

THE IMPORTANCE OF MIGRANT RIGHTS PROTECTION AT THE REPUBLICAN AND INTERNATIONAL LEVEL

Iqboloy Ummatova

Tashkent state university of law

2nd year student. The faculty of

international law and comparative legislation

Annotation. Within the framework of this article, the author highlighted the importance of external migration and its status, local and international organizations protecting migrant rights and regulatory legal acts. Also, statistics on migration have been analyzed and talk about achievements and shortcomings in this area. The article also covers the theoretical aspect of the concept of migration in detail.

Keywords: migration, migrant, International Organization, Convention, strategy, protocol.

It is known from a long history that humans change habitats for a variety of reasons—from one place to another. Historically, this has been attributed to major causes such as worsening weather conditions, reduced food intake, and various natural disasters. In our century, which is today called the age of globalization and technology, people are on the road in search of a good reading condition, avoiding places where cases of war are observed, and the main thing is to look for work. We know that even from our country, many people go to foreign countries for the purpose of working. It is no secret that in recent years the number of labor migrants has been increasing not only in Uzbekistan, but also around the world. Therefore, in the next 10 years, the attention to the right to migration in our country has been greatly enhanced. **Migration** is derived from the Latin word, *migratio* meaning “— I move, I change my place. At this point, it is also advisable to give a definition to the concept of migrant. **A Migrant** is a person who is directly involved in migration processes, with each migrant being a migrant for his or her left area and a migrant for the area of his / her arrival.¹ Measures to protect the rights of migrants flying continues to be active today. The causes of Population migration are explained differently by researchers. To date, Population migration has also been studied by local researchers. According to analytical results conducted by **V.A.Ibrahimov**, there are 36 different approaches to the concept of migration to local publications.² The processes of Population migration, the causes of which were studied by representatives of different spheres, **G.Ionsev** also created a holistic classification of theoretical interpretation of migration, analyzing local and

¹ <https://demografiya.uz/wiki/migrant-2/>

² Ибрахимов В.А Международная миграция населения: теория и история изучения. -Ташкент. 2013.-69 б

foreign sources. According to him, 17 theoretical approaches to the analysis of migration processes have been identified, the main ones being political, economic, purely migratory, demographic, historical approaches. These thoughts cannot fully cover the concept of migration.³ Because the concept of migration is a very broad concept that every researcher, scientist sheds light on the theory of migration based on their field.

As the main causes of migration, we can cite the following:

- Unemployment or the goal of finding a better job
- Education
- Cases of war
- Disaster
- Deterioration of living conditions, food and water shortages

Similar cases are the main causes of migration. It is no secret that many people from our country are going to a foreign invitation to work. **Article 23 of our Constitution establishes that** the Republic of Uzbekistan guarantees the protection and patronage of its citizens both on and outside its territory.⁴ The rights and freedoms of citizens of our country are under protection both on the territory of our republic and outside. Citizens of the Republic of Uzbekistan abroad can apply for protection of their rights to the representative offices and law enforcement agencies of the Republic of Uzbekistan abroad. We can cite an **External labor migration agency** as one of the main state bodies protecting the rights of labor migrants. The foreign labor migration agency, taking into account the national interests of the Republic, carries out activities based on the norms and rules of international law in the field of regulation of labor migration processes of citizens of the Republic of Uzbekistan in accordance with the legislation of the Republic of Uzbekistan and their employment in an organized way abroad.

The following are the main responsibilities of the agency:

- To assist citizens of the Republic of Uzbekistan in the implementation of their rights to engage in labor activities abroad by conducting organized selection, training, adaptation activities and effectively managing and controlling the employment processes abroad;
- Comprehensive analysis of external labor migration, development of proposals for improving the regulatory framework on this basis, assistance in the employment of citizens returning from labor migration;
- Participation in the development and implementation of international cooperation projects in the field of labor migration, cooperation with the

³ Игорьян Д.И Теория и практика исследования миграция населения. -М, Наука, 2011. -181 б

⁴ O'zbekiston Respublikasi Konstitutsiyasi."O'zbekiston" Toshkent-2023

competent authorities of foreign countries on issues of employment of citizens of the Republic of Uzbekistan abroad and regulation of the processes of ensuring their labor rights, etc.

For migrants leaving Uzbekistan, the five main countries were the Russian Federation (1.1 million), followed by Kazakhstan (296 thousand), Ukraine (223 thousand), Turkmenistan (67 thousand) and the United States of America (63 thousand) (UN DESA, 2021). However, in 2022, citizens of Uzbekistan moved to the following main countries for permanent residence: Kazakhstan (79.5 percent), followed by the Russian Federation (16.4 percent), destinations other than Central Asian countries (2.7 percent), Kyrgyzstan (0.7 percent), Tajikistan (0.5 percent) and Turkmenistan (0.3 percent) (Uzbekistan, 2023). It is worth saying that migration issues include active, middle-aged and young residents. According to özstat, as of 1 January 2023, the total population of the country is 36 million people, while the number of migrants is 2.3 million, of which 1.1 million are men and 1.2 millions are women.

