

Report to the International Labour Organization Committee of Experts on the Application of Conventions and Recommendations concerning the Government of Uzbekistan's Non-Compliance with ILO Convention No. 105 on Abolition of Forced Labour (ratified 1997)

25 August 2015

By the Cotton Campaign, a global coalition of human rights, labour, investor and business organizations dedicated to eradicating child labour and forced labour in cotton production.¹

Primary contact: Matthew Fischer-Daly, CottonCampaignCoordinator@gmail.com

1. Summary

State-sponsored forced labour in the cotton industry remains systematic and continuous. The government of Uzbekistan continues to force farmers to produce state-imposed, annual quotas of cotton and to operate an established infrastructure to coercively mobilise adults to pick cotton and prepare the cotton fields. Some officials continue to resort to forced child labour for the field work.

The Uzbek government has not implemented the legislative and policy measures purported to address forced labour which it has reported to international bodies. After a decade of global pressure, including Committee of Experts on the Application of Conventions and Recommendations (CEACR) Direct Requests and Observations under Convention No. 2015, in 2014 the Uzbek government did not forcibly and systematically mobilize children nationwide to harvest cotton. Yet the core of the state-orchestrated forced labour system remains unaltered.

In 2014, the Uzbek government once again forced farmers to deliver state-imposed, annual quotas of cotton and operated an established infrastructure to coercively mobilize more than a million people to work in the cotton fields. The government increased the use of forced adult labour to compensate for fewer children, which degraded education and health services and led to widespread extortion of individuals and businesses. Adults, including teachers, doctors, nurses, civil servant and private sector employees, were forced to pick cotton under threat of dismissal from work, or the loss of salary, pension and welfare benefits. Some government officials forced children to work in the fields, particularly in the later weeks of the 2014 cotton harvest, to meet quotas assigned by the central government, and during the 2015 cotton field weeding season. Furthermore, authorities suppressed any attempts by citizens to report on these abuses and continued to publicly deny the use of forced labour.

The Uzbek government's system of forced labour continues despite national legislation criminalising the practice, international commitments to eradicate the practice, including ratification of ILO Convention

¹ The Cotton Campaign coalition steering committee includes: Advocates for Public Interest Law (APIL, South Korea), AFL-CIO (USA), American Federation of Teachers (AFT, USA), Anti-Slavery International (UK), Association for Human Rights in Central Asia (AHRCA, France, Uzbekistan), Bank Information Center (BIC, USA), Calvert Investments (USA), Child Labor Coalition (CLC, USA), Human Rights Watch (HRW- Kyrgyzstan and USA), International Labor Rights Forum (ILRF USA), Mercy Investment Services Inc. (USA), Open Society Foundations (OSF- Belgium, UK, USA), Responsible Sourcing Network (RSN, USA), Solidarity Center (USA), Uniting Church in Australia Synod of Victoria and Tasmania (UCA, Australia), Uzbek-German Forum for Human Rights (UGF- Germany, Uzbekistan), Walk Free (Australia, UK).

No. 105 in 1997, and commitment to work with the ILO to apply labour conventions, including eradicating forced labour, under the Decent Work Country Programme-Uzbekistan.

2. The Legal and policy framework

Forced labour is prohibited by national law, including the Constitution of Uzbekistan and the Labour Code.² In response to international pressure, the Government of Uzbekistan has put in place a number of legislative and policy measures in recent years that are purported to address forced labour and child labour.

On April 25, 2014 the Government signed the Decent Work Country Programme with the ILO. Under the Programme, the Government committed to work with the ILO to improve application of ratified ILO Conventions, consider ratifying additional conventions, implement the National Action Plan for the application of child labour Conventions, and adopt effective measures to eradicate forced labour in the cotton industry, among other activities.

On May 27, 2014, the Uzbek government issued Decree No. 132 “On additional measures on implementation of conventions of International Labour Organization (ILO) ratified by Republic of Uzbekistan in 2014 – 2016.”³ In the decree, the government promised to conduct a statistical survey of child labour, monitor both forced and child labour, and create an action plan, yet it did not commit to a role for the ILO or another independent body for such activities and does not mention the cotton sector.⁴ In the decree, the government also commits to the “creation of institutional base for ensuring free employment of the cotton pickers by farmers through labour market institutes”⁵ but omits any indication of reforms of the financial infrastructure of the agriculture sector necessary to enable farmers the ability to accumulate sufficient income to hire labour.

Beginning with the 2012 harvest the government of Uzbekistan adopted a policy not to mobilize children younger than 16 on a mass scale.⁶ In 2013, the government extended this to first-year college students who are usually 16 years old, but continued the mass mobilization of second- and third-year students. In 2014 only third-year students were mobilized on a mass scale, including, in many cases, 17 year olds. Thousands of children were still sent to the fields in at least three regions in 2014, where local officials

² Relevant laws of Uzbekistan that prohibit forced and child labour include: The Constitution of the Republic of Uzbekistan, Art. 37, available at: <http://www.gov.uz/en/constitution/>, accessed May 10, 2014, the Law on the Protection of the Rights of the Child of the Republic of Uzbekistan, Art. 10., the Labor Code of the Republic of Uzbekistan, Art. 241., the Law on the Protection of the Rights of the Child, Art. 20, the Law on the State Youth Policy Framework of the Republic of Uzbekistan, Art. 8., and the law on the protection of the rights of the child, Art. 20.

