

REPUBLIC OF UZBEKISTAN | PROFILE 2022

MIGRATION

GOVERNANCE

INDICATORS



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MIGRATION GOVERNANCE INDICATORS

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OBJECTIVE

The MGI aims to support well-managed migration policy by helping countries assess the comprehensiveness of their migration governance structures and identify priorities on the way forward.



The MGI can be used to spark a discussion with governments and other relevant stakeholders in the country on existing migration policy structures. It can help assess whether these structures, which have often been in place for several years, still address the main challenges and opportunities of today's reality.

INTRODUCTION

This is an era of unprecedented mobility, and the need to facilitate orderly, safe, regular and responsible migration and mobility is becoming increasingly relevant.¹ The need to face the challenges and to maximize the opportunities that this mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, which highlights the positive contribution of migrants to inclusive growth and development. Migration is integrated in a number of Sustainable Development Goal (SDG) targets, such as ending modern slavery and addressing the vulnerability of migrant workers. However, the central reference to migration in the SDGs is target 10.7 on facilitating “orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”.²

The incorporation of target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance Framework (MiGOF). This Framework offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances.³ The Framework was welcomed by IOM Member States in the same year.

In an effort to operationalize the MiGOF, IOM worked with Economist Impact to develop the Migration Governance Indicators (MGI), a standard set of approximately 90 indicators to assist countries in assessing their migration policies and advance the conversation on what well-governed migration might look like in practice.

The MGI helps countries identify good practices as well as areas with potential for further development and can offer insights on the policy levers that countries can use to develop their migration governance structures. However, the MGI recognizes that all countries have different realities, challenges and opportunities that relate to migration. Therefore, the MGI does not rank countries on the design or implementation of their migration policies.

Finally, the MGI does not measure migration policy outcomes or institutional effectiveness. Instead, it takes stock of the migration-related policies in place and operates as a benchmarking framework that provides insights on policy measures that countries might want to consider as they progress towards good migration governance.

This country profile presents a summary of the well-developed areas of the migration governance structures of the Republic of Uzbekistan (hereinafter referred to as Uzbekistan), as well as the areas with potential for further development, as assessed by the MGI.⁴

¹ IOM Standing Committee on Programmes and Finance, Seventeenth Session (S/17/4 of 29 September 2015), Article 2.

² IOM Council, 106th Session, Migration Governance Framework (C/106/40 of 4 November 2015), page 1, footnote 1. Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

³ Ibid.

⁴ The MGI initiative is a policy-benchmarking programme led by IOM and implemented with the support of Economist Impact. Funding is provided by IOM Member States.

CONCEPTUAL FRAMEWORK

MiGOF

The IOM MiGOF sets out the essential elements to support planned and well-managed migration. It seeks to present, in a consolidated, coherent and comprehensive way, a set of three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, orderly, and benefits migrants and society.

At the basis of

PRINCIPLES

1. **Adherence** to international standards and fulfilment of migrants' rights.
2. **Formulates** policy using evidence and "whole-of-government" approach.
3. **Engages** with partners to address migration and related issues.

OBJECTIVES

1. **Advance** the socioeconomic well-being of migrants and society.
2. **Effectively** address the mobility dimensions of crises.
3. **Ensure** that migration takes place in a safe, orderly and dignified manner.

MGI

WHAT IT IS



A set of indicators that offers insights on policy levers that countries can use to strengthen their migration governance structures



A tool that identifies good practices and areas that could be further developed



A consultative process that advances dialogues on migration governance by clarifying what "well-governed migration" might look like in the context of SDG target 10.7

Which supports the measurement of

WHAT IT IS NOT



Not a ranking of countries



Not assessing impacts of policies



Not prescriptive



TARGET 10.7

"Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and **well-managed migration policies.**"



KEY

FINDINGS

The MGI is composed of around 90 indicators grouped under the six different dimensions of migration governance that draw upon the MiGOF categories:



MIGRANTS'
RIGHTS
PAGE 12

Indicators in this domain look at the extent to which migrants have access to certain social services such as health, education and social security. It also looks at family reunification, access to work, and access to residency and citizenship. The international conventions signed and ratified are also included.



WHOLE-OF-GOVERNMENT
APPROACH
PAGE 15

Indicators in this area assess countries' institutional, legal and regulatory frameworks related to migration policies. This area also looks at the existence of national migration strategies that are in line with development objectives and overseas development efforts, as well as institutional transparency and coherence in relation to migration management.



PARTNERSHIPS
PAGE 17

This category focuses on countries' efforts to cooperate on migration-related issues with other States and with relevant non-governmental actors, including civil society organizations and the private sector.



WELL-BEING
OF MIGRANTS
PAGE 18

Indicators in this area assess countries' policies on the recognition of migrants' educational and professional qualifications, provisions regulating student migration and the existence of bilateral labour agreements between countries. Aspects of diaspora engagement in the country of origin and migrant remittances are also under this domain.



MOBILITY DIMENSION
OF CRISES
PAGE 20

This category looks at the type and level of preparedness of countries when they are faced with mobility dimensions of crises. The questions look at the processes in place for nationals and non-nationals both during and after disasters, including if humanitarian assistance is equally available to migrants as it is to citizens.



