

SOCIAL-RIGHTS ASPECTS OF EXTERNAL WORK MIGRATION AND TRAFFIC OF THE POPULATION OF UZBEKISTAN

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Abstract

The complex, sometimes contradictory processes that have taken place in the social and economic life of Uzbekistan over the past three decades, associated with the transition to market relations, have had a negative impact on the unemployment rate and the increasing flow of illegal migrants from the country to countries with more favourable conditions for earning a living. The gradual increase in labour migration has, in most cases, become illegal. It is well known that illegal migrants are often hired for casual work, often in dangerous conditions without any legal protection, putting their personal safety and health at risk.

Introduction

While external labour migration has been gradually increasing since around the mid-1990s, it is estimated that up to 500,000 Uzbeks had left their country in search of work by the beginning of 2003¹. The further deepening of reforms and the development of quasi-market relations predicted the decline in employment and the rise in unemployment. This, in turn, led to a further increase in the number of migrant workers. At the beginning of 2023, this figure amounted to 2 million 346 thousand people².

It should be noted, however, that unofficial figures on the number of labour migrants exceed official data by an order of magnitude. For example, according to the data of the Ministry of Interior and the Central Bank of the Russian Federation for 2016-2018, about 4 million citizens of Uzbekistan entered Russia annually for migrant registration. About half of them came to Russia for "work"³.

It should be noted that during the rule of Islam Karimov, the Uzbek government took practically no significant measures to eliminate negative trends in migration policy and to regularize illegal external labour migration. Since Shavkat Mirziyoyev came to power in 2017, state migration policy has undergone significant changes in a positive direction. However, despite the measures taken, the issue of illegal migration remains relevant at this stage. Our assumptions, predicted in the zero years, that the flow of migration from Uzbekistan is likely to increase and may be redirected to new countries in the future⁴, are currently confirmed by its diversification.

According to the estimates of the experts of the Center for Development Strategies, by the beginning of 2025 the majority - 60% of labour migrants from Uzbekistan will be in the Russian

¹ См.: www.crisisweb.org: ICG. International crisis group reports // (Центральная Азия: Последний шанс для перемен? / Доклад МГПК – Азия, 29 апреля 2003 г.)

² Сообщено о количестве мигрантов из Узбекистана, находящихся за рубежом // <https://kun.uz/ru/news/2022/12/14/soobshcheno-o-kolichestve-migrantov-iz-uzbekistana-naxodyashchixsya-za-rubejom#>:

³ Тенденции трудовой миграции в Узбекистане. САА NETWORK // <https://www.caa-network.org/archives/15856>

⁴ Саитбаев Т.Р., Рахматуллаев Ш.М. Социально-экономические и правовые проблемы внешней миграции населения Республики Узбекистан // «Общественное мнение. Права человека». 2004. № 1. С. 110.



Federation, followed by Kazakhstan - 10%, the Republic of Turkey - 6%, the Republic of Korea - 3% and other countries - 21% (about half a million people)⁵.

In general, the study of labor migration problems allows us to distinguish it into three main groups:

The first is official, i.e. carried out through official bodies engaged in organizing employment of Uzbek citizens abroad. The first legal acts regulating legal labor migration were adopted in the mid-1990s. In particular, the Decree of the Cabinet of Ministers No. 353 of July 14, 1993 "On the re-regulation of import and export of labor force" and No. 408 of October 19, 1995. "According to these decisions, in 1993 the Republican Agency for Migrant Workers was established under the Ministry of Labor (in 2001 this Agency was transformed into the Agency for External Labor Migration). This Agency carries out organized (legal) export of labor force in accordance with quotas established by General Agreements between countries. However, the scale of organized labor migration from Uzbekistan, carried out in a civilized form, is relatively small.

According to the International Organization for Migration (IOM), despite the efforts of the Agency for External Labor Migration of Uzbekistan, in 2023 only 38.4 thousand people, or 16.5% of the total number of migrants (those who left for the purpose of "work" - R.S.) used legal channels for employment. The Republic of Korea has been the main partner for many years, so according to the Agency's data, over 55 thousand people were sent from Uzbekistan to the Republic of Korea in 1995-2021⁶. According to independent sources, remittances from Korea to Uzbekistan in 2018 amounted to 106.7 million, in 2019. - 120.5 million, and in 2020. - 258.2 million USD⁷.

