

## Respect of economic and social rights of Tajik migrant workers by the Republic of Tajikistan

This thematic report is drafted by the non-governmental organization “Human Rights Center in Tajikistan” in order to provide information on implementation of the CESCR recommendations given to Tajikistan (p. 49, 70 of the Concluding observations of the CESCR) and articles 2, 6, 9 of the International Covenant on Economic, Social and Cultural Rights.

### I. Labour migration from Tajikistan: background and major trends

1. Tajikistan is a country with unstable economy and high unemployment rate. As of 1 March 2013 official rate of unemployed registered in the Agency on Employment and Social protection of population was 54,400 people.<sup>1</sup> According to unofficial data, level of unemployment in the country varies from 30-45% of population of working age. According to the data of the Ministry of Labour, Migration and Employment 799’000 citizens left Tajikistan in search of employment. However, experts estimate that about 1 million of Tajik nationals travel every year to labour migration.<sup>2</sup> Labour migration helps to reduce level of unemployment in three times and increase level of employment of population of working age by 15%. About 90% of Tajik migrant workers travel to Russian Federation.<sup>3</sup> Due to poverty and unemployment labour migration of citizens abroad became a main source of income and major survival strategy for the majority of population in the last 15 years in Tajikistan.<sup>4</sup> According to various sources remittances of Tajik migrant workers range from 35,1 % to 49% of country GDP, the highest in the world. During last 5-7 years there are the following general trends in labour migration from Tajikistan: constant growth of stock of emigration of Tajik population; growth of permanent migration; growth of irregular labour migration from Tajikistan due to tightening of migration regime in Russian Federation; prevalence of low-skilled labour migration and decline of professional level of migrant workers; growth in number of younger generation of migrant workers mainly low-skilled labour migration of youth immediately upon graduation of secondary school; growth of family migration; growth of number of women in general flows of migrant workers from Tajikistan.<sup>5</sup>
2. The Republic of Tajikistan is a country with high birth rate and high rates of population growth. Rate of population growth continues to increase. Since 2003 to 2007 average annual population growth rate was 152.9 persons per thousand of population. Since 2008 to 2012 this indicator was 184.2 persons per thousand of population. This trend indicates further growth

---

<sup>1</sup> <http://vecherka.tj/news/v-rejtinge-bezrabotny-h-v-tadzhikistane-lidiruyut-zhenshhiny/>

<sup>2</sup> UNDP (2010), National Human Development Report 2008-2009 Employment in the Context of Human Development, p. 103, [http://www.undp.tj/files/UNDP%20NHDR\\_Employment\\_2009\\_ENG.PDF](http://www.undp.tj/files/UNDP%20NHDR_Employment_2009_ENG.PDF)

<sup>3</sup> Centre for Strategic Research under the President of Tajikistan (2012), Impact of labour migration on way of life and behavior of population, unpublished report.

<sup>4</sup> Kuddusov J (2009), Impact of global financial crisis on labour migrants from Tajikistan: opinions of migrants, rapid assessment, Information Research Center “SocServis”.

<sup>5</sup> Bozrikova T (2011), Findings of the Gender Expertise of National Strategy of labour migration of Tajik citizens abroad for 2011-2015. UN Women; Public Fund “Panorama” (2010), Impact of global economic crisis on households of Tajikistan, DFID; Centre for Strategic Research under the President of Tajikistan (2012), Impact of labour migration on way of life and behavior of population, unpublished report.

of labour resources. According to the national statistics, trends in labour market during last five years demonstrate much higher growth of labour resources compared to employment (see Table 1 in the Annex 1). Labour force surveys conducted in 2004 and 2009 indicated the following trends. Share of employed among labour resources decreased during this period for 18.2% (from 53.6% to 35.4%), share of external migrant workers increased from 8% to 11% while share of economically inactive population increased for 10.8% (from 33.6% to 44.4%) (see Table 2 in the Annex 1).

