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International Labour Standards and Labour Law in the Countries of the Central Asian Region

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Abstract. The aim of the study was to determine the level of compliance of national legislation in Central Asian countries with international labour standards. The study was carried out by applying a set of methods, including comparative legal analysis of national legal acts of these countries and analysis of relevant statistical indicators on the labour market. It is established that despite the ratification by Kyrgyzstan, Kazakhstan and Uzbekistan of the key conventions of the International Labour Organization and formal enshrining of basic labour rights at the legislative level, there are significant problems with their practical implementation and the effectiveness of law enforcement. The identified problems include restrictions on the freedom of association and collective bargaining, systemic violations of migrant workers' rights (including exploitation and limited access to social protection), and a high level of informal employment. Statistical analysis has shown that the share of informal employment in Uzbekistan is estimated at 60%, and in Kyrgyzstan at around 30%. The unemployment rate in 2023 in Kyrgyzstan was recorded at 4.1%, while in Uzbekistan it was 8.9% in 2022. There was a significant gender pay gap, reaching about 25.2% in

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Kazakhstan and 36.6% in Uzbekistan. Differences in occupational injury rates were also recorded: the highest rate in Kazakhstan was 0.415 cases per 1,000 employees, in Kyrgyzstan – 0.221, and in Uzbekistan – 0.078. Based on the analysis, the authors formulate recommendations for Central Asian countries aimed at further improving their labour legislation in line with international standards, strengthening mechanisms for monitoring its observance, developing social dialogue and ensuring more effective protection of workers' rights, especially those of migrant workers and those employed in the informal sector of the economy.

Keywords: *Social Dialogue, Gender Equality, Labour Migration, Informal Employment, Unemployment Rate.*

1. Introduction

A study of the implementation of international labour standards in Central Asian countries is relevant and important for several reasons. Firstly, it will allow assessing the degree of compliance of national legislation with international standards and identifying problematic aspects in each country. Secondly, it will make it possible to identify factors that affect the effectiveness of implementation and develop recommendations for improving the situation. Third, it will help raise awareness of labour rights and encourage social dialogue between government, trade unions and employers, which is an important condition for social stability and economic growth.

In the first quarter of the 21st century (2001-2025), characterised by dynamic processes of globalisation and integration, ensuring decent working conditions and respect for labour rights is an integral part of any country's sustainable development. Labour, as the main human activity, should be not only a source of livelihood, but also a sphere of realisation of its potential, ensuring a decent standard of living and social protection.¹ In this context, the issue of implementing international labour standards into national legislation is of particular importance. International labour standards developed by the International Labour Organisation (ILO), the United Nations and other international organisations define minimum

¹ B. Miethlich, S. Kvitka, M. Ermakova, L. Bozhko, O. Dvoryankin, S. Shemshurina, I. Kalyakina, *Correlation of educational level, labor potential and digital economy development in Slovakian, Ukrainian and Russian experience*, *TEM Journal – Technology Education Management Informatics*, 2020, 9(4), pp. 1597–1605.

guarantees for employees in the field of labour, such as freedom of association, prohibition of discrimination, ensuring labour safety, regulation of working hours, protection of wages, etc. These standards are designed to ensure social justice, protect workers' rights and create favourable conditions for human capital development. The Central Asian countries – Kyrgyzstan, Kazakhstan and Uzbekistan – are at different stages of socio-economic development and have their own specific labour relations. Kyrgyzstan and Uzbekistan have high levels of informal employment and labour migration. In Kazakhstan, which has a more developed economy, the issues of gender equality and protection of the rights of foreign workers are relevant.² However, all three countries are members of the ILO and have committed to implementing international labour standards.

In addition to the conventions already ratified by the Central Asian states, particular attention should be paid to other ILO instruments that address issues analysed later in this study, even where these have not yet been formally ratified at the national level. The normative significance of ILO conventions does not depend exclusively on ratification status. As noted in the literature and reflected in ILO supervisory practice, non-ratified conventions may still exert interpretative and political influence by shaping legislative reform agendas, guiding judicial reasoning, and informing the expectations of social partners. In this sense, they function as persuasive standards that contribute to the progressive development of labour law, especially in areas such as labour inspection, occupational safety and health governance, protection of migrant workers, and safe working environments.

In particular, the Labour Inspection Convention (No. 81, 1947)³ establishes detailed requirements regarding the independence, powers, and resources of labour inspectorates, which are directly relevant to the enforcement deficiencies identified in the region. The Occupational Safety and Health Convention (No. 155, 1981)⁴ and the Promotional Framework for Occupational Safety and Health Convention (No. 187, 2006)⁵ provide

² Z. Khamzina, Y. Buribayev, B. Taitorina, G. Baisalova, *Gender equality in employment: A view from Kazakhstan*, *Anais da Academia Brasileira de Ciencias*, 2021, 93(4), e20190042.

³ International Labour Organization, *Labour Inspection Convention* (No. 81), International Labour Organization, Geneva, 1947.

⁴ International Labour Organization, *Occupational Safety and Health Convention* (No. 155), International Labour Organization, Geneva, 1981.

⁵ International Labour Organization, *Promotional Framework for Occupational Safety and Health Convention* (No. 187), International Labour Organization, Geneva, 2006.

a systemic approach to the prevention of workplace injuries through national OSH policies and continuous improvement mechanisms, an area of concern in sectors such as mining, construction, and agriculture. Furthermore, the Migrant Workers (Supplementary Provisions) Convention (No. 143, 1975)⁶ offers comprehensive standards aimed at combating irregular migration, exploitation, and discrimination, thereby addressing structural vulnerabilities faced by labour migrants from and within Central Asia. Even in the absence of ratification, these instruments may serve as authoritative benchmarks for assessing compliance with broader principles of decent work and social justice. Their consideration enables a more nuanced evaluation of national labour systems and highlights concrete directions for future harmonisation with evolving international labour standards, reinforcing the argument that effective implementation requires not only formal adherence but substantive alignment with global normative developments.

In 2021-2025, a number of researchers paid attention to labour rights issues in Central Asia. The role of international organisations, such as the ILO, in protecting the rights of labour migrants was considered by Toshpo‘latov.⁷ The study emphasised the importance of international cooperation and the conclusion of agreements that ensure the portability of social benefits as key elements to guarantee the economic security and well-being of migrants. The impact of the ILO on national labour legislation was analysed in Koliev.⁸ His key finding was that the ILO’s influence was not only through ratification, but also to a large extent during the process of drafting and adopting conventions, when states could improve their norms even without ratifying the document later.

Bruzelius and Seeleib-Kaiser⁹ analysed the problems of applying minimum labour standards and institutional exploitation of seasonal agricultural workers in the EU, which is relevant for Central Asian countries given the development of agriculture and the use of migrant labour. In general, the

⁶ International Labour Organization, *Migrant Workers (Supplementary Provisions) Convention* (No. 143), International Labour Organization, Geneva, 1975.

⁷ D. Toshpo‘latov, *The role of international organizations in protecting the rights of international labor migrants*, *International Journal of Law and Criminology*, 2024, 4(11), pp. 17–22.

