

**Speech by Head of the Department of the human rights protection and legal support of the Ministry of Internal affairs of the Republic of Uzbekistan, I.T.Turgunov at the OSCE Human Dimension  
(22 September - 3 October 2014, Warsaw)**

**Freedom of movement**

**I.**

Uzbekistan, who has chosen the path of building a democratic, law-based state, a strong civil society, defined the rights and interests of the person the most important priority of public construction, all its internal and external policies.

With the adoption of the Constitution of the Republic of Uzbekistan, the goal is to create a humane, democratic state, as well as the proclaimed commitment to human rights and the ideals of democracy and social justice, that generally accepted norms of international law.

Human rights are not only universal values that transcend cultures and traditions, but also, inherently local values, commitments made by countries and has its roots in international treaties and national constitutions and laws.

**According to Article 28 of the Constitution of the Republic of Uzbekistan "citizen of the Republic of Uzbekistan has the right to freedom of movement within the country, to enter the Republic of Uzbekistan and the exit from it, with the exception of restrictions established by law."**

Citizens of the Republic of Uzbekistan in accordance with the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan № 8 dated 06.01.1995 "On Approval of the Procedure for travel abroad of citizens of the Republic of Uzbekistan" have the right to freely travel abroad for private, public affairs, for permanent residence, as tourists, to study, to work, to care, to business trips.

This procedure applies to leaving the citizens of Uzbekistan to foreign countries, with the exception of countries - members of the CIS, where the exit does not require registration of exit documents.

Citizens of the Republic of Uzbekistan, intending to go abroad, are turning to internal affairs agencies in the community with a completed application form prescribed form and presentation of the passport of the citizen of the Republic of Uzbekistan. Internal affairs authorities are considering an application form of the citizen in 15 days and glued into his passport sticker permissive entry, which is valid for two years for temporary travel abroad. During this period, citizens can travel abroad more than once without recourse to internal affairs agencies for registration of departure. In the absence of a passport of a citizen of the Republic of Uzbekistan period of issue and registration of traveling abroad should not exceed 15 days.

Persons traveling abroad for permanent residence, police glued on the page provided for visa sticker in the passport entry permits to travel abroad for permanent residence without expiration. Application processing time for persons traveling for permanent residence abroad, may be extended up to 30 days.

To obtain a visa of a foreign country leaving citizens turn to diplomatic and consular missions of the respective states.

Application forms submitted by citizens who have reached 18 years of age. When checking out, children under the age of 18, is sought their legal representatives. On leaving for the permanent residence, children from 14 to 18 years is necessary to submit notarized documents confirming the agreement going.

When leaving for a permanent residence requires a submission of notarized documents, confirming the consent of the parents, spouses, and in case of their death - copies of death certificates.

Registration of the exit in aim to work on private contracts made in consultation with the Ministry of Labour and Social Protection of the Republic of Uzbekistan.

Persons traveling abroad and knowledgeable in the information constituting a state secret, submits together with the statement, a conclusion paper from the head of the organization about the degree of awareness.

Bodies of internal affairs, making out the papers of leaving citizens abroad, guided with a list of organizations that have a direct bearing on state secrets.

By the Services of entry-exit and registration of citizenship of the Ministry of Internal Affairs of the Republic of Uzbekistan in the passport of our citizens are issued stickers permitting entry to travel abroad, including permanent residence abroad in 2012 – 664, in 2013- 763, for 8 months in 2014 -422.

On the temporary departure in 2012-206912, in 2013-241410, for 8 months in 2014-140474, which are divided into business trips in 2012-14072, in 2013 - 9557, for 8 months of 2014 – 4988; tourism in 2012-187548, in 2013-226089, for 8 months in 2014-131752, and on private business in 2012 - 5292, in 2013 -5764, for 8 months in 2014 - 3734.

Basis for restrictions on travel abroad may be the following reasons:

- If a person is aware of the data, belonging a state secret, or against him has a contractual obligation preventing him from going abroad - until the termination of the commitments;

- If a person is under the acting criminal case - before the end of the proceedings;

- If a person recognized by a court recidivist or is under the administrative supervision of the police – until the withdrawal - conviction or release from supervision;

- If a person evades obligations imposed on him by the court - until the fulfillment of obligations;

- If a person has knowingly reported false information about himself;

- Where a person brought a civil action in court - until the end of the proceedings;

- If the person assigned to the recruiting and is called up for military service - until the completion of active military service or to release from it in accordance with the law.

Denial of the right to travel abroad on the grounds specified in this order, the delay response over the deadline may be appealed by the citizen to a higher

authority who is required to give an answer not later than one month, and in case of disagreement with his decision - the court. Not subject to appeal reasons for restrictions on the right to travel abroad, referred to in subparagraphs "b" and "g" of this order.

Citizens of the Republic of Uzbekistan, permanently residing abroad, are entitled to free entry to the Republic of Uzbekistan, leaving the Republic of Uzbekistan, as well as return to permanent residence in the Republic of Uzbekistan.

To regulate the import and export of labor force: adopted the Resolution of the Cabinet of Ministers of 19 October 1995 № 408 «On the employment of citizens of the Republic of Uzbekistan abroad and foreign citizens in the country»; designed Regulations on the attraction and use of foreign labor force in the Republic of Uzbekistan; Resolution of the Cabinet of Ministers of 12 November 2003 N 505 "On measures to improve the organization of employment of citizens of the Republic of Uzbekistan abroad"; designed Statute of the Agency for foreign labor migration; formed by the cities of Tashkent, Fergana, Karshi and Nukus regional self-supporting employment office citizens abroad, which are state-owned enterprises as a legal entity and is directly subordinated to the Ministry of Labor and Social Protection of the Republic of Uzbekistan.