Statistics also confirm that our migrants choose the most Russian state in terms of migration. From year to year, the number of Uzbek labor migrants working in Russia is growing. And the sad one is that many are going to work in Russia in an illegal way and face various problems. Measures are being taken to prevent such situations and protect the rights of our citizens who have gone abroad for various purposes, and regulatory legal acts are also being adopted in this regard. **The agreement on the protection of labor activity and rights of citizens of labor-migrants in the Russian Federation and citizens of labor-migrants in the Republic of Uzbekistan (15.07.20009)** concluded between the Government of the Republic of Uzbekistan and the government of the Russian Federation to protect the right of migrant workers in Uzbekistan in Russia (15.07.2009) is considered important. **Article 3 of this agreement** defines the concept of a working migrant. According to him: **a” working migrant ”** is a person who is a citizen of one-party state, who has reached the age of 18, lives on the territory of the other party state and is engaged in paid labor activity there according to the law. This agreement regulates the issues of protection of labor activity and rights of labor-migrants, who are considered citizens of the Republic of Uzbekistan and are considered citizens of the Russian Federation. It is regulated by decrees and decisions of the president of the Republic of Uzbekistan, decisions of the Cabinet of Ministers, as well as departmental decisions and orders. According to the decree of the president of the Republic of Uzbekistan dated November 7, 2018, on measures to create favorable conditions for the implementation of labor activities by qualified specialists of foreign countries in the territory of the Republic of Uzbekistan” **(PQ 4008), (PF-5785)** of August 20, 2019, on measures to further strengthen guarantees for the protection of citizens of the Republic of Uzbekistan and their family members, Resolution No. 4829”on measures to introduce an orderly and legal system

of labor migration " was adopted, the documents in question mainly provide for improving the activities of authorized bodies in the field of foreign labor migration, training individuals who want to work abroad in high-demand professions, protecting the rights of citizens during their stay abroad. Also, the **95th goal of the Uzbekistan – 2030 strategy** is dedicated precisely to ensuring safe, orderly and legal labor migration and maintaining an effective migration policy. This means that the material and social support of compatriots, providing them with information and legal assistance will be of the main goals, who will be in a complex life situation abroad even in the next five years.

In all of the legal acts listed above, the rights and freedoms of our citizens who have gone to a foreign state for various purposes and reasons are established. Citizens of our country are under state protection both on the territory of the state and outside it. It is of course gratifying that in the coming years, our young people who are going to a foreign country to be admitted to the most prestigious universities in the world on a grand basis and study. But this is a very disadvantage compared to labor migrants. We must admit that the main part of our citizens who are going from our country to a foreign country is leaving our borders in order to work. What they do is also basically, black labor". The fact that young people make up the bulk of labor migrants who leave our country for a foreign country (mainly Russia) is also a sign of the relevance of the issue.

There are also useful tmons of labor migration. For example, thanks to migrants, information and Idea, cultural value and scientific and innovative exchange between different peoples are ensured. Labor migration leads to prosperity, the growth of the economy. the migrant contributes to the reduction of poverty in the country of origin.

In international law, there are several documents that protect the right of migrants. **On December 18, 1990, the UN Convention on the protection of the rights of all working-migrants and their families** was adopted. The convention is a multilateral United Nations treaty (ratified by 51 states) governing the protection of migrant workers and families. Signed on December 18, 1990, in March 2003, the ratifier entered into force on July 1, 2003, after the 20-state limit had been reached. The convention is valid in 59 States as of September 2023⁵. **Article 7 of this convention establishes that** labor migrants and their family members are protected "regardless of gender, race, color, language, religion or belief, political or other belief, national, ethnic or social origin, nationality, age, economic position, property, property, race, color, faith, marital status, birth, or otherwise"⁶. **Also, the 1951 Convention on refugees and**

⁵ 13. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. New York, 18 December 1990". UN Treaty base. Retrieved 2 August 2021

⁶ Kinnear, Karen L. (2011). Women in Developing Countries: A Reference Handbook. ABC-CLIO. p. 184. ISBN 9781598844252.

its protocol in 1967 (ratified by 145 and 146 United Nations member states). The UN Convention on refugees and regional agreements on forced migration promote international cooperation as a way to distribute responsibility for helping, protecting and finding solutions for individuals who cannot trust their governments. The United Nations has several other legal documents related to international migration;

- Protocol on refugee status 1967,
- Protocol of 2000 on the prevention, suppression and punishment of trafficking in people, especially women and children
- Protocol against migrant smuggling by land, sea and air in 2000.

These documents, together with the documents on the rights of labor migrants adopted by the International Labor Organization (ILO), form the basis of the international regulatory framework for international migration.

Several international organizations operate in the field of migrant rights protection. The International Organization for Migration (IOM) is the main United Nations organization operating in the field of migration. The organization runs rapid response programs for immigrants, including refugees and migrant workers. The organization is headquartered in Geneva, with communications offices in New York City and Addis Ababa. The Center for global migration data analysis (GMDAC) is located in Berlin. The transformation of Uzbekistan into a full-fledged member of the organization in 2019 contributed to the activation of cooperation between the Republic and the organization. This partnership is growing steadily. As a conclusion, we can say that the protection of migration and migrant rights is a significant issue not only before Uzbekistan, but also at the international level. It is necessary to adopt a law regulating this area in our country. (It was rejected by the Ohio House of Representatives on February 22, 2022 in accordance with Article 84 of the Ohio Constitution and Article 24 of the Ohio House of Representatives). It is also necessary to improve the mechanism of protection of migrant rights. The implementation of such work significantly increases the level of protection of the rights of migrants and their family members.

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