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Introduction

On 3-4 June 2013, the International Conference “Best practices in protecting labour migrants’ rights and perspectives of its application in Kyrgyzstan” was held in Bishkek.

The Conference was organized by the Tyan-Shan Analytical Centre of the American University in Central Asia and supported by a number of international, foreign and national organizations, including the Open Society Foundations (OSF), the Danish Church Aid in Central Asia (DCA), the Dutch Organization for Development of Cooperation (ICCO), and Civil Partnership Platform “Central Asia on Move”.

The representatives of civil society, the Jogorku Kenesh of the Kyrgyz Republic, the Government, international organizations, and independent experts attended the Conference.

The Conference was acknowledged with presentations of international and national experts on international standards of labour migration management, best practices existing in other countries, current trends in labour resources management, the work of international organizations dealing with these issues, and with analysis of migration situation in the Kyrgyz Republic.

Presentations were made by Kathryn Anderson, Vanderbilt University Professor, United States; Dmitry Poletaev, Director of the regional public organization “Center for Migration Studies”, leading researcher of the laboratory of Migration analysis and scientific prognostics of the Institute of economic prognostics of the Russian Academy of Sciences; Asel Akmatova, International Organization for Migration; Asiya Kalieva, Head of the PF “Public Position”, Almaty; Shukhrat Latifov, PA “Centre for Mental Health and HIV/AIDS”, Tajikistan; Chyngyz Tabyldiev, Chief of the programme on employment in Korea, Chief specialist of the Center for employment of the Kyrgyz Republic citizens abroad, Ministry of Labour, Migration and Youth (MLMY); Svetlana Bashtovenko, Head of the

(1) Labour migration and related issues, in particular in the sphere of labour migrants' rights protection continues to be the important activity of NGOs, but over the years it never became an important component of the Kyrgyz Republic's state policy.

Due to various estimations, nowadays, continuous and circular labour migration in Kyrgyzstan reached from 500 to 700 thousand people (constituting one fifth of the working population). Generally, the economic reasons/factors spur the process of external migration. For most migrants, migration is a long-term strategy.

(2) The world has accumulated tremendous experience of both state and international, national and regional non-governmental organizations in protection of labour migrants' rights, establishing effective systems of migration flows management, problems solution in the process of labour migration in all its stages (pre-departure preparation, in destination countries and in post-migration stage).

(3) The migration policy, practically executed by the Kyrgyz Republic, is characterized by the absence of mechanisms for gathering and exchange of migration data and other information. Focus groups and interested stakeholders groups (migrants and members of their families, labour migrants' diasporas, etc.) are not involved in the decision-making process. The comprehensive situation analysis is not executed and the integrated services for migrants in all the stages of migration process are missing.

(4) There are no sufficiently effective mechanisms of labour migrants' pre-departure preparation, they do not get full information on the terms and rules of stay and employment in host countries, do not possess the necessary knowledge and skills, including language and labour

of labour migrants, but bi-lateral netting with Kyrgyzstan does not exist. Migrants are not even informed of the private pension insurance' existence in the KR.

(7) Labour migrants, in particular those in irregular situation, among whom the most vulnerable are women and youth, are mostly exposed to the risk of becoming victims

It is necessary to have the functioning operational analysis system to analyze the situation at the global, regional and domestic labour markets. This analysis technique and its organization, communication of results to all the stakeholders are advisable to be ensured by the MLMY.

Via mass media and Internet, and with the wide distribution of brochures or publications in newspapers, airing on TV and radio, in particular for remote areas, there should be ensured the dissemination of comprehensive and accessible information about available employment opportunities in destination countries, on vacancies and qualifications thereof, the relevant employment legislation, labour migrants' rights and duties, their social securing in employment country, as well as informing labour migrant workers, in particular women, and their families' members on their rights and obligations, and on the problems related to migration and work outside their home country. To do this, it is necessary to create the public information portal that could be accessed via the Internet, as well as to open the hotline for provision of information on the labour market, conditions of travel, work and stay, on the legislative basis of stay in the country of destination.

It is also vital to draft the short reference books (booklets) for travelers and members of their families on various issues arising in migration process.

To create the system of pre-departure preparation of labour migrants by NGOs at the expense of state resources through the system of state order.

The most effective solution made by the Government could be the support of development of private employment agencies networks, constituting the important part of labour migration "infrastructure", methodical, information, legal support of their activities, monitoring of their compliance with the norms of legislation on migration and employment of our citizens and protection of

- creation of resource centres within the vocational education establishments with adoption of the best access practices.

It is necessary to draft and sign cooperation agreements on vocational education between our educational establishments and the leading profile establishments in the major Kyrgyz labour migration destination countries and territories.

Curricula of vocational education system should include the training modules helping to find work, such as resume composing, developing business communication skills.

The specific modules should be developed to educate the adults meeting their additional needs, such as retraining, raising of qualification, further training and various short courses.

The Ministry of Health Protection should provide the non-costly medical examination of the citizens leaving the country for labour purposes.

The Ministry of Health Protection should develop and pilot the mechanism of voluntary medical insurance for migrants that have to be operative prior to their departure to the country of destination. It also should explore the possibility of introducing compulsory health insurance for migrants leaving abroad for labour purposes.

It is necessary to develop and approve the contracting system between migrants leaving the country for labour purposes, and private employment agencies and employers in the destination countries.

The Ministry of Foreign Affairs should provide for specific measures of state support in cases when labour migrant needs to obtain visa to enter the country of destination.

2. Support of labour migrants in destination countries

Since the support of labour migrants in destination countries is essential for protection of their rights, it is necessary to consider the possibility of introducing the institute of labour attaché with responsibilities including registration, assistance in employment and respect for the rights of Kyrgyz labour migrants.

The Kyrgyz Government should initiate with the other states, having membership in the Common Economic Space, or seeking to obtain it, to consider the possibility of introducing not permissive, but notifying order of labour migrants' employment.

It is necessary to actively develop the system of interaction with the management of the RF provinces (provinces with provinces, cities with cities) on the issues of work with labour migrants. This should be not only the task for the Government, but for local authorities as well.

In destination countries, in cooperation with non-governmental organizations, diasporas' structures, on the basis of public-private partnership, the Government should implement the programme of creation the Centres for adaption of labour migrants, assisting them in finding housing, employment, and other issues.

On the website of the MLMY and with participation of other information resources, there should be established the system of informing about the unscrupulous employers in the destination countries ("black lists of employers").

It is necessary to consider the participation of the state in financial and economic projects of labour migrants on a shared basis. For this purpose there could be developed a special programme with creation of a special state-owned fund.

In places of mass accommodation of migrants, the Government should support construction (or organizing) of guest houses for arriving labour migrants for the period of their finding housing and employment.

In cooperation with non-governmental organizations, associations of labour migrants and trade unions, the Government should consider and implement

- support of existing and assistance in establishing new associations /