

Translated from Russian.

Today the issues of migration as well as their impact on both countries of origin and destination have recently become quite relevant, which indicates the need to improve the regulation of migration. Migration flows have increased in all regions of the world, with particularly high rates in Asia.

At the end of 2019, the number of labor resources of Uzbekistan was 18.9 million and demonstrated 1% growth compared to 2018. The number of the economically active population grew by 181,500, or 1.2% compared to 2018. The annual population growth is about 1.8% and according to expert forecasts, by 2025 the population of the country will be over 36 million people. In this situation, labor migration is a necessity to enable employment of jobless citizens of Uzbekistan.

Given that the provisions of the Global Compact are focused on involving all government agencies in designing an effective system of support for migrant workers and members of their families; the provision of comprehensive care by the state for their daily needs and aspirations; strengthening reliable social and legal safeguards both on the territory of the country and abroad, based on the Decree No.UP-5785 on *Measures to further strengthen guarantees for the protection of citizens of Uzbekistan engaged in temporary labor activity abroad, and their family members* of the President of Uzbekistan issued on 08/20/2019, the Department for the Protection of the Rights of Citizens of Uzbekistan, involved in temporary labor activity abroad, and international economic cooperation, was created in the structure of the Cabinet of Ministers of Uzbekistan.

The Department is entrusted with the following mandate:

comprehensive analysis of migration processes, identification of the causes and factors of external labor migration, systemic problems associated with ensuring the rights and legitimate interests of migrant workers, as well as improving the conditions for their stay abroad;

development and implementation of annual plans and programs to promote organized employment of citizens of Uzbekistan abroad, specific measures ("road maps") to address priorities in the area of external labor migration, envisaging the implementation of targeted measures to safeguard the rights and interests of migrant workers, improve conditions their work and life abroad.

organization of effective work of authorized bodies to handle appeals of migrant workers, to foster direct and open dialogue with them, including via representative offices of the Agency for External Labor Migration under the Ministry of Employment and Labor Relations of Uzbekistan (hereinafter - AELM) abroad, diplomatic and consular institutions of Uzbekistan in foreign countries;

development and implementation of comprehensive measures focused on increasing the incomes and living standards of families of migrant workers in Uzbekistan by assisting in addressing social issues, improving housing conditions, ensuring the employment of able-bodied family members, especially women, social support for children of migrant workers; implementation of effective monitoring and oversight of processes of preliminary professional

training, adaptation measures, employment of migrant workers abroad, provision of legal and social assistance, including after repatriation;

monitoring of processes related to temporary labor activities of citizens of Uzbekistan abroad, including information on the passage of vocational training, retraining and advanced training, measures of financial support received, legal and social assistance provided, as well as employment contracts made with foreign employers.

Policy and Enabling Environment

Labor migration is a large-scale and multifaceted process that is closely linked with the development of the labor market and employment of the population.

In this regard, the adopted Strategy of Actions in five priority areas of development of Uzbekistan in 2017-2021, approved by the Decree No. UP-4947 of the President of Uzbekistan dated February 7, 2017, marked a qualitatively new approach to the system of strategic planning of the prospects of governance and social development of the country.

One of the avenues of this Strategy is the development of the social sector through consistent increase in employment and real incomes of the population through implementation of targeted programs

Analysis of the past years has shown that the main reasons for unorganized migration are: a) inadequate legal framework for regulating external labor migration; b) the absence of intergovernmental agreements regarding the protection of the rights and interests of migrant workers; c) monopoly in the market of employment of citizens abroad; d) the absence of reintegration programs for migrant workers who have returned from abroad.

Since 2018 fundamental changes have taken place in the national legislation in of Uzbekistan in terms of protecting the rights and interests of citizens of Uzbekistan and streamlining the system of labor migration

In particular, the following regulatory legal acts were adopted:

1. Resolution No. PP-3584 of the President of Uzbekistan on *Measures to ensure the safety of citizens of Uzbekistan during their departure by transport for temporary work abroad* dated March 5, 2018.

In accordance with this Resolution, special ticket offices for the sale of tickets for the National Railway Company and the National Air Company have been created in all regional branches of AELM with the provision of discounts in the amount of 20% on the price of railway tickets for reserved seats and shared carriages, as well as for economy class air tickets, for citizens traveling abroad for temporary work, with partial reimbursement of the cost of railway and air tickets up to 300,000 soums at a time once a year.