SAFE, ORDERLY AND
REGULAR MIGRATION
PAGE 22

This area looks at countries' approach to migration management in terms of border control and enforcement policies, admission criteria for migrants, preparedness and resilience in the case of significant and unexpected migration flows, as well as the fight against trafficking in persons.



1

ADHERENCE TO INTERNATIONAL STANDARDS AND FULFILMENT OF MIGRANTS' RIGHTS

1.1. International conventions ratified

Table 1. Signature and ratification of international conventions

Convention name	Ratified (Year)
International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97)	No
United Nations Convention relating to the Status of Refugees (also known as the Refugee Convention), 1951	No
United Nations conventions on statelessness, 1954 and 1961	No
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
United Nations Convention on the Rights of the Child (UNCRC), 1989	Yes (1994)
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990	No
United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000	Yes (2003)

1.2. Migration governance: Examples of well-developed areas

Migrants in Uzbekistan, regardless of status, have the same access as citizens to Government-funded emergency health-care services, free of charge. Stateless persons enjoy the right to health care on an equal basis with citizens, as outlined by Article 14 of the Law on Public Health (2009).

All regular migrants in Uzbekistan have equal access to social protection as nationals. The Labour Code of the Republic of Uzbekistan (1996) stipulates in Chapter XVI that all employees have access to the State's social insurance scheme. Articles 11 and 14 of the Labour Code affirm that its provisions apply to foreign citizens and stateless persons formally employed in Uzbekistan. Similarly, Article 2 of the Law on Employment of the Population (2020) identifies citizens, permanent residents and foreign workers in Uzbekistan as eligible for State support. Furthermore, Article 1 of the Law on the Provision of State Pensions to Citizens (1993) states that foreign citizens and stateless persons residing in Uzbekistan have access to State pensions on the same terms as citizens.

Uzbekistan is party to the Agreement on the Guarantees of the Rights of Citizens of the Member States of the Commonwealth of Independent States in the Field of Pension Insurance, a multilateral treaty signed in 1992 that guarantees the portability of citizens' pension entitlements between Armenia, Belarus, Kazakhstan,

Kyrgyzstan, the Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.⁵ In addition, Article 40 of the Law on the Provision of the State Pension to Citizens states that work undertaken abroad by non-citizens can count up to one third of the term for pension eligibility.⁶ For citizens of Uzbekistan, employment in other countries counts towards pension eligibility without any limits.

Migrants are not restricted from working in the civil service, in State institutions or in State-owned companies, provided they have a valid work permit provided on the basis of an invitation from the public agency as employer, which facilitates the obtaining of the work permit. However, the Law on the Organs of Internal Affairs (2016) states that only citizens of Uzbekistan can serve in the “organs of internal affairs” (namely, the police and domestic security services). Similarly, the Law on General Military Duties and Military Service (2002) provides only for citizens of Uzbekistan to serve in the military.

Article 19 of the Law on Citizenship of the Republic of Uzbekistan (2020) states that foreign nationals and stateless persons may apply for citizenship in Uzbekistan after “having permanently resided in Uzbekistan for five years continuously”. Other conditions include renouncing foreign citizenship, having a legitimate source of income, agreeing to comply with the Constitution of the Republic of Uzbekistan (1992) and being able to communicate in Uzbek.⁷ For stateless persons, the residency requirement is reduced to three years after three years of marriage to a citizen of Uzbekistan.⁸

In October 2020, Uzbekistan adopted the 2020–2022 National Action Plan on the Implementation of ICERD.⁹ Examples of measures contained in the document include improving the collection of statistics on ethnicity, language, migrants and refugees; developing specific proposals to strengthen the guarantees of rights of ethnic minorities, migrants, refugees, foreign citizens and stateless persons; drafting a Law on Equality and Non-discrimination; and improving the ability of ethnic minorities to report discrimination.

In addition, according to the Election Code of the Republic of Uzbekistan (2019), citizens residing abroad are able to vote by registering with embassies and consulates, either by filling out a paper application form or completing one online.¹⁰

1.3. Areas with potential for further development

Migrants do not have the same status as citizens in accessing Government-funded primary, secondary or vocational education. Article 5 of the Law on Education (2020) states that everyone in Uzbekistan has a guaranteed right to education, regardless of ethnicity, race, religion and gender; but it does not include citizenship or migration status in this list. Article 5 also specifies that foreign citizens have the right to education only “in accordance with international agreements”. Article 38 specifies that foreign citizens studying at State educational institutions must pay tuition fees, unless they are awarded a State grant, but the Law does not provide any details about such grants. In general, international students may pay higher tuition fees at public-funded universities, whereas some private universities may set a fixed fee for all students. Article 1 of the Decree of the Cabinet of Ministers on Improving the Procedure for Admission and Study of Foreign Citizens in Educational Institutions in the Republic of Uzbekistan (2008) states that

⁵ The Agreement particularly recognizes “that the State Parties of the Commonwealth have obligations concerning disabled persons which acquired the right to provision of pensions to their territories or in the territory of other republics for the period of their entry into the USSR and exercise this right to the territories of the State Parties of the Agreement.”