3. Social and demographic changes in the profile of labour migration demonstrate increased representation of more vulnerable groups of population among migrant workers (see Table 3 in the Annex 1). Share of migrant workers residing in urban areas of Tajikistan is decreasing while share of migrant workers residing in rural areas who left the country in search of jobs is increasing. With regard to external labour migration, rural population compared to urban population face higher risk of irregular status in the country of destination. Rural residents have poorer knowledge of the language of the country of destination. In this respect, they are forced to use services of various intermediaries including criminals. They have poor knowledge of laws and regulations of the country of destination and their rights. Number of women migrant workers is increasing. Among common problems which all migrant workers face, women have higher risk of falling to sexual exploitation. As to age patterns share of very young people (from 15 to 24 years of age) is increasing. This group has much lower level of professional qualification compared to group of older age, poor knowledge of the language of country of destination, poor social networks which could be helpful in the foreign country. Due to these features migrant workers of this age group (from 15 to 24 years of age) have much higher risks of not finding the job ending up in slavery or facing various forms of discrimination in the country of destination.
4. Labour migration has both positive and negative effects on Tajik households. Among positive effects, most of households noted increase of standards of living due to remittances. Separation of families, deterioration of health of migrant workers, violation of rights of migrant workers in country of destination were among negative effects of labour migration on households.

## **II. Absence of a unified system of registration of flows and stock of the external labour migration**

5. Annual statistics on situation in the labour market do not include information about migrant workers. Economically active population consist of the category of employed in the economy and category of registered unemployed. Thus, according to the methodology of the national statistics migrant workers are included to the economically inactive population. Trends of official statistics about labour migration demonstrate that since 2010 registration of departed migrant workers improved considerably. However, the Federal Migration Service of Russian Federation provides much higher number of Tajik migrant workers compared to the same numbers of the Migration Service under the Ministry of Labour, Migration and Employment of the Republic of Tajikistan.<sup>6</sup>

---

<sup>6</sup> For instance, during her visit to the Republic of Tajikistan Ms. Matvienko, Chair of the Council of Federation of the Federal Assembly mentioned that according to official statistics 1.2 mln. of Tajik nationals reside in the Russian Federation, but according to unofficial data this number is twice higher. Besides, she mentioned that only 900'000 of

6. Statistical data on labour migration in Tajikistan are collected and registered in accordance with the Resolution of the Government of the Republic of Tajikistan “On registration of external labour migration of Tajik nationals abroad and their return”. Tajik nationals departing the country shall fill out migration card including information about country of destination, purpose of departure, level of education and qualification. However, so far not all border checkpoints provide this service (registration of migrant workers) due to poor material and technical situation. Currently, registration of migrant workers is only implemented in the airports.<sup>7</sup> In this respect, registration of departing migrant workers is not complete. In statistical yearbooks there is no information on number of departed and returned migrant workers, number of departed migrant workers through organized recruitment channels arranged by employment agencies (state and private). In 2013 the Government of Tajikistan made a decision not to publish information about remittances of individuals. Due to lack of published annual official information on situation of labour migration there are various contradictory data. This results in difficulties in undertaking analysis and accurate assessment of the situation to adequately feed the decision-making. Lack of complete information about labour migration worsens the situation both in the field of labour migration and in the economy of the country, in general. For instance, there are no indicators on labour migration (actual, estimated, forecasted) in the Forecast of Main Macro-economic indicators of the Republic of Tajikistan for 2014-2016. It can be concluded that estimation of flows and stock of labour migration of Tajik nationals abroad disaggregated by sex, age, type of occupation in the country of destination, family status, type of contract and so on are not available.

## **II. Absence of perspectives about labour migration in the employment policies and its impact on labour market, employment and economy of the Republic of Tajikistan.**

7. In the State Programme on Promotion of Employment of Population of the Republic of Tajikistan for 2012-2013 migrant workers are actually considered as informally employed due to difficulties in recording of their place of work,<sup>8</sup> but in the national statistics they are included to the category of economically inactive population. Although, migrant workers are actively looking for jobs (and already departed abroad in search of jobs) or already working abroad. Actual and forecasted indicators on migrant workers (see Table 4 in the Annex 1) are mentioned in the chapter 1.6. of the State Programme “distribution of unemployed employable population by various sectors of employment” along with hired labour, workers of farms, individual entrepreneurs, workers admitted to educational institutions and workers called for military service.<sup>9</sup> It is mentioned in the State Employment Programme of the Republic of

---

Tajik nationals were registered in the Federal Migration Service while other 300'000 are in the irregular situation. <http://news.tj/ru/node/185365>

<sup>7</sup> Collection of the data and statistics on labour migration in Tajikistan, Study by the International Labour Organisation, 2010.

<sup>8</sup> State Programme on Promotion of Employment of the Republic of Tajikistan for 2012-2013. Resolution of the Government of Tajikistan, № 598, 3 December 2011, part 1 «Situation in the labour market and employment of population».

