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## Illegal Migration And Human Trafficking

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**Abstract:** This article discusses illegal migration and human trafficking and analyzes the results and discussions on this topic. Migration is a very ancient phenomenon, a process involving several circumstances that lead to a change in the place of residence of the population. Currently, the development of this process in various disciplines and directions is studied scientifically. Laws and concepts in the field of migration were first scientifically introduced in 1885 by the German-English scientist Ernst-Georg Ravenstein. He created the “law of migration” at the end of the 19th century. According to these laws, migrants leave one region with disabilities and settle in other regions with greater opportunities [2].

**Keywords:** Human Rights, socio-economic, geopolitical and political, demographic, Discrimination against Women.

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### INTRODUCTION

As society develops, the migration movement becomes a socio-economic necessity and intensifies. Migration is a very complex social process, covering many areas of the socio-economic and cultural life of peoples [3]. In recent years, changes in the types and forms, directions and characteristics of migration are increasingly attracting the attention of historians, economists, sociologists, geographers, demographers. Researchers have achieved effective results in studying the historical roots of migration, political, socio-economic factors, the fact that this process lies at the heart of the diaspora around the world, problems of national identity and transformation processes in the country, demography and urbanization [4].

By the 21st century, the scale of migration is growing and expanding. In the current integration process, the ubiquitous development of migration leads to the development of international migration and an increase in the number of international migrants. International migrants totaled 152,011,473 in 1990, 173,588,441 in 2000, 220,781,909 in 2010, 248,861,296 in 2015, and 271,642,105 in 2019, accounting for about 272 million [5]. Two-thirds of them are labor migrants. It accounts for 3.5 percent of the world's population [6]. 74% of international migrants are able-bodied. Of the international migrants, 16.3 million are refugees, with the remaining 93 percent living in other countries for economic reasons.

New Uzbekistan is also focusing on population migration policy. Because after gaining independence, our country has entered into equal cooperation with all countries of the world. Because after gaining independence, our country has entered into equal cooperation with all countries of the world. Opportunities for citizens to travel to other countries for various purposes, such as work, education, travel, material well-being, have expanded. In turn, the number of visits of foreign citizens to the Republic of Uzbekistan is growing. Article 28 of the Constitution of the Republic of Uzbekistan stipulates that a citizen of the Republic of Uzbekistan has the right to move from one place to another, to enter and leave the Republic of Uzbekistan [9]. However, violation of the procedure established by this legislation during the entry, exit and crossing of the state border of the Republic of Uzbekistan constitutes a crime under Article 223 of the Criminal Code of the Republic of Uzbekistan [10].

### Main Part

Article 13 of the Universal Declaration of Human Rights, adopted and promulgated by UN General Assembly Resolution 217A (III) of 10 December 1948: Everyone has the right to freedom of movement and residence within the borders of each State. It is emphasized that everyone has the right to leave any country, in particular his or her own country, and to return to his or her own country [11]. Not only citizens of the Republic of Uzbekistan carry out decent legal work abroad, but also the labor relations of foreign citizens in Uzbekistan are regulated by legal documents. These documents include the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan of October 19, 1995 “On labor activity of citizens of the Republic of Uzbekistan abroad and foreign citizens in the Republic” [12] and the Resolution of November 12, 2003 “On further improvement of labor organization of citizens of the Republic of Uzbekistan abroad” on measures”[13].

The movement of migrants, in turn, contributes to the development of international migration. One of the current trends in international migration is the growth of illegal migration [14]. The development of illegal migration in recent years is also a global problem. The main reason for this is the irregular movement of people

in the context of mass migration, which is widespread and multifaceted. The movement of migrants is a constant movement from a certain point with seasonal and pendulum movement and return to the beginning. Illegal migration in the category of global problems can pose a serious threat to the world community and interstate stability. Because illegal migration also includes illegal labor migrants, asylum seekers, refugees. This process is caused by several socio-economic, geopolitical and political, demographic, as well as environmental factors.

People migrate to feed their families, improve their financial situation and housing, change their lifestyle and earn a living. At the same time as the processes of globalization are developing rapidly, along with legal migration, illegal migration is also developing. However, we must not forget that the increase in the army of illegal migrants has led to negative consequences, such as human rights, health, domestic services, disconnection from their homeland, disconnection from the eastern spiritual and moral roots, human trafficking, premature death, unfair deception [ 15]. Indeed, traffickers are more likely to be victims of human trafficking. At the same time, human trafficking, which is one of the global problems, is mainly associated with illegal labor migration. It is important to note how disgusting this crime is, encroaching on life, freedom and human rights, trampling on his will, fate and future. In addition, the majority of those seeking work abroad face difficult working conditions and unsanitary living conditions. As a result, various infectious diseases are reported among illegal migrants.