³ Government of Uzbekistan, “Resolution of the Cabinet of Ministers 132 “On additional measures on implementation of conventions of International Labour Organization (ILO) ratified by Republic of Uzbekistan in 2014 – 2016,” Available in Uzbek at http://lex.uz/pages/getpage.aspx?lact_id=2396822 and in English at <http://www.cottoncampaign.org/wp-content/uploads/2014/11/UZ-Decree.pdf>.

⁴ Government of Uzbekistan, *Ibid*, at Section II.

⁵ Government of Uzbekistan, *Ibid*, at Section IV, Point 25.

⁶ “A Systemic Problem: State-Sponsored Forced Labor in Uzbekistan’s Cotton Sector Continues in 2012,” Uzbek-German Forum and Cotton Campaign, May 2013, available at: http://uzbekgermanforum.org/wp-content/uploads/2013/07/SystemicProblem-ForcedLabour_Uzbekistan_Cotton_Continues.pdf.

mobilized them in order to avoid stiff penalties for failing to meet production targets. Moreover these shifts did not signify systemic reform or a fundamental repudiation of or move away from forced labor. The coercive, administrative-command nature of the cotton production system did not change. Instead, as detailed herein in section 2.2, the government largely replaced child labor by shifting the labor burden, forcing university students, employees of state-funded organizations and agencies, and private businesses to pick cotton or contribute money in greater numbers in 2014 than in past years.

Meanwhile, the government steadfastly denies that it uses forced labour in its cotton production system, arguing in 2013 that people pick cotton under contract,⁷ and in 2014 that workers “are free to terminate their employment at any time.”⁸ But these arguments don’t withstand scrutiny. According to the ILO Committee of Experts,⁹ “under menace of penalty” should be understood broadly, covering “penal sanctions, as well as various forms of coercion, such as physical violence, psychological coercion, retention of identity documents, etc. The penalty here in question might also take the form of a loss of rights or privileges.”¹⁰ As stated in its Observation on Convention No. 105 in Uzbekistan to the 104th session of the International Labour Conference, the Committee of Experts clarified that even though a government may claim that work is part of a civic obligation and therefore exempted from the forced labor conventions, “these exceptions are limited to minor works or services performed in the direct interest of the population, and...work for purposes of economic development...is explicitly prohibited by the present Convention.”¹¹ Furthermore, the Committee noted the existence of a contract does not negate the possibility of forced labor, and that transfers of workers to tasks unrelated to their ordinary occupations raise a concern of contracts being used as a tool for compulsory labor.¹² Even in cases where

⁷ International Labor Organization (ILO), Report of the Committee of Experts on the Application of Conventions and Recommendations, ReportIII(1A)-2014-[NORME-140107-1]-En.docx, at page 172 (reviewing the Government of Uzbekistan’s implementation of the Forced Labor Convention 105), , at page 171, stating: “The Committee notes that the Government...states that workers called upon to participate in agricultural work are paid,” “that all the cotton produced in the country is grown by private farmers,” and “pickers are engaged through individual employment contracts, generally motivated by a desire to earn additional income.”

⁸ International Labor Organization (ILO), Report of the Committee of Experts on the Application of Conventions and Recommendations, ReportIII(1A)-2015-[NORME-141218-1]-En.docx, at page 175 (reviewing the Government of Uzbekistan’s implementation of the Forced Labor Convention 105), stating “The Committee notes the Government’s statement...that the recruitment of workers on a voluntary basis for work in the cotton harvest cannot be considered as forced labor, since workers are free to terminate their employment at any time, may a situation of coercion arise... that individuals engaged in cotton picking are usually motivated by the possibility of supplementing their income.”

⁹ The Committee of Experts on the Application of Conventions and Recommendations (CEACR) is an independent body composed of legal experts charged with examining the application of ILO Conventions and Recommendations by ILO member States. The annual report of the Committee of Experts covers numerous matters related to the application of ILO standards. The report of the Committee of Experts is also available at: www.ilo.org/global/standards/lang--en/index.htm.

¹⁰ International Labor Organization, “Giving Globalization a Human Face,” 2012, ILC.101/III/1B, Para 308 http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_174846.pdf, at paragraph 270.

¹¹ International Labor Organization (ILO), Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III(1A)-2015-[NORME-141218-1]-En.docx, at page 175 (reviewing the Government of Uzbekistan’s implementation of the Forced Labour Convention 105).

¹² International Labor Organization (ILO), Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III(1A)-2015-[NORME-141218-1]-En.docx, at page 175 (reviewing the Government of Uzbekistan’s implementation of the Forced Labor Convention 105), stating: “In this context, ‘voluntary offer’ refers to the freely given and informed consent of workers to enter into an employment relationship, as well as to

employment is originally the result of a freely concluded agreement, the right of workers to free choice of employment remains inalienable.”¹³ The Committee urged the government to “ensure the complete elimination of the use of compulsory labour of public and private sector workers, as well as students, in cotton farming.”