<sup>9</sup> Programme on Promotion of Employment of Population of the Republic of Tajikistan for 2010-2011. Resolution of the Government of Tajikistan, № 692, 30 December 2009. Annex 1. Trend of change of indicators of employment in the Republic of Tajikistan in 2010-2011; State Programme on Promotion of Employment of Population of Tajikistan Resolution of the Government of Tajikistan, № 598, 3 December 2011. Annex 1. Trend of changes of indicators of employment of population of Tajikistan for 2014-2015. Resolution of the Government of Tajikistan № 19, 3 January 2014.

Tajikistan that “in 2009 average monthly wage in the country was 284.35 Tajik Somoni or USD 68.6. Due to low wages even existing vacancies are not filled. Among countries of the Commonwealth of Independent States (CIS) Tajikistan has the lowest wages. Average monthly wage in Tajikistan was 11 times lower compared to the same indicator in Russia. In this respect, labour market of Russia is attractive for labour force from Tajikistan”.<sup>10</sup>

8. The State Strategy of Labour Market of the Republic of Tajikistan until 2020 provides an analysis of situation of labour migration where it acknowledged that labour migration helps to reduce stress in the labour market of Tajikistan. The Strategy notes that levels of labour migration are increasing and it will not be possible to reduce them in the near future. Nevertheless, none of the four priority objectives of the Strategy have specific provisions about improvement of services provided to migrant workers and potential migrant workers such as social insurance, organized recruitment for jobs abroad, guaranteed labour contract before departure from the country and other measures through which state can reduce current risks of labour migration. Currently, labour migration in most of the cases is unregulated and undertaken via dubious channels which result in massive violation of human rights of Tajik nationals in the country of destination.
9. The National Strategy of Labour Migration of Nationals of the Republic of Tajikistan Abroad for 2011-2015<sup>11</sup> acknowledges for the first time that external labour migration is not only the challenge, but it also contributed to establishment in Tajikistan of the market of transportation by air and cars, active development of banking sector, development of trade, improvement of culture of travel and level of professional qualification of migrant workers. This Strategy also notes that “priority of the economic policy of the country is development of the sphere of employment in Tajikistan, opening of new productive jobs while labour migration abroad is a temporary opportunity to reduce stress in internal labour market”. Although, as mentioned above, State Strategy of Labour Market until 2020 specifically mentioned that it will not be possible to reduce flows of labour migration abroad. Taking into account social and demographic trends in the labour market in last two decades external labour migration can’t be considered as temporary phenomenon. Up to date there is a growth of labour migration. In the future, upon economic growth some reduction of stock of labour migration abroad will be possible. However, for countries with high population growth like Tajikistan external labour migration is essential form of employment which creates conditions for intensive development of economy.
10. However, approach (and efforts) to reduce flows of external labour migration by means of opening of new jobs in Tajikistan is the only approach of current and all subsequent programmes of employment of population.<sup>12</sup> Programmes of employment of population envisage annual growth of employment on average by 5-6% through opening of new jobs (Table 5 in the Annex 1), however, the process of release from employment is much faster and

---

<sup>10</sup> Programme on Promotion of Employment of Population of Tajikistan for 2010-2011 years. Resolution of the Government of Tajikistan, № 692, 30 December 2009.

<sup>11</sup> National Strategy on Labour Migration of Tajik Nationals Abroad for the 2011-2015 years. Resolution of the Government of Tajikistan, № 460, 4 October 2011.

<sup>12</sup> Programme on Promotion of Employment of Population of Tajikistan for 2010-2011 years. Resolution of the Government of Tajikistan, № 692, 30 December 2009; State Programme on Promotion of Employment of the Republic of Tajikistan for 2012-2013. Resolution of the Government of Tajikistan, № 598, 3 December 2011; State Programme on Promotion of Employment of Population of Tajikistan for 2014-2015 years. Resolution of the Government of Tajikistan, № 19, 3 January 2014.

actual growth of employment for the same years was on average 1.2% per year. In order to implement activities, the Programme on Employment does not establish any measures aimed at reduction of red tape, encouraging opening of new businesses and new jobs.