⁶ The Cabinet of Ministers determines the procedure for the inclusion of the length of service for the period of work abroad for employees of diplomatic missions and consular institutions of the Republic of Uzbekistan, as well as persons seconded by the Ministry of Foreign Affairs to positions in international intergovernmental organizations. For foreign citizens and stateless persons, work abroad of not more than one third of the length of service within Uzbekistan is considered.

⁷ This is assessed based on a language test with different levels.

⁸ According to Article 21 of the same law, the President may grant citizenship to any person at any time.

⁹ The full form reads as follows: The Implementation of the Concluding Observations and Recommendations of the United Nations Committee on the Elimination of Racial Discrimination Following the Consideration of the Tenth and Twelfth Periodic Reports of the Republic of Uzbekistan on the Implementation of the Provisions of the International Convention on the Elimination of All Forms of Racial Discrimination. More information is available at www.ungeneva.org/en/news-media/press/taxonomy/term/175/52901/committee-elimination-racial-discrimination-reviews-report.

¹⁰ The voting registration is usually conducted earlier than the actual election day in the country.

foreign citizens may study at State educational institutions on a fee-paying basis, except where legislation or international agreements state otherwise.

Migrants with permanent residency status have free access to Uzbekistan's labour market, but all other migrants require a work permit in order to access employment. The issuance of work permits is governed by the Regulation on the Procedure for Attracting and Employing Foreign Labour in the Republic of Uzbekistan (2019).¹¹ According to this Regulation, work permit applicants must present an employment contract from a prospective employer. The work permit affords the right to work only for the employer for which the permit was issued.

The conditions for acquiring an indefinite residency permit are not clearly defined. The Regulation on Permanent Residency for Foreigners, Permanent Residency for Stateless Persons and Certificates for Stateless Persons, which was adopted through the Presidential Decree on Improvement of the Passport System of the Republic of Uzbekistan (1999),¹² outlines the permanent residence permit application and renewal process. However, it does not set out the actual conditions for accessing permanent residency, and there is no information about such conditions on any government website. The status of permanent residency and the corresponding permit are granted for an indefinite period by the Ministry of Internal Affairs upon receipt of all necessary documentation.¹³

¹¹ The Regulation was last amended in 2021.

¹² The Decree was last amended in 2020.

¹³ Article 9 lists the documents needed: two copies of the completed application form; notarized statements from the people with whom the applicant intends to live, expressing their attitude to the applicant's application, proving their property ownership and disclosing the number of people already living with them; notarized copies of the applicant's marriage certificate and children's birth certificates; a receipt showing the applicant's payment of the relevant fee; and two passport-style photographs.



2

FORMULATES POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

2.1. Migration governance: Examples of well-developed areas

Responsibility for enacting immigration policy falls under the purview of the Main Directorate for Migration and Citizenship (MDMC) of the Republic of Uzbekistan, which is part of the Ministry of Internal Affairs. According to the Presidential Decree on Measures to Fundamentally Improve the Activities of Internal Affairs Bodies in the Field of Migration Processes and Registration of Citizenship (2017), the Main Directorate is tasked with ensuring compliance with immigration rules, organizing and coordinating the activities of the migration and citizenship registration units of internal affairs agencies to ensure the effective fulfilment of their tasks, and coordinating with other units, government offices and civil society organizations on issues related to migration.

The Ministry of Employment and Labour Relations is responsible for crafting and implementing policy relating to Uzbekistan's citizens working abroad. It also liaises with foreign countries to negotiate employment opportunities on behalf of Uzbekistan, as outlined by the Regulation on the Ministry of Employment and Labour Relations of the Republic of Uzbekistan.¹⁴ As stated in paragraph 32 of this Regulation, within the Ministry, responsibility for emigration policy is assigned to the Agency for External Labour Migration (AELM). The Agency is responsible for helping citizens of Uzbekistan to find work abroad, preparing them, and protecting their rights and interests while they are abroad. In practice, the Agency concludes bilateral agreements directly with potential employers in major destination countries, including the Russian Federation, Kazakhstan and Türkiye.

The Department for the Protection of the Rights of Citizens of the Republic of Uzbekistan Engaged in Temporary Labour Activity Abroad and International Economic Cooperation (DPRCUA), established in 2019 within the Cabinet of Ministers,¹⁵ carries out its activities under the leadership of the Prime Minister and is in charge of coordinating the work of AELM, Uzbekistan's diplomatic missions abroad, and other State bodies. DPRCUA is further tasked with monitoring and analysing migration-related issues, developing and realizing plans and programmes to protect citizens working abroad, expanding migration-related international cooperation, and protecting the well-being of those remaining in Uzbekistan when their family members go to work abroad.

Uzbekistan has national migration legislation regulating immigration. The Decision of the Cabinet of Ministers on Approval of the Regulation on the Procedure for Attracting and Employing Foreign Labour in the Republic of Uzbekistan (2019) outlines a legislative framework for bringing foreign workers to Uzbekistan, including descriptions of the categories of foreign workers, as well as who can hire them and how. The Presidential Decree on Measures to Fundamentally Improve the Efficiency of the Internal Affairs Bodies, Strengthen Their Responsibility for Ensuring Public Order, Reliable Protection of the Rights, Freedoms and Legitimate Interests of Citizens (2017) delegates responsibility for overseeing the migration process to MDMC, which was established in 2017 under the Ministry of Internal Affairs.¹⁶

Uzbekistan regularly publishes migration data. The State Committee of the Republic of Uzbekistan on Statistics publishes the number of departures and arrivals to and from foreign countries, disaggregated by sex and region, on a quarterly basis. Furthermore, AELM publishes quarterly statistics on Uzbek citizens

¹⁴ The Regulation is Annex 4 to the Decree on Measures to Further Improve and Fundamentally Revise the System of Organized Employment of Citizens of the Republic of Uzbekistan Abroad (2018).

