

## **GPE Should Postpone Uzbekistan Project**

***The Government of Uzbekistan must end state-orchestrated forced labor of children and adults to ensure GPE funds do not support human rights violations***

The Global Partnership for Education (GPE) should defer action on the Application from the Republic of Uzbekistan for the “Uzbekistan: Improving Pre-primary and General Secondary Education Project (P144856)” [hereinafter “Project”] until the Government of Uzbekistan ends state-orchestrated forced labor of children and adults. The Cotton Campaign strongly supports the goal of improving education for all people in Uzbekistan. Given that each year the Ministry of Public Education is instructed to forcibly mobilize teachers and students for the cotton harvest, however, we believe the state-run forced labor and education systems are so intertwined that any funding to the education system supports forced labor of children and adults and implicates the donor in a violation of human rights. The Government of Uzbekistan has changed the demographics of forced labor over the last two years – with larger numbers adults being mobilized to replace children younger than 16 in the fields. But the government has taken no steps to change the system that underlies the use of forced labor, in which the government imposes production quotas on farmers and sets purchase prices so low that farmers cannot afford to pay field workers market wages.

### **Forced Labor Cotton Production and the Education System**

While the Uzbek government relented under international pressure and, for the first time, allowed monitors with the International Labor Organization (ILO) into the country to monitor the Fall 2013 cotton harvest, the Government’s continued its forced-labor system in 2013. Each year the Government of Uzbekistan forces over a million children and adults to produce cotton for export to the world market. The Uzbek system of forced labor violates national law, International Labor Organization (ILO) Conventions No. 105 (Abolition of Forced Labor), and in the case of children, No. 182 (Elimination of the Worst Forms of Child Labor).

In 2013, the Government of Uzbekistan once again used forced labor on a massive scale as a matter of state policy. The Government of Uzbekistan forced farmers to produce state-imposed, annual quotas of cotton and operated an established infrastructure to coercively mobilize more than one million children and adults to pick cotton and prepare the cotton fields. Authorities forced children, mostly aged 16 to 17 years but some as young as 10 years old, to work in the cotton fields under threat of punishment, including expulsion from school, verbal abuse and physical abuse. Adults, including large numbers of teachers and school administrative and support staff, were forced to pick cotton under threat of dismissal from work, or the loss of salary, pension and welfare benefits. During the harvest, school administrators required teachers to falsely records of classroom activities in an attempt to hide this fact. Public officials also demanded and accepted payments in return for exemptions from forced labor, fostering corruption throughout the country.<sup>1</sup>

The “Program Implementation Grant Application” and other Project planning documents do not include any commitment from the Government of Uzbekistan to end forced labor. GPE should not grant funds to the Government of Uzbekistan to improve educational outcomes while the government continues to force students and teachers to pick cotton instead of attend school each year. Any GPE loan should be conditioned on the Government of Uzbekistan ending forced labor.

### **The Government of Uzbekistan, the ILO and the Scope of Forced and Child Labor**

The Government of Uzbekistan's application for a GPE grant contains a misleading presentation of the ILO mission in Uzbekistan in 2013 by selectively citing the ILO High Level Mission Report on the Monitoring of Child Labor, 2013.

During the 2013 cotton harvest, after a decade of global pressure, the Government of Uzbekistan accepted monitoring by the ILO. In taking this step Tashkent demonstrated that it responds to international pressure. Unfortunately, the government also took steps to prevent the ILO from being able to do its job, including ordering citizens to lie if approached by foreign monitors and placing significant limitations on the ILO's monitoring effort.<sup>2</sup> These limitations included:

1. Restriction of its mandate to child labor (ILO Convention No. 182), leaving aside the broader problem of forced labor, including by teachers and school staff (ILO Convention No. 105);
2. Presence of representatives of the government with all monitoring teams;
3. Lack of participation by the International Trade Union Confederation (ITUC) and International Organization of Employers (IOE); and
4. Lack of participation by Uzbek civil society.

