



Improvement of Administrative and Legal Regulation of Migration Processes in the Republic of Uzbekistan

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Abstract

The article contains an analysis of the administrative and legal regulation of labor migration, the norms of regulatory legal acts regulating migration processes are considered. On the basis of the study, the author identified the main problems of migration regulation and made proposals for their resolution.

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Since its inception, people have been and are in constant spatial movement in search of more comfortable places to live and work. It should be noted that in recent decades, the scale of external migration has increased, and this is primarily due to the trend of globalization of the modern world, the increasing openness of interstate borders, the improvement of vehicles, and the increasing role of international economic factors. There are currently over two hundred million international migrants around the world.

It should be noted that citizenship is one of the most reliable conditions for a stable existence. If a person has citizenship, he has rights. The main principles by which citizenship is granted in various countries are the «right to blood», i.e. ethnicity, regardless of place of birth and residence, and the right to land.

From the moment the very concept of citizenship arose, the concept of migration appeared. Moreover, it is she, or rather the prohibitions associated with it, that largely determine the value of citizenship of a particular country. Population migration is the movement of the population due to a change of residence. Migration is a complex social process that affects many aspects of socio-economic life. In the history of mankind, population migration has played an important role: these are the processes of settlement, economic development of the land, as well as the development of productive forces. As a result of migration, races and languages were formed and mixed. Since the second half of the twentieth century, migration processes have acquired a truly global scale, covering all continents, social strata of society, various spheres of public life.

The reasons for migration are, as a rule, the desire for well-being and socio-economic processes. It is economic migration that most reflects the migration picture of the world.

In the process of creative work and large-scale reforms carried out in our country in recent years, the main attention is paid to the introduction of high technologies and innovations, attracting foreign investors to the country, and creating a healthy competitive environment.

As the President of the Republic of Uzbekistan noted, «... foreign companies and corporations, business circles are investing in a stably peaceful country. Yes, investments are made in a country where peace and tranquility have been established, and such a country will comprehensively develop and move forward. And a country with a healthy population, a harmoniously developed generation is growing up, is always strong».

[1]

In accordance with the Resolution of the President of the Republic of Uzbekistan «On measures to radically improve the activities of the internal affairs bodies in the field of migration processes and registration of citizenship», one of the main directions for increasing the efficiency of migration processes and registration of citizenship is:

first, the establishment of a qualitatively new procedure for organizing the work of the republican, middle and lower divisions of migration and registration of citizenship, which provides for a clear definition and delineation of their main tasks and functions, the personal responsibility of managers and employees for the proper performance of assigned duties;

the second is the introduction of effective mechanisms for analyzing, assessing and predicting the processes of passporting the population, leaving, entering and staying in the Republic of Uzbekistan, admitting, exiting and losing citizenship, granting political asylum, ensuring effective planning and organization of activities in this area;

third - strengthening preventive measures among employees of migration and citizenship departments, eradicating manifestations of corruption and abuse of authority in the provision of public services to the population, including those arising under the influence of uncontrolled queues;

fourth - improving the system of prevention, detection and suppression of violations of the rules of the passport system, facts of illegal migration on the basis of a comprehensive study of the causes and conditions that contribute to them;

fifth - the organization of close interaction with ministries and departments in matters of ensuring compliance with the rules of the passport system, migration processes and registration of citizenship, the implementation of international agreements on cooperation in this area;

sixth - studying on a systematic basis the legislation of foreign countries in the field of migration, first of all, in which citizens of the Republic of Uzbekistan often stay, carrying out a constant analysis of the state of external migration, developing proposals for concluding international treaties aimed at creating favorable conditions for citizens of the country;

seventh - widespread use in the activities of modern information and communication technologies, providing for simplified procedures and transparency in the provision of public services, strengthening the material and technical base of migration and citizenship units [2].

According to statistics, 2.6 million people left for work in foreign countries, 34.3 thousand citizens received migration services from 85 private employment agencies, and 2.8 thousand citizens were sent to work in Russia, the Republic of Korea, Turkey, Bulgaria, Poland. , United Arab Emirates and other countries [3].

Thus, the study of the practice of implementing migration policy in foreign countries allows us to conclude that the states of Western Europe (Germany, France) accept a significant number of migrants from the Middle East who come to work. Labor migration has a positive effect on the socio-economic development of the states where labor migrants came from. Migrants from Central Asian countries are skilled in various spheres and sectors of the economy, bringing considerable profits to the budgets of the respective states. The administrative and legal regulation of migration policy in the United States has certain features. Thus, the United States implements a complex of various administrative and legal means in the field of migration policy. The most preferred categories of migrants are allocated through quotas. The United States uses a wide range of administrative, legal, social and economic measures to attract the most qualified personnel from various fields to the country. This experience deserves study and implementation in the legislation governing migration processes.

