

Political and Legal Framework for Regulating the Migration and Labour Mobility of Chinese Citizens in Central Asia

Ziyatova Orasta

Tashkent State University of Oriental Studies

Independent Researcher

ABSTRACT

This article provides a comparative analysis of the political and legal mechanisms regulating the migration and labour mobility of Chinese citizens in Uzbekistan, Kazakhstan, Kyrgyzstan, Tajikistan, and Turkmenistan. It examines the national legislation of the receiving states, China's system for dispatching workers abroad, visa facilitation measures, and the role of the EAEU, the SCO, and the "China–Central Asia" format. It also addresses migration statistics, the protection of labour rights, the responsibilities of employers and subcontractors, information transparency, and the training of local personnel. The article argues that effective governance should be based on a clear differentiation of legal statuses, a transparent permit system, and coordinated statistical accounting.

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Introduction

The expansion of trade, investment, construction, energy, logistics, services, education, and professional exchange between China and the Central Asian states is generating various forms of mobility among Chinese citizens in the region. This mobility is not limited to conventional labour migration. The legal grounds for entry, residence, and activity differ for a specialist on a short-term business assignment, an employee who has concluded an employment contract with a local enterprise, a worker dispatched by a Chinese company within the framework of a project, an entrepreneur, and a student.

For this reason, it is methodologically insufficient to assess the mobility of Chinese citizens in Central Asia within the single concept of "Chinese migration." The legal status of each group, the purpose of movement, the length of stay, the form of the employment relationship, and the institutions regulating it need to be considered separately.

The purpose of this article is to conduct a comparative analysis of the political and legal mechanisms regulating the migration and labour mobility of Chinese citizens in Uzbekistan, Kazakhstan, Kyrgyzstan, Tajikistan, and Turkmenistan; to identify the relationship between national and regional levels of regulation; and to systematise the priority areas of governance.

Multi-level system for regulating migration and labour mobility. The mobility of Chinese citizens in Central Asia is regulated at three main, interrelated levels. The first level is the national legislation of the receiving state, which governs the entry of a foreign citizen into the country, temporary residence, employment, tax obligations, social protection, and occupational safety.

The second level consists of China's rules governing the dispatch of citizens abroad for employment, the licensing of intermediary and dispatching enterprises, the formalisation of contracts, and the supervision of

overseas contracting projects. This mechanism strengthens the responsibility of the dispatching enterprise but does not replace the work permit required by the receiving state.

The third level is formed through bilateral visa agreements and regional political formats such as the EAEU, the SCO, and “China–Central Asia.” These arrangements may facilitate the movement of people and strengthen security as well as economic and humanitarian cooperation; however, as a rule, the right of an individual to work is granted by the competent authority of the receiving state.

Regulatory mechanisms in Uzbekistan. In Uzbekistan, the general legal status of foreign citizens is determined by specific legislation. In employment relations, a foreign citizen has the rights and obligations provided for by national labour legislation. In practice, lawful entry, registration of temporary stay, and obtaining confirmation granting the right to work are complementary but separate administrative stages.

The agreement on mutual visa-free travel between Uzbekistan and China entered into force on 1 June 2025, allowing holders of ordinary passports to stay visa-free for up to 30 days per visit. This facilitation reduces transaction costs for tourism, business meetings, and short-term official trips. However, visa-free entry does not automatically confer the right to work; the relevant employment status and permit requirements remain in force for remunerated activity.

In this respect, Uzbekistan’s experience demonstrates the need to clearly distinguish the entry regime from the employment regime. Visa-free travel simplifies lawful entry, but issues relating to the employment contract, the employer, and authorisation to engage in employment must be regulated separately.

The Kazakhstan model: quotas and employer permits. In Kazakhstan, the recruitment of foreign labour is regulated through legislation on population migration and labour, a quota system, qualification categories, and a permit mechanism based on an employer’s application. Chinese citizenship does not in itself exempt a person from the general work-permit requirement. For 2026, the quota for attracting foreign labour was set at 0.25 per cent of the country’s labour force. The quota is distributed across categories including executives, heads of structural units, specialists, skilled workers, and seasonal workers.

