

Highlights:

- Governing law: Republic of Uzbekistan
- Date completed: Ongoing
- Value: Confidential

Case Study:

Unicase team advised foreign individual (*hereinafter “the Client”*) on the question of **obtaining an official working permit** to work on the territory of the Republic of Uzbekistan.

Our office in Tashkent has prepared and submitted several official requests to state bodies of Uzbekistan, in particular to Ministry of Foreign Affairs, Ministry of Labour, City Department of internal Affairs and Agency for labour migration under the Ministry of Labour.

Background

Under the contract signed between a foreign organization and the International Organization, our Client performed contract work on the territory of Uzbekistan, as well he firstly got a temporary registration for a period of six months.

International Organization advised our Client to obtain an official work permit in order to avoid any illegal actions. The problem was in the absence of registration and representative offices of the client's organization on the territory of Uzbekistan.

According to the Law of the Republic of Uzbekistan¹:

1. The Law applies to foreign employees that have labour relations. In our case, the Client has only contractual relationship. In addition, the local employer, who was absent in our case, should apply for permission. Due to the fact that the nature of the relationship was civil, the provision mentioned above does not apply to our situation. Our client receive income on the territory of another country and paid all necessary taxes there.
2. According to paragraph 2 of **the Law**, it **does not apply** to the following categories of foreign citizens:
 - Employees of permanent representative offices of foreign states, representatives of international intergovernmental organizations and governmental organizations of foreign states accredited in the Ministry of foreign affairs of the Republic of Uzbekistan, as well as other persons with diplomatic status;

International Organization has a representative office on the territory of Uzbekistan, but they cannot attract our client as a foreign employee, since they do not have an employment relationship.

In order to get official answers and explanations, our team has submitted several requests to state authorities asking them to clarify and give a clear answer to the question: does our Client need to get a work permit or not?

After several weeks of waiting, Unicase received official responses to legal requests. These answers did not contain any explanations, but only raised more questions for us.

At the moment, Tashkent office is waiting for two more responses from the ministries, as well as the answer on a response

¹ Resolution of the Cabinet of Ministers of the Republic of Uzbekistan, №244 from 25.03.2019 “ON APPROVAL OF THE REGULATIONS ON THE PROCEDURE FOR ATTRACTING AND USING FOREIGN LABOR IN THE REPUBLIC OF UZBEKISTAN”