In addition, it is envisaged to create a specialized transportation company, purchase 100 buses, and launch international bus routes.

2. The Resolution No. PP-3743 of the President on the *Opening of foreign representative offices of the Agency for External Labor Migration under the Ministry of Employment and Labor Relations of Uzbekistan* issued on May 28, 2018.

In order to increase the efficiency of the AELM's activity for employment of citizens of Uzbekistan, protection of their rights and legitimate interests in foreign countries, it is planned to open foreign representative offices of the agency in the Republic of Korea (Gwangju) and the Russian Federation (Moscow and St. Petersburg).

3. Resolution No. PP-3839 of the President of Uzbekistan on *Additional measures to further improve the system of external labor migration of Uzbekistan* dated July 5, 2018.

This Resolution enabled legal entities to perform activities on:
employment of citizens of Uzbekistan abroad based on a license issued by the Ministry of Employment and Labor Relations of Uzbekistan;
confirmation of the professional competence of citizens of Uzbekistan leaving for work abroad, including the level of proficiency in professional skills and foreign languages, on the basis of accreditation conducted by the Ministry of Employment and Labor Relations of Uzbekistan.

According to this regulatory act, the Fund for the Support and Protection of the Rights and Interests of Citizens Working Abroad was created under the Ministry of Employment and Labor Relations of Uzbekistan.

Also, the procedure for issuing permits for work abroad was canceled with the introduction of the procedure for voluntary registration of citizens traveling abroad for work under private labor contracts.

4. Resolution No. 725 of the Cabinet of Ministers on Measures for further improvement and radical revision of the system of organized employment of citizens of Uzbekistan abroad" dated September 12, 2018.

Based on this Resolution, the AELM was assigned the following main tasks:
assisting citizens of Uzbekistan in realizing their rights to work abroad through effective management and oversight of the processes of organized recruitment, training, adaptation measures and employment abroad;
conducting comprehensive analysis of external labor migration, developing proposals for improving the regulatory framework, rendering assistance in the employment of citizens who have returned from labor migration:
participation in the development and implementation of international cooperation projects related to labor migration, interaction with the competent authorities of foreign states on the regulation of the processes of employment of citizens of Uzbekistan abroad and safeguarding their labor rights;

performing the functions of a working body of the Ministry of Employment and Labor Relations of Uzbekistan for licensing activities for the employment of citizens of Uzbekistan abroad and exercising control over their activities, accrediting legal entities carrying out activities to confirm the professional competence of citizens of Uzbekistan traveling abroad to carry out labor activities;

implementation in the prescribed manner of issuing permits to legal entities to attract foreign labor and confirmations to foreign citizens for the right to work in the territory of Uzbekistan, as well as keeping records of foreign citizens working in Uzbekistan.

Furthermore, there is a clear procedure for licensing, accreditation and organized recruitment, according to the following documents:

Regulations on the procedure for licensing employment of citizens of Uzbekistan abroad;

Regulations on the procedure for accreditation of legal entities engaged in activities to validate the professional competence of citizens of Uzbekistan traveling abroad for work;

Regulations on the procedure for the organized recruitment of citizens of Uzbekistan for temporary work abroad;

Regulations on the Agency for External Labor Migration under the Ministry of Employment and Labor Relations of Uzbekistan;

Regulations on the procedure for organizing the activities of the Fund for Support and Protection of the Rights and Interests of Citizens Working Abroad, under the Ministry of Employment and Labor Relations of Uzbekistan.

5. Law on Private Employment Agencies of Uzbekistan dated October 16, 2018.

The purpose of this Law is to regulate relations associated with the activities of private employment agencies.

In accordance with this Law, the state monopoly in terms of employment of citizens abroad was terminated, and private employment agencies were able to provide the following types of services: job selection for persons seeking work in the territory of Uzbekistan; recruiting for employers; employment of persons seeking work outside Uzbekistan; information and consulting services in the field of employment.

6. Decree No. UP-5785 of the President of Uzbekistan on *Measures to further strengthen the guarantees of protection of citizens of Uzbekistan recruited for temporary work abroad, and their family members* dated 20.08.2019.