The main tasks of the Agency and the regional offices of foreign labor migration are: to assist the citizens of the Republic of Uzbekistan in their employment abroad; providing the citizens of the Republic of Uzbekistan of information on the possibilities and conditions of employment abroad; selection of candidates that meet the requirements of foreign employers, to be sent to work abroad; assistance to citizens of the Republic of Uzbekistan in preparing travel documents, including visas and other documentation needed for registration for employment abroad.

Currently, the concept and the draft law of the Republic of Uzbekistan "On the external labor migration", which is being coordinated by the relevant ministries and departments.

Foreign citizens in accordance with the Resolution of the Cabinet of Ministers № 408 dated 21 November 1996 "On the procedure of entry and exit, transit and stay of foreign citizens and stateless persons in the Republic of Uzbekistan" may enter the Republic of Uzbekistan and leave it to private and traveling on business, as tourists, on vacation, studies, medical treatment and for permanent residence on the basis of visas issued by the consular offices of the Republic of Uzbekistan abroad.

Visa to enter the Republic of Uzbekistan, except for a transit visa, valid for the entire territory of the Republic of Uzbekistan, with the exception of areas, facilities, closed to foreign nationals.

Foreigners who arrive in the country within 3 days are required to register temporarily in the internal affairs (in the departments of entry-exit and registration of citizenship) of temporary residence or registered in the hotel, except for areas and facilities closed to foreigners.

Foreign citizens may reside permanently in the Republic of Uzbekistan, if they have permission and residence permit. Residence permit in the Republic of Uzbekistan is issued in accordance with the Regulation "On a residence permit in the Republic of Uzbekistan for foreigners, stateless persons, and certification of stateless persons".

Permanent residence permits to foreign citizens in the Republic of Uzbekistan shall be issued in accordance with legislation on the basis of their application form by the Ministry of Internal Affairs of the Republic of Uzbekistan.

Entry into the Republic of Uzbekistan to the foreign citizen may be denied:

- In the interests of national security or of public order;
- If it is necessary to protect the rights and legitimate interests of citizens of the Republic of Uzbekistan and other persons;
- If the person has not reset and not taken in the prescribed manner a conviction for violation of the legislation of the Republic of Uzbekistan;
- If the person is involved in the activities of foreign terrorist, extremist and other criminal organizations;
- If the person reported has knowingly provided false information or has not submitted the required documents;
- If during a previous stay of a person has registered the facts of violation of the order of entry and exit rules of stay of foreign citizens in the Republic of Uzbekistan customs, currency or other legislation of the Republic of Uzbekistan; (As amended by the Decree of the Cabinet of Ministers № 178 of 16.04.99)
- If a person is ill or has health problems, jeopardizing the safety and health of society, and the corresponding disease is mentioned in the approved by the Ministry of Health of the Republic of Uzbekistan list.

Departure from the Republic of Uzbekistan for foreign citizen is not allowed:

- If his departure is contrary to the interests of state security - prior to the termination of the circumstances preventing the exit;
- If the person has a contractual obligation preventing his departure abroad for permanent residence - until termination of the commitments;
- If a person is under the acting criminal case - before the end of the proceedings or adoption of the judgment;
- If a person is convicted of a crime - to sentence or acquittal;
- If a person evades obligations imposed on him by the court - until the end of the performance of obligations;
- If a person has knowingly reported false information;
- Where a person brought a civil action in court - until the court decision and its execution.

In order to ensure public safety and the prevention of crime, protection of the rights and freedoms of citizens, as well as taking into account the migration of citizens, were developed and adopted the Law of the Republic of Uzbekistan № CSG-296 of 14 September 2011 "On the list of categories of persons, citizens of the Republic of Uzbekistan to be a permanent residence permit in Tashkent city and Tashkent region", the Cabinet of Ministers of the Republic of Uzbekistan №

41 dated 16 February 2012 "On measures for the Implementation of the Law of the Republic of Uzbekistan "On the list of categories of persons, citizens of the Republic of Uzbekistan, foreign citizens and stateless persons who are subject to permanent residence in the city of Tashkent and Tashkent region", as well as instructions on how to implement permanent residence of citizens of the Republic of Uzbekistan in Tashkent city and Tashkent region, approved by order of the Ministry of Interior of the Republic of Uzbekistan № 71 from 1 May 2012.

In addition, the Decree of the President of the Republic of Uzbekistan № UP-4364 dated 22 September 2011 "On measures to improve the rules of the passport system in the city of Tashkent and Tashkent region," according to which abolished:

authorization procedure of permanent residence of citizens of the Republic of Uzbekistan, arriving in Tashkent and Tashkent region from other regions of the country;

order of temporary residence of citizens of the Republic of Uzbekistan, arriving in Tashkent city and Tashkent region from other regions of the country, with the introduction of the order of their registration at the place of residence;

special commission at the municipality of the city of Tashkent and Tashkent region to address issues of permanent residence of citizens of the Republic of Uzbekistan, arriving in Tashkent city and Tashkent region from other regions of the country.

It should be noted that on January 16 2014 in the Cabinet of Ministers introduced a draft of the law of the Republic of Uzbekistan

"On making amendments and additions to the application of the Law of the Republic of Uzbekistan "On the list of categories of persons, citizens of the Republic of Uzbekistan to be permanent registration in Tashkent city and Tashkent region" and the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On Measures for the Implementation of the Law of the Republic of Uzbekistan "On the list of categories of persons, citizens of the Republic of Uzbekistan, foreign citizens and stateless persons who are subject to permanent residence in the city of Tashkent and Tashkent region", provides for a simplified registration issues.