3. The Government of Uzbekistan continues to impose a state system of forced labour for the economic purpose of producing cotton.¹⁴

The Uzbek Government’s practice of compelling farmers to cultivate cotton and others citizens to harvest cotton through a centralized system of cotton production violates international law prohibiting forced or compulsory labour. Those who fail to comply with orders are punished. Controlling the production and sale through a network of government-owned “joint stock” companies, the government centrally manages cotton production for the purpose of accruing profits into the “Selkhozfond,” a secret fund housed in the Finance Ministry that is not included in national budgets and is not reported to the Oliy Majlis, the national parliament.¹⁵

3.1 The government of Uzbekistan uses coercion to mobilize farmers and their families to cultivate cotton for the centralized system of production; those who failed to comply with orders were punished.

In 2014, as it has every year, the Uzbek government assigned and enforced annual cotton production quotas with farmers and maintained its monopoly control over land ownership, agricultural inputs, purchases of raw cotton and sales of ginned cotton. If farmers failed to meet the government-mandated quota, they risked losing their lease to farm the land, criminal charges and physical abuse. Land confiscation is not the only form of punishment for farmers who do not fulfil cotton production quotas. Hokims, administrators of state institutions, the prosecutor’s office, and police use intimidation to enforce the quotas.

their freedom to leave their employment at any time, without fear of retaliation or loss of any privilege. In this regard, the Committee recalls, referring also to paragraph 271 of its 2012 General Survey on the fundamental Conventions, that, even in cases where employment is originally the result of a freely concluded agreement, the right of workers to free choice of employment, without being subject to the menace of any penalty, remains inalienable. Accordingly, while temporary transfers of employment might be inherent to certain professions and activities, the Committee considers that the application in practice of provisions, orders or regulations allowing for the systematic transfer of workers for the performance of activities which are unrelated to their ordinary occupations (e.g. the transfer of a health-care professional to perform agricultural work) should be carefully examined in order to ensure that such practice would not result in a contractual relationship based on the will of the parties turning into work by compulsion of law.”

¹³ Ibid and ILO, “Giving Globalization a Human Face,” Id. at ¶ 271.

¹⁴ The evidence presented herein was gathered by human rights defenders in Uzbekistan through interviews, observations, and review of government documents, unless footnoted otherwise. The human rights defenders have received training on monitoring and interview techniques by a social scientist and operate anonymously for their personal protection. Their reporting is frequently covered by independent news media outlets, such as those cited in this document.

¹⁵ Ilkhamov, Alisher and Muradov, Bakhodyr, “Uzbekistan’s Cotton Sector: Financial Flows and Distribution of Resources,” October 2014, <http://www.opensocietyfoundations.org/reports/uzbekistan-s-cotton-sector-financial-flows-and-distribution-resources>.

The government of Uzbekistan's practice of penalizing farmers was publicly established through an order from the Prime Minister, "Hokims, prosecutors and departments of internal affairs of districts must take under control those farms where cotton has not been picked and organize the final cotton harvest. In those cases where farms have not complied with contractual obligations, a schedule will be made to levy damages from them. Under the law, their land lease will be revoked."¹⁶

In 2014 the government imposed annual production quotas on farmers in the first quarter, and¹⁷ farmers in Karakalpakstan and the Andijan, Jizzak, Kashkadarya, Khorezm, Syrdarya and Tashkent regions reported that the authorities enforced the quotas with threats, beatings and public humiliation throughout the year.¹⁸ A farmer in Andijan explained, "If you do not fulfil the plan, the farmer's life turns into hell."¹⁹ A farmer in Tashkent said, "If you do not fulfil the plan, the land will be taken away."²⁰ A farmer in Kashkadarya asked, "When the hokim beats you with the prosecutor and police present, what can you do?"²¹ Another farmer reported "every evening reports are given at the headquarters. Who turned in how much [cotton]. And some were cursed and yelled at. And some were beaten on their backs with a stick."²² Farmers in Syrdarya said that the authorities open criminal cases against them to intimidate them into fulfilling the cotton quotas, and despite the risk of such actions, they plant non-cotton crops to support their families.²³ Another farmer from the Syrdarya region described what can happen to farmers who fail to meet production targets:

There are meetings, conference calls [with the prime minister], and nighttime gatherings without number. Every day at midnight or 3 a.m. there is a meeting. The district hokim, police, prosecutor, and a representative of the regional hokim all participate. If you haven't turned in your target amount to the cotton headquarters the prosecutor can take any action he wants against a farmer. If he wants he can beat him, yell at him, insult him, or if necessary lock him up for a day. Because if the plan isn't met the regional hokim will remove the prosecutor from his position. The farmer must put up with all of this. His only hope is for some profit from his vegetables. In my garden I have other crops. With the profit from my garden I want to pay for my son's wedding and my daughter's university tuition. Farmers only profit from selling their [vegetables]. We have no money left over from cotton. We just become debtors to the banks. In

¹⁶ Usman Sarwar, "Пахтакор боланинг ўлими учун ким жавобгар?," *Ozodlik.org*, 23 October 2009, available at <http://www.ozodlik.org/content/article/1859306.html>, last accessed 4 January 2013.

