
Labor Migration and Legal Routes to Avoid Its Negative Consequences on the Example of the Republic Of Uzbekistan

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Abstract

Despite the fact that human migration has been a phenomenon for a very long time, modern migration refers to the movement of noncitizens from one nation-country to another. Tourists, business travelers, and other short-term visitors are not recognized as immigrants; however, seasonal migration of workers and labor (for example, for less than a year) is frequently considered a form of migration. Immigration generally refers to long-term residence. There are numerous legal issues in this case that legal scholars need to address. Considered to be one of the biggest hindrances to the nation's development and responsible for significant economic harm is labor migration. Personnel that can and should be the foundation of the new State typically depart from the current State. Development and implementation of efficient mechanisms for the repatriation of migrant workers are therefore advised. Labor migration is rising along with global economic growth and the tightening of integration ties internationally. These processes are significantly accelerated by the widening economic gap between developed and developing nations. Labor migration is a special type of migration at the present stage of human society development, aimed at obtaining decent work and high incomes. Currently, migration has become one of the main means of solving acute problems of employment and wages in less developed countries with economic difficulties. The Republic of Uzbekistan, having achieved political independence, faced the need to solve serious problems of the legacy of the past in socio-economic development, including one of the phenomena of the XX century-labor migration. The article considers the role and significance of external labor migration in increasing employment in the Republic of Uzbekistan at the present time. The processes of external labor migration in the Republic of Uzbekistan were analyzed, as well as suggestions and recommendations were made to improve its organization.

Keywords: Legal Migration, Law, employment, socially vulnerable population, labor resources, organized migration.

Introduction

Radical changes in Uzbekistan's transition to a market economy have had a profound impact on labour relations in the first place. In the process of economic reforms, the phenomenon of unemployment inherent in an economic system based on market relations is an integral part and constant companion. As a result of objective processes in the economy, thousands and millions of people lost their jobs and sources of income. The system of professional education in the young independent republic has not yet adapted to the format of training and retraining of qualified specialists, taking into account the real needs of the rapidly developing market [1, 2].

As a result, there was a sharp structural imbalance between labor supply and demand in the labor market, and market relations deepened. This has been a real tragedy for wage-earners, whose wages are the only source of

family income, forcing them to find a way out of the crisis and provide for their families.

This law has acquitted the principle; That is, the basic premise is that people are innocent; Unless it is proven by strong evidence and until a decision is issued in a competent court on the conviction of one of the stewards, deputy and accomplice, the person must have sufficient security and until then he is innocent. According to the principle of prohibition of arrest, people should have the right to a lawyer and an expert after being arrested, and the case should be sent to the competent authorities as soon as possible and their families should be informed of the arrest. In the process of arrest and interrogation, respect for the accused and his human dignity should be observed and blindfolding and other body parts should be avoided as well as humiliating them. In particular, the questioning of the situation should not be annoying; so that the head of the accused is covered or by sitting behind the accused or taking him to unknown places. In the investigations and inspections that are conducted, people's privacy should be respected as much as possible and irrelevant questions should be avoided; Also, refrain from attacking objects and properties that have nothing to do with the crime or the accused.

Method

It is necessary to highlight some features and reasons for the growth of unemployment in the Republic of Uzbekistan, which was even more difficult than in the former Soviet republics. These are:

- immaturity of the social sphere inherited from the former Soviet system;
- the policy of the Soviet government to ensure full employment by creating artificially created jobs, but with very low wages that do not fully meet international standards of living;
- violation of inter-republican horizontal economic relations as a result of the collapse of the USSR;
- difficult demographic situation;
- high proportion of dependents in the family;
- reduction of absolute production due to the difficulties of transition to market relations;
- deep structural changes in the economy;
- high share of raw materials in exports;
- the emergence of a relative surplus of labor as a result of replacing extensive factors with intensive ones in the process of transition to a market economy, etc.

In the process of economic reforms, the Republic of Uzbekistan went through several transition periods simultaneously [3].