¹⁵ The DPRCUA is a structural subdivision of the Cabinet of Ministers and does not report or function under any specific ministry. In fact, it is the main overall coordinating entity on labour migration issues. The Head of the DPRCUA holds the status of Adviser to the Prime Minister.

¹⁶ Chapter 2 of the Decree describes the MDMC's functions.

working abroad. As of June 2022, these statistics are available for 2019 and 2020 and cover nationals who seek employment abroad through a registered employment agency in Uzbekistan, but they do not include those who travel independently or labour migrants moving into the country.

Uzbekistan's first upcoming census, since the country gained independence in 1991, will collect migration data. The Law on the Census (2020) stipulates that Uzbekistan will conduct a census every 10 years. Article 21 requires the census to gather data on ethnicity, citizenship and migration history (internal and external).¹⁷

2.2. Areas with potential for further development

Uzbekistan does not have a single designated department or agency responsible for designing and coordinating the implementation of an overall migration policy. MDMC oversees the migration process, but it does not design or implement policy relating to migration of Uzbek citizens to other countries. The Ministry of Employment and Labour Relations, through its AELM, is responsible for designing and implementing policy regarding nationals abroad and reports to DPRCUA.

Uzbekistan has a mechanism for interministerial coordination only on issues related to citizens working abroad. The Republican Commission for External Labour Migration Issues, established in accordance with Article 4 of the Presidential Decree on Measures for the Further Strengthening of Guarantees of Protection of Citizens of the Republic of Uzbekistan Who Perform Temporary Labour Activities Abroad and Members of Their Families (2019), is responsible for coordinating the activities of State bodies and government departments in relation to citizens of Uzbekistan working abroad. In parallel, DPRCUA ensures that AELM and Uzbekistan's diplomatic and consular missions work effectively with Uzbek citizens working abroad.

Uzbekistan does not have a national migration strategy. It has two decrees that set out the country's migration policy: the Decree on Measures to Fundamentally Improve the Activities of Internal Affairs Bodies in the Field of Migration Processes and Registration of Citizenship; and the Decree on Measures to Fundamentally Improve the Efficiency of the Internal Affairs Bodies, Strengthen Their Responsibility for Ensuring Public Order, Reliable Protection of the Rights, Freedoms and Legitimate Interests of Citizens. However, neither of these constitutes a comprehensive strategy with a road map for implementation. Moreover, the decrees are not gender-responsive and do not address migrant reintegration or align with national development goals.

There have been only ad hoc and informal efforts to enhance vertical policy coherence. In 2018 and 2019, the Ministry of Employment and Labour Relations, in collaboration with IOM, provided training on pre-departure orientation, better protection of the rights of labour migrants, and responsible recruitment and migration law, among other topics, for AELM; while MDMC was involved in similar ad hoc trainings between 2016 and 2019.

¹⁷ Due to the COVID-19 pandemic, the first census has been postponed until 2023.



3

ENGAGES WITH PARTNERS TO ADDRESS MIGRATION AND RELATED ISSUES

3.1. Migration governance: Examples of well-developed areas

Uzbekistan is a member of the Prague Process, a regional consultative process which covers 50 States in Eurasia to strengthen cooperation in migration management and explore and develop principles for close migration partnerships between participating countries.

In 2019, Uzbekistan signed the Memorandum on Cooperation in Realizing a System for Foreign Labour Resources with the Residence Status of “Workers with Special Skills” with Japan. It allows Uzbek citizens with “moderate proficiency” in Japanese and relevant work experience to seek work in Japan in 14 specific industries.

Uzbekistan became the 173rd member of IOM on 27 November 2018. Although not a member State of the Office of the United Nations High Commissioner for Refugees’ Executive Committee of the High Commissioner’s Programme, the country was represented at its Seventy-first Session (5–9 October 2020).

The Presidential Decree on Measures to Further Improve the State Policy of the Republic of Uzbekistan towards Cooperation with Compatriots Living Abroad (2018)¹⁸ outlines a detailed policy and action plan for engagement with Uzbek citizens living abroad, former citizens living abroad,¹⁹ descendants of citizens living abroad, and foreign citizens living abroad who identify as ethnically, culturally or historically Uzbek or Karakalpak.²⁰ These two documents are expressly framed as enabling such individuals to contribute to Uzbekistan’s development, and they include measures to attract workers – especially those who are highly qualified – to move to Uzbekistan, as well as measures to enable them to obtain visas and work permits. In compliance with this Decree, the El-Yurt Umidi Foundation for Training Specialists Abroad and the Dialogue with Compatriots was established in 2018, under the Cabinet of Ministers, to further strengthen contacts with nationals living abroad and encourage them to work in the country’s civil service and wider public sector through scholarships for postgraduate studies and internships, among others.