11. Individual entrepreneurship actively developed in Tajikistan until 2010. Average growth of employed in this sector was 14%. In 2010 number of employed in this sector was 68.5% compared to the same indicator in 2009 (there was a reduction of employment in this sector for one third). During 2009-2011 number of small enterprises which were registered as legal entities increased for 27%, however, number of employees working in these enterprises decreased for 10.5%. Average number of employees in small enterprises reduced from 7.9 persons in 2009 to 5.6 in 2011. Average monthly wage increased from 308.6 Tajik Somoni to 594 Tajik Somoni. Share of employed in state enterprises decreased from 25.1% in 2006 to 19.6% in 2011. Thus, currently, more than 80% of all employed are working in the private sector of economy. But current policy on promotion of employment by all possible means including administrative pressure (government forcing private sector to open jobs) is counterproductive as it contributes to reduction of formal employment in the country. According to labour force survey conducted in 2009 49% of employed population (446.100 persons) worked in informal sector. 51% (446.100 persons) worked in formal sector. Additionally, 9.4% worked informally (without labour contract). In general, informal employment was 53.8% of all employed or 470 600 persons.<sup>13</sup> Thus, administrative pressure and corruption increase taxation burden on business and force entrepreneurs to turn to shadow economy that results in reduction of number of taxpayers. Lack of favourable climate for entrepreneurship development restricts opportunities and readiness of migrant workers to invest their incomes gained abroad to national economy.
12. The National Strategy of Labour Migration of Tajik nationals Abroad for 2011-2015 (NSLM) acknowledges that challenges of labour migration are result of shortcomings in regulation of labour migration and legislative framework. Thus, it is foreseen to improve legislation on external labour migration.<sup>14</sup> However, an action plan on implementation of NSLM activities in this direction is not specific enough, for instance “1.1. Conduct review of current legislation on external labour migration; 1.2. Based on review introduce relevant changes in current legislation on external labour migration”. It is not clear what the expected results of these activities are. They are just reformulated from activities, for instance: “the review of current legislation conducted and on this basis amendments introduced”.<sup>15</sup> This NSLM does not include clear objectives, expected results, there is no methodology of needs assessment of various groups of migrant workers disaggregated by age, sex, type of residence (urban, rural), their status (in active search of jobs, returned from migration etc.). In this respect, activities foreseen raise doubts about their purpose and their effectiveness.
13. The plan of the NSLM includes such activity as “3.4.1. Establishment of the mechanism of reintegration of returned migrant workers to the economy of the country”. NSLM does not include any measures aimed at establishment of this mechanism. Consequently, this mechanism does not exist in Tajikistan. Reintegration shall include such measures as

---

<sup>13</sup> Situation in the Labour Market in the Republic of Tajikistan: findings of the Labour Force Survey, June-July 2009, Statistics Agency under the President of Tajikistan, 2010.

<sup>14</sup> National Strategy of Labour Migration of Tajik Nationals Abroad for 2011-2015, Resolution of the Government of Tajikistan, № 460, 4 October 2011.

<sup>15</sup> Annex 1. Action Plan on Implementation of the National Strategy of Labour Migration of Tajik Nationals Abroad for 2011 – 2015. Resolution of the Government of Tajikistan, № 460, 4 October 2011.

development of favourable climate for entrepreneurship and encouraging (by means of economic and informational methods, but not administrative) returned migrant workers and families of migrant workers to invest incomes gained abroad to the economy of the country by means of opening of their own business in Tajikistan. Besides, reintegration of returned migrant workers is very important taking into account volume of remittances and increased number of migrant workers whose entry to Russian Federation is prohibited due to various violations of legislation in Russia.<sup>16</sup> Migration Service under the Ministry of Labour, Migration and Employment of Tajikistan noted that at the end of 2013 72'000 Tajik nationals were deported from Russian Federation and their entry to Russian Federation was prohibited. According to Federal Migration Service of Russian Federation various violations of legislation of Russian Federation were committed by 460'000 Tajik nationals at the territory of Russian Federation. They are all included to general database which randomly selects Tajik nationals and prohibit their entry to Russian Federation. In this respect, Federal Migration Service explained that it plans by the end of 2014 to prohibit entry of these Tajik nationals (included to database) to Russia. Thus, such way of employment as labour migration abroad will not be accessible for them.