As the President of the Republic of Uzbekistan Sh.M.Mirziyoev noted, "... They did not go abroad in vain. They are walking around because we can't provide them with jobs. That's where all the trouble comes from." [16] Citizens of the Republic of Uzbekistan have the right to engage in activities in their profession during their temporary stay abroad. The procedure for protection of the rights and interests of such citizens shall be established by the laws of the Republic of Uzbekistan [17].

Human trafficking is one of the most dangerous acts that impede the development of the world community, as well as one of the vices aimed at undermining personal integrity and human dignity. Any form of human trafficking is banned internationally. This provision is enshrined in Article 4 of the Universal Declaration of Human Rights: "No one shall be held in slavery or servitude; slavery and all forms of slave trade are prohibited"[18].

According to one of the international organizations - the International Labor Organization in 2017, this year 24.9 million people worldwide became victims of human trafficking. Of these, 16 million were forced to work in the private sector, while 4.8 million women were living victims of sexual exploitation[19]. Although human trafficking and trafficking in migrants only account for a certain proportion of illegal migration, illegal migration has become a major problem in recent years. Legally, there is a difference between trafficking in migrants and trafficking in human beings. The UN Protocol to Prohibit, Eliminate and Punish Trafficking in Human Beings defines human trafficking as follows: "The threat or use of force or coercion, theft, fraud, other forms of deception, the use of force, the use of a state of vulnerability, or the control of one person over another by taking money, the purpose of exploitation is to hire, transport, send or receive people." Trafficking in migrants is defined as "the illegal entry of a person into a state without citizenship or residence in order to obtain direct or indirect financial or other material benefits" [20]. The purpose of smuggling migrants is to ensure that they enter the country illegally on the basis of their consent, and for a certain fee. The Law of the Republic of Uzbekistan "On Combating Trafficking in Human Beings" [21]: "Trafficking in human beings is the use of force, threats or use of force or other forms of coercion, theft, fraud, deception, abuse of power or risk-taking, or kidnapping for payment or interest in obtaining the consent of another person. hiring, transporting, handing over, hiding or receiving them for use. The use of human beings means the exploitation of other persons by prostitution or other forms of sexual exploitation, forced labor or services, slavery or bondage-like habits, involuntary status or the segregation of human organs or tissues. " Accession of Uzbekistan to the Convention on Combating Trafficking in Persons and Prostitution by Third Parties, adopted by the UN General Assembly on December 12, 2003, 1950; Accession of the Republic of Uzbekistan to the Convention for the Suppression of Transnational Organized Crime, adopted by the UN General Assembly in 2000; Adoption of the Law on Combating Trafficking in Human Beings by the Oliy Majlis of the Republic of Uzbekistan on April 17, 2008, and Resolution on Measures to Improve the Effectiveness of Combating Trafficking in Human Beings on July 8, 2008 [22] it is an indication that several legally sound foundations have been laid to combat it.

At a time when human development is rising to new heights, unfortunately, we are also facing some new social problems. Mankind had fought against slavery for hundreds of years and had the opportunity to abolish slavery. Unfortunately, modern forms of slavery have emerged. Trafficking in human beings is a modern form of slavery. Unfortunately, the victims of this disease are mainly women and children. Criminal gangs have become accustomed to using women and children for the most heinous purposes [23].

## RESULTS AND DISCUSSION

The medieval slavery system arose today in the form of human trafficking. It is well known that the slave trade flourished between the 17th and 18th centuries and that a new type of crime, human trafficking, became widespread as human trafficking. [24]. Women's trafficking (monetization) has a negative impact on the

