



## THE LEGAL REGULATION OF LABOR RELATIONS OF EMPLOYEES ASSIGNED TO THE DIPLOMATIC AND CONSULAR INSTITUTIONS OF THE REPUBLIC OF UZBEKISTAN.

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### ABSTRACT

*This article examines the legal framework governing the labor relations of employees assigned to the diplomatic and consular institutions of the Republic of Uzbekistan. Drawing upon the Law on Diplomatic Service (2022), the Labor Code (2023), and relevant international instruments, it analyzes how national labor legislation applies to diplomatic personnel abroad. The study identifies systemic issues such as unclear jurisdiction in labor disputes, outdated internal regulations, and limited social guarantees. The research concludes that harmonizing diplomatic and labor law, establishing an internal labor inspection system within the Ministry of Foreign Affairs (MFA), and introducing digital monitoring mechanisms are essential for strengthening labor-rights protection in the foreign-service system..*

### Introduction.

The diplomatic service plays a pivotal role in representing the state's sovereignty and interests abroad. Employees assigned to embassies and consular missions operate in a unique legal environment shaped by both **international diplomatic law** and **national labor legislation**.

In Uzbekistan, this dual nature creates a complex legal status for diplomatic employees. They are public servants bound by state loyalty and confidentiality, yet they also maintain individual labor rights guaranteed under the Labor Code of the Republic of Uzbekistan (2023). The Law "On Diplomatic Service" (2022), adopted as part of state administrative reforms, provides a general legal framework but leaves several procedural aspects of employment, discipline, and dispute resolution undefined.

This imbalance between state-service obligations and labor-law guarantees necessitates a systematic study of how diplomatic labor relations are regulated, how employees' rights are protected, and what reforms could better align domestic law with **international standards**, particularly the **Vienna Conventions (1961, 1963)** and **ILO conventions** on fair labor practices and social protection [2].

### Methods.

This study employs a **comparative-legal, systemic, and doctrinal** approach.

**Comparative-legal analysis** was used to evaluate Uzbekistan's Law on Diplomatic Service alongside the foreign-service laws of the United States, Turkey, and Russia.

**Systemic analysis** allowed identification of overlaps between administrative and labor law within the MFA's institutional structure.

**Doctrinal interpretation** clarified ambiguities in applying labor norms to diplomatic personnel working abroad.

Primary sources include Uzbekistan's Constitution (2023), the Labor Code (2023), the Law on Diplomatic Service (2022), the Law on Civil Service (2021), and Presidential Decree PF-81 (2022). International sources include the **Vienna Conventions** and **ILO Conventions Nos. 111, 151, and 158 [3]**.

Secondary data derive from MFA internal reports (2019–2024) and scholarly commentaries by Uzbek and foreign legal scholars.

## Results.

### Legal Basis and Institutional Framework

The Law "On Diplomatic Service" defines diplomatic work as a professional state activity aimed at protecting national interests abroad. Diplomatic and consular institutions — such as embassies, consulates, and permanent missions — operate as **extensions of Uzbekistan's sovereign jurisdiction**, not as foreign legal entities. Thus, employment relations within them remain subject to **Uzbek labor law**, except where international treaties specify otherwise.

Employees are appointed through **service contracts** that combine features of an employment agreement and a public-service oath. The law guarantees remuneration, insurance, rest, and housing support but lacks detailed procedures for rotation, termination, and dispute resolution.

Within the **MFA system**, three main administrative bodies oversee labor issues:

**Personnel Department** – responsible for recruitment, contract management, and record keeping;

**Disciplinary Commission** – monitors compliance with ethical and professional conduct;

**Internal Audit Division** – assesses compliance with labor and financial standards.

Despite this structure, oversight remains fragmented and reactive. There is **no specialized Labor Rights Inspection Unit** or unified database tracking contract compliance across foreign missions.

### Interaction Between Diplomatic and Labor Law.

Diplomatic employment represents a **hybrid legal regime** combining administrative duties with contractual labor rights. The Law on Diplomatic Service establishes specific obligations such as confidentiality, political neutrality, and rotation, while the Labor Code provides general guarantees — fair remuneration, rest periods, and safe working conditions.

In practice, inconsistencies arise due to:

The absence of a clear **jurisdictional mechanism** for resolving labor disputes abroad (domestic courts vs. diplomatic immunity);

Outdated internal regulations that do not reflect modern HR practices;

Limited legal protection for family members (education, health insurance, relocation costs).

Comparative review shows that in **the United States**, the Foreign Service Act (1980) ensures broad labor and social protection, while **Turkey's Foreign Service Personnel Act (1982)** codifies rotation, family support, and performance-based contracts. **Russia's federal service law (2004)** integrates diplomatic employees into its civil-service hierarchy, ensuring uniform labor regulation. Uzbekistan's current framework, while evolving, remains less integrated.

#### **Proposed Organizational and Legal Improvements.**

The study identifies several institutional gaps and proposes concrete measures:

**Establish an MFA Labor Rights Inspectorate** — a specialized internal body responsible for ensuring compliance with labor law across diplomatic missions.

**Develop an electronic monitoring system ("E-Diplomat HR")** to track employment contracts, rotation cycles, and insurance data in real time.

**Update internal regulations** to reflect the 2023 Labor Code, including electronic contracts, flexible leave, and psychological support mechanisms.

**Introduce an arbitration or mediation mechanism** for labor disputes between the MFA and employees abroad.

**Expand social guarantees** for diplomats' family members, aligning with ILO standards on decent work and social protection.

These measures would improve transparency, reduce administrative errors, and strengthen institutional accountability within Uzbekistan's foreign-service system.

#### **Discussion.**

The analysis confirms that the labor relations of diplomatic employees in Uzbekistan exist at the intersection of **domestic public law** and **international diplomatic norms**. While the state's right to regulate its personnel is undisputed, the protection of employees' individual labor rights remains underdeveloped.

The **dual legal nature** of diplomatic service — combining elements of labor and administrative law — leads to challenges in defining employment status, jurisdiction, and the scope of social guarantees. The current legislative framework provides formal rights but lacks implementation mechanisms.

By introducing **digital oversight tools**, Uzbekistan could achieve effective coordination between the MFA, the Ministry of Employment, and the Ministry of Finance. Furthermore, codifying the labor guarantees of diplomatic staff within a single normative document — a "Regulation on Labor Relations in Diplomatic Missions" — would eliminate contradictions and align national practice with international standards [6].

Comparative experience demonstrates that successful diplomatic systems ensure a balance between **state interests and individual labor rights**. Implementing such a model in Uzbekistan would enhance the professionalism, stability, and social protection of its diplomatic corps.

#### **Conclusion.**

Diplomatic service employees perform state duties under conditions that require both legal precision and social protection. The research shows that Uzbekistan's current framework provides general guarantees but needs stronger institutional mechanisms and clearer legal coordination with the Labor Code.

To modernize the system, the following steps are essential:

Amend the Law on Diplomatic Service to explicitly incorporate labor-law provisions.

Create an **MFA Labor Rights Inspection Unit** for ongoing legal oversight.

Develop and adopt unified internal regulations reflecting international labor standards.

Implement a **digital monitoring platform** to ensure transparency and accountability.

Expand family support and insurance programs for diplomatic staff.

Implementing these reforms will align Uzbekistan's diplomatic labor system with global standards, protect employees' rights, and reinforce the state's international credibility

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