At the end of 2025, 6,090 of the 14,210 foreign citizens working under permits issued by local executive bodies were Chinese citizens. Although this figure is an important administrative indicator, it does not cover all Chinese citizens in Kazakhstan, including students, entrepreneurs, permanent residents, or persons operating on other legal grounds. Such data should therefore be interpreted only within their precise legal and statistical scope.

Features of regulation in Kyrgyzstan, Tajikistan, and Turkmenistan. Digitalisation plays an important role in regulating external labour migration in Kyrgyzstan. The “Unified Permit” mechanism combines a labour visa, an employer’s permit to recruit foreign labour, and a foreign worker’s work permit in a single electronic document. This simplifies the administrative process but does not exempt the worker from requirements relating to the employment contract, wages, occupational safety, and taxation.

In Tajikistan, the entry, residence, and employment of foreign citizens are regulated by migration and employment legislation, government quotas, and permits issued by the competent authority. In project-based employment, the employer is responsible for substantiating the need for a foreign specialist, formalising that person’s status, and ensuring that employment conditions comply with national legislation.

Migration governance in Turkmenistan follows a centralised administrative model. A legal entity inviting a foreign citizen arranges the visa and work permit through the State Migration Service. The duration of the project, the employee’s professional duties, and the legal basis for stay in the country must be mutually consistent. The limited availability of open and comparable statistical data requires caution when drawing quantitative conclusions.

China’s system for dispatching workers abroad and corporate responsibility. In addition to the requirements of the receiving state, China’s system for dispatching workers abroad is also an important component of the legal chain. The 2012 Regulations on the Administration of Foreign Labor Service Cooperation establish the framework for licensing Chinese enterprises that organise labour for overseas employment, concluding contracts, providing guarantee funds, informing workers, and resolving disputes.

In lawful mobility, the obligations of at least three parties—the worker, the dispatching enterprise, and the receiving employer—are documented. In major contracting projects in Central Asia, the chain of

responsibility becomes more complex when a general contractor, subcontractor, and local client are all involved.

Updated guidelines on the overseas social responsibility of Chinese enterprises require compliance with the receiving state's rules on recruitment, wages, occupational safety, social protection, and immigration. Accordingly, a "Chinese project" may be an economic designation, but it does not create a separate legal space; companies and workers remain subject to the mandatory rules of the receiving state.

Distinguishing visa-free entry from the right to work. One of the main practical risks is a mismatch between the declared purpose of travel and the activity actually performed. Entering as a tourist, business visitor, or student and then engaging in employment may result in non-compliance with the migration and labour requirements of the receiving state. Therefore, supervision should focus not only on the fact of border entry but also on the consistency of the employment contract, workplace, remuneration, and permit validity period.

Bilateral visa facilitation measures accelerate the movement of people but do not resolve all migration and employment issues. A short visa-free visit reduces the organisational costs of travel, but it does not remove separate requirements relating to the right to work, registration, permitted duration of stay, and authorisation for remunerated activity.

The role of the EAEU, the SCO, and the "China–Central Asia" format. The Eurasian Economic Union has a significant impact on the labour markets of Kazakhstan and Kyrgyzstan. The Union facilitates employment for citizens of member states in other member states. However, China is not a member of the EAEU; therefore, the rules on the free movement of labour do not apply to Chinese citizens.

The SCO provides a platform for interstate dialogue on security, combating transnational crime, and trade, economic, and humanitarian cooperation. However, it is not a supranational body that grants individuals the right to work, nor does it administer a unified labour quota or common permit system. Its impact on migration is indirect, operating through verification of document authenticity, cooperation against irregular channels, and political coordination.

The "China–Central Asia" heads-of-state format creates additional political opportunities for transport, trade, education, vocational training, and humanitarian exchange. Such initiatives may expand the mobility of specialists and students, but they do not create a common labour market.

The challenge of correctly interpreting migration statistics. If migration statistics are not compiled in accordance with legal categories, scientific and policy conclusions may be distorted. The number of border crossings does not equal the number of individual persons; the number of permits issued differs from the stock of persons in authorised employment on a given date; and a quota allocated to an employer is not the same as the number of workers actually recruited.