¹⁷ "How cotton is grown in Uzbekistan," *UzNews*, 21 March 2014, <http://www.uznews.net/en/economy/25583-how-cotton-is-grown-in-uzbekistan>; "Ҳазорасплик фермер МТПнинг тракторини ёқиб юборди," *Radio Ozodlik*, 12 July 2014, <http://www.ozodlik.org/content/article/25454714.html>. (In July, the district hokim punished Bakhtiyor Ruzimetov for not fulfilling the state-imposed quota for wheat by destroying the farmer's sunflower crop, and the frustrated farmer set fire to a tractor belonging to the district in protest.); "Little Thorn' in Jizzakh province protests against growing cotton" *UzNews*, 1 August 2014, <http://www.uznews.net/en/human-rights/27043-little-thorn-in-jizzah-province-protests-against-growing-cotton>. (In August, a district hokim of the Jizzak region, Jergash Gajbullaev, verbally abuses Gulchekhra Turaeva after she refused his orders to convert her farm from cattle to cotton.)

¹⁸ Uzbek-German Forum for Human Rights, field interviews, November 2014 - January 2015.

¹⁹ *Ibid*

²⁰ *Ibid*

²¹ *Ibid*

²² Uzbek-German Forum Interview with farmer (name withheld), Kashkadarya region, December 1, 2014.

²³ *Ibid*

*reality the government doesn't allow farmers to have [vegetable crops]. We have gardens secretly. The bosses know about this and if farmers don't meet the cotton plan they take away our gardens. There is nothing worse for a farmer. Even if they beat us, humiliate us, swear at us, or lock us up for a day, it is nothing in comparison.*²⁴

In Jizzak region, a district hokim verbally abused Gulchekhira Turaeva after she refused his orders to convert her farm from cattle to cotton.²⁵ In Khorezm region, a district hokim destroyed Bakhtiyor Ruzimetov's sunflower crop as punishment for not fulfilling his wheat quota, and the frustrated farmer set fire to a tractor belonging to the district in protest.²⁶ According to a farmer from Karakalpakstan, the pressure had increased in the last nine years.²⁷

On June 22, 2014 the farmer Kurbontoy Usmanov committed suicide, reportedly due to the stress of fulfilling cotton quotas.²⁸ On October 17, the authorities of the Khazarasp district of Khorezm region humiliated the farmer Habibullo Egamberdiev for not fulfilling his cotton quota, and their severity reportedly led the farmer to commit suicide.²⁹ On January 31, 2014 the farmer Dilshod Murodillaev committed suicide, and residents of Murodillaev's village, in the Kattakurgan Pakhtakor district of Samarkand region, reported that local officials had pressured the farmer throughout the year, threatening to reallocate his land for not fulfilling his cotton quota.³⁰ On July 2, 2015, a 29-year old farmer hanged himself after his mayor threatened to imprison him for not fulfilling state-assigned production quotas, in this case for wheat production.³¹

3.2 The government of Uzbekistan uses coercion to mobilize adults and children to harvest cotton and other fieldwork; those who fail to comply are penalized.

In the 2014 harvest and 2015 spring season, the government once again used coercion to forcibly mobilize its citizens to fulfil the national cotton production plan. Regional and local authorities imposed and enforced harvesting and fieldwork quotas on institutions in their areas. Heads of institutions, such as college and university directors, school principals, and heads of hospitals and clinics were tasked with ensuring students and/or staff picked enough and weeded enough area to meet the demands. They experienced tremendous pressure to meet institutional quotas or they risked humiliation, being berated, physical violence, or the loss of their jobs as well as financial liability for the amount of the shortfall.

²⁴ Uzbek-German Forum Interview with farmer (name withheld), Syrdarya region, November 16, 2014.

²⁵ "‘Little Thorn’ in Jizzakh province protests against growing cotton" *UzNews*, 1 August 2014, [http://www.uznews.net/en/human-rights/27043-little-thorn-in-jizzah-protests-against-growing-cotton](http://www.uznews.net/en/human-rights/27043-little-thorn-in-jizzah-province-protests-against-growing-cotton).

²⁶ "Хазорасплик фермер МТПнинг тракторини ёқиб юборди," *Radio Ozodlik*, 12 July 2014, <http://www.ozodlik.org/content/article/25454714.html>.

²⁷ Uzbek-German Forum for Human Rights, field interviews, November 2014 - January 2015.

²⁸ "Пахта режасини бажара олмаган самарқандлик фермер ўзини осди," *Radio Ozodlik*, 6 January 2015, <http://www.ozodlik.org/content/article/26779607.html>.

²⁹ "Хоразмда ҳокимлик йиғилишида ҳақоратланган фермер ўзини осди," *Ozodlik Radio*, 21 October 2014, <http://www.ozodlik.org/content/article/26648503.html>.

³⁰ "Пахта режасини бажара олмаган самарқандлик фермер ўзини осди," *Radio Ozodlik*, 6 January 2015, <http://www.ozodlik.org/content/article/26779607.html>.

