

ARGREEMENT

between the national trade union centers that are part of the Council of Trade Unions of the Central Asian countries on mutual understanding and cooperation in the field of labor migration

Shymkent, Kazakhstan

" 17 " October 2023

The Council of Trade Unions of Central Asian Countries (hereinafter - CTUCA) represented by the Federation of Trade Unions of the Republic of Kazakhstan, the Federation of Trade Unions of Kyrgyzstan, the Confederation of Mongolian Trade Unions, the Federation of Independent Trade Unions of Tajikistan, the Federation of Trade Unions of Uzbekistan (hereinafter each referred to as the "Party" and collectively "Parties"),

proceeding from the commitment to the fundamental documents of the UN in the field of human rights and the principles developed within the framework of the International Labor Organization;

desiring to strengthen and further develop cooperation between national trade union centers in the field of labor migration;

seeking to create a legal basis for cooperation between the Parties in the field of labor migration;

Convinced of the need to create a strong and effective promotion of labor migration management for the benefit of migrant workers in every country;

striving for the comprehensive development of cooperation between the parties to this Agreement in the field of labor activity and social protection of migrant workers in the territory states of the Parties;

in accordance with the current legislation of their states, agreed on the following:

Article 1.

Parties in accordance with the terms of this Agreement between the national trade union centers that are part of the Council of Trade Unions of the Central Asian countries on mutual understanding and cooperation in the field of labor migration (hereinafter referred to as the Agreement, other international treaties to which their states are parties, the national legislation of their states, as well as the national policies pursued by the Parties, agreed to strengthen and develop cooperation between their national trade union centers in the field of labor migration based on equality and mutual benefit.

The Parties create favorable conditions for long-term cooperation in the field of labor migration for the mutual benefit of the countries.

Article 2

Within the framework of this Agreement, the Parties shall cooperate in the field of labor migration, protection of the labor rights of migrant workers, including information interaction, in accordance with the laws and international obligations of their countries.

Article 3

1. The Parties shall cooperate within the framework of this Agreement in the following main areas:

- exchange of statistical and legal information;
- exchange of experience and provision of practical and advisory assistance on issues arising in the process of cooperation;
- training and advanced training of national trade union centers dealing with issues of labor migration, including the organization of seminars and internships in this area;
- creation of working groups and exchange of experts on issues arising in the process of cooperation;
- holding scientific and practical conferences, seminars and using other forms of cooperation that require joint action;
- familiarization with the work of national trade union centers on labor migration issues;
- implementation of joint projects with the participation of international organizations.

2. This Agreement does not prevent the Parties from developing other mutually acceptable areas of cooperation.

Article 4

If necessary and by mutual agreement, the Parties exchange information and information:

- on revealed violations of migration legislation and channels of illegal migration
 - on practices and measures aimed at preventing illegal migration.
- The parties inform each other:
- on national legislation and other normative acts in the field of labor, employment, including the living conditions of migrant workers.
 - on the state of the labor markets of the Parties.

Article 5

National trade union centers agreed:

- contribute to the improvement of national legislation in the direction of increasing the efficiency of labor migration, preventing its illegal forms and ensuring the observance of the rights of migrant workers;

- provide for the extension of national legislation to migrant workers, bearing in mind that they should have the same rights as citizens of the host country, including the rights to be free from forced labor, inhuman or degrading treatment, to join trade unions, to decent working conditions and emergency medical care;

- provide in national general agreements for the obligations of governments to consider at meetings of tripartite bodies (commissions, councils) the labor migration situation in the state, its impact on the national labor market;

- consult with state authorities on the ratification by the countries of the Council of Trade Unions of Central Asia (where this has not yet been done) of the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, ILO Convention No. 97 on Migrant Workers and ILO Convention No. 143 on abuses in the field of migration and on ensuring equality of opportunity and treatment for migrant workers;

- intensify work to involve migrant workers in trade unions, providing for this possibility in the statutory documents. Taking into account the temporary nature of the labor activity of migrants, develop cooperation between related trade unions in the countries of the Council of Trade Unions of Central Asia for the admission of migrant workers to trade unions on the principles of mutual recognition;

- to continue cooperation between national associations of trade unions and international branch associations of trade unions, to expand the practice of concluding bilateral and multilateral agreements;

- to support the development of information centers for counseling trade union members wishing to go to work in another country of the Council of Trade Unions of Central Asia, and already working migrant workers. Continue the practice of mutual exchange of information on labor migration issues, including on employment opportunities for migrants in sectors of the economy, the state of affairs with the protection of their rights;

- seek to extend the scope of the collective agreement to migrant workers, stop cases of discrimination and violation of their rights in terms of conditions and wages, resist the dumping of labor. Identify and combat the facts of hiring illegal migrants;

- expand active propaganda work to clarify the rights and obligations of migrant workers. Actively promote their integration into society, combat manifestations of xenophobia and nationalism;

- use the experience of the international trade union movement in the work to involve migrant workers in trade unions and protect their interests.

Article 6

This Agreement does not affect the relations of the Parties with other professional associations.

The Parties undertake not to apply measures that are detrimental to the other Party.

As necessary, the Parties will conduct negotiations on the implementation of this Agreement.

The provisions of this Agreement do not affect the rights and obligations of the Parties arising from other international treaties to which they are parties.

Article 7

Disputes regarding the interpretation and application of the provisions of this Agreement shall be resolved through negotiations between the relevant bodies, and, if necessary, at the level of heads of professional centers.

Article 8

The Agreement is concluded by the Parties for 5 (five) years.

Its validity is then automatically extended for the next five-year period, unless either of the Parties declares its desire to denounce it by written notification at least 3 (three) months before the specified period.

The provisions of this Agreement may be supplemented or amended by mutual agreement of the Parties.

Article 9

Signed in the city of Shymkent, Kazakhstan, 17.10 2023 in five copies each in Russian and English, all texts are authentic.

The agreement comes into force from the date of its signing.

For the Federation of Trade Unions
Republic of Kazakhstan

S. Dauletalin

For the Federation of Trade Unions
Republic of Kyrgyzstan

E. Kyzaev

For the Confederation
Mongolian Trade Union

S. Erdenebat

For the Federation of Independents
Trade Unions of Tajikistan

M. Nematzoda

For the Federation of Trade Unions
Republic of Uzbekistan

K. Rafikov