So, when forming the mechanism of administrative and legal regulation of population migration, it is necessary to take into account social, economic and other aspects. The administrative and legal regime of labor migration of citizens, being special in relation to the regime of foreign citizens, at the same time is a complex complex formation. It includes a special procedure for obtaining permission to enter foreign countries; employment; registration at the place of stay; medical care; receiving other government services; control and supervision of authorized bodies over compliance with the established rules, restrictions, performance of duties by migrants, persons providing them with living quarters, employers, etc.

It should be noted that the most massive and dynamic migration flow is labor migration, the scale of which is increasing every year. The versatility and intensity of the processes of both external and internal migration poses many tasks of an economic, social, legal nature, for the solution of which new approaches are required. With the growth in the number of migrants, significant changes in the structure of the budget in the social sphere, medical services, and the tax base are required.

This situation dictated the need for the adoption of regulatory documents regulating migration processes. So, in accordance with the Resolutions of the President of the Republic of Uzbekistan «On measures to radically improve the activities of internal affairs bodies in the field of migration processes and registration of citizenship» [2], «On additional measures to further improve the system of external labor migration of the Republic of Uzbekistan» [4] and «On measures to improve and increase the efficiency of work to ensure employment of the population» [5], which are aimed at developing the socio-economic sphere, small business and private entrepreneurship, actively attracting foreign investment, developing employment and employment programs for the population, establishing new international relations to regulate and legalization of employment of citizens abroad.

So, according to the foreign scientist A.G. Vishnevsky. timely administrative and legal regulation of migration processes will create conditions for the development and implementation of migration policy measures to resolve the pressing problems of the modern demographic situation. The author refers to the priority measures ensuring the structured development of the mechanism for implementing the institution of migration: the development of socio-economic measures aimed at regulating migration processes taking into account the geopolitical interests of the country; improvement of interaction between executive authorities of various levels in the field of migration; creation of a network of information centers on migration matters; formation of a system of information support and professional training of personnel on migration issues; interaction with foreign states, as well as international and non-governmental organizations in order to regulate migration processes [6. C.47-49].

As R. Muellerson noted, the human right to move freely, choose a place of stay and residence, the human right to freely travel outside one's country and the right of a citizen to return to it without hindrance One of the very specific ways of realizing these rights is migration, which allows satisfying various vital interests and the needs of the individual in certain areas of life, and often acts as almost the only way to ensure his personal safety [7. C.34].

Improvement of the administrative and legal regulation of the mechanism for the implementation of migration policy should be based on strengthening the administrative influence of the highest bodies of state power, ensuring the satisfaction of the needs of the actual migration situation in the country; law enforcement, control, supervisory, as well as the special impact of internal affairs bodies (migration and citizenship departments of the Ministry of Internal Affairs of the Republic of Uzbekistan) on migration processes and effective resolution of existing problems in this area; legislative activity in the migration system through the development of draft laws.

In this regard, it seems reasonable that the general goal of the mechanism for the implementation of migration policy is to determine the provision of sustainable socio-economic and demographic development, the principles of ensuring public security in the country, meeting the needs of the growing economy with labor resources, rational distribution of the population in the country, and the realization of the intellectual and labor potential of migrants. , building a legal democratic society.

Recently, a whole complex of legislative acts has been adopted that directly or indirectly regulate social relations related to population migration; a number of state programs were approved, which contain a set of legal and organizational measures necessary for implementation in the migration process. However, it should be noted that the existing legal norms designed to streamline public relations in the field of the migration process are contained in the Resolutions of the President of the Republic of Uzbekistan and the Resolutions of the Cabinet of Ministers of the Republic of Uzbekistan, as well as departmental regulations. In order to avoid duplication of legal norms designed to regulate public relations in the field of migration, it would be advisable to develop and adopt the Migration Code of the Republic of Uzbekistan. This legislative act would concern not only the regulation of administrative and legal relations between citizens of the Republic of Uzbekistan, foreign citizens and stateless persons with authorized bodies for the implementation of migration policy, but also other categories of migrants. In the Migration Code of the Republic of Uzbekistan, it would be quite advisable to normatively define the terminology that is used in the migration process, the tasks, principles and functions of migration policy, measures to prevent and suppress illegal migration, as well as the forms and methods of interaction between executive authorities and local self-government bodies of citizens in the mechanism implementation of the migration process, etc.

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