³¹ "В Узбекистане оскорбления властей вынудили фермера покончить с собой," *Radio Ozodlik*, 4 July 2015, <http://www.ozodlik.org/content/article/27109836.html>

Therefore, heads of public institutions such as schools and hospitals were forced to take on the role not only of recruiting but also supervising forced labor. In turn they used threats, intimidation, and humiliation to force the staff or students under their control to go to the fields and meet harvest quotas. A teacher in the Syrdarya region said:

Of course there is a [cotton production] plan. On the basis of that plan, we set a quota for the [students] and demand it. Do we really gain from yelling at them, cursing them, and sometimes beating them, the students with unfulfilled quotas, seeing their tears? It's all done to fulfill that plan. The director answers for the plan with his head. As I said before, even if he has to buy the cotton he will meet the plan. Otherwise, he falls under the hand of the local and regional hokims, under their insults.³²

A student from Tashkent said that students who didn't harvest the required amount were "strongly reprimanded, even sometimes beaten. That's why we immediately bought cotton to make up the difference to meet the quota."³³ A teacher from Syrdarya confirmed

The hokim gives every college a specific quota. For example during the first part of the harvest, when only the third-year students were picking we were responsible for 12-15 tons of cotton. If we did not meet this we received a reprimand from the director. The director accounts to the hokim every day. I've heard that the hokims scolds, swears at, and can even kick those bosses whose institutions who don't meet the quota. That's why there's no messing around with this.³⁴

Workers from public institutions and private companies also had to meet daily picking quotas. At the beginning of the season, the harvesting quota for individuals ranged from 60 to 80 kilograms/day, declining to 50 kilograms in the middle of the harvest and 30-40 kilograms at the end, when little cotton remained in the fields. A student from Syrdarya region described the coercion used on students to enforce harvesting quotas:

The quotas are strictly enforced. To be honest, to increase the weight of the cotton we stuck wet leaves, dirt in there. If you want to harvest cleanly you won't meet the quota. Cotton is light after all. Everyone who fulfills the quota does this, there's no other way. If you want the quota—there's your quota! With students who don't harvest the quotas they talk to you "in a manly way." At first they warn you. If the violations increase, they have a "special talk." The teachers do this. But if things get to the next level, they give you to the fourth-year students. They deal with you. They take you into a circle. That means they yell at you, swear at you, and even beat you. They make you do hard labor. They don't let you sleep at night and "re-educate" you. They don't do this for themselves but on the instructors' orders.³⁵

Some students reported being forced to pay to make up their institution's unmet quota if they were bad pickers. A student in Jizzakh said, "at first we picked 60-70 kilos each. When they started withholding money [for poor quality] or under-weighing our cotton, many students started picking only for show.

³² Uzbek-German Forum interview with college teacher (name withheld), Syrdarya region, November 1, 2014.

³³ Uzbek-German Forum interview with institute student (name withheld), Tashkent, November 14, 2014.

³⁴ Uzbek-German Forum interview with college teacher (name withheld), Syrdarya region, October 31, 2014.

³⁵ Uzbek-German Forum interview with university student (name withheld), Syrdarya region, October 28, 2014.

Then the dean punished those who didn't meet the quota by making them pay to make up the difference.³⁶ In some other cases teachers said that the head of the institution made up the difference, although it was not clear where the money was from.³⁷

3.2.1 The government reduced forced child labor in the 2014 cotton harvest but failed to end it.

During the 2014 harvest the central government did not forcibly mobilize children to harvest cotton on a nationwide scale as it had in previous years.³⁸ However, in several regions, local government officials continued to use the education system to forcibly mobilize children, especially toward the later part of the harvest.

In Kashkadarya region, for example, schoolchildren in the 6th-9th grades harvested cotton on Fridays, Saturdays, and Sundays. In some cases, such as the Nishon district of Kashkadarya, children also picked cotton after school.³⁹ Beginning on October 15, local authorities in the Bukhara and Kashkadarya regions ordered schoolchildren from upper grades to pick cotton. In one case in the Syrdarya region, teachers stated that the order came from the *hokimiat* (local administration) that teachers must organize their classes to pick cotton during the school break from November 3-10.⁴⁰ A parent in the Jizzakh region reported to Radio Liberty that for two weeks all classes for 7th-9th grades had stopped and the children were in the fields picking cotton.⁴¹ A parent in the Samarkand region reported that school children were sent to the fields at the end of the harvest to gather any remaining cotton and that classes that had not picked 10 kilograms per child were not allowed to return to school.⁴²

The government took steps to urge officials to comply with the national law prohibiting child labor by not mobilizing first- and second-year students of colleges (high schools) and technical institutes, who are usually 16 and 17 years old. Nevertheless, 1st and 2nd year students were mobilized in a few cases. In the Karakul district of the Bukhara region, 1st and 2nd year students from eight colleges were sent to pick cotton beginning on October 12. Beginning on October 15 all colleges in five districts of Kashkadarya region sent 2nd year students to the harvest and several colleges also sent 1st students.⁴³ Moreover, the government forcibly mobilized third-year high-school students, typically age 18 but including 17 year olds, in every region for 30-43 days.⁴⁴

³⁶ Uzbek-German Forum interview with institute student (name withheld), Jizzakh region, November 19, 2014.