Despite these limitations, the ILO mission reported the use of child labor, emphasized concerns about the use of adult forced labor for the cotton harvest, and recommended that the government take action to implement all fundamental labor conventions.<sup>3</sup> The conclusion of the ILO mission report that "forced child labour has not been used on a systematic basis in Uzbekistan to harvest cotton in 2013" is contradicted both by the observations and evidence recorded by cotton campaign monitors and by the ILO's own evidence.<sup>4</sup> For example, the ILO monitors reported that in 8 of 9 high schools ("colleges") they visited, classes were not in session due to cotton picking, and school officials provided no attendance registers or other evidence to support the reasons given to monitors, e.g. that students were engaged in extra-curricular activities.<sup>5</sup>

In its mission report, the ILO also confirms again that cotton is produced in a forced labor system in Uzbekistan. It confirms the Prime Minister's authority over the state quota system for cotton production<sup>6</sup> and the role of local-level government officials in organizing the mobilization of citizens to pick cotton.<sup>7</sup> The ILO mission concludes by highlighting its concerns with the "campaign and recruitment of the labor force to harvest the cotton...and the realization of fundamental rights of the workers, including the respect for the effective implementation of Convention No. 105."<sup>8</sup>

Currently, the ILO is encouraging the Government of Uzbekistan to commit to a Decent Work Country Program, starting with a survey of forced labor. The success of the ILO's effort depends on the Government of Uzbekistan, which must find the political will to commit to ending forced labor and demonstrate its commitment by initiating the DWCP with the ILO and the participation of the IOE, ITUC and International Union of Food Workers and continuous consultation of independent Uzbek civil society in all monitoring and technical assistance activities.

## **High Risk of Perpetuating Forced Labor and Inadequate Safeguards**

Providing financing to Uzbekistan's Ministry of Education while it continues to be involved in the forced mobilization of students, teachers and school staff for the cotton harvest risks perpetuating the use of forced labor. The risk that students and teachers will continue to be mobilized to pick cotton is not moderate, as claimed in the Project "Program Implementation Grant Application" (page 20). Until the Government of Uzbekistan ends its forced-labor system of cotton production, it is close to certain that students, teachers and school staff will be forced to pick cotton. There has been no cotton harvest without forced labor of students and teachers in the history of independent Uzbekistan.

Notably, the World Bank's own Inspection Panel also reports a high risk. In its review of current World Bank financing to the Government of Uzbekistan, the Inspection Panel found that "the information reviewed by the Panel indicates that it cannot be ruled out that the project has and may still be supporting cotton production either directly or indirectly" and that "the Bank's support [for agriculture development] may be contributing to a perpetuation of the alleged harm [of forced labor]."<sup>9</sup>

The Project mitigation plan, as presented in the "Program Implementation Grant Application," fails to account for the Government of Uzbekistan's repression of civil society and creation of a state-controlled pseudo-NGO sector. The Project states that the Uzbek Cabinet of Ministers enlarged the Local Education Group (LEG) for the Project to include more NGOs and the teachers' union, yet does not recognize the lack of autonomy of the organizations included in the LEG. In 2013, the Federation of Trade Unions of Uzbekistan (FTUU) took control over the teachers union, including its budget and leadership. The FTUU does not constitute a legitimate representation of workers and continues to have a member of Uzbekistan's Cabinet of Ministers as its head.

Each year, citizens across Uzbekistan risk arrest or other government reprisal to document the Government's forced labor system. Their work enables the world to understand the terrible impact the government's forced labor system has on the lives the people of Uzbekistan. Yet their efforts come at a great personal cost. During the 2013 harvest, the Government held activist Sergei Naumov incommunicado, sentenced Bobomurad Razzakov to prison, and held Uktam Paradaev under house arrest. Already this year, authorities arrested Fakhriddin Tillaev and Nuraddin Djumaniyazov on fabricated charges of human trafficking while they were trying to establish a human rights organization to help the unemployed and day laborers. Since 2011, authorities have prosecuted and imprisoned eighty activists and arrested and detained 300 others for their work. The proposals to establish "Third Party Monitoring" and a "Grievance Redress Mechanism" cannot succeed until the Government of Uzbekistan respects human rights fundamental to the functioning of these systems, including freedoms of association and speech and the right to due process.