The document indicates the need to take comprehensive measures to create reliable mechanisms of social support for migrant workers and their families, including in matters of improving housing and living conditions, financial assistance, protection of life and health.

The importance of interaction between authorized bodies and heads of local authorities of the republic and foreign countries in creating decent conditions for life and work of migrant workers and members of their families, as well as facilitating coordinated activities in this area was emphasized.

The decree contains guidelines for:

allocation of 3,462 flats in apartment buildings to migrant workers in need of better housing conditions as part of the implementation of state programs for the construction of housing in 2020;

introduction of a mechanism for migrant workers to repay loans received in the territory of Uzbekistan in Russian rubles through the *Asia Invest Bank* Joint Stock Company and other Russian partner banks, including by transactions through electronic payment systems;

taking measures to expand the banking infrastructure and remote channels of customer service of the *Asia Invest Bank* Joint Stock Company in the regions of the Russian Federation with the highest concentration of migrant workers from Uzbekistan, based on the relevant information provided by the Agency;

the implementation of the practice of providing, at the expense of the Fund for Support and Protection of the Rights and Interests of Citizens Working Abroad and the State Fund for Assistance to Employment of the Population under the Ministry of Employment and Labor Relations of Uzbekistan: microloans in the amount of 2 million soums for the period of one year to migrant workers to pay for the costs associated with employment abroad;

allocation of one-time subsidy to insurance companies to cover the amount of insurance premiums on life and health insurance of citizens and other risks during the period of their temporary work abroad, once a year in the amount of 50,000 soums for each insured migrant worker.

Also, in order to fulfill and ensure the full implementation of the instructions of the country's leadership, the decree created the Republican Commission on External Labor Migration, consisting of the heads of ministries and departments of Uzbekistan, the chairman of which is the Prime Minister of Uzbekistan.

The mandate of the Republican Commission shall be as follows:

coordination of the activities of government bodies, local authorities and other organizations on organized labor migration, effective protection of the rights and legitimate interests of migrant workers, providing them with material and social support;

organization of the development and implementation of state programs in the field of external labor migration, further improvement of national legislation and law enforcement practice in this area;

assistance to the citizens of Uzbekistan in the realization of their rights to work abroad, fair and safe working conditions, ensuring their social and legal protection, as well as reintegration after returning to their homeland;

making decisions on encouraging or holding accountable on the basis of reports on the work done in the field of external labor migration by the heads of state bodies, local authorities and other organizations;

conducting systematic analysis and monitoring of the efforts related to external labor migration with the development of specific measures, based on the results, aimed at increasing the efficiency of instruments of legal, financial and material support for migrant workers.

And also, as it was informed above, the Department for the protection of the rights of citizens of Uzbekistan temporarily working abroad and international economic cooperation was created. Cabinet of Ministers of Uzbekistan.

7. Resolution No. PKM-713 of the Cabinet of Ministers of Uzbekistan on Additional measures to protect the rights and legitimate interests of citizens of Uzbekistan temporarily working abroad dated 23.08.2019.

In order to improve and expand the scope of measures of social and legal protection of citizens of Uzbekistan engaged in temporary labor activity abroad, it was instructed to:

take measures to expand and improve the efficiency of forms of assistance to citizens of Uzbekistan who carry out temporary labor activities abroad, in their labor, social and psychological reintegration upon returning home, providing free vocational training, retraining and advanced training at vocational training centers for unemployed persons of the Ministry of Employment and Labor Relations of Uzbekistan and other vocational education institutions, including non-government ones, in demanded specialties for further employment, including by providing grants at State Fund for the Promotion of Employment under the Ministry of Employment and Labor Relations of Uzbekistan;

make the arrangements required to open representative offices of AELM in Yekaterinburg, Novosibirsk, Volgograd, Pyatigorsk (Russian Federation), Istanbul (Turkey), Nur-Sultan in 2020-2021 (Kazakhstan), Dubai (UAE) with the funding of the Agency, with their subsequent reimbursement at the expense of the Fund for Support and Protection of the Rights and Interests of Citizens Working Abroad, under the Ministry of Employment and Labor Relations of Uzbekistan;

consider the prospects of creating centers for visa and documentary support for migrant workers at the representative offices of the migration centers of the Russian Federation in the Andijan, Fergana and Khorezm regions, providing services for the registration of permits for employment in Russia, including by making available buildings and premises for free use.