³⁷ Uzbek-German Forum interview with lyceum teacher (name withheld), Jizzakh region, November 15, 2014.

³⁸ In international law and Uzbek law, a child is a person under age 18. In Uzbekistan colleges, vocational institutes, and lyceums are secondary education institutions. First-year students are often 16 years old, 2nd year students are often 17 years old, and third year students are often 18, although some 3rd year students are only 17.

³⁹ Uzbek-German Forum for Human Rights, *Ibid*, Kashkadarya monitor's report.

⁴⁰ Uzbek-German Forum for Human Rights, *Ibid*, Syrdarya monitor's report.

⁴¹ "В Джизакской области Узбекистана школьники собирают хлопок уже 15 дней," Radio Liberty, November 4, 2014, available at: <http://www.profi-forex.org/novosti-mira/novosti-sng/uzbekistan/entry1008233418.html>.

⁴² "В Узбекистане школьники продолжают собирать хлопок," Radio Liberty, November 1, 2014, available at: <http://www.profi-forex.org/novosti-mira/novosti-sng/uzbekistan/entry1008233089.html>.

⁴³ Uzbek-German Forum for Human Rights, *Ibid*, Kashkadarya monitor's report. The five districts that sent 2nd year college students to the harvest are: Qasbi, Nishon, Mirishkor, Karshi, Koson. The Kashkadarya region is one of the highest producers of cotton in Uzbekistan, producing more than 400,000 tons per year.

⁴⁴ Uzbek-German Forum for Human Rights, *Ibid*.

Residents of the Shahrisabz district of Kashkadarya region reported that officials attempted to cover up the forced mobilization of children to pick cotton. A teacher in the district reported:

*And so in the beginning they said that children in the first and second year of college would not be sent to the harvest. They even made the students sign a form. But they were sent anyway. No one said anything. They [officials] created a document as if they aren't going to use children. They even made children sign documents that they wouldn't pick cotton after school. It was a simple cover-up. In reality they sent them. The 7th-9th grades picked cotton for our farmers.*⁴⁵

Another woman said, “There was a rumor that this year children would not be sent to the cotton fields. They even made the children sign agreements that they would not pick cotton. They made all classes sign them; even my daughter in third grade signed a statement. But they sent [children] to the harvest anyway.”⁴⁶

In the Yakkobog district of Kashkadarya region, a woman reported that her two children, in 5th grade and 8th grade, were forced to harvest cotton starting around September 20, and that few classes were held during the cotton harvest.⁴⁷ A pupil in the same region reported that he and other children in his school from the 6th-9th grades were sent to the cotton fields daily after just two hours of class and on the weekends, “at first it was just Fridays and Saturdays. After that classes nearly stopped altogether. It was like that until holidays began on November 1.”⁴⁸ A mother of two school children who were forced to harvest cotton in the Kashkadarya region said school essentially stopped during the harvest season:

At first they said [the children would only pick] on Fridays and Saturdays. They had classes for two hours and then were taken to the fields. Probably around October 10, they started taking them to the cotton and held no classes. And the classes stopped in school. There were no concrete classes. But before [the children were sent to pick cotton] there were no classes, and the children were playing in the street because half the teachers were taken to pick cotton overnight and the other half was sent for daily picking work. I would ask ‘isn't there school today?’ And they would say ‘our teacher is picking cotton.’”⁴⁹

Beginning on October 15, local authorities in the Bukhara and Kashkadarya regions ordered schoolchildren from upper grades to pick cotton. In one case in the Syrdarya region, teachers stated that the order came from the hokimiat (local administration) that teachers must go to pick cotton during the school break from November 3-10 and must organize their classes to pick cotton during this time as well.⁵⁰ A parent in the Jizzakh region reported to Radio Liberty that for two weeks all classes for 7th-9th

⁴⁵ Uzbek-German Forum interview with teacher (name withheld), Kashkadarya region, November 22, 2014

⁴⁶ Uzbek-German Forum interview with parent (name withheld), Kashkadarya region, November 20, 2014.

⁴⁷ Uzbek-German Forum interview with parent (name withheld), Kashkadarya region, November 15, 2014.

⁴⁸ Uzbek-German Forum interview with seventh-grade pupil (name withheld), Kashkadarya region, November 16, 2014.

⁴⁹ Uzbek-German Forum interview with parent (name withheld), Kashkadarya region, November 15, 2014.