First, the transition to independence, which contributed to the collapse of the empire and the breakdown of long-standing vertical and horizontal economic ties within the whole organism, led to the closure or collapse of many large allied enterprises.

Second, the transition from one economic system to another, profound structural changes in the economy, and a sharp drop in demand.

Third, the inevitability of the transition from a dependent mood to business and entrepreneurial activities.

A great philosopher in ancient times said that "let the Creator himself protect me from the torments of life during the transition period". It is not necessary to be a very strong economist to have a full idea of how difficult and complex the situation is in the economy of the Republic of Uzbekistan, which in a short period of time has gone through several complex transition processes.

At the time of independence of the Republic of Uzbekistan, agriculture was one of the leading sectors of the national economy, where 1/3 of the population was engaged in socially useful work, and now this figure has decreased to 26 percent. Given that the rural labor force has increased 1.6 times over this period, we see a deepening imbalance between supply and demand for labor in the rural labor market, and we are convinced that the growth of unemployment is a natural process.

In general, the decline in the number of people employed in agriculture and the decline in the share of the employed population in the overall economy correspond to global trends in the world economy, and, in our opinion, these processes in the Republic of Uzbekistan will inevitably accelerate. The fact that in the economically developed countries of the West this figure is about 3-5%, and in Germany - less than 2%, is a clear confirmation of our opinion. This means that a Western farmer provides 20-33 people, a German farmer - 50 people, and an Uzbek farmer-only 4 people [4, 5].

In the future, as a result of improving the financial situation of farms, the material and technical base of agriculture will develop, the process of reducing employment will accelerate, and under the influence of this factor, the situation on the labor market will worsen.

The above-mentioned aspects of the issue should be taken into account when forming the attitude of the state and society, as well as every citizen of Uzbekistan, to labor migrants traveling abroad in search of work. Only then can we give a fair and rational assessment of their chosen path. Unfortunately, some people try to blame migrant workers for their desire to live a simple life, as if they left their homeland to easily earn a living, as if they cannot cope with the difficulties in the country. Let's take a closer look at this issue.

In the first years of independence, there were two ways to create free market economic relations in the country

and prevent the growth of unemployment caused by the natural difficulties of the transition period, that is, there were two ways to solve the problem of unemployment rationally.

The first way is to create many new jobs in the country and relocate all those who lost their jobs due to the difficulties of the transition period and structural changes. As a solution to the problem, the state at the early stages of economic reforms pursued a policy of opening wide access to small and private businesses, providing them with benefits, support and rapid development measures.

However, in a country that has just gained independence and is experiencing a crisis of transition, the financial capacity of the State to solve the problem of unemployment was extremely limited. Moreover, people have not yet developed the experience of running a business and making money.

The second way is to allow the population to move to other countries to earn a living, support their families, or rather, open the way for labor migration. During the country's transition to a market economy, in a difficult and unstable situation, some of the unemployed or working only nominally were forced to choose this method [6, 7]. From our point of view, labor migration should be considered as one of the biggest obstacles to the country's development, which causes economic damage to the Republic of Uzbekistan. In spiritual terms, this should be seen as a reality that is completely incompatible with the rich history, exemplary traditions, and glory and honor of a people with a unique reputation. Therefore, it is advisable to develop and implement effective mechanisms for the repatriation of migrant workers. It should be added that the implementation of this strategy is a very complex process that requires a lot of mobilization and, of course, a long time.

The widespread labor migration in the first years of independence can be seen as an emergency, not a state of emergency, but a whole generation has already been born and raised since the Soviet era. And today we have a limited right to reproach many of our compatriots for not explaining the reasons why they are looking for work in foreign countries.

Perhaps it is unfair to blame modern scientists for the problems of the past, when society did not need the advice of economists, scientific ideas and was deprived of the opportunity to freely express their views. But in the current era of openness, when all conditions are created for the free expression of their ideas and scientific proposals and recommendations, the question arises: what prevents scientists from developing methods to reduce labor migration?