⁸ F. Koliev, *Promoting international labour standards: The ILO and national labour regulations*, *British Journal of Politics and International Relations*, 2025, 24(2), pp. 261–380. Кратко: Koliev, *op. cit.*

⁹ C. Bruzelius, M. Seeleib-Kaiser, *Enforcement of minimum labor standards and institutionalized exploitation of seasonal agricultural workers in the EU*, in S. Börner, M. Seeleib-Kaiser (eds.), *European Social Policy and the COVID-19 Pandemic: Challenges to National Welfare and EU Policy*, Oxford University Press, Oxford, 2023, pp. 165–184.

study showed not only that the welfare state remains relevant, but also that social policy can potentially develop and expand its competences at the European level. Khakberdiev¹⁰ investigated the limitations of Uzbekistan's labour legislation, in particular in terms of protecting the rights of non-standard workers (e.g., those working part-time or on temporary contracts). The study pointed to the need to reform Uzbekistan's labour legislation to ensure more effective protection of the rights of all categories of workers. Akhmetzharov and Orazgaliyev¹¹ examined the role of trade unions in Kazakhstan in the context of institutional corruption. The authors argue that trade unions in Kazakhstan are weak and do not always effectively protect the interests of workers. The study emphasises the importance of strengthening the trade union movement in Kazakhstan and enhancing its role in protecting labour rights.

Ramankulov et al.¹² analysed trends in labour law reform in Kyrgyzstan. The authors identified a number of problems related to the deregulation of the labour market and insufficient protection of workers' rights. This study pointed to the need for further reforms in Kyrgyzstan to ensure more effective protection of labour rights. Bozorov¹³ studied the organisational and legal framework for the protection of labour of minors in Uzbekistan. The author pointed out the need to strengthen the protection of children's and adolescents' rights at work. It also emphasised the importance of complying with international standards on child labour in Uzbekistan. Thus, the analysis of these studies shows that the problem of labour rights protection in Central Asian countries is multifaceted. Important areas of research include analysis of legislation, study of the role of trade unions, protection of the rights of vulnerable groups of workers (migrants, minors, etc.), as well as analysis of factors that affect the effectiveness of the implementation of international labour standards.

However, despite the available research, the issue of a comprehensive analysis of the implementation of international labour standards in Central

¹⁰ A. Khakberdiev, *Current constraints of Uzbekistan labor law*, *Galaxy International Interdisciplinary Research Journal*, 2021, 9(12), pp. 590–597.

¹¹ S. Akhmetzharov, S. Orazgaliyev, *Labor unions and institutional corruption: The case of Kazakhstan*, *Journal of Eurasian Studies*, 2021, 12(2), pp. 133–144.

¹² K.S. Ramankulov, U.T. Andashev, G. Kachkyn kyzy, *Trends in the legal labour reform policy in the Kyrgyz Republic*, *SHS Web of Conferences*, 2021, 108, 01004.

¹³ U.S. Bozorov, *Organizational and legal bases of legal protection of minors' labor in the Republic of Uzbekistan*, *International Scientific and Current Research Conferences*, 2022, 1(1), pp. 78–83.

Asian countries remains insufficiently studied. Most studies focus on specific aspects of labour rights, such as the protection of migrants' rights or the prevention of child labour. Further research is needed that would cover a wider range of issues related to the implementation of international labour standards and take into account the specifics of each country in the region.

The aim of the study was to determine the degree of compliance of national labour legislation in Central Asian countries with international labour standards. The objectives of the study were to: analyse the compliance of individual countries' legislation with key ILO conventions on labour rights; identify and systematise gaps and shortcomings in the legal regulation of labour relations and provide recommendations for the countries under study.

2. Materials and Methods

This study was conducted between January 2024 and March 2025. To achieve this goal, a comprehensive approach was used, which included the following research methods. A comparative analysis of the labour legislation of Kyrgyzstan, Kazakhstan and Uzbekistan with key international labour standards, including ILO conventions, was carried out.

The following legislative acts were considered in the course of the analysis: the Constitution of the Kyrgyz Republic¹⁴, the Law of the Kyrgyz Republic No. 130 "On Trade Unions"¹⁵, the Labor Code of the Kyrgyz Republic¹⁶, the Law of the Kyrgyz Republic No. 4 "On External Labor Migration"¹⁷, Constitution of the Republic of Kazakhstan¹⁸, the Law of the Republic of Kazakhstan No. 211-V "On Trade Unions"¹⁹, the Labor Code of the Republic of Kazakhstan²⁰, the Law of the Republic of

¹⁴ *Constitution of the Kyrgyz Republic*, Government of the Kyrgyz Republic, Bishkek, 2021.

¹⁵ *Law of the Kyrgyz Republic No. 130 "On Trade Unions"*, Government of the Kyrgyz Republic, Bishkek, 1998.

¹⁶ *Labor Code of the Kyrgyz Republic*, Government of the Kyrgyz Republic, Bishkek, 2004.

¹⁷ *Law No. 4 "On External Labor Migration"*, *op. cit.*

¹⁸ *Constitution of the Republic of Kazakhstan*, Government of the Republic of Kazakhstan, Almaty, 1995.

¹⁹ *Law of the Republic of Kazakhstan No. 211-V "On Trade Unions"*, Government of the Republic of Kazakhstan, Astana, 2014.

²⁰ *Labor Code of the Republic of Kazakhstan*, *op. cit.*

Kazakhstan No. 477-IV “On Population Migration”²¹, the Law of the Republic of Uzbekistan No. ZRU-410 “On Amendments and Additions to the Law of the Republic of Uzbekistan ‘On Labor Protection’”²², Law of the Republic of Uzbekistan No LRU-588 “On Trade Unions”²³. The following international labour standards, including conventions, were also considered: Freedom of Association and Protection of the Right to Organise Convention²⁴, Right to Organise and Collective Bargaining Convention²⁵, Equal Remuneration Convention²⁶, Worst Forms of Child Labour Convention²⁷, Domestic Workers Convention.²⁸

The study analysed statistical data on labour relations in Kyrgyzstan, Kazakhstan and Uzbekistan, including data on unemployment, gender pay gap, occupational injuries, etc. Data sources included national statistical services and international organisations: International Trade Union Confederation (ITUC)²⁹, International Labour Organization^{30,31}, World Bank Group.³² Descriptive statistics methods were used to process and analyse statistical data: National Statistical Committee of the Kyrgyz Republic³³, United Nations Economic Commission for Europe^{34,35},

²¹ *Law of the Republic of Kazakhstan No. 477-IV “On Population Migration”*, Government of the Republic of Kazakhstan, Astana, 2011.

²² *Law of the Republic of Uzbekistan No. ZRU-410 “On Amendments and Additions to the Law of the Republic of Uzbekistan ‘On Labor Protection’”*, Government of the Republic of Uzbekistan, Tashkent, 2016.

²³ *Law of the Republic of Uzbekistan No. LRU-588 “On Trade Unions”*, Government of the Republic of Uzbekistan, Tashkent, 2019.

²⁴ International Labour Organization, *Freedom of Association and Protection of the Right to Organise Convention*, International Labour Organization, Geneva, 1948.

²⁵ International Labour Organization, *Right to Organise and Collective Bargaining Convention*, International Labour Organization, Geneva, 1949.

²⁶ International Labour Organization, *Equal Remuneration Convention*, International Labour Organization, Geneva, 1951.

²⁷ International Labour Organization, *Worst Forms of Child Labour Convention*, International Labour Organization, Geneva, 1999.

²⁸ International Labour Organization, *Domestic Workers Convention*, International Labour Organization, Geneva, 2011.

²⁹ International Trade Union Confederation, *ITUC Global Rights Index 2023*, International Trade Union Confederation, Brussels, 2023.

³⁰ International Labour Organization, *World employment and social outlook: Trends 2022*, International Labour Organization, Geneva, 2022.

³¹ International Labour Organization, *World employment and social outlook 2023: The value of essential work*, International Labour Organization, Geneva, 2023.

³² World Bank Group, *World development indicators*, World Bank Group, Washington, 2025.

³³ National Statistical Committee of the Kyrgyz Republic, *Unemployment rate (in percent)*, National Statistical Committee, Bishkek, 2023.