14. According to the NSLM “findings of analysis and evaluation shall be provided in the annual reports on progress of implementation of the NSLM. They include analysis of existing problems and suggestions on adjustment of those directions of the policy of external labour migration which according to analysis require amendments and proposals on dissemination of best practices ... dissemination of information on findings of monitoring and evaluation will be conducted via informational activities, publication of the report on progress of implementation of the NSLM on the web-page of the Migration Service. The report will include full information on results of monitoring and evaluation of the NSLM including monitoring data received from the civil society organisations. Annual reports shall be provided not later than 1 February and report on previous year”. However, there is no any report on monitoring of the NSLM published on the web-page of the Migration Service while the NSLM was adopted 3 years ago.
15. None of the policies mentioned above and statistics yearbooks provide information on impact of remittances on economy of the country. According to National Bank of Tajikistan and the World Bank remittances of individuals annually vary from 35% to 50% of country GDP (in 2008 it was USD 2.5 milliards, in 2009 – USD 1.8 milliards, in 2010 – USD 2.1 milliards and in 2011 – USD 2.9 milliards).<sup>17</sup>
16. In this respect, assessment of direct and indirect contribution of migrant workers to the economy of Tajikistan is not conducted. Therefore, respective measures on establishment of system of support of migrant workers at all stages of labour migration (preparation to departure, live in country of destination and return to the country) are not effective. Lack of respective data about this important sector of economy prevents analysis of situation, forecasting of flows and contribution of labour migration to economy of the country, acknowledgement of labour migration as form of employment and economic activity and contributes to violation of rights of migrant workers.

---

<sup>16</sup> Any kinds of violation of legislation, for instance, administrative violations (fines, violation of traffic rules etc), violation of regime of residence in Russia, criminal offences and so on can be the reasons for inclusion of Tajik nationals to the databases of the Federal Migration Service of Russia, Ministry of Internal Affairs, Federal Service of Security.

<sup>17</sup> According to information of the National Bank of Tajikistan and the World Bank report “Migration and Remittances Factbook 2011”.

### **III. Gaps in policy and services on preparation of Tajik Nationals to Labour Migration**

17. Despite high prevalence of labour migration of Tajik nationals abroad, particularly to Russian Federation there is no any intergovernmental agreement on organised recruitment to jobs of Tajik nationals to Russian Federation between the two countries. Current Agreement between the Government of the Republic of Tajikistan and the Government of Russian Federation on labour activities and protection of rights of Tajik nationals in Russian Federation adopted on 16 October 2004 only cover persons legally residing in the territory of the country of destination and working based on labour contract or service contract governed by civil law<sup>18</sup>. In this respect, migrant workers in irregular situation (undocumented migrant workers) and/or those who work without labour or service contracts are not protected by this Agreement. Taking into account that majority of Tajik migrant workers in Russian Federation work without labour contracts and most of them are in irregular situation they do not fall under protection of this Agreement. Besides, Tajikistan didn't establish a legal framework on effective functioning of private employment agencies (PEA). Draft law on PEA since 2011 is being considered and studied by the public bodies and still was not adopted. In this respect, in Tajikistan there is no system of organised recruitment to jobs and departure of migrant workers from Tajikistan to country of destination. Protection of their labour, social rights at the stage of preparation to labour migration is not ensured.
18. As a rule, nationals of Tajikistan in Russian Federation are employed in the low qualified occupations due to their low level of professional qualification. During five year period between labour force surveys<sup>19</sup> rate of external migrant workers with high education decreased from 10.6% in 2004 to 9.9% in 2009. For the same period rate of migrant workers with secondary and primary vocational education reduced from 20.9% to 12.0%, respectively. Rate of persons with primary education increased from 1.2% to 1,4% and rate of persons without education increased from 0.2% to 0.6%, respectively. Trends of education of labour force during last years (Table 6 in Annex 1) demonstrate that during 2005 – 2012 number of graduates of higher educational institutions increased for more than 2 times, but number of graduates of secondary and primary vocational educational institutional for the same period reduced by 16%. In 2005 there were on average 1.43 graduates from vocational educational institutions per one graduate of higher educational institutions. In 2012 this indicator was 0.58 of workers with vocational education.
19. The NSLM for 2011-2015 mentioned that one of its priorities is “development of potential of migrant workers aimed at improvement of vocational education and qualification, provision of social guarantees, activation of participation of migrant workers in process of national development”. To implement this priority NSLM established an objective “3.1. Promotion of establishment of vocational education of migrant workers, measures on information and counseling” and expected result “national system of qualitative vocational education of migrant workers, attestation of their skills and knowledge was established”.<sup>20</sup> This way of setting of objective and result is not clear. It is not clear how quality of vocational education

---

<sup>18</sup> Article 2 of the Agreement.

<sup>19</sup> Analytical report on labour force survey. July-August 2004, State Statistics Committee of the Republic of Tajikistan; Situation in the Labour Market in the Republic of Tajikistan: findings of the Labour Force Survey, June-July 2009, Statistics Agency under the President of Tajikistan, 2010.

