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THE ROLE OF GLOBALIZATION IN THE GROWTH OF INTERNATIONAL LABOR MIGRATION

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Abstract

International labor migration is one of the most important components of the modern processes of the world, along with its other components, such as the movement of technology and information. Globalization has led to the emergence of new trends in the processes related to international labor migration that require scientific study. The relevance of the research topic is due, firstly, to the need to study international labor migration, which in the context of globalization are acquiring new features and, secondly, to the need to study the socio-legal factors affecting the dynamics of labor migration. This article discusses the theoretical aspects of the study of migration processes, in particular, "labor migration". In the modern globalized world, international migration is becoming an important factor in the socio-legal development of an increasing number of countries, contributing to the formation of a flexible labor market, introducing developing countries to the achievements of world scientific, technical and social progress, more rational use of labor resources, interaction and mutual enrichment of world civilizations.

Keywords Labor migration, globalization, labor resources, integration, international migration, standardization of norms, globalization processes.

INTRODUCTION

Migration is an area where the need for clear rules and well-defined policies is particularly evident. It is therefore essential to promote a human rights-based approach to ensuring the protection of migrants and managing migration processes. This implies the need to develop legislation based on human rights, the recognition of international labor standards, humane laws and respect for ethnic diversity. These measures guarantee democracy and social peace. Globalization is a worldwide process that links national socio-economic entities into a single global economic and social system. The social, economic and political activities of the actors of the international

community are taking on a global dimension to the extent that events in one part of the world can have immediate consequences for individual countries and their associations in the remotest parts of the global system. States can only reliably ensure their security through joint efforts. This is the only way to ensure the governance of the system of international relations and the rule of law within it.

The intensification of globalization processes in the new millennium is making not only politicians and economists, financiers, but also lawyers think about it. Modern globalization, according to V.S. Nersesyants, is a certain new stage in the further universalization of the world history of mankind

and the world civilization. I. Lukashuk points out that globalization is a two-way process. On the one hand, it can create abundance, increase productivity and production efficiency. On the other hand, it increases inequality, makes it more difficult to adapt to new conditions, and reduces diversity... In addition to managing the interconnectedness of the world, globalization also encourages a tendency towards separatism, often accompanied by poverty in certain regions. On the one hand, globalization has enabled the state to gain access to the common market of goods and financial markets. In particular, the 1998 UNCTAD report states: "The integration of emerging market economies into the global financial system can bring significant benefits. It will make it possible to attract additional resources from abroad to finance investment. It contributes to the development of domestic financial institutions and the improvement of financial management". On the other hand, in the context of a global market, the state can no longer effectively perform the functions of a guarantor, since it can only regulate the activities of national market participants. The state effectively becomes a normal participant in the global market, whose obligations are controlled together with those of the private sector. In the conditions where credit and financial, industrial, socio-economic and other flows acquire a special status, the role of the state is transformed, it delegates the implementation of national interests to its economic transnationalised subject and turns into a "country system". "Globalization is the process of transforming the world economy into a single market for goods, services, labor and capital." Other scholars also emphasize the concentration of capital, technology, information, etc. in their research. The struggle for access to the formation and redistribution of world income is becoming the dominant strategic guideline of the national economy in the global economic arena, the basis of the national foreign policy of any state of

the XXI century.

One of the leading professors of the Paris Institute of Political Science, analyzing the issue of globalization, writes: "1) globalization is a historical process that has developed over many centuries; 2) globalization means the homogenization of the world, living according to common customs, according to common principles, adhering to common values, following common traditions and norms of behavior, striving for unification; 3) globalization is the recognition of interdependence, the main consequence of which is the undermining, destruction of national statehood, state sovereignty under the pressure of transnational management structures". Globalization goes hand in hand with homonization, i.e. the intrusion of common rules (standards) into everyday life and corporate governance. The establishment of international standards such as GAAP or ISSO is the prerogative of national and supranational economic and financial institutions, participants in various agreements, professional organizations in the fields of accounting and auditing, securities and intellectual property. But it is also clear that globalization does not necessarily mean uniformity in the world economy and the world community. On the contrary, global competition is likely to generate an even greater diversity of political and economic systems and their specific forms of regulation, and will become the engine of a living, endless history.

