develop and approve a single concept that defines the principles of protecting the rights of labor migrants from Uzbekistan abroad. Absence of such a concept does not allow for effective and comprehensive

approaches to the protection of migrants' rights.

- Ensuring that labor rights for foreigners go abroad, relevant aspects of the legislation of the countries concerned, the scale and quality of preparation of special notes on the prevention of trafficking in human beings, and free distribution of customs offices, airports, stations;

Today, the Ministry of Employment and Labor has been working with the National Research Center for Labor Employment and Labor to carry out extensive work on the above-mentioned issues.

In addition, according to the above decision, the draft law "On the activities of non-governmental organizations (recruiting agencies) contributing to the employment of the population" is envisaged. This will allow, first of all, to regulate the activities of private recruiting agencies, and to drastically reduce the number of internal and external labor migration flows of labor migrants.

Also, in order to regulate the activities of foreign labor migration of citizens of the Republic of Uzbekistan, the draft law "On labor migration" was developed. As a result of the adoption of this law, the legal protection of the rights and interests of migrant workers and the process of employment of citizens in foreign countries are regulated.

There is a legal basis for the citizens of the Republic of Uzbekistan to carry out their labor activity abroad and to organize the labor activity of foreigners in Uzbekistan and eliminate illegal immigration.

Adoption of the Law "On labor migration" will be the basis for the introduction of mechanisms for the protection of international legal issues of labor migrants in the Republic, and is the cornerstone of Uzbekistan's migration policy.

The Government of the Republic of Uzbekistan, as well as the Ministry of Economy and Foreign Affairs and the United Nations Office in Uzbekistan signed a

"roadmap for roadmap for 2017-2020, aimed at further developing cooperation between the Republic of Uzbekistan and the United Nations".

The Ministry of Labor and Employment, and a number of relevant ministries and agencies to evaluate the access of Uzbekistan to the International Organization for Migration, as well as to implement joint projects to combat trafficking in human beings, labor migration regulation, protection of Uzbek labor migrants' rights and other aspects of organization by 2020 envisaged.

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