<sup>20</sup> Annex 1. Action Plan on Implementation of the National Strategy of Labour Migration of Tajik Nationals Abroad for 2011 – 2015. Resolution of the Government of Tajikistan, № 460, 4 October 2011.

will be assessed. NSLM does not establish clear targets, i.e. to what extent coverage of migrant workers with vocational education will increase, what are the strategies of improvement of quality of vocational education and so on. This objective and result are supported by such methods as development of modules, video materials, their copying and dissemination and so on.

20. NSLM mentions that in Tajikistan there was a sharp reduction of number of studying positions in primary and secondary vocational educational institutions. Offered vocations do not comply with demand in the labour market. However, action plan of the NSLM does not include any specific objective aimed at studying demand for the labour force of certain quality and in numbers demanded by external labour market to plan vocational education according to demands. Besides, it is not foreseen to increase number of studying positions in state institutions of primary and secondary vocational education or encouraging private sector to expand network of vocational training courses despite the reduction of level of vocational education among migrant workers. Special attention is not paid to vocational education of youth from rural areas.

## **VI. Low level of social protection of migrant workers**

21. NSLM mentions that labour market consists of equal parts, i.e. registered employment (formal), unregistered employment (informal) and labour migration. Last two categories of employment are not recorded in the places of work. In this respect, it is challenging to ensure social protection of individuals working in informal sector and in labour migration. One of the objectives of the NSLM is development of measures on establishment of effective system of social insurance and provision of pensions to migrant workers.
22. The new law of Tajikistan “On insured and state pensions”<sup>21</sup> in article 4 establishes principles of insured and state pensions. Citizens who worked and paid insurance contributions are entitled to receive insured pension. Citizens who didn’t work, or who worked informally and migrant workers are entitled to receive state pensions upon reaching pension age (58 years for women and 63 years for men). This pension as defined by the Law will be 60% of established basic pension (article 31). In 2012 47.8% of total number of population of workable age were formally employed (and paid insurance contributions). This rate steadily decreases. In 2008 proportion of formally employed among labour resources was 50.3%, in 2009 it was 50%, in 2010 it was 49.3% and in 2011 it was 48.2%. This trend demonstrates that burden on employed to support pension system of the country is increasing. In this situation citizens are not encouraged to take formal employment and prefer to remain in the informal sector.
23. Since 1 September 2013 minimum wage was raised by 25% and reached 250 Tajik Somoni per month (1 USD = 4.8 Tajik Somoni) by the Decree of the President of the Republic of Tajikistan.<sup>22</sup> Respectively, minimum and basic pension was raised by 25% and reached 130 Tajik Somoni. Maximum pension was increased by 20% and reached 624 Tajik Somoni per month. In Tajikistan already for many years there is a restriction on size of labour pensions

---

<sup>21</sup>The Law of the Republic of Tajikistan “On insured and state pensions”, № 595, 12 January 2010, entered into force on 1 January 2013 (adopted on 25 March 2011 № 708)

<sup>22</sup> Decree of the President of the Republic of Tajikistan “On measures of strengthening the level of social protection of population, increase of current salaries of public servants, workers of budget-funded institutions, organisations, pensions and stipends”, adopted on 14 August 2013.



due to significant re-distribution of insurance contributions in favour of citizens who do not have officially jobs and social assistance to various vulnerable groups of population.

24. Social and pension insurance of citizens is mandatory for working citizens (formally employed) and voluntary for formally unemployed, for instance, migrant workers. However, currently system of pension insurance is not attractive for voluntary insurance. Inclusion of migrant workers to the system of mandatory social and pension insurance is challenging due to unregulated nature of labour migration. Besides, there is no agreement between the Republic of Tajikistan and Russian Federation on social insurance and social protection of migrant workers even those who work formally and have labour or service contract. As labour migration is recurrent, returned migrant workers who paid social insurance in Russian Federation are not able to use these contributions due to lack of agreements between the Governments of Tajikistan and Russia on this matter.