Another leading expert on globalization, S. Amin, emphasizes that the consequences of the ongoing process of globalization are twofold. First, there is a growing tendency for the world economy and world politics to be dominated by individual states. Second, the polarization of levels of development is increasing, as commodity and capital markets take on an increasingly global dimension, while labor markets remain segmented. The center, according

to S. Amin, will continue to strive for dominance by maintaining 5 monopolies: 1) monopolies on the latest technologies; 2) monopolies on the control of global financial flows; 3) monopolies on access to the planet's natural resources; 4) monopolies on information and mass media; 5) monopolies on weapons of mass destruction. A world hierarchy is formed in which different levels of the periphery - the states of Eastern Europe, Latin America and others - are located lower and further from the center." A.V. Kuznetsov, who studies globalization, summarizes that we are talking about several really important processes: the internationalization of the economy, the development of a unified world communication system, the change and weakening of the functions of the national state, the activation of transnational non-state entities. Globalization is the natural and artificial processes of reducing or removing State barriers to various types of cross-border exchanges, which are aimed at the integration and continuous growth of integrated global production and the exchange of its products.

The modern international community is increasingly acquiring the character of a single whole - global in scale. Globalization is usually characterized, first of all, as the result of the interaction of national markets in the course of a powerful integration of unprecedented movement of capital, goods, services, and labor around the world. The driving force of globalization is high technologies that facilitate international economic exchange, lead to an increase in the share of exports and imports, include the regional economy in the system of the global division of labor, hence the wave of liberalization of foreign trade in the money markets of various countries. Globalization creates a global economic order in which the structure of production and finance of various countries becomes interconnected. According to the International Monetary Fund, globalization is "an increasingly intensive integration of both the

market for goods and services, as well as capital. The definition of globalization is also given in the UN documents Globalization is a general term that denotes an increasingly complex set of cross-border interactions between individuals, enterprises, institutions and markets... Globalization manifests itself in the expansion of flows of goods, technologies and financial resources, in the steady growth and strengthening of the influence of international civil society institutions; in the expansion of cross-border communication and information exchange, especially via the Internet; in the cross-border spread of diseases and environmental impacts; and in the increasing internationalization of certain types of criminal activity." One UN report notes that foreign direct investment continues to be the driving force behind the globalization process that characterizes the modern international economy."

The modern international community is increasingly acquiring the character of a single whole organism - global in its scale. Globalization is usually characterized, first of all, as the result of interaction of national markets in the course of powerful integration of unprecedented intensity of movement of capital, goods, services, labor force all over the world. The driving force of globalization is high technology, which facilitates international economic exchange, leads to an increase in the share of exports and imports, includes regional economies in the system of the world division of labor, hence the wave of liberalization of foreign trade of money markets of various countries. Globalization creates a world economic order where the structure of production and finance of different countries becomes interconnected. The International Monetary Fund defines globalization as "the increasingly intense integration of both goods and services and capital markets". Globalization is also defined in the UN documents "Globalization is an umbrella term for an increasingly complex set of cross-border

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Mostly the essence of globalization is revealed as an economic factor, and then as a political one. In this sense, globalization is a state of the world economy, when the economic development of most countries and regions of the planet are closely interconnected, production cooperation and specialization reach global proportions, transnational corporations become the predominant form of ownership in the world, international capital transfer exceeds the volume of world commodity exchange.¹⁸ The dominance of economic processes in globalization has been noted by a number of researchers. Globalization means, first of all, the growing interconnection of national economies. The pyramidal structure of national economic complexes patronized by the state is a thing of the past. Without refusing state support, participants in foreign economic relations are building their priorities independently, without regard to national interests. In turn, the sovereign state delegates part of its powers to international and regional associations.¹⁹ This view of sovereignty seems to be erroneous, since legally sovereignty remains one of the main features of a modern independent state. Globalization is the highest phase of internationalization (integration) of economy and politics, and in its infancy, of culture.