Bureau of National Statistics of the Agency for Strategic Planning and Reforms of the Republic of Kazakhstan³⁶, Khon³⁷, International Labour Organization.^{38,39} Three case studies were analysed to illustrate problems in the field of labour rights in Kyrgyzstan, Kazakhstan and Uzbekistan. The sources of information for the case studies were court decisions: Supreme Court of the Republic of Kazakhstan⁴⁰, Supreme Court of the Republic of Uzbekistan⁴¹, Supreme Court of the Kyrgyz Republic.⁴²

The case study method based on official court documents was used to obtain objective, detailed and practically oriented data on the real state of affairs with the protection of labour rights in Kyrgyzstan, Kazakhstan and Uzbekistan. The research was conducted on personal computers with Windows 10/11 and macOS operating systems. Microsoft Word and Google Docs were used to process textual information. Information was searched for in Internet resources using Google Chrome, Mozilla Firefox and Safari web browsers. Bibliographic information management software such as Zotero, as well as the Microsoft Excel spreadsheet processor and Google Sheets services were used to systematise and analyse the information found. Where data visualisation was required, Google Slides was used. The study complied with the ethical standards of scientific activity, including objectivity, impartiality, accuracy and completeness of information. All the research methods used are scientifically sound and provide reliable results. A comprehensive approach to the study ensured a

³⁴ United Nations Economic Commission for Europe, *Non-fatal occupational injury rate per 100,000 workers*, United Nations Economic Commission for Europe, Geneva, 2025.

³⁵ United Nations Economic Commission for Europe, *Unemployment rate*, United Nations Economic Commission for Europe, Geneva, 2025.

³⁶ Bureau of National Statistics of the Agency for Strategic Planning and Reforms of the Republic of Kazakhstan, *Key indicators of the labor market in the Republic of Kazakhstan (Q3 2024)*, Bureau of National Statistics, Astana, 2024.

³⁷ E. Khon, *Closing the gender pay gap: A closer look at the issue*, United Nations Development Programme, Astana, 2023.

³⁸ International Labour Organization, *Women and the world of work in Uzbekistan: Towards gender equality and decent work for all*, International Labour Organization, Geneva, 2023.

³⁹ International Labour Organization, *Gender-sensitive diagnostics of the informal economy and employment in Uzbekistan: Consultations with social partners*, International Labour Organization, Geneva, 2022.

⁴⁰ Supreme Court of the Republic of Kazakhstan, *The Supreme Court pointed out that the termination of housing payments to an internal affairs officer was unjustified*, Supreme Court of the Republic of Kazakhstan, Astana, 2025.

⁴¹ Supreme Court of the Republic of Uzbekistan, *Case 2-1001-2408/22033*, Supreme Court of the Republic of Uzbekistan, Tashkent, 2024.

⁴² Supreme Court of the Kyrgyz Republic, *Case GD-1778/24-D4*, Supreme Court of the Kyrgyz Republic, Bishkek, 2024.

comprehensive analysis of the issues and the formulation of reasonable conclusions.

3. Results

An analysis of the compliance of labour legislation and practice with ILO international standards in Kyrgyzstan, Kazakhstan, and Uzbekistan shows that all three countries have formally integrated key conventions into national law; however, their practical implementation faces significant challenges and differs in terms of the specific problems. In Kyrgyzstan, which has ratified key ILO conventions, notably: Freedom of Association and Protection of the Right to Organise Convention⁴³, Right to Organise and Collective Bargaining Convention⁴⁴, and Equal Remuneration Convention.⁴⁵ Article 35 of the Constitution of the Kyrgyz Republic⁴⁶ guarantees citizens the right to freedom of association in political parties, trade unions, and other public associations. The Law of the Kyrgyz Republic No. 130 “On Trade Unions”⁴⁷ regulates the activities of trade unions, defining their rights and guarantees of operation. According to Article 15 of this law, “trade unions have the right to represent and protect the labour, socio-economic rights and interests of their members in state authorities and local self-government bodies, as well as in organisations”.

Article 28 of the Constitution of the Kyrgyz Republic⁴⁸ prohibits forced labour and guarantees equal rights and freedoms for all, regardless of race, ethnic origin, sex, language, origin, religion, political and religious beliefs, property, or other status. The Labor Code of the Kyrgyz Republic⁴⁹ contains provisions prohibiting discrimination in the workplace. According to Article 9 of the Labor Code of the Kyrgyz Republic, any discrimination in the workplace is prohibited, in particular the restriction of rights or the granting of advantages based on sex, race, colour, language, religion, political or other beliefs, national or social origin, property, birth, or other status.

⁴³ International Labour Organization, *Freedom of Association Convention*, *op. cit.*

⁴⁴ International Labour Organization, *Right to Organise Convention*, *op. cit.*

⁴⁵ International Labour Organization, *Equal Remuneration Convention*, *op. cit.*

⁴⁶ *Constitution of the Kyrgyz Republic*, *op. cit.*

⁴⁷ *Law No. 130 “On Trade Unions”*, *op. cit.*

⁴⁸ *Constitution of the Kyrgyz Republic*, *op. cit.*

⁴⁹ *Labor Code of the Kyrgyz Republic*, *op. cit.*

Kyrgyzstan is a country of origin, transit, and destination for migrant workers. The Law of the Kyrgyz Republic No. 4 “On External Labor Migration”⁵⁰ regulates the employment of Kyrgyz citizens abroad and the protection of their rights. According to Article 2 of this law, the state guarantees the protection of the rights and legitimate interests of citizens of the Kyrgyz Republic who are abroad for the purpose of employment. However, according to the International Labour Organization⁵¹, legislation needs to be improved in terms of ensuring equal rights and opportunities for migrant workers in the areas of employment, social protection, and healthcare. The Labor Code of the Kyrgyz Republic⁵² contains provisions on the regulation of non-standard forms of employment, such as temporary work, part-time work, and homeworking. However, there are problems with the practical application of these provisions, especially in terms of ensuring the social protection of workers engaged in non-standard forms of work. Section IV “Labour Protection” of the Labor Code of the Kyrgyz Republic establishes the basic requirements for ensuring workplace safety. According to Article 211 of this code, the employer is obliged to ensure safe working conditions in every workplace. However, the level of industrial injuries and occupational diseases in Kyrgyzstan remains high, especially in sectors such as agriculture, construction, and the mining industry.⁵³

The International Labour Organization⁵⁴ notes that it is necessary to strengthen control over compliance with labour protection legislation and raise the level of workplace safety culture. In Kyrgyzstan in 2018, the average wage for women was only 71.6% of the average male wage. This represents a deterioration of the situation compared to 2016, when this ratio was 75.3%. Thus, over three years, the gap between men’s and women’s earnings increased by 3.7 percentage points. Regionally, the lowest ratio of female to male wages in 2018 was recorded in the Jalal-Abad (60.7%) and Talas (63.0%) regions. In the Kyrgyz Republic at the beginning of 2019, the proportion of women among civil servants was 40.3%. However, their representation was unevenly distributed: women held 29.3% of political and special positions, while in administrative

⁵⁰ *Law of the Kyrgyz Republic No. 4 “On External Labor Migration”*, Government of the Kyrgyz Republic, Bishkek, 2006.

⁵¹ International Labour Organization, *World employment and social outlook 2022*, *op. cit.*

⁵² *Labor Code of the Kyrgyz Republic*, *op. cit.*

⁵³ Bruzelius, Seeleib-Kaiser, *op. cit.*

⁵⁴ International Labour Organization, *World employment and social outlook 2022*, *op. cit.*

positions they held 40.7%. According to the World Economic Forum⁵⁵, Kyrgyzstan ranked 93rd in the world for the integrated indicator of the expansion of political rights.