## **Conclusion**

The GPE should not provide a grant to the Government of Uzbekistan while it operates a forced labor system that, according to information provided by a former Uzbek official, each year generates hundreds of millions of dollars that goes into a slush fund controlled by a small circle of senior officials with absolutely no transparency or public accountability as to its use.<sup>10</sup> By failing to include these funds in the state budget, the government limits funding available for social purposes, including education. By providing money to make up for this, the GPE would in fact be helping to perpetuate the forced labor system.

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<sup>1</sup> The evidence presented herein on the 2013 cotton harvest was gathered by human rights defenders in Uzbekistan through interviews and observations during the harvest. They also reviewed government documents and collected both local and international media reports on the cotton harvest. Information was gathered from seven regions. In each region a group of locals monitored the cotton harvest from beginning to end. All interviewees had direct experience of participating in the 2013 cotton harvest. The interviewees were from different families and schools. The teams of human rights defenders received training on monitoring and interview techniques by a social scientist. The monitoring teams operated anonymously for their personal protection. See Cotton Campaign, “Review of the 2013 Cotton Harvest in Uzbekistan: State Forced-Labor System Continues,” November 2013, [http://www.cottoncampaign.org/wp-content/uploads/2013/11/2013CottonHarvest\\_end\\_report.pdf](http://www.cottoncampaign.org/wp-content/uploads/2013/11/2013CottonHarvest_end_report.pdf).

<sup>2</sup> *Ibid.*

<sup>3</sup> International Labor Organization, “ILO High Level Mission Report on the Monitoring of Child Labor During 2013 Cotton Harvest in Uzbekistan,” 19 November 2013, paragraphs 35-36, page 13.

<sup>4</sup> The Cotton Campaigns report can be found at [http://www.cottoncampaign.org/wp-content/uploads/2013/11/2013CottonHarvest\\_end\\_report.pdf](http://www.cottoncampaign.org/wp-content/uploads/2013/11/2013CottonHarvest_end_report.pdf)

<sup>5</sup> *Ibid* Annex D, page 77.

<sup>6</sup> ILO High Level Mission Report, 2013, Paragraph 16 (“The Prime Minister declared the harvest over on October 25 when the quotas for the cotton harvest were met.”)

<sup>7</sup> *Ibid*, Paragraph 20 [“It was also noted that in many districts lists of cotton pickers, including information on their age, were established at the local administrative level prior to the harvest...”] and Paragraph 28 [“The monitoring units found that in some districts lists of those who would pick the cotton had been drawn up...”].

<sup>8</sup> *Ibid*, 2013, Paragraph 32 [“The Mission wishes to draw attention to the broader issue of how the over-all management of the recruitment and use of the labor force in the cotton harvest is conducted.”] and Paragraph 35 [“Nevertheless the monitors were in a position to note other issues relevant to the mandate of the ILO. Importantly, among these issues are the framework and various practices under which the entire cotton production is conducted. This pertains to the campaign and recruitment of the labor force to harvest the cotton, the potential and consequences of mechanization on the labor market, and the realization of fundamental rights of the workers, including the respect for the effective implementation of Convention No. 105.”]

<sup>9</sup> See The World Bank Inspection Panel, “Report and Recommendation: Republic of Uzbekistan- Second Rural Enterprise Support Project (P109126) and Additional Financing for Second Rural Enterprise Support Project (P126962), 9 December 2013, Paragraph 80 [“Nevertheless, it is the Panel’s view that as long as Bank financing is supporting in some measure cotton production and there is a residual possibility that there can be child/forced labor on farms receiving project support (since they do not allegedly have a choice of whether to accept child or forced labor), then it is plausible that the Project can contribute to perpetuating the harm of child and forced labor. The information reviewed by the Panel indicates that it cannot be ruled out that the project has and may still be supporting cotton production either directly or indirectly through the different project components, including the credit line, and that this production may be using labor practices of concern to the Requesters. While the Panel cannot make definitive findings on these linkages at this stage in its process, the Panel considers that there is a plausible link between the Project and the harms alleged in the Request, and that the Bank’s support through the Project may be contributing to a perpetuation of this alleged harm.”]

<sup>10</sup> Open Society Foundations, “Uzbekistan’s Cotton Sector – Financial Flows and Distribution of Resources,” 2014, publication forthcoming.