The decree envisages the creation, at the expense of the Employment Assistance Fund, of pre-departure orientation centers for citizens heading to work abroad, in the structure of vocational training centers for unemployed persons of the Ministry of Employment and Labor Relations of Uzbekistan.

These centers will offer short-term training, retraining and advanced training in professions and foreign languages that are on demand in the foreign labor market, as well as testing and validation of the professional competence of citizens traveling to work abroad, including based on direct contracts with professional centers for vocational training of unemployed persons.

In organizing the activities of pre-departure orientation centers, the Ministry of Employment and Labor Relations of Uzbekistan and AELM have the right to engage foreign

or domestic partners among professional training centers, industry associations, large employers and other organizations, including on the terms of public-private partnership.

It is notable that for vocational training of citizens referred to work abroad through organized labor migration arrangements made by the AELM or private employment agencies, in pre-departure orientation centers or other vocational education institutions, including non-state ones, grants are allocated at the expense of the Employment Promotion Fund in the amount up to 4 basic measurement units per month for each student.

3. Progress towards GCM goals (2000 words suggested)

Currently, the number of employed persons is 13.6 million, of which 5.6 million are in the formal sector and 7.9 million are in the informal sector. It is worth noting that employment in the informal sector is declining and shifting to the formal sector. Thus, for the first time since independence, there is a high growth in employment in the official sector, which topped 300,000 this year.

Nevertheless, the demographic situation does not enable coping with the sheer number of young labor force in the labor market. Every year, 600,000-700,000 young persons enter the labor market, demanding the creation of sustainable jobs with decent wages.

In a rapidly changing globalized economy, where education systems are constantly evolving, the skills and training of migrants must be adapted to the demand of employers in destination markets. Improving access to training and certification relevant for specific employers and assignments, will provide an opportunity to address the skills mismatch problem for young migrants in destination countries.

Policymakers and training providers should facilitate this through collaboration with the governments of destination/host countries.

Likewise, highly skilled migrants are barred from accessing employment opportunities that match their skills in destination markets due to different certification schemes.

Introduction of transnational certification standards that enable migrants to validate their education or training and then obtain jobs that match their qualifications, skills and productivity.

In order to change the current situation in the area of external labor migration, expand the geography of employment abroad, as well as to enhance the benchmarks for protection of the rights and freedoms of migrant workers, the Ministry of Employment and Labor Relations of Uzbekistan, in accordance with its mandate, has identified following main prospective avenues of activities:

1. Measures to streamline the labor migration market, enhance the safeguards of the rights and freedoms of migrant workers, eliminate the state monopoly on the employment of citizens abroad, create and develop private sector for the provision of services related to employment;

2. Establishing close cooperation and promoting new labor-related initiatives with the Russian Federation, Kazakhstan, the Republic of Korea, Japan, Turkey and the countries of the European Union;

3. Efforts to improve the professional qualifications of the labor force, the opening of vocational training centers, the search for new forms of improving the skills and qualifications of the working-age population, especially young people.

In the framework of the Resolution No. PP-3584 of the President of Uzbekistan on *Measures to ensure the safety of citizens of Uzbekistan during their departure by means of transportation for temporary work abroad* dated 05.03.2018, a number of benefits are granted for temporary labor migration abroad, such as:

provision of transport tickets at reduced rates (discounts in the amount of 20% of the cost of air and railway tickets, partial reimbursement of expenses for the purchase of railway and air tickets up to 300,000 soums at a time once a year);

lending scheme in the equivalent of up to 1000 US dollars to pay for transport and other expenses of citizens, paperwork, through international payment systems.

Bottom line: as of July 1, 2020, more than 181,000 discount tickets have been sold.

According to the Law No.501 on *Private Employment Agencies* of Uzbekistan dated 16.10.2018, there are currently 36 licensed private employment agencies operating in the country. To date, private employment agencies have sent about 3,200 citizens abroad to work.