In Kazakhstan, the Constitution of the Republic of Kazakhstan⁵⁶ guarantees the right to freedom of association (Article 24). The Law of the Republic of Kazakhstan No. 211-V “On Trade Unions”⁵⁷ regulates the activities of trade unions. According to Articles 4 and 6 of this law, trade unions are established without prior permission based on the free choice of their members to represent and protect their labour rights and interests. However, according to the International Trade Union Confederation⁵⁸ report, there was a systematic suppression of the activities of the independent trade union movement in Kazakhstan. It was found that workers were subjected to surveillance, deprivation of liberty, and ill-treatment by state structures that showed signs of authoritarianism. More attention was paid to the persecution of trade union leaders and activists who defended workers’ rights.

Frequent cases of their detention and prosecution on fabricated charges were reported. Court proceedings in such cases were often characterised by significant procedural violations and a lack of impartiality, which called into question their legitimacy. In the context of corporate responsibility, cases of violations of workers’ rights by individual companies were identified. In particular, Kezbi LLP (Kazakhstan) was mentioned as an entity involved in violating rights or failing to take adequate measures to protect them. Emphasis was placed on the general obligation of businesses to comply with internationally recognised human rights standards, including collective labour rights, and to refrain from any actions that could hinder their practical implementation by workers.

According to the ITUC, Kazakhstan was assigned a rating of 5 (“No guarantee of rights”). Countries in this category were identified as some of the worst in the world for working people. It was noted that even with formal legislation declaring certain rights, workers effectively had no access to them, suffering from autocratic management practices and unfair working conditions. Article 24 of the Constitution of the Republic of Kazakhstan⁵⁹ prohibits forced labour and guarantees protection against

⁵⁵ World Economic Forum, *Global gender gap report*, World Economic Forum, Geneva, 2019.

⁵⁶ *Constitution of the Republic of Kazakhstan*, *op. cit.*

⁵⁷ *Law No. 211-V “On Trade Unions”*, *op. cit.*

⁵⁸ International Trade Union Confederation, *ITUC Global Rights Index*, *op. cit.*

⁵⁹ *Constitution of the Republic of Kazakhstan*, *op. cit.*

discrimination. The Labor Code of the Republic of Kazakhstan⁶⁰ contains provisions prohibiting discrimination in the workplace. According to Article 6 of the Labour Code, any discrimination in the workplace is prohibited, which has the purpose or effect of violating equal opportunities or creating obstacles to the exercise of rights in the field of labour. However, according to the International Labour Organization⁶¹, women in Kazakhstan face discrimination in hiring and wages. The report states that measures need to be taken to ensure gender equality in the workplace, including through information campaigns and the implementation of support programmes for women. In Kazakhstan, there has been a decrease in the gender pay gap, which has narrowed from 32.2% in 2017 to 21.7% in 2021.⁶² Data for 2021 show that the highest earners included heads of organisations (521,336 tenge), translators (412,527 tenge), and heads of specialised departments (342,864 tenge). Notably, in all these categories, men earned more than women, by an average of 2,000 tenge.

Kazakhstan is an attractive country for migrant workers from Central Asia and other countries.⁶³ The Law of the Republic of Kazakhstan No. 477-IV “On Population Migration”⁶⁴ regulates issues of entry, exit, stay, and employment of foreign citizens. However, according to the World Migration Report, migrant workers in Kazakhstan often face exploitation, violation of their rights, and limited access to social protection.⁶⁵ The report states that it is necessary to strengthen the protection of the rights of migrant workers, in particular by improving migration legislation and strengthening control over compliance with migrants’ rights. The Labor Code of the Republic of Kazakhstan⁶⁶ contains provisions on the regulation of non-standard forms of employment.

⁶⁰ *Labor Code of the Republic of Kazakhstan*, Government of the Republic of Kazakhstan, Astana, 2015.

⁶¹ International Labour Organization, *World employment and social outlook 2023*, *op. cit.*

⁶² Agency for Strategic Planning and Reforms of the Republic of Kazakhstan, *Gender statistics*, Agency for Strategic Planning and Reforms of the Republic of Kazakhstan, Astana, 2022.

⁶³ N.O. Baigabylov, K.B. Maslov, M.M. Kozybayeva, Z.Z. Tuleubayev, *The current development trends of relations between Kazakhstan and Turkey: The Eurasian idea, the religious question and migration in the context of studying social history*, *Middle East Journal of Scientific Research*, 2013, 16(12), pp. 1648–1652.

⁶⁴ *Law No. 477-IV “On Population Migration”*, *op. cit.*

⁶⁵ M. McAuliffe, A. Triandafyllidou, *World migration report 2022*, International Organization for Migration, Geneva, 2022.

⁶⁶ *Labor Code of the Republic of Kazakhstan*, *op. cit.*

However, according to the International Labour Organization⁶⁷, there is a growth in non-standard forms of employment, which may lead to a deterioration of working conditions and a reduction in the level of social protection for workers. The report notes that it is necessary to develop effective mechanisms for regulating non-standard forms of employment to ensure compliance with labour rights and social protection for workers. The Labor Code of the Republic of Kazakhstan⁶⁸ establishes the basic requirements for ensuring workplace safety. According to Article 201 of this code, the employer is obliged to ensure safety and hygiene at every workplace. However, the level of workplace injuries in Kazakhstan remains high, especially in the mining and construction industries. The International Labour Organization⁶⁹ report states that it is necessary to strengthen control over compliance with labour protection legislation and raise the level of workplace safety culture.

In Uzbekistan, active work has been observed on reforming labour legislation and bringing it into line with international standards during the period of 2019 to early 2025.⁷⁰ As part of this work, a number of key ILO conventions have been ratified, including Worst Forms of Child Labour Convention⁷¹ and Domestic Workers Convention.⁷² A number of laws aimed at protecting workers' rights have been adopted, including the Law of the Republic of Uzbekistan No. ZRU-410 "On Amendments and Additions to the Law of the Republic of Uzbekistan 'On Labor Protection'"⁷³ and the Law of the Republic of Uzbekistan No LRU-588 "On Trade Unions".⁷⁴ According to Article 8 of the Law, trade unions are independent public organisations that are created by citizens on a voluntary basis to represent and protect their social and labour rights and interests. Despite the positive changes, problems remain in ensuring freedom of association, especially in some sectors of the economy. According to the International Trade Union Confederation⁷⁵ report, at the regional level, in the Asia-Pacific region, to which Uzbekistan geographically belongs, there was an increase in the level of violence against workers.

⁶⁷ International Labour Organization, *World employment and social outlook 2023*, *op. cit.*

⁶⁸ *Labor Code of the Republic of Kazakhstan*, *op. cit.*

⁶⁹ International Labour Organization, *World employment and social outlook 2022*, *op. cit.*

⁷⁰ Khakberdiev, *op. cit.*

⁷¹ International Labour Organization, *Worst Forms Convention*, *op. cit.*

⁷² International Labour Organization, *Domestic Workers Convention*, *op. cit.*

⁷³ *Law No. ZRU-410*, *op. cit.*

⁷⁴ *Law No. LRU-588 "On Trade Unions"*, *op. cit.*

⁷⁵ International Trade Union Confederation, *ITUC Global Rights Index*, *op. cit.*

The proportion of countries in the region where such incidents were recorded increased from 43% in 2022 to 48% in 2023. Separately, it was reported that ethnic Kazakhs and other Turkic Muslim peoples were subjected to systematic persecution and mass detentions. Cases of the use of forced labour, particularly in the garment industry, were documented, which was classified as a gross violation of human rights. According to the assessment, the Asia-Pacific region was recognised as the second worst in the world for the observance of workers' rights, with an average score of 4.18 on the ITUC index.

