

# COTTON CAMPAIGN

## END FORCED LABOR IN CENTRAL ASIA

August 29, 2018

Submitted to the Office of Child Labor, Forced Labor, and Human Trafficking  
Bureau of International Labor Affairs, U.S. Department of Labor via email: [EO13126@dol.gov](mailto:EO13126@dol.gov)

Deputy Undersecretary for International Affairs  
Martha E. Newton

Dear Deputy Undersecretary Newton:

The Cotton Campaign – an international, multi-stakeholder coalition of non-governmental organizations, trade unions, apparel brands and socially responsible investors dedicated to eradicating child and forced labor in cotton production – writes to oppose the Department of Labor’s recent notice (Docket No. DOL-2018-0004) that it has made an “initial determination” to remove cotton from Uzbekistan from the List of Products Requiring Federal Contractor Certification as to Forced or Indentured Child Labor Pursuant to Executive Order 13126.

As you know, in recent years the Government of Uzbekistan, due in part to pressure from the U.S. Government and civil society, has made major strides towards ending forced child labor during the annual cotton harvest. We are also encouraged by President of Uzbekistan’s public acknowledgement of the scale of the forced labor problem and commitment to adopting the reforms required to end the practice. During official delegation, the Cotton Campaign presented [a roadmap](#) with steps for the government of Uzbekistan to follow to dismantle the forced labor system of cotton production to government officials during high-level meetings in Tashkent in May 2018.

However, despite the progress, cases of forced child labor still occurred during the 2017 harvest and local school administrators and teachers remained under intense pressure to force children into the fields to meet their annual cotton quotas<sup>1</sup>. We therefore believe that it would be premature to remove cotton from Uzbekistan from the EO13126 list until it can be verified that the Uzbek government has followed through on its promise to enact fundamental reforms to eliminate the drivers of forced child labor, particularly subjecting public school officials to production quotas.

We wholeheartedly support the Department of Labor’s important role in the implementation of Executive Order 13126 and its mission to ensure that U.S. federal agencies do not procure goods made by forced or indentured child labor. In this spirit we offer the following comments to inform DOL’s review process:

1. It is crucial to monitor closely the upcoming 2018 cotton harvest to ensure that the Uzbek Government’s high-level commitment to eradicate forced child labor is consistently implemented on the ground.
  - According to independent monitors’ findings, there were still cases of forced child labor in 2017 cotton harvest<sup>2</sup>. The Uzbek-German Forum for Human Rights (UGF) found that 11 and 12-year old children picked cotton and children were ordered to bring cotton to school during 2017 harvest.

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<sup>1</sup> The quota system for cotton production in Uzbekistan is a fundamental root cause of forced labor. Regional and district officials threaten the heads of institutions with the loss of their jobs if they fail to deliver quotas and the heads of institutions threaten their staff. In 2017, Uzbek Government officials imposed cotton production quotas on farmers and mobilized public sector workers, including school and college teachers and medical workers. Public institutions face penalties for failure to produce assigned quota amounts.

<sup>2</sup> “We pick cotton out of fear: systematic forced labor and the accountability gap in Uzbekistan”, Uzbek-German Forum for Human Rights, Berlin, May 2018. Access: [http://uzbekgermanforum.org/wp-content/uploads/2018/05/We\\_pick\\_cotton\\_out\\_of\\_fear.pdf](http://uzbekgermanforum.org/wp-content/uploads/2018/05/We_pick_cotton_out_of_fear.pdf)  
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- UGF documented several instances of forced child labor in Karakalpakstan, and received credible information regarding child labor in Andijan region that was also reported by activists and the media<sup>3</sup>.
  - Children were locked out of kindergartens unless their parents picked cotton or paid for replacement workers.<sup>4</sup>
2. Ability to conduct unhindered monitoring on the ground and provide firm findings.
    - According to civil society activists on the ground and UGF monitoring findings, cotton pickers were coached to tell interviewers (especially non-Uzbek) that they are unemployed and voluntary.
    - Available reports are not conclusive that forced child labor has finished<sup>5</sup>.
  3. The Uzbek Government shifted the burden from children to adults while not eliminating conditions that drive its forced labor system in cotton sector.
    - Local government administrations have to meet the production and labor quota requirements assigned by the central government. In some cases, local officials reportedly still resort to forced child labor out of a need to fulfil their quotas. Due to this pressure to deliver the cotton plan some people resorted to bringing their children to the fields with them. “A woman picking cotton with her 12-year old daughter in Qumbosgan said they were picking because a local official threatened to stop her welfare payments if she refused”<sup>6</sup>.
    - According to UGF, in the Andijan region, the most densely populated in Uzbekistan, some kindergartens and schools resorted to extorting pupils for money and, in some cases, cotton, and penalized children or their parents for not complying<sup>7</sup>.
  4. Pressure to deliver cotton quota leads to a well-documented practice when schools administrators require children to bring cotton to school.
    - UGF reported “A teacher said that her school was under an order from the local administration to collect cotton or money from school pupils. She said that the school physically punished and humiliated children who did not bring in cotton or money by making them stand in front of the school with their arms raised for long periods of time and called them “enemies of the people””<sup>8</sup>.
  5. Proper investigation and prosecution of officials who violate Uzbek national laws against forced child labor.
    - Government investigations fall short and do not target those responsible for directing or causing forced child labor. According to UGF, enforcement actions appeared to be sporadic and arbitrary, holding a few low level officials to account while failing to move up the chain of command or examine policies that contributed to violations. For example, the labor inspectorate fined a schoolteacher for requiring children to bring cotton to school without ever investigating why the director needed cotton or on whose orders she acted.
    - “A labor inspector in Balikchi district, Andijan region imposed a fine of five minimum salaries (748,875 soum, approximately \$94) on the director of school No. 1 for requiring children to bring at least 2 kg of cotton to school every day. The inspector found a violation of forcing children to work under Article 51, part 2 of the Administrative Code. In the protocol the investigator stated that the information was posted on Ozodlik and he spoke to fifth graders in the fields who confirmed that the director required them to bring cotton to school. The investigator did not speak to the director because she was not present.

