

ISSUES OF IMPROVING LEGISLATION ON LABOR MIGRATION IN UZBEKISTAN.

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Annotation

The thesis states that citizens have the right to work or to choose a profession, and the right to move both inside and outside the country in order to find work.

Keywords: Constitution, law, labor code, labor migration, right to work, freedom of choice, International Labor Organization.

Issues of labor migration regulation were also discussed.

Article 22 of the Constitution of Uzbekistan stipulates that the state guarantees the legal protection and patronage of its citizens both inside and outside its territory. the rights and freedoms of stateless persons are guaranteed in accordance with the norms of international law [1].

The right of citizens of the Republic of Uzbekistan to move both inside and outside the country in order to find work is guaranteed by Article 28 of the Constitution [1].

Article 37 of the Basic Law states that "everyone has the right to work, to free choice of employment, to just and favorable conditions of work" [1]. Another guarantee of the above-mentioned rights is stated in Article 43, which states that "the State shall ensure the rights and freedoms of citizens enshrined in the Constitution and laws." Citizens of Uzbekistan have the right to work outside the territory of Uzbekistan, to seek independent employment and employment.

However, the right of citizens to work abroad is not directly reflected in our Constitution. However, in some countries (Spain, Italy) this issue is directly addressed in the Constitution. For example, Article 42 of the Spanish Constitution states: "The state shall pay special attention to the protection of the social and economic rights of Spanish workers abroad and shall pursue a policy of repatriating them." Article 35 of the Italian Constitution strengthens the state's protection of the labor of Italians abroad.

Uzbekistan has adopted a number of laws aimed at regulating the rights of migrant workers. These include the Labor Code, the Law on Labor Protection, and the Law on Trade Unions, their Rights, and Guarantees of Activity.

Article 10 of the Labor Code specifies the ratio of international agreements, conventions on labor law, and national labor legislation, which states: The provisions of an international treaty or convention shall apply if the convention ratified by Uzbekistan establishes more preferential provisions for employees than labor laws or other normative acts. The provisions of international treaties of the Republic of Uzbekistan or conventions of the International Labor Organization ratified by Uzbekistan shall also apply in cases where labor relations are not directly regulated by legislation "[2].

Article 11 of the Labor Code stipulates that "Labor legislation shall also apply to foreign citizens and stateless persons working in the territory of Uzbekistan under an employment contract with an employer." Article 14 states that citizens of Uzbekistan, foreign citizens and stateless persons who have reached the age specified and have concluded an employment contract with the employer may be the subjects of labor relations [2].

Another legal basis for guaranteeing the right of citizens to work is the Law on Employment. Article 5 of the law specifically states that "interstate cooperation in solving employment problems" is one of the main principles of state policy in the field of employment. At the same time, Article 13 of the law states that "citizens of Uzbekistan have the right to work outside the territory of Uzbekistan, to seek independent employment and employment. The activities of citizens of Uzbekistan abroad and foreign citizens in Uzbekistan are carried out in the manner prescribed by law. "[3]

It should be noted that the law "On Employment", which specifically states the right of our citizens to seek work and employment abroad, is the law "On Employment" [3].

Another form of legislative development related to external labor migration is the adoption of bylaws.

This work began on July 13, 1993 with the adoption of the Resolution of the Cabinet of Ministers "On the withdrawal and import of labor force" aimed at the employment of citizens of Uzbekistan abroad, the protection of their rights and interests.

Based on this decision, an agency for migrants was established under the Ministry of Labor, which operates on a self-supporting basis and has the status of a legal entity.

The regulations on the agency, the regulations on the licensing of labor activities, the procedures for issuing visas and exit documents to citizens going



abroad for work, as well as the procedure for providing them with legal assistance in the country of employment are approved [4].

The Resolution of the Cabinet of Ministers of October 19, 1995 "On labor activity of citizens of the Republic of Uzbekistan abroad and foreign citizens in the Republic" is also important in the regulation of labor migration in Uzbekistan. It defines the labor activity of citizens of the Republic in other countries, as well as the procedure for attracting and using foreign labor force in Uzbekistan. The documents attached to this decision contain all the requirements for the preparation of the necessary documents [5].

Another important document on external labor migration is the Resolution of the Cabinet of Ministers of November 12, 2013 "On measures to improve the organization of labor activity of citizens of the Republic of Uzbekistan abroad" [6].

List of references

1. The Constitution of the Republic of Uzbekistan.-T: "Uzbekistan" -2008, p.
2. Labor Code of the Republic of Uzbekistan T.: Labor, 1999. Item 54.
3. Article 5 of the Law of the Republic of Uzbekistan "On employment" Tashkent, 1998.
4. Resolution of the Cabinet of Ministers "On withdrawal and import of labor force" aimed at employment of citizens of Uzbekistan abroad, protection of their rights and interests. July 13, 1993.
5. Resolution of the Cabinet of Ministers of October 19, 1995 "On labor activity of citizens of the Republic of Uzbekistan abroad and foreign citizens in the Republic" in the regulation of labor migration in Uzbekistan.
6. Resolution of the Cabinet of Ministers of November 12, 2013 "On measures to improve the organization of labor activity of citizens of the Republic of Uzbekistan abroad."