According to the International Labour Organization⁷⁶ report, women in Uzbekistan face discrimination in hiring and wages. The effectiveness of the application of legislation in practice also remains a problem. 1.43 million Uzbeks went abroad for work in 1995, mainly to Russia and Kazakhstan. According to International Organization for Migration (IOM) data, migrant workers from Uzbekistan often face exploitation, violation of their rights, and limited access to social protection.⁷⁷ The data states that it is necessary to strengthen the protection of the rights of migrant workers. An analysis of the labour market in Uzbekistan revealed significant gender differences related to the level of education, material well-being, and the presence of children. There is a strong correlation between women's participation in the labour market and their level of education. Only 10% of women with general secondary education or lower and 33% of women with full secondary education are employed, compared to 15% and 77% of men, respectively.

However, having higher education drastically changes the situation, as 74% of women with a bachelor's degree or higher are active in the labour market, which is much closer to the employment rate of men with similar education, which stands at 92%. In addition to education, the level of well-being also significantly affects employment, especially for women. The probability that women (aged 16 and over) from the two lowest wealth quintiles will be economically inactive or unemployed exceeds 50%, while among men from the lowest wealth quintile this figure is 39%, and from the second lowest quintile – 32%. The presence of young children also has a different impact on the labour force participation of women and men. In the case of men, a larger number of young children is associated with a higher probability of employment, while for women the

⁷⁶ International Labour Organization, *World employment and social outlook 2023*, *op. cit.*

⁷⁷ McAuliffe, Triandafyllidou, *op. cit.*

opposite trend is observed: they are significantly less likely to work outside the home if they have more children.

Insufficient effectiveness of law enforcement mechanisms is one of the key problems in the field of labour rights in all three countries. According to the International Trade Union Confederation⁷⁸ report, Kyrgyzstan, Kazakhstan, and Uzbekistan experience problems with the effective application of labour legislation. This manifests itself in insufficient control over compliance with labour rights, limited access to justice for workers, and a low level of legal awareness. One of the reasons for the low effectiveness of law enforcement is the lack of resources in state bodies responsible for monitoring compliance with labour legislation.⁷⁹ Limited access to justice for workers is also a serious problem.

In all three countries, there are barriers for workers to go to court, such as high court costs, lengthy litigation procedures, and the risk of persecution by employers. According to the study “National baseline assessment on business and human rights in Kazakhstan”⁸⁰, it is necessary to simplify the procedures for resolving labour disputes in courts, reduce court costs, and ensure the protection of workers from persecution by employers. The low level of legal awareness among workers also complicates the protection of their rights. According to the International Labour Organization⁸¹ study, many workers are unaware of their rights or do not know where to turn in case of their violation. Informal employment is a widespread phenomenon in the countries of Central Asia.

According to the International Labour Organization⁸², the share of informal employment in Kyrgyzstan is about 30%, in Kazakhstan – 20%, and in Uzbekistan – 60%. This makes it difficult to ensure compliance with labour rights and social protection for a significant proportion of workers. Workers employed in the informal sector often do not have employment contracts, do not receive the minimum wage, do not have social insurance, and are not entitled to leave. Informal employment also contributes to the exploitation of workers, as employers can exploit their

⁷⁸ International Trade Union Confederation, *ITUC Global Rights Index*, *op. cit.*

⁷⁹ Z. Khamzina, Y. Buribayev, P. Almaganbetov, A. Tazhmagambet, Z. Samaldykova, N. Apakhayev, *Labor disputes in Kazakhstan: Results of legal regulation and future prospects*, *Journal of Legal, Ethical and Regulatory Issues*, 2020, 23(1), pp. 1–14.

⁸⁰ United Nations Development Programme, *National baseline assessment on business and human rights in Kazakhstan*, United Nations Development Programme, Astana, 2023.

⁸¹ International Labour Organization, *Women and the world of work*, *op. cit.*

⁸² International Labour Organization, *World employment and social outlook 2023*, *op. cit.*

vulnerable situation.⁸³ Labour migration is an important phenomenon in the countries of Central Asia. Citizens of these countries go abroad for work, mainly to Russia and Kazakhstan. Migrant workers often face discrimination, exploitation, and violation of their rights.⁸⁴

According to the report of the International Organization for Migration, 16,000 victims of human trafficking were identified in Europe and Central Asia.⁸⁵ Of these, 7,000 were victims of sexual exploitation and 5,900 were victims of forced labour. The rest were victims of other forms of exploitation. One of the problems is illegal migration, which makes migrants even more vulnerable to exploitation. Illegal migrants cannot seek help from law enforcement agencies or trade unions because they fear deportation. In addition, there are problems with the recognition of migrants' qualifications and their integration into the society of the host country.

The effectiveness of the implementation of international labour standards is influenced by a complex set of factors, including economic, political, and social aspects. The economic development of the country, the structure of the economy, and the state of the labour market significantly affect the possibilities for implementing international labour standards.⁸⁶ Countries with a higher level of economic development have more resources to ensure compliance with labour rights and social protection. The structure of the economy also plays an important role. For example, in countries (such as Kyrgyzstan and Uzbekistan) with a high proportion of agriculture or informal employment, it is more difficult to ensure compliance with labour standards. Political will and the level of democracy in a country are important factors determining the priority of protecting labour rights.⁸⁷

In countries with authoritarian regimes (Kazakhstan, Russia, Myanmar), violations of trade union rights and obstruction of collective bargaining are often observed. The level of corruption can also negatively affect the

⁸³ B.V. Shahin, M.S. Rashad, H.A. Leyla, A.S. Elnur, J.E. Rufat, *Modeling the assessment of the connection of migration and economic development: Case of Azerbaijan*, *Journal of Eastern European and Central Asian Research*, 2021, 8(1), pp. 110–120.

⁸⁴ Toshpo'latov, *op. cit.*

⁸⁵ McAuliffe, Triandafyllidou, *op. cit.*

⁸⁶ World Bank Group, *op. cit.*

⁸⁷ S. Nenko, N. Tyukhtenko, T. Krasnopolska, *Administrative and legal support for the management of integrated economic structures in a globalized business processes*, *Baltic Journal of Economic Studies*, 2021, 7(4), pp. 145–152.

application of labour legislation.⁸⁸ Social factors, such as the level of social awareness, the culture of compliance with laws, and the activities of civil society, also affect the effectiveness of the implementation of international labour standards. In countries with a high level of social awareness and active trade unions and human rights organisations, more effective protection of labour rights is observed.⁸⁹ For example, Germany: influential industry trade unions (such as IG Metall), a unique system (Mitbestimmung) that gives employee representatives seats on the supervisory boards of large companies.

A court case in Kyrgyzstan in 2024.⁹⁰ Senior bailiff K.M.K. appealed in court against the disciplinary sanction “Karyy cõrũm” (reprimand) imposed on him by the head of the Zhalal-Abad Office of the Judicial Department under the Supreme Court of the Kyrgyz Republic. The penalty was imposed for violations committed before K.M.K.’s appointment to the position. The court found the plaintiff’s arguments to be substantiated and cancelled the disciplinary sanction. This case demonstrates the importance of following the procedure for imposing disciplinary sanctions and taking into account all the circumstances of the case. Authorities imposing disciplinary sanctions must act within the law and take into account the rights of employees.

The court considered a case in Uzbekistan, a citizen of Shokenov K.T., who filed a claim for recognition of his right to a privileged pension.⁹¹ The basis for the claim was the fact that the plaintiff had worked in harmful proceedings for a certain period of time. The court, having examined the evidence (employment record book, witness statements, etc.) and applied the relevant legal provisions, concluded that the plaintiff was entitled to a privileged pension. The court’s decision is motivated by the fact that the plaintiff’s work in harmful proceedings during the specified period entitles him to a reduced retirement age. This decision is important for protecting the rights of employees, especially those working in hazardous industries. It confirms that the absence of formal documents should not deprive

⁸⁸ A. Oleksy-Gebczyk, *Inflation in Poland: Macroeconomic Analysis*, *Academy Review*, 2024, 2, pp. 242–255.

