



PROTECTING MIGRANTS' RIGHTS IN UZBEKISTAN

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ABSTRACT

This article explores the development of Uzbekistan's migration policy since independence, initially focused on stabilizing politics and boosting the economy, later becoming more comprehensive as sovereignty and global ties grew. It examines national mechanisms protecting migrants' rights, including the roles of the President, Oliy Majlis, judiciary, Cabinet of Ministers, and civil society. Key reforms address foreign citizen entry, labor migration, registration, and illegal migration, aligning with the Global Compact for Migration and Sustainable Development Goals. The article proposes a 2024–2030 National Action Plan to enhance these efforts, highlighting the need for a Migration Code, better inter-agency coordination, and stronger international cooperation to address legal gaps and emerging challenges like ecological migration.

In the early years of independence, Uzbekistan's migration policy was characterized by a flexible approach aimed at stabilizing the domestic political situation and developing the economy. Over time, as the state sovereignty was strengthened and economic ties with other countries expanded, Uzbekistan's migration policy evolved into a more comprehensive and multifaceted system. This transformation was reflected in legislative reforms addressing various aspects of migration, including the entry and exit of foreign nationals, registration procedures, regulation of labor migration, and measures to combat illegal migration.

The following national institutions can be identified as key mechanisms for protecting the rights of migrants:

I. As the guarantor of citizens' rights and freedoms, the President of the Republic of Uzbekistan resolves issues related to citizenship and the granting of political asylum. In this regard, the head of state possesses supreme authority in shaping migration policy and regulating migration processes, thereby serving as a major mechanism for ensuring the rights and freedoms of migrants through a range of institutional structures under his leadership.

The Commission on Citizenship Issues under the President of the Republic of Uzbekistan operates as an advisory and auxiliary body. In addition to addressing matters related to citizenship, it also contributes to actively involving compatriots in the ongoing socio-economic and political reforms in the country[1].



Among the national institutions responsible for the protection of human rights in Uzbekistan, the National Center for Human Rights plays a coordinating role both at the national and international interagency levels. Taking public opinion into account in the field of internal migration, the Center's efforts led to the abolition of employer liability for hiring citizens without temporary or permanent registration. This reform created favorable conditions for internal migrants to exercise their labor rights.

In order to protect the constitutional rights and freedoms of migrants, the prosecutorial bodies of the Republic of Uzbekistan exercise continuous oversight over the enforcement of legislation in the field of migration.

II. As the legislative authority, the Oliy Majlis (Parliament) of the Republic of Uzbekistan plays a vital role in protecting migrants' rights by drafting and adopting laws, reviewing and approving budget allocations for the effective implementation of migration policy, establishing parliamentary oversight over executive bodies regulating migration processes, and ensuring legislative support for the ratification of international agreements in this area[2]. The regional representative chamber of Parliament — the Senate of the Oliy Majlis — in addition to fulfilling legislative functions, holds certain powers in combating illegal migration and human trafficking. In particular, the Chairperson of the Senate of the Oliy Majlis of the Republic of Uzbekistan concurrently serves as the Chairperson of the National Commission on Combating Human Trafficking and Forced Labor — also known as the National Rapporteur. The institution of the National Rapporteur was established to ensure effective cooperation and coordination with the international community, organizations specialized in this field, and human rights defenders in the fight against human trafficking and forced labor[3].

Among the national human rights institutions in Uzbekistan, the Parliamentary Commissioner for Human Rights (Ombudsman) under the Oliy Majlis occupies a prominent place. Recently, the Office of the Ombudsman also established the institution of the Ombudsman for Children's Rights[4]. The Commissioner for Children's Rights in Uzbekistan has undertaken several initiatives to protect the rights of migrant children[5]. For instance, during a joint event with Russian counterparts, proposals were advanced to expand cooperation among human rights institutions of the CIS countries in providing legal and social assistance to children affected by migration, including the signing of cooperation memorandums between Ombudspersons of CIS member states[6].

III. The judicial authority of Uzbekistan also plays a significant role in protecting the rights of migrants. Any normative legal act concerning migration adopted by a state authority — regardless of its level — may be annulled if it contradicts the Constitution. The authority to review the constitutionality of such acts adopted by the legislative or executive branches lies with the Constitutional Court of the Republic of Uzbekistan[7].

IV. One of the key mechanisms for protecting and ensuring the rights of migrants is the Cabinet of Ministers, which plays a leading role in supporting the realization of the rights and freedoms of Uzbek nationals residing abroad. Several executive mechanisms directly involved in the protection of migrants' rights are outlined below[8].

