

“VERITAS” YOUTH HUMAN RIGHTS MOVEMENT OF UZBEKISTAN

ABOLITION OF FORCED CHILD LABOR IN COTTON HARVEST: DILEMMA FOR UZBEK GOVERNMENT

The present paper is developed by “Veritas” Youth Human Rights Movement of Uzbekistan. Veritas is a member of the Rapid Response Group.

This analysis is a result of the initial observation on the cotton harvest campaign in Uzbekistan in 2009. From September 10 to October 10 Veritas activists have carried out monitoring activities in Tashkent, Samarkand, Khorezm, Andijon, Surkhandarya, Kashkadarya, Syrdarya and Ferghana regions. The authors of the analysis have also studied materials of the national mass media and independent sources related to the cotton harvest season. We are keeping on studying the situation. Conclusions highlighted in this paper come only as a result of our initial observation.

Abolition of forced child labor in cotton picking remains as a big dilemma for the Uzbek government. This problem remains despite of the fact that the government has ratified two related conventions of the International Labor Organization, adopted several legislative acts and a national program which all meant to prevent forced child labor in the cotton picking.

It is known that the year 2008 has become a special year from the point of view of raised public attention, in particular international attention to the issue of forced child labor in the cotton picking in Uzbekistan. There were following reasons to this: a) In 2008 several transnational companies in the world has boycotted the Uzbek cotton because the Uzbek government involved forced child labor in its production; b) In spring of 2008 the Uzbek government adopted the long-awaited Law “On guarantees of child’s rights”; c) Moreover, on the eve of the cotton harvesting season in 2008 the Uzbek government has ratified ILO Convention # 138 (1973) “On minimum age for employment” and # 182 (1999) on prohibition of and immediate measures against the worst forms of child labor”; e) Having ratified the ILO Conventions the Uzbek government adopted a National Action Plan on prevention of forced labor, including child labor and the Ministry of Labor and Social Protection was appointed as the main responsible state agency for implementation of this Plan; f) Sh. Mirziyoev, prime minister, a head of the Uzbek Cabinet of Ministers, has ordered to abstain from involving minor children in cotton picking.

Paradoxically, the above mentioned latest measures of the Uzbek government meant to alleviate this problem have on the contrary brought to the deterioration of the situation with the rights of the minors and increased the scales of the unlawful exploitation of the people by the state. Those measures could not stop the Uzbek authorities of from again applying forced child labor during the cotton harvest season of 2008. Schoolchildren, students of academic lyceums, colleges, universities and institutes (except Tashkent city), personnel of the organizations, institutions and enterprises financed by the state budget, personnel of some law enforcement bodies (public procurators body and departments of internal affairs), religious groups belonging to local mosques, residents of mahalla committees (the local neighborhood self-governing body) – all main groups of the population were forcedly involved in cotton picking in 2008. According to our observation the same trend is repeated this year.

If the practice of forced involvement of children and other groups of the population (mainly the personnel of the organizations supported by the state budget) in cotton picking was carried out in a centralized way now this process is arranged in an absolutely chaotic way. The practice of forced labor has remained while the common order of arrangement of and providing for the

transportation, food, living conditions, and minimal technical security precautions for those groups of people forcedly involved in cotton picking are not any more there at place. Illegal exploitation during the cotton harvest season starts involving new groups of the population as well. As a result we note expansion of the scales of illegal exploitation of minors and the population in general. New refined ways of forcing the population in cotton picking are innovated.

According to the information received by a reliable source on September 22 2009 from 05:00 a.m. to 07:00 a.m. Sh. Mirziyoev, the Uzbek prime minister had a conference call with the heads of all districts, cities, regions, Ministerial Council of autonomous Republic of Karakalpakstan, huge state budget supported organizations, institutions and enterprises. The main on the agenda during that conference call was the issue of arranging the cotton harvest. During the conference call the prime minister has ordered to involve personnel of all organizations, institutions, enterprises, students of colleges, universities and institutes in cotton picking. The prime minister has also highlighted the expected weather forecast for October according to which beginning October 12 it was expected that there would be cold weather and rain. In the view of such weather forecast the prime minister has ordered to put all efforts to completing the cotton harvest. The heads of the regions, organizations, institutions, enterprises, colleges, universities and institutes were once again reminded of their personal responsibility in case they fail to accomplish the identified task.