⁸⁹ B. Miethlich, A.G. Oldenburg, *Employment of persons with disabilities as competitive advantage: An analysis of the competitive implications*, *Education Excellence and Innovation Management through Vision 2020*, International Business Information Management Association, Granada, Spain, 2019, pp. 7146–7158.

⁹⁰ Supreme Court of the Kyrgyz Republic, *op. cit.*

⁹¹ Supreme Court of the Republic of Uzbekistan, *op. cit.*

employees of their right to benefits if other evidence confirms their rightfulness.

In a court case in Kazakhstan in 2024, an employee of the internal affairs bodies in Astana was seconded to study for a master’s degree.⁹² In connection with this, his housing allowance was suspended. The court of first instance dismissed the claim to resume the payments, but the appeal and cassation courts found this decision to be unlawful. This case demonstrates the importance of clear legal regulation of labour relations and social guarantees for employees. The absence of clear regulations can lead to violations of employees’ rights and labour disputes. Social dialogue could help improve the legislation and prevent similar situations in the future. In order to present the results of the analysis of the compliance of the labour legislation of Kyrgyzstan, Kazakhstan and Uzbekistan with international labour standards, Table 1 has been developed to reflect the key aspects of this study.

Table 1: Comparative analysis of the compliance of labour legislation with international standards.

Country	Freedom of association	Prohibition of forced labour and discrimination	Protection of migrants’ rights	Regulation of non-standard forms of employment	Ensuring labour safety
Kyrgyzstan	Key ILO Conventions have been ratified and are guaranteed by the Constitution and legislation. However, there are restrictions on the establishment and operation of independent trade unions	Guaranteed by the Constitution and legislation	There are gaps in the legislation on the protection of migrants’ rights, in particular in terms of access to social protection	Regulated by law, but there are problems with practical application, especially in terms of ensuring social protection of employees	Legislation sets basic requirements, but injury rates remain high, particularly in agriculture, construction and mining
Kazakhstan	Key ILO conventions are ratified	Guaranteed by the Constitution	There are problems with	Regulated by law, but there is a tendency	Legislation sets out basic requirements,

⁹² Supreme Court of the Republic of Kazakhstan, *op. cit.*

	and guaranteed by the Constitution and legislation	and legislation, but there are problems with discrimination against women in recruitment and pay	exploitation of labour migrants, violation of their rights and limited access to social protection	to increase non-standard forms of employment, which may lead to deterioration of working conditions and lower level of social protection of employees	but injury rates remain high, particularly in the mining and construction industries
Uzbekistan	Problems with freedom of association in some sectors of the economy. There are restrictions on the establishment and operation of independent trade unions	Guaranteed by law, but there are problems with the protection of vulnerable groups of workers, such as women, youth and persons with disabilities	There are problems with exploitation of labour migrants and access to social protection.	Regulated by law, but there are problems with practical application	Legislation sets basic requirements, but injury rates remain high

Source: compiled by the authors based on Constitution of the Kyrgyz Republic⁹³, Constitution of the Republic of Kazakhstan⁹⁴, Law of the Republic of Uzbekistan No. ZRU-410 “On Amendments and Additions to the Law of the Republic of Uzbekistan ‘On Labor Protection’”⁹⁵, International Trade Union Confederation⁹⁶, International Trade Union Confederation⁹⁷, International Labour Organization^{98,99}, World Bank Group.¹⁰⁰

The analysis suggests that all three countries have made some progress in implementing international labour standards. At the same time, there are still problematic aspects that require further attention, including the protection of migrants’ rights, gender equality, regulation of non-standard forms of employment and improvement of working conditions. The data presented here allows us to outline the key labour issues in the three

⁹³ *Constitution of the Kyrgyz Republic, op. cit.*

⁹⁴ *Constitution of the Republic of Kazakhstan, op. cit.*

⁹⁵ *Law No. ZRU-410, op. cit.*

⁹⁶ International Trade Union Confederation, *ITUC Global Rights Index, op. cit.*

⁹⁷ International Trade Union Confederation, *ITUC Global Rights Index, op. cit.*

⁹⁸ International Labour Organization, *World employment and social outlook 2022, op. cit.*

⁹⁹ International Labour Organization, *World employment and social outlook 2023, op. cit.*

¹⁰⁰ World Bank Group, *op. cit.*

Central Asian countries, demonstrating both common challenges and national specificities. In Kyrgyzstan, the unemployment rate in 2023 was 4.1%¹⁰¹, which is relatively low, but as noted, it may conceal problems of underemployment or workers being forced to accept worse working conditions. More telling is the estimate of the share of informal employment at 30%¹⁰², which indicates that a significant proportion of Kyrgyz workers do not have access to social protection and guarantees provided by labour legislation. An additional problem is the insufficient level of occupational safety, as evidenced by the occupational injury rate of 0.221 cases per 1,000 employees.¹⁰³

In Kazakhstan, the unemployment rate in 2024 was slightly higher at 4.9%¹⁰⁴, which is also a relatively low figure, but does not exclude the existence of structural problems. One of these problems is significant gender inequality: the gender pay gap is about 25.2%¹⁰⁵, indicating significant discrimination against women in the workplace. The situation with occupational safety is particularly alarming: the occupational injury rate of 0.415 cases per 1,000 employees¹⁰⁶ is the highest among the three countries under review and indicates serious systemic shortcomings in this area.

Uzbekistan demonstrates the most acute problems with employment and labour formalisation. The unemployment rate in 2022 was 8.9%¹⁰⁷, the highest in the region, indicating serious difficulties in the labour market. The situation is exacerbated by the extremely high share of informal employment, estimated at 60%¹⁰⁸, also the highest in the region, which means that most workers in the country are deprived of social protection. The gender pay gap in Uzbekistan is even higher than in Kazakhstan, at around 36.6%¹⁰⁹, indicating deep problems with gender equality. At the same time, according to official data, the rate of occupational injuries in Uzbekistan is the lowest among the three countries – 0.078 cases per 1,000 employees¹¹⁰, although this still indicates problems, and high informality may affect the completeness of accident reporting. Overall,

¹⁰¹ National Statistical Committee, *op. cit.*

¹⁰² National Statistical Committee, *op. cit.*

¹⁰³ United Nations Economic Commission for Europe, *op. cit.*

¹⁰⁴ Bureau of National Statistics, *op. cit.*

¹⁰⁵ Agency for Strategic Planning and Reforms, *op. cit.*

¹⁰⁶ United Nations Economic Commission for Europe, *op. cit.*

¹⁰⁷ United Nations Economic Commission for Europe, *op. cit.*

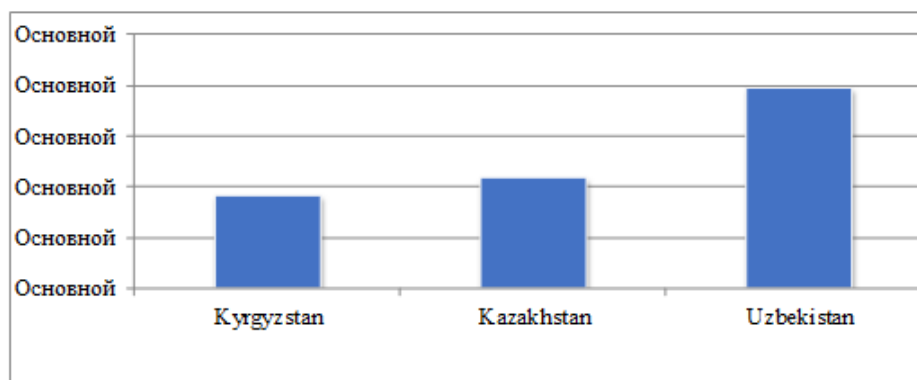
¹⁰⁸ International Labour Organization, *Gender-sensitive diagnostics, op. cit.*

¹⁰⁹ International Labour Organization, *Gender-sensitive diagnostics, op. cit.*

¹¹⁰ United Nations Economic Commission for Europe, *op. cit.*

the analysis points to a set of labour problems in the region: high unemployment and dominant informality in Uzbekistan, a critical situation with occupational safety and gender pay inequality in Kazakhstan, and significant informality and occupational safety problems in Kyrgyzstan. These factors create an environment of increased vulnerability of workers to violations of their labour rights.