As stated above, according to the Resolution No. 725 of the Cabinet of Ministers of Uzbekistan on *Measures to further improve and radically revise the system of organized employment of citizens of Uzbekistan abroad* of 12.09.2018, the Fund for the Support and Protection of the Rights and Interests of Citizens Working Abroad. This Fund offers:

legal and social protection, financial assistance to citizens who have been subjected to violence, forced labor and discrimination, violation of labor and other rights, who are in difficult financial situation and lost their identity documents;

medical care of citizens in the period of labor migration due to injury, accident, if it is impossible to pay for the cost of medical services, then subsequent reimbursement of the expenses paid by the migrant worker;

transportation of the bodies of citizens who died in the process of labor migration outside the country, as well as citizens who were injured or seriously injured during their work abroad;

repatriation of citizens earlier sent to work abroad in the framework of organized recruitment and expelled (deported) due to violation of the legislation of the host country, with subsequent reimbursement of the costs paid by these citizens, as well as the repatriation of citizens for whom foreign employers did not provide the pre-agreed conditions of employment;

equipping the centers of pre-departure adaptation in the regions of the republic, vocational training, education and testing of the mastery of foreign languages, validation of the professional competence of citizens traveling to work abroad;

equipping the offices of the Agency for External Labor Migration abroad;

information and educational activities on improving the system of organized employment of citizens abroad, aimed at preventing illegal labor migration.

The sources of income generation for this Fund are:

one-time gratuitous financial assistance allocated from the State budget of Uzbekistan in the amount of 200 billion soums;

reservation of funds of organizations that send citizens to work abroad under a license agreement with the Ministry of Employment and Labor Relations of Uzbekistan, in the amount of 50,000 US dollars, with the conditions for replenishing funds in case of spending the reserved amount, as well as reimbursing funds in case of termination of the license for the right to employ citizens abroad;

income generated by depositing disposable funds in commercial banks;

charitable donations from individuals and legal entities, as well as other sources not prohibited by law.

To date, the Fund has repatriated 4,141 citizens who were in the Temporary Detention Centers for Foreign Citizens of the territorial bodies of the Ministry of Internal Affairs of the Russian Federation, 732 bodies of citizens who deceased during the period of their labor activity abroad. Also, 265 Uzbek citizens who found themselves in a difficult situation abroad were repatriated.

In the framework of the adopted Resolution No. PP-3743 of the President on the *Opening of foreign representations of the Agency for External Labor Migration* under the Ministry of Employment and Labor Relations of Uzbekistan dated May 28, 2018, for smooth adaptation and protection of the rights and interests of Uzbek migrant workers abroad, and foreign representations of AELM are created, as well as additional staff units of the Attache for Labor Migration are being introduced at the diplomatic missions of Uzbekistan abroad.

As of today, representative offices of AELM have been inaugurated in the city of Gwangju in the Republic of Korea (09.2018) and, in Moscow (03.2019) and St. Petersburg, the Russian Federation.

The mission of the representative offices of AELM are facilitating protection of labor rights and interests of citizens of Uzbekistan when they work abroad;

regulation and participation in labor migration processes, as well as cooperation with the competent authorities of the receiving party in terms of allocating quotas, permits for employment of citizens of Uzbekistan.

Representative offices of AELM provided legal and consulting assistance to more than 47,500 persons, collected salaries and compensations from employers in favor of migrant workers in the amount of more than 750,000 US dollars.

In the framework of the adopted Decree No. UP-5785 of the President of Uzbekistan on *Measures to further strengthen the guarantees of protection of citizens of Uzbekistan carrying out temporary labor activity abroad, and members of their families* dated 20.08.2019 and the Resolution No. PKM-713 of the Cabinet of Ministers of Uzbekistan on *Additional measures to protect the rights and legitimate interests of citizens of Uzbekistan carrying out temporary labor activity abroad* of 23.08.2019, the following issues are being worked out:

providing 4558 migrant workers with microloans for the period of one year, with accelerated procedures of issuance within one banking day, with minimum package of required documents, to pay for the costs associated with employment abroad. To date, microloans have been provided to 123 migrant workers;

providing 4,408 migrant workers with insurance policies for insuring the life and health of citizens and other risks during the period of their temporary work abroad with coverage of the insurance premium once a year in the amount of 50,000 soums for each insured labor migrant. To date, insurance policies have been granted to 383 migrant workers;

In addition, a procedure has been developed for the allocation of grants in the amount of no more than 4 basic fiscal units per month for each trainee enrolled at vocational training centers for the unemployed persons of the Ministry of Employment and Labor Relations of Uzbekistan, and those who go to work abroad at the expense of the Employment Assistance Fund.