A visa or visa-free entry indicates the legal basis for entering the country, but it does not establish the right to work or the existence of an actual employment contract. A work permit signifies an administrative authorisation for formal employment, but it does not automatically show how long the permit was actually used.

The figure of 6,090 Chinese citizens in Kazakhstan refers to employees who worked under permits issued by local executive bodies. It cannot be interpreted as the total number of Chinese citizens in the country or as the number of Chinese migrants across Central Asia. In the other states, open data series disaggregated by citizenship, permit type, validity period, sector, and region are likewise not presented in a uniform format. Therefore, from a scientific standpoint, it is more appropriate to specify the coverage and unit of account of the data than to calculate a regional "total number."

Protection of labour rights and training of local personnel. The protection of labour rights should be a central criterion of regulation. A foreign worker should receive the contract in a language they understand; wages and working hours should be clearly specified; and safe working conditions, insurance, dispute-resolution mechanisms, and guarantees for lawful return should be ensured. Even when a worker is dispatched by a Chinese enterprise, the mandatory labour standards of the receiving state continue to apply. It is insufficient to view labour mobility solely as an object of control. Through education, vocational training, and professional exchange, it can also become a channel for the transfer of skills and technology. However, a training place, a short course, or a university exchange is not in itself permanent labour

migration. For this reason, educational and professional mobility should be recorded in separate statistical categories.

Information transparency and regional coordination. Transparency in political and legal governance strengthens public trust. It is advisable for state authorities to regularly publish anonymised data disaggregated by citizenship, permit type, occupation, and region, and for major projects to report on the ratio of local to foreign employment, subcontractors, occupational safety, and the outcomes of complaint-handling procedures.

Before creating a single supranational permit for regional coordination, harmonising national data and minimum legal safeguards is a more realistic objective. The competent authorities of the five states could establish secure information exchange with the Chinese side on verifying permit authenticity, lists of licensed dispatching entities, employer and subcontractor liability, occupational safety incidents, and unlawful intermediation. The principle of personal data protection should be maintained throughout.

Key Mechanisms for Regulating the Employment of Chinese Citizens in Central Asian States

Country	Basis for entry and residence	Main mechanism for employment	Analytical note
Uzbekistan	Visa-free stay for up to 30 days; appropriate legal status for a longer stay and for the purpose of activity	Confirmation granting the right to work and an employment contract	Visa-free entry does not automatically confer the right to work
Kazakhstan	Entry and temporary residence in accordance with migration rules	Quota and employer permit to recruit foreign labour	Chinese citizens are not covered by the EAEU free movement of labour regime
Kyrgyzstan	A visa or other lawful basis corresponding to the purpose of travel	Electronic Unified Permit: labour visa + permit to recruit foreign labour + work permit	The administrative process is simplified, but labour and tax obligations remain
Tajikistan	Visa, registration, and legal status corresponding to the purpose of stay	Permit issued by the competent authority, quota, and employer obligations	Open statistical series are limited
Turkmenistan	Visa and stay arranged through the inviting organisation	Work permit issued through the State Migration Service	Centralised control; open comparative data are limited

Conclusion

The comparative analysis shows that the migration and labour mobility of Chinese citizens in Central Asia is regulated primarily by the national migration and labour legislation of the receiving states. Visa-free regimes and other entry facilitation measures do not replace the right-to-work requirements. Although China's foreign labour service system defines the responsibilities of the dispatching enterprise, it does not remove the permit requirements imposed by the receiving state.

The free-labour regime within the EAEU does not apply to Chinese citizens. The SCO and "China–Central Asia" formats strengthen the environment for cooperation, security, and political coordination rather than creating a common labour market. Accordingly, individual employment matters remain within the scope of national law.

Effective governance should combine a transparent permit system, fair recruitment, equal protection of labour rights, training of local personnel, clarification of responsibility within subcontracting chains, and

anonymised statistical reporting. Such an approach can support lawful mobility while reducing irregular employment and social concerns arising from unverified figures.

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