The internal affairs bodies of the Republic of Uzbekistan maintain a centralized reporting system and a unified database on the presence of foreign nationals and stateless persons permanently residing in other countries who enter Uzbekistan. These bodies control their



entry, exit, and transit movements. In accordance with court decisions, they also carry out the administrative expulsion of such individuals from the territory of the country. Furthermore, the Department for Migration and Registration of Foreign Citizens under the Ministry of Internal Affairs monitors compliance with passport regulations, handles issues related to the acquisition of Uzbek citizenship, oversees migration processes, registers foreign nationals and stateless persons at their permanent or temporary place of residence, and manages the extension of visa durations[9].

To improve the performance of competent authorities in the field of external labor migration, a system of safe, orderly, and legal labor migration has been established. This system is aimed at training individuals seeking employment abroad in high-demand professions, protecting the rights of citizens during their stay overseas, ensuring employment opportunities for returning migrants, and providing social support to their family members[10].

As the authorized body on migration issues, the Ministry of Foreign Affairs of the Republic of Uzbekistan is responsible for developing and implementing state policy in the field of international relations, regulating relevant legislation, and establishing contacts with compatriots abroad. In this regard, the Consular and Legal Department within the Ministry carries out the key function of providing consular and legal assistance to individuals and legal entities. Its activities aim to strengthen Uzbekistan's friendly and neighborly relations with other countries and to promote broader economic, trade, scientific-technical, and cultural cooperation.

Currently, Uzbek labor migrants abroad face numerous violations of their rights, including issues related to unpaid wages, exploitation, low or delayed salary payments, as well as limited access to healthcare services and social protection[11].

In response to these challenges, the Presidential Decree of the Republic of Uzbekistan No. PF-59 dated April 4, 2024, approved the establishment of several institutions to address external labor migration issues. These include the Agency for External Labor Migration under the Ministry of Poverty Reduction and Employment, the Department for External Labor Migration under the Cabinet of Ministers, and the appointment of labor migration attachés in Uzbekistan's diplomatic and consular missions abroad.

In addition to state bodies, civil society institutions also play an active role in protecting migrants' rights. These include the mass media, self-governing bodies of citizens, political parties, social movements, and non-governmental non-profit organizations. Currently, more than 9,200 non-governmental non-profit organizations in Uzbekistan contribute significantly to the protection of human rights and freedoms[12].

Migration challenges, governance, and policy in Uzbekistan must be analyzed within the framework of international standards and objectives, including the United Nations Sustainable Development Goals (SDGs) and the Global Compact for Safe, Orderly and Regular Migration (GCM). Additionally, a number of key documents must be taken into account, such as the Migration Governance Indicators (MGI), the updated Common Country Analysis (CCA), the Progress Declaration of the International Migration Review Forum (IMRF), the UN Sustainable Development Cooperation Framework (UNSDCF) with Uzbekistan, and Uzbekistan's Voluntary National Report (VNR) on the implementation of the GCM.



Uzbekistan's Voluntary National Report on the implementation of the Global Compact[13] highlights the creation of a system for safe, orderly, and legal labor migration, in accordance with Presidential Decree No. PQ-4829 dated September 15, 2020. The report analyzes the measures taken to improve the activities of authorized bodies in the field of external labor migration, provide vocational training in high-demand professions for those wishing to work abroad, protect the rights of citizens during their stay abroad, ensure employment for returning labor migrants, and support their family members through social programs.

Furthermore, it is noted that 16 out of the 23 objectives of the Global Compact on Migration are incorporated into the 100 goals outlined in the New Uzbekistan Development Strategy for 2022–2026. However, achieving the remaining objectives—namely goals 2, 13, 16, 17, 20, 22, and 23—requires the development of specific plans and actions.

Uzbekistan was among the first countries to support the Global Compact for Safe, Orderly and Regular Migration, adopted by the UN General Assembly on December 19, 2018, under Resolution 73/195. This Compact is the first intergovernmental agreement to comprehensively address all aspects of international migration. It is based on ten core principles aimed at ensuring the protection, promotion, and respect of human rights for all migrants, regardless of their legal status.

The United Nations Sustainable Development Goals (SDGs) represent a set of internationally agreed objectives for cooperation from 2015 to 2030. The SDGs aim to promote the optimal use of limited resources, the application of environmentally friendly technologies, the preservation of the sustainability of social and cultural systems, and the integrity of biological and physical natural systems. These goals are enshrined in the document titled *"Transforming Our World: The 2030 Agenda for Sustainable Development,"* which includes 17 global goals and 169 corresponding targets[14].

Among the SDGs, 22 specific targets under 11 goals are directly related to migration issues[15]. These principles are also embedded in the 23 objectives of the Global Compact for Migration (GCM), which is continuously implemented by signatory states through national action plans.