3.2. Areas with potential for further development

Uzbekistan formally engages civil society organizations (CSOs) and the private sector in agenda-setting and the implementation of migration-related issues, but only on an ad hoc basis. CSOs are mostly involved in counter-trafficking and victim protection issues (for instance, protection of labour migrants and promotion of safe and orderly migration among local communities) through participation in Government-led Counter-Trafficking Commissions across the territory. Furthermore, the World Association of Youth of Uzbekistan, a non-governmental organization, works with “young people who study and work abroad, to protect their rights and legitimate interests, fully support and stimulate them, educate them in the spirit of patriotism, and also help them to find their place in society”.

Uzbekistan is not part of a regional organization promoting labour mobility. It is a member of the Commonwealth of Independent States, but this organization does not formally promote labour mobility. Uzbekistan is not a member of the Eurasian Economic Union (EEU), which is the main organization promoting labour mobility in the post-Soviet era. In December 2020, Uzbekistan was granted observer status within EEU.

¹⁸ The Decree contains the Concept of the State Policy towards Cooperation with Compatriots Living Abroad (Annex 1) and the Programme of Priority Measures to Develop Cooperation with Compatriots Living Abroad (Annex 2).

¹⁹ Article 2 defines immigrants as those from Uzbekistan who went abroad and became citizens of a foreign State.

²⁰ The Karakalpaks are a people of Central Asia. They lived within the Uzbek Soviet Socialist Republic until it was dissolved in 1991. Today their territory is autonomous Karakalpakstan within Uzbekistan.



4

ADVANCES THE SOCIOECONOMIC WELL-BEING OF MIGRANTS AND SOCIETY

4.1. Migration governance: Examples of well-developed areas

Uzbekistan has different types of visas to attract specific labour skills. In line with the Cabinet of Ministers Resolution No. 408 of 21 November 1996, 28 types of visas are offered, including teaching and academic visas. Additionally, the Presidential Decree on Measures on the Creation of Favourable Conditions for Carrying Out Labour Activity on the Territory of the Republic of Uzbekistan by Qualified Specialists of Foreign States (2018) lays out a simplified procedure for hiring “qualified specialists”,²¹ which exempts them from the requirement to leave Uzbekistan to have their visas renewed and entitles them to pay taxes at 50 per cent of the established rate.

Uzbekistan has formalized criteria for recognizing foreign qualifications. The Presidential Decree on Improving the Procedure for the Recognition of Documents on Education in Foreign Countries (2019) covers the accreditation of qualifications from foreign educational institutions. The Decree details four schemes for accreditation, each for a different type of qualification: secondary education, vocational training, higher education and “advanced training”. Centres for Public Services under the Ministry of Justice review qualifications for the State Inspection for Supervision of Quality in Education under the Cabinet of Ministers, who then carries out the accreditation. While some qualifications need to be reviewed before accreditation, others do not, including those received from higher education institutions ranked among the world’s top 1,000; those from institutions accredited by full members of the European Association for Quality Assurance in Higher Education; those from accredited institutions in Australia, Canada, Israel, Japan, Singapore, the Republic of Korea and the United States of America; and other cases stipulated by international treaties of Uzbekistan or resolutions of the President or the Cabinet of Ministers. Moreover, the Single Interactive State Services Portal enables citizens and non-citizens to apply for different government services, including registration for foreigners, and the applications are then referred to the relevant government entities.

Uzbekistan has formal bilateral labour agreements in place. The Russian Federation and Uzbekistan have a bilateral agreement on labour migration, which was signed in 2007 and came into effect in 2009. It contains a mutual commitment to inform each country of the procedures and requirements for labour migration and a requirement for employers to cover the costs for employees’ medical care and to allow migrants’ family members to live in the host State. Kazakhstan and Uzbekistan signed a similar agreement in 2019 (which came into force in 2021), forbidding lower wages and less favourable working conditions for migrant workers in comparison to citizens of the host State with the same position and qualifications.

Uzbekistan has measures in place to promote the ethical recruitment of migrant workers. The Decree on Measures to Introduce a System of Safe, Orderly and Legal Labour Migration (2020), which focuses on regulating and monitoring labour migration from Uzbekistan to other countries, aims to ensure that recruitment processes protect the rights and interests of Uzbek citizens. The Ministry of Employment and Labour Relations as well as the Agency for External Labour Migration are the main entities in charge of its implementation. Measures include the expansion of State support for citizens working abroad (i.e. ensuring migrants’ safety, increasing the Government’s role in international dialogue and sending workers abroad, and creating broader ties with citizens abroad), allowing regional branches of the Ministry of Employment and Labour Relations to negotiate directly with foreign employers and oversee the sending of workers abroad, increasing pre-departure training (from secondary education to specialized vocational training) for workers, and expanding the microcredit system to ensure a smoother migration process.

²¹ Qualified specialists are defined as those who have graduated from a top 1,000 university globally, and those having not less than five years’ experience in their sphere.