#### **V. Right of migrant workers to health**

25. NSLM establishes an objective on “medical certification of migrant workers, issuance of respective medical certificates and their acknowledgement in country of destination as well as cooperation with insurance companies of Tajikistan, resolution of issue of medical insurance, provision of health care services in the country of destination of migrant workers”. Lack of reports on monitoring of NSLM hinders assessment of degree of implementation of this objective. Besides, NSLM does not establish activities on monitoring of health status of migrant workers.
26. In 2009 in the framework of the Health Care Council under the Integration Committee of the Eurasian Economic Council special working group on drafting of documents on mutual acknowledgement of medical certificates on health of migrant workers was established. In 2010 Agreement on mutual acknowledgement of medical certificates on health of migrant workers was adopted by the Health Care Council under the Integration Committee of the Eurasian Economic Council.<sup>23</sup> There is no public information available on any changes in the situation of migrant workers since the adoption of this Agreement.
27. Based on the Decree of the Minister of Health of the Republic of Tajikistan friendly corners in 45 districts were opened under polyclinics and Health Centers. In these corners migrant workers may receive counseling services on STDs, HIV testing and access syndrome treatment. If migrant worker was diagnosed with HIV/AIDS he is referred to AIDS Centers. All services provided to migrant workers are free of charge.<sup>24</sup> There is no public information available on services provided to migrant workers by these corners.
28. Local NGOs conduct awareness raising activities in 35 districts of the country with potential and returned migrant workers about ways of transmission, symptoms and prevention of STDs and HIV; services provided in the country to diagnose and treat STDs and HIV; activities of friendly corners. Prevention work is undertaken by means of dissemination of brochures and direct provision of information through outreach workers and volunteers in mahalla (local community) committees, railway stations, airports, bus terminals, markets, seminars

---

<sup>23</sup> National referral mechanism of migrant workers: analysis of situation and recommendations, IOM and Human Rights Center, 2011.

<sup>24</sup> Ibid.

with migrant workers and members of their families on HIV/AIDS, mobile theaters. NGOs cooperate with doctors of friendly corners and AIDS-Centers.<sup>25</sup>

29. Chapter "Health Care" in the statistics yearbooks does not include data on number of services provided to migrant workers before departure and after return, on share of migrant workers among identified cases of HIV/AIDS and other diseases.

## **VI. Recommendations**

1. Establish in the Republic of Tajikistan a system of the statistical registration of migrant workers and collection of data disaggregated by sex, age, types of occupation in the country of destination, sectors of employment, types of contract, family status and so on to enable assessment of flows and stock of labour migration of Tajik nationals abroad and use of this data in forecasting of labour market and macroeconomic indicators in the Republic of Tajikistan.
2. Amend the methodology of the state statistics to ensure that migrant workers are included to the category of the economically active population. Conduct statistical record of services provided by various governmental and non-governmental organisations to migrant workers (counseling, provision of information about vacancies abroad, vocational education, medical certification and other services).
3. Include to the policies of employment, labour market and labour migration of Tajik nationals abroad a measure on establishment and implementation of the comprehensive support system for nationals of Tajikistan at the stages of preparation to labour migration and return to Tajikistan due to deportation or other reasons.
4. Facilitate expansion of organised recruitment to labour migration through various ways including by means of concluding an Agreement with Russian Federation on organised recruitment of Tajik nationals to jobs, established of transparent legal framework and conditions for effective functioning of private employment agencies, establishment of information systems and databases on opportunities to find jobs in Russian Federations and list of reliable employers and so on. This Agreement and legal framework on private employment agencies shall provide mandatory list of services that will be provided to migrant workers before departure such as conclusion of labour contract, assistance in receipt of medical certificate about health of migrant workers and its acknowledgement by employer in country of destination, mandatory social insurance upon signature of the contract and other relevant services.
5. Encourage by means of programmatic measures reduction of administrative and tax burden for small and medium businesses to expand opportunities of returned migrant workers to invest their income gained abroad to development of individual entrepreneurship and economy of the country.
6. Due to increased number of deported migrant workers and increased number of migrant workers, Tajik nationals, whose entry to Russian Federation is prohibited urgently develop a policy and system of reintegration of returned migration workers.
7. In the labour legislation and policies of the Republic of Tajikistan acknowledge that migrant workers are economically active participants of labour force, employed (and working outside of the country) and unemployed (actively looking for jobs abroad) and guarantee their right to work in accordance with Tajikistan's obligations under ILO and ICESCR.

---

<sup>25</sup> Interview with head of public organisation "Imdod", A. Amonova, July 2011.

8. Due to above-mentioned gaps in information about labour migration improve system of monitoring of implementation of the National Strategy of Labour Migration of Tajik Nationals Abroad for 2011-2015 and provide public access to this information on the web-page of the Migration Service under the Ministry of Labour, Migration and Employment of the Republic of Tajikistan in order to monitor trends of labour migration, provision of public services to migrant workers, remittances, investments of incomes of migrant workers to economy of the country, their health status and access to health care services before and after migration, coverage of migrant workers with services on treatment of HIV/AIDS, tuberculosis, STDs and so on.
9. Urgently conclude Agreement with Russian Federation as main country of destination of Tajik migrant workers on social protection of migrant workers, their social and medical insurance.