Also, it is notable that the Ministry of Employment and Labor Relations of Uzbekistan has developed and implemented the following information systems in the field of labor migration:

Online registry of private employment agencies with the mechanism for self-adding data by legal entities (<https://reestr.rnehnat.uz>) created and launched;

2. An online system for submission of documents, consideration and issuance of licenses for the implementation of activities for the employment of citizens outside Uzbekistan has been created (<https://agency.niehnat.uz>);

3. An online system has been created to record the labor contracts of citizens of Uzbekistan made with foreign employers (<https://agency.mehnat.uz>);

4. A nationwide database of citizens wishing to work abroad has been created (<https://horijdaish.uz>);

5. An online system for obtaining a certificate of employment abroad for citizens working abroad has been created to simplify the procedure for registering with a consular account (<https://online.mehnat.uz>).

6. The *labor-migration* software application was created and launched in the framework of the *Unified National Labor System* information system (<http://labormigration.uz/>), which is being developed. Also, in order to address a number of challenges, Uzbekistan is actively cooperating with the International Organization for Migration within the plans for practical measures to promote cooperation, envisaging:

- opening of the IOM Representative Office in Uzbekistan (Tashkent);
- strengthening the national regulatory framework and implementation of the provisions of international documents in the field of labor migration based on best international experience;
- attracting IOM technical and expert assistance in introducing the system of Migration Governance Indicators in the area of external labor migration;
- IOM assistance to diplomatic missions of Uzbekistan, the Agency for External Labor Migration and its representative offices abroad in their work with migrants for protection of their rights and legal interests;
- development of the training module and training manual on *International Migration Law* with the expert support of IOM;

- improving the system of assistance for social reintegration of repatriated migrant workers with technical and expert assessment by IOM;
- introduction of health monitoring of victims of human trafficking with the technical and expert support of the IOM;
- implementation of a project to create a pilot Center for the development of professional skills for potential labor migrants;
- other migration-related activities.

4. Resources for Implementation

The sources of funding for activities in the area of labor migration are

- financial assistance allocated from the State budget of Uzbekistan;
- reservation of funds of organizations that send citizens to work abroad under a license agreement with the Ministry of Employment and Labor Relations of Uzbekistan, in the amount of 50,000 US dollars, with the conditions for replenishing funds in case of spending the reserved amount, as well as reimbursing funds in case of termination of the license for the right to employ citizens abroad;
- income generated by depositing at commercial banks;
- funds allocated by the IOM;
- charitable donations from individuals and legal entities, as well as other sources not prohibited by law.

5. Next Steps (500 words suggested)

1. Discussion of the prospects of transferring the IOM sub-regional office for Central Asia to Uzbekistan (Tashkent).

Today, the number of citizens of Uzbekistan engaged in labor activities abroad is more than 2 million people. In addition, 600,000-700,000 young people enter the labor market annually, for whom the creation of sustainable jobs is required.

One of the solutions in this situation is the development of organized labor migration.

Also, most convenient geographical location of Uzbekistan in Central Asia and the possibility of locating the IOM Sub-regional office in Central Asia in Tashkent should be taken into account, as it will enable Uzbekistan, as the country with the largest population in the region, to conduct closer cooperation with the IOM as well as with other countries of the region.

2. Inviting the General Director of IOM - A. Vitorino to Uzbekistan, in the framework of the inauguration of the IOM Representative Office in Uzbekistan (Tashkent) and the planned high-level international conference on labor migration,

including the issues of improving the activities of private employment agencies with possible technical and expert support from the IOM.

3. Work on pre-departure training for migrant workers.

The Ministry is implementing large-scale activities to create a network of training and adaptation centers for Uzbek citizens in the territory of Uzbekistan to acquire on-demand professions and pre-departure (language, historical and cultural heritage of the country, etc.) training for temporary work abroad.

Taking into account the growing demand for labor in Eastern European countries, it is essential to consider with IOM the prospects of joint creation of Adaptation and vocational training courses in different areas with the subsequent issuance of certificates valid in the EU and in Eastern Europe.