4.2. Areas with potential for further development

Uzbekistan has limited capacity to monitor the labour market demand for immigrants and the effects of emigrants on the domestic labour market. The Republican Scientific Centre of Employment and Labour Protection carries out research on the labour market, including internal and external labour migration. On its website, it publishes monthly bulletins, which contain news, events and opinions on the topics of international migration, labour protection and employment. The Centre also periodically publishes scientific working papers on topics such as the effect of emigration on the Uzbek economy, the informal economy, the role of small businesses in providing employment for the population of Uzbekistan in the context of economic modernization, microcredit, and the service sector as an important factor in ensuring employment and diversification of the economy of the country. However, there is no formal system for monitoring the domestic labour supply and demand. Publications from the Republican Scientific Centre of Employment and Labour Protection usually disaggregate data by sex but not by migration status.

The Labour Code (1996) contains provisions addressing gender equality in general, but it does not mention gender equality among migrants. Articles 11 and 14 of the Code explicitly affirm that provisions apply to foreign citizens and stateless persons working in Uzbekistan. The Ministry of Employment and Labour Relations and the Main Directorate for Migration and Citizenship do not implement specific measures to promote gender equality for migrants in the labour force.

In June 2020, a presidential decree approved the National Strategy of the Republic of Uzbekistan on Human Rights, and the Roadmap for the Implementation of the Strategy (2020) provides for the development of a draft law on labour migration.



5

EFFECTIVELY ADDRESSES THE
MOBILITY DIMENSIONS OF CRISES

5.1. Migration governance: Examples of well-developed areas

The Law on Civil Defence (2000) delegates responsibility for civil defence to the Ministry of Emergency Situations. The main tasks of the Ministry include planning for and coordinating the response to any emergency situations that may arise.

Uzbekistan has measures in place to assist nationals living abroad in times of crisis. In accordance with the Decree on Measures to Further Improve and Fundamentally Revise the System of Organized Employment of Citizens of the Republic of Uzbekistan Abroad (2018), Uzbekistan has a Fund to Support and Protect the Rights and Interests of Citizens Engaged in Labour Activities Abroad, which is managed by the Ministry of Employment and Labour Relations. This can be used to provide legal and social protection, as well as material assistance, to Uzbek citizens working abroad who have been victims of violence, forced labour, or discrimination or have had their labour rights violated, as well as those who are in financial difficulties or those who have lost their identity documents. It can also be used to provide Uzbek citizens working abroad with medical care if they cannot afford it themselves and are not covered by insurance. The Fund can be used to return bodies of deceased citizens to Uzbekistan, to repatriate citizens and to fund the monitoring of labour conditions of citizens abroad. The Consular Statute (2019) – which governs the work of Uzbekistan’s consular missions abroad – indicates that consulates should inform the Ministry of Foreign Affairs about citizens who find themselves in a crisis abroad (including natural disasters), take measures to protect and evacuate them, and arrange the transportation of the remains of the deceased. The Regulations on the Procedure for Providing Assistance to Citizens of the Republic of Uzbekistan Affected by Emergencies on the Territory of Foreign States (2018) outlines the procedure for providing assistance to citizens during crises abroad, including evacuation; the provision of information, medical assistance and material aid (including medication, rations and clothing); and the transportation of bodies. Citizens may voluntarily register with embassies and consulates, which keep records of them.²²

Uzbekistan has measures in place to make exceptions to the immigration procedures for migrants whose country of origin is experiencing crisis. The Agreement on Assistance to Refugees and Internally Displaced Persons (1993) provides a framework for the members of the Commonwealth of Independent States to take in refugees and internally displaced persons and seek recourse from each other. It gives States the right to grant asylum for those displaced by crisis, through a simplified procedure. Additionally, according to Article 93 of the Constitution (1992), the President has the power to grant asylum and decide issues of citizenship.

5.2. Areas with potential for further development

Uzbekistan does not have a strategy with specific measures to provide assistance to migrants before, during or after crises in the country. The Decree on Measures to Prevent Emergency Situations Associated with Flood, Mudflow, Avalanche and Landslide Phenomena, and to Eliminate Their Consequences (2007) provides guidance on the country’s response to natural disasters, and delegates the responsibility for response planning to the Committee on Floods, Water Resources and Geology, but it does not mention migrants.

²² In order to register, a citizen must provide the following: a completed application form for consular registration; a passport and a copy of all the pages; a copy of either the visa, residence permit or green card; two colour photographs; and a registration fee to be processed by the embassy/consular staff.

Uzbekistan has a system in place to disseminate information on the evolving nature of crises. The Ministry of Emergency Situations shares information through the Press Centre section of its website and an official Telegram channel. Much of the information focuses on actions of government officials, as well as the actions of the Ministry. The Telegram channel publishes information related to emergency situations around the country too, such as fires, explosions and workplace incidents. There is currently a Telegram channel dedicated to the COVID-19 crisis. It focuses on information relating to Uzbekistan but also publishes information on the global situation and, occasionally, other assorted news from around the country. However, the crisis communication system does not take into consideration the specific vulnerabilities that migrants face. Both official Telegram channels are in Uzbek and Russian only. There is no evidence of a system for the public to communicate their needs to the Government.

Uzbekistan's national development strategies do not address the reintegration of returning migrants. There is no mention of returning migrants on the website of the Action Strategies in the Five Priority Areas of the Republic of Uzbekistan in 2017–2021, nor in the Uzbekistan 2035 Development Strategy Framework (adopted in 2019).