⁵⁰ Uzbek-German Forum Syrdarya monitor's report, 2014.

grades had stopped and the children were in the fields picking cotton.⁵¹ A parent in the Samarkand region reported that school children were sent to the fields at the end of the harvest to gather any remaining cotton and that classes that had not picked 10 kilograms per child were not allowed to return to school.⁵²

Across the country, the government forcibly mobilized third-year students, including 17-year old children, to pick cotton in 2014, typically for 30-45 days. Approximately 8% on average of all third-year students were younger than age 18, although in some regions, such as Bukhara, the number of 17-year olds in the third year was much higher, according to a review by the Uzbek-German Forum for Human Rights.⁵³ If this percentage is valid nationwide, that would mean that approximately 40,000 17-year olds were systematically and forcibly mobilized for the cotton harvest in 2014. A father in the Tashkent region told us “My daughter [name withheld] went to the harvest. She’s a third-year student at the technical college. She should not have been in the fields. She’s 17. And this year they were only supposed to take those who are already 18.”⁵⁴

A teacher in Syrdarya said

*This year the cotton [harvest] began on September 7. In a departure from previous years, this year only third-year students were supposed to participate in the harvest. Before the harvest our [college] director told us that only the third-years would participate [in the harvest] and that students younger than 18 were forbidden. And therefore, at first only the third-years went to the fields. If you’ve heard, Bayavut is the most productive cotton growing region. So as not to lose time and to harvest our national wealth [cotton] on time, first- and second-year students came to help. They were only in classes for just a few days. For third-year students classes stopped entirely. For first- and second-years classes didn’t stop completely. The harvest ended on October 24. Students returned to class and teachers to their work.*⁵⁵

One teacher noted that at his college, officials checked students’ ages in their passports and did not mobilize third-year students who had not reached 18, indicating that compliance is possible and underscoring the need for the government to make clear that there is accountability under the law.⁵⁶

The government did take steps to avoid mobilizing first- and second-year students of colleges and lyceums, who are usually 16 and 17 years old. Nevertheless, in a few areas our observers recorded cases in which first- and second-year students were mobilized. In the Karakul district of the Bukhara region, first- and second- year students from eight colleges were sent to pick cotton beginning on October 12. Beginning on October 15 all colleges in five districts of Kashkadarya region sent second-year students to

⁵¹ “В Джизакской области Узбекистана школьники собирают хлопок уже 15 дней,” Radio Ozodlik, November 4, 2014, available at: www.profi-forex.org/novosti-mira/novosti-sng/uzbekistan/entry1008233418.html.

⁵² “В Узбекистане школьники продолжают собирать хлопок,”

Radio Ozodlik, November 1, 2014, available at: <http://www.profi-forex.org/novosti-mira/novosti-sng/uzbekistan/entry1008233089.html>.

⁵³ Uzbek-German Forum for Human Rights, “The Government’s Riches, the People’s Burden: Human Rights Violations in Uzbekistan’s 2014 Cotton Harvest,” March 2015, at page 20, researchers reviewed more than 10 college registration journals where students’ names and ages are recorded in six different regions and surveyed eight college teachers about the ages of their third-year students.

⁵⁴ Uzbek-German Forum interview with parent (name withheld), Tashkent region, November 18, 2014.

⁵⁵ Uzbek-German Forum interview with college teacher (name withheld), Syrdarya region, October 31, 2014.

⁵⁶ Uzbek-German Forum interview with college teacher, Tashkent region, November 22, 2014.

the harvest, and several colleges also sent first-year students.⁵⁷ Several colleges in the Zarbdor district of Jizzakh region also sent students in the first- through third-years to harvest cotton. For example, students of the Zarbdor Industrial Professional Technical College picked cotton for one month instead of attending class.⁵⁸

These cases indicate that the government of Uzbekistan did not reform the policies that drive child labor in the cotton sector of the country. Nor did the government make it clear to local officials that child labor would not be tolerated or task them with enforcing laws prohibiting child labor. Rather, local officials' actions clearly indicate that they believe the central authorities still care more about their fulfilling cotton quotas than about their adherence to the ban on the use of child labor. This belief is likely based in the officials' observations over two decades that officials risk losing their jobs for underperforming on their cotton production orders but not for directing forced and child labor. As long as the coercive production system, including penalty-enforced quotas, remains in place, children remain at risk of forced labor. One woman forcibly mobilized to harvest cotton by her local mahalla committee picked cotton next to children and observed

The farmer doesn't send [the children] home. They are ordered to the fields from above. And that's why the farmer doesn't say anything to them. They are sent to the fields to gather the leftover [cotton] after the adults. It's beneficial to the farmer. He sends them to the field where adults were picking the day before and tells them to gather [the remainder].⁵⁹

Therefore, in 2014 the central authorities remained complicit in the forced mobilization of child labor in many parts of the country.

3.2.2 The government of Uzbekistan increased forced labor of adults, apparently to compensate for fewer children in the 2014 cotton harvest.

In 2014, the government systematically forced adult workers to pick cotton across the country and on a mass scale. People were forced to pick cotton under threat of penalty such as loss of social benefits payments, loss of employment, loss of utilities and other public services, social exclusion, fines, administrative harassment, and criminal prosecution.

For example, on August 28, 2014 the mayor of Tashkent issued an order for the “mass mobilization of workers” from the capital to pick cotton in the Jizzakh and Syrdarya regions. The order set in motion Tashkent’s contribution to the national plan for the cotton harvest, which was laid down by the Cabinet of Ministers in July. With the directive, the Tashkent mayor assigned tasks to all levels of the city

⁵⁷ Uzbek-German Forum Kashkadarya monitor’s report, October 2014. Districts in the Kashkadarya that sent second-year college students to the harvest include: Qasbi , Nishon , Mirishkor , Karshi, Koson. The Kashkaradya region is one of the highest producers of cotton in Uzbekistan, producing more than 400,000 tons per year.