Figure 1 has been developed to provide a visual representation of unemployment statistics in Central Asia.



Source: compiled by the authors based on National Statistical Committee of the Kyrgyz Republic¹¹¹, United Nations Economic Commission for Europe¹¹², Bureau of National Statistics of the Agency for Strategic Planning and Reforms of the Republic of Kazakhstan.¹¹³

To improve the labour rights situation in Central Asia, comprehensive measures are needed. First, work should continue to harmonise labour legislation with international standards, eliminating gaps and ambiguities, in particular in terms of protecting migrants' rights, regulating non-standard forms of employment and ensuring labour safety. In Kyrgyzstan, legislation on the protection of migrants' rights needs to be improved to ensure equal access to social protection and healthcare. In Kazakhstan, measures should be taken to ensure gender equality in the workplace, including through information campaigns and the implementation of programmes to support women. In Uzbekistan, it is necessary to ensure full respect for trade union rights, including the right to freedom of association and collective bargaining.

¹¹¹ National Statistical Committee, *op. cit.*

¹¹² United Nations Economic Commission for Europe, *op. cit.*

¹¹³ Bureau of National Statistics, *op. cit.*

Second, it is important to strengthen law enforcement by ensuring effective monitoring of labour law compliance, access to justice for workers, and legal awareness. It is necessary to increase the number of labour inspectors, improve their qualifications and ensure their independence. It is necessary to simplify the procedures for resolving labour disputes in courts, reduce court costs and ensure that employees are protected from harassment by employers. Information campaigns should be conducted to raise legal awareness among employees. Thirdly, it is necessary to create favourable conditions for the development of social dialogue between the government, trade unions and employers in order to reconcile the interests of all parties to labour relations. Fourth, it is important to develop and implement effective measures to reduce the level of informal employment, in particular by creating favourable conditions for the development of small and medium-sized businesses, stimulating the formalisation of labour relations and making formal employment more attractive. Fifth, it is necessary to ensure protection of labour migrants' rights against discrimination and exploitation, in particular through ratification and implementation of relevant international conventions, improvement of migration legislation and strengthening of control over the observance of migrants' rights.

The analysis of statistical data and case studies has led to the following conclusions. A comprehensive approach to solving problems is needed. Statistics show that there are systemic problems in the field of labour rights in Central Asian countries. To address them, a comprehensive approach is needed, including measures to improve legislation, strengthen law enforcement, develop social dialogue, combat informal employment and protect the rights of migrants. International cooperation also remains important. Central Asian countries need the support of international organisations such as the ILO, IOM and ITUC to improve their labour rights situation. International cooperation can facilitate the exchange of experience, provide technical assistance, and strengthen monitoring of compliance with international standards.

Civil society engagement is also important. The active involvement of trade unions, human rights organisations and other civil society actors is essential for the protection of labour rights.¹¹⁴ Civil society can play an important role in monitoring the situation, providing legal assistance to workers and conducting advocacy campaigns. The study provided a

¹¹⁴ B. Miethlich, L. Slahor, *Employment of persons with disabilities as a corporate social responsibility initiative: Necessity and variants of implementation*, CBU International Conference Proceedings 2018: Innovations in Science and Education, 2018, 6, pp. 350–355.

comprehensive picture of the state of implementation of international labour standards in Central Asian countries. Both positive trends and problematic aspects were identified. Positive trends include the ratification of key ILO conventions, the adoption of laws aimed at protecting workers' rights, and the growth of awareness of labour rights. However, there are still problematic aspects that require further attention, including the protection of migrants' rights, gender equality, regulation of non-standard forms of employment and improvement of working conditions. Further progress in labour rights protection requires comprehensive measures aimed at improving legislation, strengthening law enforcement, developing social dialogue, combating informal employment and protecting migrants' rights. International organisations and civil society should play an important role in this process.

4. Discussion

This study has provided important results regarding the implementation of international labour standards in Central Asia. The analysis of the legislation of Kyrgyzstan, Kazakhstan and Uzbekistan revealed both positive trends and problematic aspects that require further study and resolution. On the one hand, all three countries have ratified key ILO conventions, which indicates their commitment to international labour standards. This fact is consistent with the study by Nurmanov¹¹⁵, which emphasised the importance of international labour regulation and points to a general trend towards harmonisation of national legislation with international labour standards. On the other hand, the study identified problems with the effective application of legislation, protection of the rights of certain categories of workers, combating informal employment and ensuring decent working conditions for labour migrants.

The findings of the study are consistent with the work of other scholars who also point to the existence of certain problems in the field of labour rights in Central Asia. For example, Tulegenov et al.¹¹⁶ examined the problems of internal migration in Kyrgyzstan and emphasised the need for legal regulation and management of migration flows. The study complemented this thesis by pointing to specific problems in Kyrgyzstan's

¹¹⁵ K.R. Nurmanov, *International standards on labor activity of foreign citizens*, in *International Conference on Advance Research in Humanities, Applied Sciences and Education*, Zien Journals Publishing, New York, 2022, pp. 528–532.

¹¹⁶ T. Tulegenov, T.K. Ismanov, G.T. Kulalieva, *Organizational and legal regulation of labor migration in the Kyrgyz Republic*, *E3S Web of Conferences*, 2024, 535, 02007.

legislation that hinder the effective protection of internal migrants' rights. In particular, this concerns limited access to social protection, insufficient opportunities for trade unionisation and cases of discrimination on regional grounds.

Focusing on the analysis of legislation, it is important to note that the study revealed certain discrepancies between the national legislation of Central Asian countries and international labour standards. For example, in some countries, there are restrictions on freedom of association and trade union activity, which contradicts ILO Freedom of Association and Protection of the Right to Organise Convention.¹¹⁷ There have also been problems with gender equality at work, despite the ratification of ILO Equal Remuneration Convention.¹¹⁸ These discrepancies point to the need to further improve legislation and bring it into full compliance with international standards. An important aspect of the study is the analysis of statistical data that make it possible to assess the scale of labour rights problems and the effectiveness of state policy in this area. For example, the high level of informal employment in Kyrgyzstan and Uzbekistan indicates the need to take measures to encourage the formalisation of labour relations and provide social protection for informal workers.

The significant gender pay gap in Kazakhstan indicates the existence of discrimination against women in the workplace and the need to introduce effective mechanisms to ensure equal pay for equal work.¹¹⁹ The analysis of the case studies allowed illustrate specific problems in the field of labour rights protection and show how these problems are solved in practice. For example, the court cases reviewed in the study demonstrate the importance of an independent judiciary in protecting employees' rights and ensuring compliance with labour laws. At the same time, these cases also point to gaps in the legislation and the need to improve it.