There is no mention of migrant issues in recovery strategies, in the Law on Civil Defence, nor in the Presidential Decree on Measures to Prevent Emergency Situations Associated with Flood, Mudflow, Avalanche and Landslide Phenomena, and to Eliminate Their Consequences.



6

ENSURES THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

6.1. Migration governance: Examples of well-developed areas

Uzbekistan has a dedicated body tasked with integrated border control and security. The border troops of the State Security Service are tasked with control of the border by the Law on the State Border (1999), according to which they have the authority to check documents and admit, detain, or expel individuals to prevent irregular crossings, threats and smuggling. The Main Directorate for Migration and Citizenship, which is a part of the Ministry of Internal Affairs, works in parallel to ensure the implementation of immigration rules.

The Ministry of Foreign Affairs has a webpage – available in Uzbek, Russian and English – that clearly outlines visa options and the general rules for entering the country. All three language versions include information about the documents necessary for visa applications, how to invite foreigners to Uzbekistan, visa fees, and nationalities with visa-free entry. In addition, the Russian and Uzbek versions describe the different types of visas in detail.

The Presidential Decree on Measures to Further Improve the State Policy towards Cooperation with Compatriots Living Abroad (2018) aims to attract highly qualified citizens of Uzbekistan living abroad, former citizens of Uzbekistan living abroad, and their descendants to move to the country. To this end, measures include the following: an expedited and simplified procedure to obtain visas and work permits (for those without citizenship of Uzbekistan); assistance with housing and social matters; a simplified procedure to obtain citizenship; and grants to study the Uzbek language, culture, history and arts. The Decree on Measures to Introduce a System of Safe, Orderly and Legal Labour Migration recognizes the need to improve the processes for the reintegration of labour migrants and seeks to create incentives for Uzbek businesses to hire returning migrants, as well as promotes the use of a Unified Register of Social Protection for their families, although it does not specify a clear implementation mechanism.

Uzbekistan has a law dedicated to combating human trafficking. The Law on Combating Trafficking in Human Beings (2020) defines what constitutes human trafficking, and names the bodies that have authority to act against it. Article 19 focuses on tracking and assisting women and child victims. Article 6 delegates authority to the National Commission for Combating Human Trafficking and Forced Labour, an inter-agency commission established in 2019 and chaired by the Chairperson of the Senate (Upper House) of the Oliy Majlis (National Parliament), stating that it is the main coordinator of State policy with regard to human trafficking. Article 9 delegates power to the Cabinet of Ministers in assisting victims of human trafficking, while Articles 11 and 13 give power to the Ministry of Internal Affairs and the State Security Service to participate in the development and implementation of State policy. Article 17 allows non-State bodies to offer assistance in the fight against human trafficking.

The Regulation on the Procedure for Attracting and Employing Foreign Labour in the Republic of Uzbekistan (2019) contains provisions to protect migrant workers from exploitation. The State Labour Inspectorate monitors working conditions to ensure compliance with both labour and migration legislation, and it assists victims of labour exploitation through an online portal.

6.2. Areas with potential for further development

The Regulation on the Procedure for Attracting and Employing Foreign Labour in Uzbekistan does not mention referral or protection services. The Law on Combating Trafficking in Human Beings does not make any reference to identifying migrants in vulnerable situations or providing them with referral or protection services.

Uzbekistan does not publish information about its counter-trafficking activities. The Law on Combating Trafficking in Human Beings has no provisions for reporting on counter-trafficking activities. There are no public reports of activities undertaken by the National Commission for Combating Human Trafficking and Forced Labour or the Ministry of Internal Affairs. The only information on this matter is published internally by the former. During its annual meeting, the National Commission reviews an annual report from the corresponding interdepartmental working group, which contains information about all State organs' activities in combating human trafficking.

Uzbekistan's border troops receive limited training on migration issues, which covers language and content related to the cultural and gender aspects of neighbouring and other foreign countries. For example, in February 2020, State border troops received specialized theoretical and practical training.



PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)

This annex summarizes key national COVID-19 policy responses in Uzbekistan from a migration governance perspective. It is based on 12 questions that were added to the standard Migration Governance Indicators (MGI) assessment in the country in order to effectively assess national migration governance in the context of the COVID-19 pandemic.



Migrants can access some COVID-19-related health services on the same terms as citizens of Uzbekistan, with the exception of vaccinations, which cover only residents. Patients with – or suspected of having – COVID-19 receive public-funded treatment free of charge, including migrants with regular status.



Migrants are not excluded from the financial support or fiscal and social security measures offered by Uzbekistan in the context of COVID-19. However, neither the Presidential Decree on Priority Measures to Mitigate the Negative Economic Impact of the Coronavirus Pandemic and the Global Crisis (2020)¹ nor the Presidential Decree on Additional Measures to Support the Population, Economic Sectors and Business Entities During the Coronavirus Pandemic (2020)² makes any reference to citizenship, simply framing the aid as being for “the population”. The April Decree eliminated the excise tax on many essential food products and personal protective equipment, whereas the March Decree created a National Crisis Fund to finance measures to combat the spread of infection. It expanded social support to the population, including the allocation of additional funds, the promotion of entrepreneurship and employment of the population, and ensuring the sustainable functioning of industries.