Results

Ways to solve the problems of labor migration. In our opinion, there are two main ways to solve the problem of labor migration.

The first is to eliminate the imbalance between the supply and demand of labor in the labor market of the Republic of Uzbekistan, to continue the policy of treating labor migrants as a means of providing additional support to the national economy at the expense of labor income. This is the easiest and cheapest way to solve the problem of employment in the country.

The second is the complete rejection of labor migration and all income from it, the complete abolition of labor migration as an activity that does not meet the interests of the republic. This is a very difficult and difficult path that requires a lot of effort and decisive action. Already, economic mechanisms have been created within the framework of the policy of countering labor migration, the activation of which will begin to produce positive results at the macro level in 5-6 years [8].

Uzbeks who have been subjected to various injustices and discrimination in exile will be able to escape the suffering of migration and be able to live freely in their homeland. At the same time, each migrant earned an average of \$ 166.7 per month, which is a very large figure. In other words, the income of labor migrants is about 20% of the country's GDP [9, 10].

Naturally, Uzbekistan cannot provide such a large number of migrant workers with jobs and decent incomes. Therefore, even if the second way is chosen to solve the problem of migrant workers, this should be done gradually, but consistently and decisively, using a variety of highly effective organizational and economic (administrative, if necessary) tools in a certain sequence.

We considered it necessary to present some suggestions for solving the problem of labor migration.

The first suggestion. Implement a policy of implementing labor migration in limited quantities only in exchange for the export of skilled labor.

In recent years, the Republic of Uzbekistan and the head of State personally have paid great attention to issues related to labor migration. Shavkat Mirziyoyev, the President, signed a decree "On measures to introduce a system of safe, orderly and legal labor migration", which is a clear confirmation of our opinion. This decision under the leadership of the President is a bold step of the state to improve the welfare of the people, increase international prestige, and rid the country of the disadvantages of labor migration, which is poorly formed and does not produce good results.

In our opinion, to regulate labor migration, it is necessary to create a mechanism under the direct supervision of the Ministry of Employment and Labor Relations of the Republic of Uzbekistan for training qualified workers and specialists in accordance with the orders of importing countries and large companies.

Talented young people with professional skills and abilities are selected on a competitive basis, and they are taught the language, history, customs and traditions of the country in which they will work for a certain period of time.

Second suggestion. Solving the problem of unemployment in the country and ensuring decent wages for those employed in the economy directly depends on the pace of economic growth. Therefore, the introduction of a procedure for increasing the salaries of civil servants, officials in responsible positions, party leaders, professors, teachers and scientists corresponds to the pace of economic growth in the country.

Third suggestion. Adoption and implementation of the laws "On the minimum wage" and "Subsistence minimum". This measure is one of the most important tools not only for reducing the number of people seeking labor migration, but also for implementing the country's strategy to combat poverty by rationally increasing the share of employees in the national income generated directly in the country.

Fourth suggestion. Creation of large state farms in all districts of the Republic of Uzbekistan.

In a recent interview Kun.uz published on the website, the young man said that he is ready to return to Uzbekistan if he has at least 0.5 hectares of land, and even knows what to plant and how to earn money. However, if a large farm is created on 500 or 1000 hectares of land, combining land plots allocated to one or two thousand low-income people, and all land applicants are involved in working on the land, then in return you can get a large income from the scaling effect. The creation of such large farms can be carried out by attracting state resources, which were originally intended to combat poverty. In addition, it is necessary to create and implement a system of effective mechanisms that will help attract funds of legal entities and individuals to economic investment activities and ensure high incomes from bank interest rates.

To achieve high efficiency of economic activity, it is necessary to attract the strongest, most talented managers and specialists in their field on a competitive basis. We believe that state farms are a real model for organizing agricultural production, ensuring the harmony of science and practice, as well as the realization of the country's huge potential in this area. The transformation will bring great results both in the innovative development of the rural economy and in solving the problems of employment and poverty.