These results are consistent and correlate with the main points made in authoritative studies on international labour law, in particular in Servais.¹²⁰ The author emphasised that although international labour standards, developed mainly within the framework of the ILO, are a necessary basis for balanced social and economic development, such development has not occurred at the global level to a large extent because many states have

¹¹⁷ International Labour Organization, *Freedom of Association Convention*, *op. cit.*

¹¹⁸ International Labour Organization, *Equal Remuneration Convention*, *op. cit.*

¹¹⁹ Z. Khamzina, Y. Buribayev, Y. Yermukanov, A. Alshurazova, *Is it possible to achieve gender equality in Kazakhstan: Focus on employment and social protection*, *International Journal of Discrimination and the Law*, 2020, 20(1), pp. 5–20.

¹²⁰ J.M. Servais, *International labour law*, Kluwer Law International, The Hague, 2024.

failed to ensure effective implementation of these standards at the national level, despite their formal recognition. The study provided concrete empirical evidence of this thesis on the example of three Central Asian countries.

The identified problems with the implementation of freedom of association in Kazakhstan, where systematic suppression of independent trade unions is recorded despite the ratification of Conventions 87 and 98, directly illustrate what the author called the “failure to honour” by states of international standards in the field of industrial relations and trade union protection. Similarly, the persistent and significant gender pay gaps in all three countries, despite the ratification of Convention No. 100 and national anti-discrimination norms, confirm the researcher’s findings of difficulties in achieving real equality of opportunity and treatment in practice.

The issues identified in the study on the protection of migrant workers’ rights, regulation of non-standard forms of employment and occupational safety and health are also key areas regulated by international labour law, but require proper implementation at the national level. The conclusion about the complex impact of political (authoritarian tendencies), economic (level of development, informality) and institutional (weakness of law enforcement) factors on the implementation of labour standards resonates with Servais’ analysis of the “barriers to its full effectiveness” of international labour law. Thus, focusing on the specific region of Central Asia and using an analysis of legislation, international reports and case studies, the study empirically confirmed and elaborated on the general, global findings of the researcher¹²¹ regarding the gap between the formal existence of international labour standards and their actual operation at the national level. The study showed how this global phenomenon manifests itself in the specific conditions of Kyrgyzstan, Kazakhstan and Uzbekistan.

Considerable attention was paid to the issue of protecting the rights of labour migrants, which is relevant for all three Central Asian countries. The study’s findings confirm the conclusions of Nurmanov¹²² about the need for international regulation of migrant workers’ labour relations based on conventions and international agreements. At the same time, the study pointed to gaps in the national legislation of Central Asian countries in terms of protecting migrants’ rights, which is consistent with the

¹²¹ Servais, *op. cit.*

¹²² Nurmanov, *op. cit.*

findings of Tulegenov et al.¹²³ on the problems of irregular labour migration in Kyrgyzstan. In particular, it is necessary to ensure more effective access to social protection, healthcare and education for migrants, as well as to strengthen measures to combat discrimination and exploitation of migrants in the workplace. A study by Zhuang and Yu¹²⁴ analysing the impact of the new labour law on nurses' working hours in Taiwan demonstrated the importance of taking into account the specifics of different professions when developing and implementing labour legislation. The authors pointed out that the new laws may pose challenges to working time planning in certain industries, and that trade-offs need to be made between protecting workers' rights and ensuring organisational efficiency. Further research on this issue is needed and effective measures to ensure working time planning in the labour sector should be developed, such as awareness campaigns, women's support programmes and increased enforcement of labour law.

In summary, the implementation of international labour standards is an important factor in the sustainable development of Central Asian countries. This study has identified both positive trends and problematic aspects in this area. The findings can be used to develop an effective state labour policy aimed at protecting workers' rights and ensuring social stability. It is important to continue research in this area, focusing on the problems of certain categories of workers, the impact of technological change on the labour sphere and the strengthening of the role of social dialogue.

5. Conclusions

This study has allowed for a comprehensive analysis of the state of implementation of international labour standards in the labour law of Kyrgyzstan, Kazakhstan and Uzbekistan. It is established that all three countries have ratified the key ILO Conventions and enshrined fundamental labour rights and freedoms in national legislation, demonstrating their commitment to comply with international labour standards. This indicates positive dynamics in the development of labour legislation in Central Asia and their integration into the global legal space. At the same time, a number of problems have been identified that prevent the effective application of international standards in practice. These

¹²³ Tulegenov et al., *op. cit.*

¹²⁴ Z.Y. Zhuang, V.F. Yu, *Analyzing the effects of the new labor law on outpatient nurse scheduling with law-fitting modeling and case studies*, *Expert Systems with Applications*, 2021, 180, 115103.

include the inefficiency of enforcement mechanisms, the high level of informal employment, violations of the rights of labour migrants, gender inequality in remuneration, and others. These problems need to be addressed in a comprehensive manner, taking into account the specifics of each country and involving all stakeholders – government, trade unions, employers and civil society.

The analysis showed that the formal existence of legal guarantees does not ensure their full implementation. While the rights to freedom of association, equality and the prohibition of forced labour are enshrined in the constitutions and codes of the three countries, in practice they are often hampered by administrative obstacles, the lack of independent judicial oversight or an authoritarian political context. In Uzbekistan and Kazakhstan, there are restrictions on freedom of trade union activity, in particular with regard to the registration and operation of independent associations.

Informal employment also remains an important challenge, reaching critical proportions – from 20% in Kazakhstan to 60% in Uzbekistan. Working conditions in the informal sector are often precarious, not regulated by contracts, and workers lack access to basic social services and legal protection.

The study also found that the legal regulation of non-standard forms of employment, such as temporary or remote work, is not always accompanied by an adequate level of social protection for workers. This creates new challenges in the context of changes in the labour market and the development of the digital economy.

Occupational health and safety issues remain, especially in high-risk sectors (mining, construction, agriculture). Despite the existence of legislative norms, the level of occupational injuries in Kyrgyzstan and Kazakhstan remains high, indicating a need to strengthen the inspection function and the culture of occupational safety.

Insufficient legal awareness among the population, difficulty in accessing justice, lack of resources for regulatory authorities and the risk of harassment by employers further reduce the effectiveness of enforcement. Although individual court cases in the three countries demonstrate the ability of national courts to protect labour rights, such cases are not systematic.

Overall, the effective implementation of international labour standards requires not only legal reforms, but also political will, strengthening of institutions, development of social dialogue and broad engagement of civil society. International cooperation with the ILO, IOM, ITUC and other

organisations that can provide technical support, independent monitoring and exchange of best practices is of particular relevance.

A limitation of the study is the lack of available statistical data and empirical research on the implementation of international labour standards in Central Asian countries. Prospects for further research in this area are related to the study of the impact of technological changes on the labour sphere, analysis of the effectiveness of state employment policy and development of recommendations for improving working conditions and protecting workers' rights. It is also important to continue researching the problems of certain categories of workers, such as women, migrants, people with disabilities and informal sector workers, ensuring gender equality in the labour market, combating discrimination and creating equal opportunities for all workers.

ADAPT is a non-profit organisation founded in 2000 by Prof. Marco Biagi with the aim of promoting studies and research in the field of labour law and industrial relations from an international and comparative perspective. Our purpose is to encourage and implement a new approach to academic research, by establishing ongoing relationships with other universities and advanced studies institutes, and promoting academic and scientific exchange programmes with enterprises, institutions, foundations and associations. In collaboration with the Centre for International and Comparative Studies on Law, Economics, Environment and Work, (DEAL) the Marco Biagi Department of Economics, University of Modena and Reggio Emilia, ADAPT set up the International School of Higher Education in Labour and Industrial Relations, a centre of excellence which is accredited at an international level for research, study and postgraduate programmes in the area of industrial and labour relations. Further information at www.adapt.it.

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