A number of researchers distinguish between globality as a process and globalization: 'Unlike globality, globalization (or globalism) is the understanding that the world market displaces or replaces political activity, it is the ideology of neoliberalism, based on the use of new methods of managing the world, the state, the peoples. Globalization refers to processes in which nation-states and their sovereignty are woven into the web of transnational actors and subordinated to their capabilities. Globalization is a process that creates transnational social ties and spaces, unites local cultures and facilitates the emergence of third cultures'. One cannot agree with this opinion: firstly, globality is not a process, but a feature characterizing the scale of the subject, and globalization is a process; secondly, globalization does not supplant or replace political activity, but on the contrary, strengthens it, giving it a more vectorial character. As for the sovereignty of the state, this is an invariable constant of every state, more detailed arguments in favor of this are given in the last section of this paper. The process of globalization is irreversible and cannot exhaust itself - it is imperative. This imperative is dictated by the essence of civilization and the fact that the subject of this process is humanity as a whole. The alternativeness of globalization does not deny the variability of its processes, their non-linearity, leading to reversals and crises. Respect for the principles of sovereignty, adoration of democracy and assertion of non-interference in the affairs of other countries negate the politically prescribed globalization of the late twentieth century. Globalization is a concrete-historical phenomenon that includes such processes as the development of ties between countries, when they reach a new level, forming a single worldwide supersystem of social relations, in which each element cannot function without the other. Naturally, the leading side here is the integration of the economies of individual countries, but globalization is not

reduced to it, because it covers all spheres of life

Globalization is a natural stage of the whole world history. Communities of people, in all historical periods created, larger associations with the purpose to meet the ever-increasing needs of society created states, unions of states. However, never in the history of mankind, the desire for unification has not manifested itself in human society as strongly as in the twentieth century, therefore, the twentieth century with full confidence can be called the century of globalization.

Summarizing the above, we can highlight the following main aspects of the political and legal characteristics of globalization:

1) globalization emerged at a certain stage of world economic evolution as a natural qualitative stage of integration economic processes as a result of the combination of the implementation of ideas of liberalism in different countries, geopolitics, geo-economics, global informatization and communication;

2) globalization has a dual nature of impact on an individual state: on the one hand, it increases the flow of investments and integrates the state into the world market, modernizes the production process with new technologies, increases its efficiency, and on the other hand, makes the state dependent on international rules, binds the country with obligations not always beneficial for it,

3) in the process of globalization there is polarization of states, i.e. division into a self-sufficient and prosperous center consisting of the USA, the European Union, Japan and a poor periphery consisting of less developed and developing states, and polarization and contradiction are deepening;

4) globalization promotes unification of rules, standardization of norms, establishment of

uniform concepts and requirements, increases the importance of international law, international legislation, promotes homogenization, i.e. uniformity of the world.

Emerging on the basis of economic integration, globalization is becoming more and more political. Globalization through the prism of politics has two properties to unite some states and to separate others. The task of authoritative international organizations in this situation is to ensure global security and prevent confrontation between countries, thus preventing crises in both politics and economics.

Globalization presents new challenges for States regarding migration processes, therefore the State plays an important role in the organization of migration processes. The role of the State includes:

- International cooperation and coordination
- Protection of migrants' rights
- Combating of the illegal migration.

It should be said that the process of globalization has made certain changes in the life of world governments and society. Along with the growing integration, interaction and interdependence of States, the mediatization of society, the rapid movement of information, capital, goods and services, globalization has also generated a number of challenges and threats that can be minimized and eliminated only by the common efforts of all participants in the world community. The challenges of globalization are largely due to the uneven distribution of labor needs and the unfair distribution of remuneration for work. It seems rational to involve employers and international non-governmental organizations for the protection of the rights of migrant workers in regulating the migration process.

Based on the above, the following conclusions can be drawn. In the context of contemporary globalization, which is accompanied by growing

inequalities in the distribution of wealth and the 'disconnection' of a large part of the population from economic and social well-being, greater attention needs to be paid to the promotion of human rights-based approaches. These are the approaches that strengthen the rule of law, consolidate the principles of democracy and create greater equality in the distribution of material wealth, which will contribute to social cohesion. Migration is an area where the need for clear rules and calibrated policies is particularly evident. It is therefore crucial to promote a human rights-based approach to ensure the protection of migrants and the management of migration processes. This implies the need for human rights-based legislation, recognition of international labor standards, humane laws and respect for ethnic diversity. These measures are a guarantee of democracy and social peace. The first step is to build the commitment of States to the relevant international human rights standards, in particular the principles enshrined in the two ILO Conventions concerning migrant workers and the 1990 International Convention on Migrant Workers. This step should be followed by recognition of decent work opportunities for all, combating discrimination and ensuring conditions for integration. For all those concerned by international migration - governments, employers, trade unions, civil society and migrants themselves - recognizing the rule of law and respecting ethnic diversity is a shared responsibility. Social partners, together with migrant organizations, have a key role to play in preparing societies and governments to recognize a rights-based approach to migration management.

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