The conference call at the Cabinet of Ministers hasn't mentioned that schoolchildren should be involved in cotton picking. However, this situation is very similar to the one in 2008. At the beginning of the cotton harvest season last year the Uzbek authorities have indeed tried to follow the ban on forced child labor. Directors of secondary schools and academic lyceums made parents of the schoolchildren sign up papers in which the latter have pledged not to send up their children to cotton picking. All stakeholders including international organizations, journalists and human rights activists have watched the situation with great interest. But the situation changed at the end of September 2008. The head of state has several times stressed in his public addresses that the country should by all means complete the state set quota on cotton harvest by the end of October (e.g. such statements were made e.g. during the visits of the head of state to Tashkent and Khorezm regions in September 2008). It must be expected that right in the middle of the cotton harvest season when the weather gets colder the Uzbek schoolchildren might again be forcedly involved in cotton picking.

We are receiving worrisome reports that in many regions of the country schoolchildren of the 8th and upper grades are already involved in forced child labor in cotton picking. In many rural areas of Uzbekistan school and lyceum teachers are forced to cut down their classes and be in the the cotton fields by noon everyday. School and lyceum children who are left without their teachers have to miss their classes. Apart from teachers the Uzbek authorities have already started involving students of universities and institutes (except students in Tashkent city – the capital of Uzbekistan) in forced labor in the cotton fields.

According to our observation, parents of school and lyceum children are again forced to provide written pledges in which they indicate that they would be personally responsible if their children decide to take part in cotton picking. As to the official position of the Uzbek authorities schoolchildren and population in general decide voluntarily to take part in cotton picking as if they perceive this practice as their duty to help their Motherland in picking the harvest of the strategic product. In this regard the practice of forcing parents of schoolchildren to provide written pledges can only be taken as an attempt to put the burden of responsibility for the fate of children involved in forced labor on the shoulders of the parents.

Exploitation of the population during cotton harvest season in 2009 is marked by the following trends which have not previously been noted:

- First, forced labor of children and other youth groups continues despite the legislative ban on forced child labor adopted in 2008;
- Second, increasing number of cases of forced labor of those groups of the population who have previously not been involved in such practice during the cotton harvest season (residents of mahalla; local Muslim communities belonging to local mosques; personnel of huge state owned enterprises, organizations and institutions; regular armed forces; law enforcement agencies – public procurators office and departments of internal affairs);
- Third, increased number of cases of corruption among the local government officials responsible for arranging the cotton harvest season;
- Fourth, the whole process of involvement of the population in forced labor during the cotton harvest season is arranged in a chaotic way (almost all groups of the population involved in forced labor – students, schoolchildren, personnel of the state owned organizations and enterprises, Muslim communities and mosques, mahalla residents – all have to reach the cotton fields themselves; nobody takes care of their food and in many places they rely on their own food they bring from their homes; their labor is not accounted and fixed).

The monitoring has revealed the following facts which confirm the above mentioned trends:

Students and schoolchildren forced to attend the cotton picking are not provided for transportation means; that is why they have to reach the cotton fields themselves. Most students and schoolchildren have to make from 5 to 10 kilometers on their feet to reach the cotton fields and the same distance on the way back home.

Students and schoolchildren forced to pick cotton are missing their classes. Representatives of the district and regional departments of public education could not answer when questioned on how they are planning to recover the missed classes for those students and schoolchildren. Some teachers who have been surveyed by Veritas have clarified that upon completion of the cotton harvest season schoolchildren would study in two shifts (morning and afternoon) in order to recover their lost time. The schoolchildren will consequently have shorter autumn, winter and spring holidays.

Teachers of secondary schools, academic lyceums and colleges, including teachers of the 1st grades are forced to spend up to 15 days in the cotton fields picking cotton. The local authorities provide two options to the teachers if the latter can't pick cotton for some reasons: one of the relatives of the teacher has to go in his / her place, or the teacher can hire the day-worker to pick cotton.

The number of cases of corruption remains high. If schoolchildren or students miss one day of cotton picking their teacher is found responsible for that and have to pay from 2 to 3.5 thousand Uzbek sums (approximately \$ 1,5 - \$ 3 USD) as a bribe to the representative of the local government. Every student or schoolchildren has to pick from 30 to 60 kilos of cotton everyday. In case this quota is not met the schoolchildren and students have to buy cotton from local farmers, or bring cotton from their homes, or cover their unfulfilled quotas by bribing the local officials.