<sup>3</sup> “The fields of hopelessness. Uzbekistan’s children remain as hostages in the battle for the cotton crop”, Fergana News, November 14, 2017. Access: <http://www.fergananews.com/articles/9634>

<sup>4</sup> UGF 2017 harvest report, page 30: [http://uzbekgermanforum.org/wp-content/uploads/2018/05/We\\_pick\\_cotton\\_out\\_of\\_fear.pdf](http://uzbekgermanforum.org/wp-content/uploads/2018/05/We_pick_cotton_out_of_fear.pdf)

<sup>5</sup> UGF 2017 harvest report, page 5: [http://uzbekgermanforum.org/wp-content/uploads/2018/05/We\\_pick\\_cotton\\_out\\_of\\_fear.pdf](http://uzbekgermanforum.org/wp-content/uploads/2018/05/We_pick_cotton_out_of_fear.pdf)

<sup>6</sup> UGF 2017 harvest report, page 62: [http://uzbekgermanforum.org/wp-content/uploads/2018/05/We\\_pick\\_cotton\\_out\\_of\\_fear.pdf](http://uzbekgermanforum.org/wp-content/uploads/2018/05/We_pick_cotton_out_of_fear.pdf)

<sup>7</sup> “Пахта-2017: Далалардан дараклар — мажбурий меҳнат давом этаптими ёки одамлар нега пахта термаяпти? [Cotton-2017: Forced labor in the fields, or why are people picking cotton?],” Kun.uz, October 7, 2017. Access:

<https://kun.uz/news/2017/10/07/pahta-2017-dalalardan-daraklar-mazburij-menat-davom-etaaptimi-eki-odamlar-nega-pahta-termaapti>

<sup>8</sup> UGF 2017 harvest report, page 52: [http://uzbekgermanforum.org/wp-content/uploads/2018/05/We\\_pick\\_cotton\\_out\\_of\\_fear.pdf](http://uzbekgermanforum.org/wp-content/uploads/2018/05/We_pick_cotton_out_of_fear.pdf)

Neither did the inspector investigate why the director told children to bring cotton to school and if she was acting under orders from another authority”<sup>9</sup>.

- The International Labour Organization’s Third-Party Monitoring Report also highlights inadequacy of punishment of perpetrators of forced labor and child labor<sup>10</sup>.

Thank you for your time and attention in reviewing our comments. We look forward to continuing to work with ILAB and the broader U.S. Government to end all forms of forced labor in Uzbekistan.

Sincerely,  
The Cotton Campaign:

Anti-Slavery International



American Apparel & Footwear Association



Adrian Dominican Sisters



Action by Christians to Abolish Torture  
(ACAT-Germany and ACAT-USA)



Crude Accountability

**CRUDE ACCOUNTABILITY**

Catherine Cosman

Former Senior Policy Analyst  
(OSCE and Post-Soviet States)  
U.S. Commission on International Religious Freedom

<sup>9</sup> UGF 2017 harvest report, page 52: [http://uzbekgermanforum.org/wp-content/uploads/2018/05/We\\_pick\\_cotton\\_out\\_of\\_fear.pdf](http://uzbekgermanforum.org/wp-content/uploads/2018/05/We_pick_cotton_out_of_fear.pdf)

<sup>10</sup> “Third-party monitoring of measures against child labour and forced labour during the 2017 cotton harvest in Uzbekistan”, A report submitted to the World Bank by the International Labour Office, page 8. Access: [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipec/documents/publication/wcms\\_617830.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_617830.pdf)  
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Congregation of St. Joseph



Congregation of Sisters of St. Agnes



CREA: Center for Reflection, Education and Action



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International Labor Rights Forum



International State Crime Initiative



Korean Teachers and Education Workers Union (KTU)



Mercy Investment Services



Northwest Coalition for Responsible Investment



Pax World Funds



Retail Industry Leaders Association (RILA)



Responsible Sourcing Network



STOP THE TRAFFIK  
Australian Coalition



Shareholder Association for Research and Education  
(SHARE)



Sisters of St Francis of Philadelphia



Sisters of Charity of New York



Seventh Generation Interfaith Coalition for Responsible Investment



School Sisters of Notre Dame Cooperative Investment Fund



Trillium Asset Management



United States Fashion Industry Association



Uzbek-German Forum for Human Rights



Uniting Church in Australia Synod of Victoria and Tasmania Justice & International Mission



CC:  
Mike Pompeo, United States Secretary of State  
Alexander Acosta, United States Secretary of Labor  
Kirstjen Nielsen, United States Secretary of Homeland Security