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⁵ Шарипов Ж., Нуриддинов Р. Трудовая миграция: текущая ситуация, проблемы и предложения // <https://kun.uz/ru/news/2025/02/05/trudovaya-migratsiya-tekushchaya-situatsiya-problemy-i-predlozheniya>

⁶ Information from the Agency for External Labor Migration of the Republic of Uzbekistan. 10.06.2022 г.

⁷ Yakubov F. (2022). Uzbekistan and South Korea relations in the contests of transregional and global perspectives. Eurasian Research Journal, 13(12), 200–211.

⁸ Шарипов Ж., Нуриддинов Р. Трудовая миграция: текущая ситуация, проблемы и предложения // <https://kun.uz/ru/news/2025/02/05/trudovaya-migratsiya-tekushchaya-situatsiya-problemy-i-predlozheniya>

⁹ Information from the Agency for External Labor Migration of the Republic of Uzbekistan. 10.06.2022 г.

¹⁰ Yakubov F. (2022). Uzbekistan and South Korea relations in the contests of transregional and global perspectives. Eurasian Research Journal, 13(12), 200–211.



Looking at the volume and geography of labour migrants' remittances in recent years, the following picture emerges: In 2022, Uzbekistan received a record (for the years of independence) \$16.9 billion in remittances, 2.1 times more than in 2021¹¹. In 2023, however, remittances fell back to \$11.4 billion. By the end of 2024, the volume increased by almost 30% to \$14.8 billion. Receipts from Russia grew by 29%, but its share continues to decline. At the same time, remittances from the US grew by 35%, from the UK by 1.8 times, and from Korea by 1.6 times. The second is illegal labour migration, i.e. voluntary or involuntary departure of citizens of the Republic to other countries for work. This group can be divided into two subgroups, depending on the existence of a visa regime and interstate agreements on labour migration with these or those countries.

The first subgroup includes the departure of Uzbek citizens to countries with mandatory registration of necessary documents and obtaining exit visas, for which various pretexts are used: tourism, study, invitation, etc. The second subgroup includes the departure of Uzbek citizens to countries with mandatory registration of necessary documents and obtaining exit visas, for which various pretexts are used: tourism, study, invitation, etc. Such registration of documents is a violation of the rules of travelling abroad.

The second subgroup is illegal labour migration to CIS countries with which there is no visa regime (Russia, Kazakhstan, Turkey, etc.). Thus, the International Report on Migration notes that "one of the peculiarities of the situation in Central Asia is the existence of illegal migration, although it is difficult to determine the exact number of illegal migrants"¹².

Finally, the third group is human trafficking, which consists of organizing illegal departure from the country for the purpose of further exploitation in forced labour, sex work, etc. In order to take effective measures to prevent and combat human trafficking, on 17 April 2008 the Law of Uzbekistan "On Combating Human Trafficking" was adopted, which defines the concept of human trafficking. In accordance with the Law, Presidential Decree No. PP-911 of 8 July 2008 "On Measures to Improve the Effectiveness of Combating Trafficking in Human Beings" was adopted. In addition, Article 135 of the Criminal Code of the Republic of Uzbekistan criminalizes this act.

According to official data, in 2000 the courts considered 81 cases of trafficking in human beings against 100 persons, including convictions of 93 persons¹³. 154 accused were convicted in 2021 and 157 in 2022 (103 for trafficking in sex, 12 for trafficking for exploitation, etc.)¹⁴. In 2023, 141 cases of human trafficking involving 193 victims were registered, with Russia, Kazakhstan, Turkey and the UAE being the main destinations for the exploitation of Uzbek migrants.

The problem of external labour migration is exacerbated for a number of reasons:

First, labour migration, especially illegal migration, enjoys considerable social support and tends to increase. Data from some studies indicate a high level of attitudes towards migration, especially among young people¹⁵, which is linked to predictions of further increases in the number of people leaving Uzbekistan in the future. Consequently, the majority of those leaving Uzbekistan may join the ranks of illegal labour migrants.

¹¹ Объём денежных переводов в Узбекистан за 2022 год составил рекордные \$16,9 млрд // <https://www.gazeta.uz/ru/2023/01/26/transfers/>

¹² World Migration Report 2020. International Organization for Migration. IOM, UN Migration, 2020. - P. 95.