It is advisable to use large state farms as an experimental base for the introduction of modern equipment and technologies in agriculture, the use of advanced and innovative agricultural techniques, the widespread use of scientific achievements and high results. It is necessary to provide practical assistance to the district's farms, provide scientific and methodological support, and become a locomotive for their development on an innovative basis.

The most important activities of state farms should be the processing of raw materials produced in the region and its transformation into finished products, as well as the organization of exports to foreign markets.

The fifth suggestion. Radically improve the quality of education in the Republic of Uzbekistan. In this case, the goods and services created in the national economy will be competitive on the world market due to large resources and hard work of people, as well as quality.

Thinking about producing a competitive product with low-quality labor is as pointless as hoping for rain from a cloudless, clear sky. An ancient hadith says: "If the sheikh has no profession, then the mosque will be narrow." Producing competitive products from valuable resources and thus creating many new jobs in the country, the most effective way to increase the country's economic power is to improve the skills of our people, develop the skills, knowledge and creativity of people employed in the economy. The role of education in the formation of such unique qualities among the residents of the Republic of Uzbekistan is enormous.

In recent years, the head of our state and the Government of the Republic of Uzbekistan have been carrying out large-scale work on the development of education, and the measures taken have already yielded certain results. It is impossible to cover all the complex problems and issues of education in this topic, but, to put it succinctly, the model of education in the country should be created in such a way that the main attention of the whole nation is drawn to education. The process of refinement is constantly underway. This model should not only rid the country of the evils of labor migration, but also turn a vibrant Uzbekistan into one of the most economically developed countries in the world. High-quality education is the least expensive and shortest way for the Republic of Uzbekistan to reach the path of development of progress.

Summary

The high economic potential of the Republic of Uzbekistan should contribute to the entry of the state into the top 50 most developed countries, increase the welfare of the people, develop entrepreneurship, increase the level of employment, improve the quality of education, eradicate poverty, and form an innovative economy. As a result, conditions will be created for the return of previously departed compatriots to the country.

Discussion and Conclusion

The problem of labor migrants should be considered as one of the most important issues of socio-economic development of the Republic of Uzbekistan in the present and future. This issue should be in the constant attention of the heads of the state, public organizations, scientists, and the public and self-government bodies. In

this regard, it is necessary to develop a strategy and roadmap for the country's labor export and gradually implement it in practice.

Citizenship rights are the set of fundamental rights that a person has as a citizen, which includes the principle of legitimate freedom, the principle of acquittal, the right to access a lawyer, the right to access a competent court, etc. It has paid special attention and the Islamic Council has protected them in the law respecting the legitimate freedoms and preserving the rights of citizens. Every human being is a human being, regardless of their thoughts, ethnicity, and language, and as a human being, they have human dignity and rank; For this reason, his human dignity cannot be damaged under any pretext. Citizenship rights are the set of rights that every human being has as a citizen and must be respected by others, i.e. other citizens and the government; But before we know what citizenship rights are, we must know who is a citizen? By definition, a citizen is someone who enjoys the rights and privileges granted in the constitution, which in fact, citizenship is a social status in which a person has freedom of expression and equality before the law on the one hand, and the right to political participation on the other hand. That is, the right to vote and form a party and trade union and... In some ways, citizenship rights can be related to human rights, in such a way that people who live in the same land, due to being human, have equal rights, and also because the human species has a series of basic rights, citizenship rights are developed.

This law consists of a single article, which is explained, and in order to protect the legitimate freedoms of individuals as citizens, it imposes duties on all public, revolutionary and military courts, prosecutors and judicial officials. These tasks are aimed at preserving the fundamental rights of people and it is stated in this way: detection of crime and its prosecution, related investigations, issuance of security order and temporary arrest order must be based on the laws and must be with a clear judicial order and any taste personal and acts of violence should not be involved in them; Because people are free and depriving them of their freedom for any reason must be done with respect for human dignity.

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