Living conditions for schoolchildren and students in the cotton fields during this year's cotton harvest season are grave. Neither local farmers in whose lands schoolchildren and students pick cotton, nor the local government and school administration take good care of the living conditions. During night-time most students and schoolchildren sleep on the mattresses they brought from their homes laid on the ground. There is no hot water and conditions for personal hygiene. There is no proper access to drinking water in most places. In many cases children drink water from unprotected and unsanitary water basins. Most students and schoolchildren bring electronic pots to boil water however the local farmers and teachers who are there to watch after children do not allow them to use those electronic pots referring to fire security. Food for students and schoolchildren forced to pick cotton is of very low quality. They usually got bread and tea for breakfast; soup with low-quality macaroons, rice or vegetables (turnips, eggplants) – for lunch, and similar food for dinner. There is no meat in the food.

During this cotton harvest season the Uzbek authorities have raised the daily quota for picking cotton by students and schoolchildren – from 30 to 60 kilos. As a result of low cotton harvest this year most children fail to meet the set daily quota. The number of reports on cases of violence against those children who fail meeting their daily quotas is growing (beating, psychological pressure, enticing other children to bullying the child who has failed his / her quota). The number of schoolchildren and students who are running away from inhuman conditions and violence in the cotton fields is also growing.

Forced involvement of new groups of population in cotton picking: we have documented facts of forced involvement of such non-traditional groups of population as personnel of the state owned companies, organizations, institutions, local Muslim communities headed by imams of the local mosques, residents of local mahallas in cotton picking. In most cases the forced labor of those categories of population is not compensated. They are not provided by transport and have to reach the cotton fields themselves. They have to take care of their food themselves. Similar trend has been documented in 2008 as well.

We have interviewed residents of mahallas and chairpersons of mahalla committees in Surkhandarya, Samarkand, Khorezm and Ferghana regions. The local government forces chairpersons of mahalla committees provide on average 30-40 people from each mahalla to pick cotton. In many cases mahalla residents had to pick cotton for 15 days. Only in some cases they were forced to pick cotton for one day. Their labor is not accounted and compensated. They are not provided by transport and have to make their way to the cotton fields themselves. They have to cover their daily food themselves.

Mahalla residents have reported that chairpersons of the mahalla committees have threatened them by not cutting off their state provided monthly quotas for flour and cotton-seed oil if they fail to pick cotton (because of deficit of flour and cotton-seed oil every citizen of Uzbekistan is entitled to buy state provided monthly quotas of flour and cotton-seed oil from the neighborhood where they permanently reside; mahalla committees are responsible for distributing the state provided flour and cotton-seed oil under the state set prices).

Representatives of mahallas interviewed by Veritas representatives in Ferghana, Khorezm and Surkhandarya regions have noted that they have to give bribes amounting to 70.000 – 80.000 Uzbek sums (approximately \$ 65 - \$ 75 USD) if they fail to get 30-40 persons from their mahallas to the cotton fields.

Veritas also notes the following interesting trends in the cotton harvest season. Some parents are refusing to send their children to cotton picking. Some of the personnel of the state owned companies, organizations and institutions are also refusing to pick cotton. They are not

persecuted and harassed for doing so as it had been a case in previous years. However, the heads of the organizations or institutions they belong to (directors of schools, lyceums, colleges, universities, institutes, state owned companies, institutions, chairpersons of mahalla committees) have to take responsibility for their refusal to pick cotton and stand up before the hokims of districts (heads of local executive government). As results of monitoring activities in Surkhandarya, Samarkand, Khorezm regions have shown hokims of districts convene daily meetings to discuss the development of the situation with the cotton harvest season. Heads of the local schools, lyceums, universities, institutes, mahalla committees, state owned companies, organizations and institutions, representatives of the local farmers have to attend such daily meetings. The meetings usually begin at 08:00 p.m. and finish at 11:00 p.m. As we have been told the district hokims usually apply physical violence against the heads of the organizations who have failed up bringing the needed number of people to cotton picking.

The other news of the cotton harvest season has to do with massive involvement of the personnel of law enforcement bodies (public procurator's office and departments of internal affairs) in the cotton campaign. Officers of the public procurator's office and local departments of internal affairs are forced to be in the cotton fields everyday from morning to 06:00 p.m. making sure the cotton harvest season continues without breakdowns. Only after 06:00 p.m. those law enforcement officials have to return to their main duties on dealing with crimes and maintaining law and order.

Veritas keeps on observing the situation with the cotton harvest season in 2009.

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