Paragraph 53 of the Global Compact recommends that all Member States develop national programs to accelerate the implementation of the Compact and to regularly conduct comprehensive evaluations of progress at the national level. It also emphasizes the importance of preparing and utilizing voluntary national implementation reports to facilitate analysis. Such analytical reports should be developed with input from all stakeholders, including members of parliament and local government representatives, and should be used to inform the International Migration Review Forum effectively.

Furthermore, within the framework of the United Nations Sustainable Development Cooperation Framework (UNSDCF) with Uzbekistan for 2021–2025, a gender strategy has been outlined to promote the protection of the rights and freedoms of both male and female labor migrants. This includes raising their legal awareness and developing a system for safeguarding their rights[16].

In this regard, Goal 86 of the *New Uzbekistan Development Strategy for 2022–2026* and Goal 95 of the *Uzbekistan 2030 Strategy* are specifically dedicated to ensuring safe, orderly, and legal labor migration, as well as to implementing an effective migration policy. The



corresponding government programs include the full implementation of 16 GCM objectives: goals 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 18, 19, and 21[17].

Based on the above analysis, it is deemed appropriate for the Republic of Uzbekistan to develop and adopt a **National Action Plan for 2024–2030** (hereinafter referred to as the *National Action Plan*) to implement the objectives of the **Global Compact for Migration (GCM)**. This document should create the necessary conditions and mechanisms for achieving the GCM objectives by aligning the efforts of state bodies, institutions, and civil society actors.

The National Action Plan should be based on the principles of the GCM, the Constitution of the Republic of Uzbekistan, the international treaties on human rights ratified by Uzbekistan, and other relevant legal instruments. Accordingly, the implementation of the National Action Plan will allow the Republic of Uzbekistan to take concrete steps toward achieving the goals of safe, orderly, and regular migration, as outlined in the Global Compact.

The need to develop a National Action Plan is also conditioned by the current situation in the field of migration in Uzbekistan. This situation is characterized by several important aspects.

In recent years, measures have been taken to register and account for migrants, provide social security, and strengthen legal protection mechanisms. Moreover, Uzbekistan was the first country in the region to submit information on national-level implementation measures for the Global Compact for Migration[18].

At the same time, many Uzbek citizens abroad continue to operate outside the framework of social protection and legal rights, often remaining unprotected and facing discrimination. The issue of irregular labor migration remains highly relevant.

According to forecasts by the **World Bank**, by 2050 up to **5.1 million environmental migrants** could emerge in Eastern Europe and Central Asia. Nearly half of them—around 2.4 million people—are expected to arrive in Central Asian countries. Densely populated areas such as the **Fergana Valley, the vicinity of Tashkent, lowland regions in southern Tajikistan, and northern Kazakhstan** may become destinations for incoming environmental migrants. This process is primarily associated with water availability and agricultural productivity. Due to declining water resources and agricultural yields, **southern Kazakhstan**, regions near the Fergana Valley in **Uzbekistan and Tajikistan**, as well as areas surrounding **Bishkek**, may become climate stress zones. Consequently, regions such as **eastern Turkmenistan** and the **southern parts of Uzbekistan** along the Amu Darya River may become potential areas of outmigration[19].

These factors are likely to exacerbate negative trends in current migration processes. Therefore, to mitigate the socio-economic impact and to achieve the goals of the **Global Compact for Migration**, there is a growing need to develop **new national strategies, programs, action plans, approaches, and mechanisms**.

- In this context, the primary task of the forthcoming National Action Plan should be to create legal and institutional conditions for ensuring safe, orderly, and regular migration. In particular, the following activities should be implemented within its framework:
- Developing and enhancing the legal and regulatory framework for the protection of migrants' rights;



- Improving institutional and organizational mechanisms for ensuring and safeguarding migrants' rights;
- Strengthening the role of civil society institutions in the protection of migrants' rights;
- Expanding awareness-raising and informational activities regarding the protection of migrants' rights;
- Regular monitoring of violations of migrants' rights;
- Strengthening international cooperation in the field of migrant rights protection.

In view of the above, it would be advisable for the **National Commission on Combating Human Trafficking and Forced Labor** to prepare **Uzbekistan's National Report** on progress toward the objectives of the **Global Compact for Migration**, conduct monitoring in this area, and submit the report to both chambers of the **Oliy Majlis** (Parliament) of the Republic of Uzbekistan. Additionally, it is recommended to define responsibilities for publishing **annual statistical collections** on the achievement of GCM goals in **Uzbek, Russian, and English**, and to make these publicly accessible through online platforms.

Uzbekistan is taking active measures to protect the rights of migrants; however, there are still significant gaps in the regulatory and legal framework that require improvement. It is necessary to further systematize migration legislation, including the adoption of a **Migration Code** that would allow for more detailed regulation of migration-related relations. In addition, it is essential to strengthen **institutional mechanisms** and improve **interagency coordination** in the field of migration policy.

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