¹³ Тиллабаев М. Усилия Узбекистана по борьбе с торговлей людьми // <http://nhrc.uz/ru/news/usilija-uzbekistana-po-borbe-s-torgovlej-ljudmi>

¹⁴ Доклад о торговле людьми за 2023 год: Узбекистан // <https://uz.usembassy.gov/ru/2023-trafficking-in-persons-report-uzbekistan-ru/>

¹⁵ World Migration Report 2020. International Organization for Migration. IOM, UN Migration, 2020.



Secondly, due to the large number of those wishing to leave and their ignorance of the procedure of departure and employment abroad, a kind of "migration service business" has emerged, whose representatives, in their quest for super-profits, take advantage of the vulnerability of illegal migrants and resort to deception, coercion and economic exploitation, as well as sexual exploitation and slavery. In doing so, they violate fundamental human rights. Because trafficking is highly profitable, it is in the interest of organized transnational crime¹⁶.

Thirdly, research shows that the population of Uzbekistan is poorly informed about how to leave the country legally for work. Of course, they may again fall into the orbit of organized criminal groups, which use deception to recruit people for illegal labour or sexual exploitation.

Fourthly, in the conditions of transition to market relations, the basic social principles, moral and value attitudes and orientations of modern youth are changing. They develop such qualities as pragmatism, sober calculation, freedom of choice with orientation primarily to their desires, interests and needs. In this respect, young people have begun to rely more on their own strength, while at the same time taking full responsibility for the freedom to choose their future. At the same time, an ideology is being formed - for a good life, you need a lot of money, which you have to earn and can earn by any means.

It should be noted that in recent years the leadership of Uzbekistan has adopted a number of legal acts aimed at eliminating the accumulated problems in the migration policy of the state. For example, from 2018, a number of relevant legal documents: these are Presidential Decree No. 3584 of 5 March 2018. "On measures to ensure the safety of citizens of the Republic of Uzbekistan during their departure by transit outside the country for temporary labour activity", №-3743 of 28 May 2018. "On the opening of foreign representative offices of the Agency for External Labour Migration under the Ministry of Employment and Labour Relations of the Republic of Uzbekistan", №-3839 of July 5, 2018. "On additional measures to further improve the system of external labour migration of the Republic of Uzbekistan", 26 December 2018. - Law of the Republic of Uzbekistan "On ratification of the Constitution of the International Organization for Migration (Brussels, 19 October 1953)" and Decree of the President of the Republic of Uzbekistan №-5785 dated 20 August 2019. "On measures to further strengthen the guarantees of protection of citizens of the Republic of Uzbekistan engaged in temporary labour activity abroad and members of their families", and the Decree of the President of the Republic of Uzbekistan №5205 of 30 July 2021 "On additional measures to encourage citizens going abroad for organized labour migration". However, despite the solid list of adopted normative acts, the provisions they contain have little impact on changes in the situation of legalization of labour migration.

In conclusion, it should be noted that based on the analysis of the main causes and factors of labour migration from the republic, it can be concluded that the above-mentioned circumstances create conditions for illegal or semi-legal activities of transport organisers. First of all, the problem exists and requires an immediate solution. In this respect, a number of problems related to forced migration should be solved in the near future. And for this purpose, first of all, it is necessary to solve the issue of effective development of the economy at the expense of domestic

¹⁶ According to the UN, annual profits from human trafficking range from US\$ 150 billion to US\$ 150 billion - the world's largest source of illicit profits. See: UN Report: Pandemic has exacerbated the threat of trafficking, especially for women and girls // <https://news.un.org/ru/story/2020/09/1387132#>:



resources and attraction of foreign investments, which will create conditions for self-development, self-assertion, social status and material well-being of the population.

Secondly, however, it should be noted that external labour migration has certain positive aspects, such as: employment of a part of the working population, import of foreign currency from abroad, partial solution of a number of material problems of migrant families, training of national personnel working in more developed industrial countries, etc. These factors indicate a certain interest of the state in external labour migration. These factors indicate a certain state interest in temporary labour migration. Thirdly, in view of the current and expected demographic burden on the economy, and also on the basis of a number of normative-legal acts adopted in the legislation of Uzbekistan, it is necessary to develop a national programme of labour migration designed until 2040.

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