## Annex 1. Tables

	<b>2008</b>	<b>2012</b>	<b>Average annual growth</b>
Population, in thousands	7250.8	7987.4	2.03%
Labour resources, in thousands	4310	4796	2.26%
Proportion of labour resources to total number of population, %	59.4%	60.0%	
Economically active population, in thousands	2217	2347	1.18%
Proportion of economically active population to total number of labour resources, %	51.4%	48.9%	
Employed in economy, in thousands	2168	2291	1.13%
Rate of employment, %	97.8%	97.6%	
Unemployed, in thousands	49	56	2.8%
Level of unemployment, %	2.2%	2.4%	
Migrant workers, in thousands	No data	No data	

	<b>2004</b>		<b>2009</b>	
	<b>Thousand</b>	<b>Proportion</b>	<b>Thousand</b>	<b>Proportion</b>
Economically active population, total	<b>2330.6</b>	<b>58.6%</b>	<b>2097.7</b>	<b>42.4%</b>
including				
- Employed	2134.7	53.6%	1856.5	35.4%
- Unemployed	196.0	5.0%	241.2	5.1%
Economically inactive population	<b>1331.3</b>	<b>33.6%</b>	<b>2089.8</b>	<b>44.4%</b>
Migrant workers	<b>317.9</b>	<b>8.0%</b>	<b>519.9</b>	<b>11.0%</b>
Labour resources, total	<b>3979.8</b>	<b>100%</b>	<b>4707.374</b>	<b>100%</b>
	<b>58</b>			

	<b>2004</b>	<b>2009</b>
External migrant workers, total, in thousands	317.9	519.9
Including:		
- from urban areas	23.0%	21.9%
- from rural areas	77.0%	78.1%
Including:		

<sup>26</sup> Labour market in the Republic of Tajikistan, Statistics Agency under the President of Tajikistan, 2013.

<sup>27</sup> Analytical report on labour force survey. July-August 2004, State Statistics Committee of the Republic of Tajikistan; Situation in the Labour Market in the Republic of Tajikistan: findings of the Labour Force Survey, June-July 2009, Statistics Agency under the President of Tajikistan, 2010.

- men	95.2%	94.3%
- women	4.8%	5.7%
Including:		
- age 15-24 years	31.7%	36.4%
- age 25-59 years	68.2%	63.5%
- age 60-75 years	0.09%	0.14%

**Table 4. Forecasted and actual indicators of labour migration<sup>28</sup>**

	Forecasted, in thousands.	Actual, in thousands.	Data of the Federal Migration Service of Russian Federation.
2008		330.1	<i>No data available</i>
2009		326.1	742.0 <sup>29</sup>
2010	330.9	741.2	<i>No data available</i>
2011	345.8	745.3	<i>No data available</i>
2012	748.5	755.2	<i>No data available</i>
2013	751.2	759.0	1200.0 <sup>30</sup>
2014	760.7		
2015	762.6		

**Table 5. Growth of employment and opening of jobs**

Years	Opening of jobs, in thousands of persons <sup>1</sup>		Growth of employment, <sup>1</sup> thousands of persons
	Forecasted	Actual	
2008	-	104.1	18.0
2009	-	95.5	51.0
2010	117.3	130.7	14.0
2011	121.1	80.6	16.0
2012	121.4	132.3	42.0
2013	145.0	116.4	-
2014	138.4	-	-
2015	142.4	-	-

**Table 6. Trend of education of professional human resources in the Republic of Tajikistan, per 10 thousands of population<sup>1</sup>**

Graduation of specialists	2005	2009	2012
With higher education	21.8	31.4	45.3
With secondary vocational education	11.6	12.1	12.8
With primary vocational education	19.5	14.6	13.4

<sup>28</sup> State Programme on Promotion of Employment of the Republic of Tajikistan for 2012-2013. Resolution of the Government of Tajikistan, № 598, 3 December 2011; State Programme on Promotion of Employment of Population of Tajikistan for 2014-2015 years. Resolution of the Government of Tajikistan, № 19, 3 January 2014.

<sup>29</sup> National Strategy of Labour Migration of Tajik Nationals Abroad for 2011-2015, Resolution of the Government of Tajikistan, № 460, 4 October 2011.

<sup>30</sup> <http://news.tj/ru/newspaper/article/kolichestvo-migrantov-skryvaetsya>