spiritual and social development of mankind, as well as the escalation of illegal migration. If we pay attention to the lexical meaning of the term “traffic”, ... “Traffic” is expressed in Italian as “trade”[25]... human trafficking is a direct violation of human rights, which determines the particular social risk of this crime [26]. By the end of the twentieth century, the practice of enslaving women, selling them as live goods for the purpose of gaining material wealth, forcing them into sexual violence, and exploiting them had intensified. That is why the fight against this process is of international importance. The reason is that women's trafficking is an international crime that has a great negative impact on the gene pool of all mankind, the nation. In November 1967, the XXII session of the UN General Assembly adopted a declaration ending restrictions on women's rights, and in 1975, the XXVII session decided to hold the International Women's Year and the first World Conference on the Status of Women in Mexico. The conference adopted the first Global Action Plan and announced the first decade of women's work under the slogan “Equality, Development, Peace”. Article 6 of the Convention on the Elimination of All Forms of Discrimination against Women, adopted by UN General Assembly Resolution 34/180 of 18 December 1979 and entered into force on 3 September 1981 in accordance with Article 27 (1): States Parties shall take all appropriate measures, including legislative measures, to put an end to all forms of trafficking and prostitution by women. On November 15, 2000, the 55th session of the UN General Assembly adopted the Protocol on the Prevention, Suppression and Punishment of Trafficking in Human Beings, especially Women and Children, [30], which complements the Transnational Convention against Organized Crime [29]. It was ratified by the Assembly on December 12, 2003[31].

According to the United Nations, the trafficking of migrants ranks second in the world in the hierarchy of illicit wealth related to organized crime, after drug trafficking [32]. The importance of women's trafficking in migration is also reflected in the reduction of legal migration or the existence of some restrictions, illegal crossing of the border in order to earn economic income, which leads to the deception of migrant women, resulting in various difficulties. As a result of exploitation, women's rights are violated. The International Organization for Migration also plays an important role in combating such cases. In 2018, the Republic of Uzbekistan also became a member of this organization [33]. Reducing the movement of migrants and protecting their rights is a major task of the International Organization for Migration, which was approved by the council in November 1994 during the implementation of the action plan [34]. Currently, the International Organization for Migration is implementing more than thirty projects in the traffic system around the world. Uzbekistan is strengthening relations with the International Organization for Migration.

An important feature of illegal migration today is that it is organized by criminal groups. Every year, between 600,000 and 800,000 women and children are trafficked abroad and sold as slaves. The legislation of the Republic of Uzbekistan also establishes criminal liability for human trafficking. That is, Article 135 of the Criminal Code of the Republic of Uzbekistan, adopted on September 22, 2004 [36]. In order to consistently and systematically combat human trafficking in the Republic of Uzbekistan, the Law on Combating Trafficking in Human Beings entered into force on 17 April 2008 [37]. Currently, more women and children are exposed to trafficking. In the 21st century of globalization, human trafficking, especially crimes against women and children, is on the rise around the world [38]. Every day, millions of women around the world experience torture, violence, hunger, poverty, discrimination, slavery, and exploitation. “No one shall be subjected to torture, to cruel, inhuman or degrading treatment or punishment” [39] According to the United Nations, some 2.7 million people are trafficked worldwide each year, more than 90 percent of them women and children [40]. Women face various challenges and problems due to illegal migration. In particular, they are subjected to oppression and violence. As a result, their dignity is trampled on, as well as exploited by third parties. The 1949 Convention against Trafficking in Persons and the Exploitation of Women (Prostitution) by Third Parties was adopted. Article 17 of this document states: “The parties to the Convention undertake to take all necessary measures in the field of immigration and emigration, against any act of trafficking in persons, regardless of their sex, for the purpose of prostitution. In particular, it is necessary to adopt regulations that protect immigrant and immigrant women and children in the territory of the country of departure, the host country and throughout the year” [41].

The Agreement on Cooperation in Combating Illegal Migration was adopted between the CIS member states on March 6, 1998. The legal document states that “third-country nationals or stateless persons violating the rules of entry, exit, stay or transit through the territories of the Parties, as well as citizens violating the rules of stay in the territory of one of the parties established by its national legislation” are illegal migrants.

## CONCLUSION

Migration processes in the Republic of Uzbekistan are regulated by the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated November 12, 2003 No. 505 “On measures to improve the organization of labor activity of citizens of the Republic of Uzbekistan abroad” [42]. Migrant trafficking is a violation of the migration laws of a particular country [43]. Morocco adopted a global agreement on migration in December 2018. This international document is also supported by the Republic of Uzbekistan. In accordance with the Decree of the President of the Republic of Uzbekistan dated June 30, 2019 “On additional measures to further

improve the system of combating human trafficking and forced labor” The Majlis was reorganized into the National Commission for Combating Trafficking in Human Beings and Forced Labor, chaired by the Chairman of the Senate.

The Government of the Republic of Uzbekistan pays great attention to the protection of labor migrants - citizens of our country abroad, as well as assistance to victims of human trafficking and vulnerable migrants. In this regard, a number of international legal documents have been adopted. For the first time in history, our country became a member of the UN Human Rights Council [44].

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