The Government of Uzbekistan has not specifically taken into consideration the needs of migrants in key policy measures in response to COVID-19. However, measures have been introduced to help them. For example, the maximum period for which migrants can use foreign-registered vehicles without incurring customs duty was extended from the date of entry into the country until November 2020. In addition, at the request of foreign States’ diplomatic missions, hotel accommodation was provided for migrants at a discounted price. Furthermore, the legal requirement for foreign citizens to register at an address is waived while they are self-isolating.

¹ President of the Republic of Uzbekistan, Decree on Priority Measures to Mitigate the Negative Economic Impact of the Coronavirus Pandemic and the Global Crisis. 19 March 2020. Available at <https://lex.uz/docs/-4770761>.

² President of the Republic of Uzbekistan, Decree on Additional Measures to Support the Population, Economic Sectors and Business Entities During the Coronavirus Pandemic. 3 April 2020. Available at <https://lex.uz/docs/-4780475>.



PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)



The Government of Uzbekistan shares information on the COVID-19 pandemic only in Uzbek and Russian, and there is no evidence of ways for migrants to communicate their concerns to the Government. Both the country's official COVID-19 portal and its Telegram channel share information in Uzbek and Russian. This information pertains mostly to the situation in Uzbekistan, with details such as case numbers and fatalities. Additionally, the Government shares information on the global situation, as well as occasional non-COVID-19-related domestic news.



Uzbekistan has repatriated citizens stranded abroad during the COVID-19 crisis, but there are no formal efforts to sustainably reintegrate them once returned. On 15 March 2020, Uzbekistan's Republican Special Commission for the Preparation of the Programme of Measures to Prevent the Entry and Spread of Coronavirus ordered the closure of the country's borders to passenger transport from 16 March 2020, with citizens of Uzbekistan permitted to return. In response, the Ministry of Foreign Affairs listed citizens abroad for repatriation by charter flights from Delhi, Kuala Lumpur, Istanbul and Moscow. From 13 May 2020, the Uzbek embassy in Moscow organized financial support for migrants stranded in the Russian Federation, offering one-time payments of RUB 12,130 (USD 170), prioritizing those with disabilities, pregnant women, women with children under the age of 2, those infected with COVID-19, and students.





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ANNEXES

MiGOF: Migration Governance Framework²³

In an attempt to define the concept of “well-managed migration policies”, the International Organization for Migration (IOM) devised a Migration Governance Framework (MiGOF), which was welcomed by the IOM Council in November 2015. For the purposes of the Migration Governance Framework, IOM defines governance as “the traditions and institutions by which authority on migration, mobility and nationality in a country is exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas”.

The Framework sets out the essential elements of “good migration governance” – three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, safe and orderly, and that it provides benefits for migrants and societies.²⁴ IOM’s view is that a migration system promotes migration and human mobility that is humane and orderly and benefits migrants and society:

When it:

- (i) Adheres to international standards and fulfils migrants’ rights;
- (ii) Formulates policy using evidence and a “whole-of-government” approach;
- (iii) Engages with partners to address migration and related issues.

As it seeks to:

- (i) Advance the socioeconomic well-being of migrants and society;
- (ii) Effectively address the mobility dimensions of crises;
- (iii) Ensure that migration takes place in a safe, orderly and dignified manner.

The MiGOF does NOT create new standards or norms. In drafting the Framework, IOM relied on its expertise and analytical work, as well as on existing commitments, non-binding declarations and statements. It does NOT address global migration governance that is the international architecture for dealing with issues related to migration and human mobility. Instead, the focus is on the governance and management of migration from the point of view of the State as the primary actor. It does NOT propose one model for all States. The Framework presents a “high road” or ideal version of migration governance, to which States can aspire.

The MiGOF is based on the understanding that, as the primary actor in migration, mobility and nationality affairs, a State retains the sovereign right to determine who enters and stays in its territory and under what conditions, within the framework of international law. Other actors – citizens, migrants, international organizations, the private sector, unions, non-governmental organizations, community organizations, religious organizations and academia – contribute to migration governance through their interaction with States and each other.

²³ IOM Council, Migration Governance Framework, 106th Session, C/106/40 (4 November 2015). Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

²⁴ Migration Governance Framework infosheet (2016). Available at <https://publications.iom.int/books/migration-governance-framework>.

The MGI process



1

Launch of the MGI process

The first step of the process is to explain what the MGI entails to key government officials, in order to ensure full understanding of the project and complete buy-in.



2

Data collection

The second step of the process is to start the collection and analysis of data, based on about 90 indicators grounded in the 6 dimensions of the MiGOF. A migration governance profile based on the analysis of the findings is then drafted and shared with the government counterparts.



3

Interministerial consultation

The third step of the process is to convene an interministerial consultation where all relevant ministries and other stakeholders discuss the good practices and main areas that could be developed further as identified in the draft migration governance profile, as well as priorities on the way forward. It is also an opportunity for them to comment and provide suggestions on the draft profile.



4

Publication of the report on the Global Migration Data Portal

After the migration governance profiles are finalized and vetted by government counterparts, they are published on the Global Migration Data Portal²⁵ and uploaded on the IOM Publications Platform.²⁶

²⁵ You can find the profiles at www.migrationdataportal.org/overviews/mgi.

²⁶ Please see <https://publications.iom.int/>.



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