⁵⁸ Uzbek-German Forum Jizzakh region monitor’s report, October 24, 2014.

⁵⁹ Uzbek-German Forum interview with mahalla resident (name withheld), Kashkadarya region, November 22, 2014.

government, including law enforcement, the department of health, deputy mayors, and mahalla (neighborhood) councils, for the mass mobilization and transport of workers from the capital.⁶⁰

The observed increase in forced labor of adults was apparently to compensate for reduced numbers of children forced to pick cotton. In past years, public organizations were required to send up to 16% of their entire staff to pick cotton. The percentage of staff members required to pick cotton increased significantly in 2014, with public organizations obligated to provide as much as 30-60% of their personnel for the duration of the harvest. In some cases, organizations provided up to 80% of their staff. Public-sector employees who did not want to or could not pick cotton were forced to pay for replacement workers.

Teachers reported that they were forced to work the 2014 harvest in greater numbers than ever before. In schools across the country, significant numbers of teachers were absent from classrooms at any given time, leaving schools severely understaffed and unable to conduct normal classes. In just one example, 70 teachers normally work at School No. 31 in the Uchtepa district of the Jizzakh region, but during the harvest 60 teachers were forced to pick cotton, leaving only 10 teachers for 800 pupils.⁶¹ As a result, while most children nominally remained in school, the state's harvest policies left many schools effectively shuttered or functioning at significantly reduced levels. Teachers who remained behind were teaching double loads with no additional compensation to cover for their colleagues who were in the fields. Schools that were able to function more or less normally during the harvest only did so because teachers paid their way out of the harvest—often at the cost of an entire month's salary—so that they could stay behind and teach. Teachers were also forced to make other contributions, by picking cotton in their own districts on weekends or after school, and making payments to cover transportation and other expenses for teachers sent far away to harvest or to help the school meet its quota. This abusive system amounts to public sector workers and especially teachers, who are generally among the lowest paid professionals, directly subsidizing the cost of picking cotton, a crop which produces enormous revenues for the government and government-controlled monopolies. One teacher described the paradox of taking teachers out of school even as steps were taken to keep children from the fields.

My place is in school. I studied to become a teacher. While I was stuck in the fields my lessons weren't being taught meaningfully. It's bad for me. I'm in the field, and the children aren't learning. Teachers should have been left in peace a long time ago. If they've stopped sending children to pick cotton then they should be taught during the school year. If all the teachers who were on the list for cotton shifts had gone to the fields then school would have stopped altogether. The children only study more or less because the majority of teachers [in our school] paid their way out and are working. Only for that reason. But it's apparently done this way on purpose.⁶²

In addition to teachers, the Uzbek government forced healthcare workers to participate in the 2014 cotton harvest in greater numbers than in previous years. For example, in early September, local authorities ordered 42% of all healthcare workers from the Angren district of Tashkent region to pick cotton in three shifts (the first two lasting 25 days and the third lasting until the end of the harvest), as compared to 30-

⁶⁰ See the Tashkent mayor's August 2014 directive at Uzbek-German Forum for Human Rights, *Ibid*, Annex, pages 12-13.

⁶¹ Uzbek-German Forum Jizzakh monitor's report, October 2014.

⁶² Uzbek-German Forum interview with teacher (name withheld), Tashkent region, November 23, 2014.

35% last year.⁶³ Monitors documented similar findings in all regions where we conducted research. A nurse in Tashkent reported that more than 35% of all hospital staff went to pick cotton in two shifts of 25 days each with additional staff paying their way out of the harvest or forcibly mobilized for a third shift.⁶⁴

Several healthcare workers reported that medical workers were especially vulnerable to forced mobilization and extortion because, despite relatively low salaries in healthcare, it is very difficult for qualified doctors and nurses to get jobs. Uzbekistan has a large number of people with medical degrees seeking work, and many of them have reported that it is only possible to get a job by paying a bribe. Medical workers do not dare refuse cotton work or payments for fear of losing their jobs.⁶⁵ In mid-September the obstetrics hospital in Tashkent was supposed to send 50% of its staff, of which 60-70% paid for replacement workers. Replacement workers were required to give copies of their passports and contact information to the medical workers who hired them, so they could ensure replacement workers completed their harvest work. Medical workers who failed to complete their picking assignment or whose replacement workers left the job were considered to have unexcused absences from work, grounds for dismissal.⁶⁶

Some healthcare workers reported that many doctors chose to buy their way out of the harvest but, due to their lower salaries, most nurses, orderlies, and technicians could not afford to pay for replacements and were sent for long shifts to pick cotton. The doctors who paid not to be sent to the fields were often still mobilized to pick cotton on weekends.⁶⁷ A nurse in the Tashkent region who picked cotton for a 25-day shift said that more than 40% of all medical staff in her laboratory was assigned cotton shifts at any one time, and nearly all staff either worked or paid during the harvest. She said that some doctors had paid their way out but wondered

*what would happen if all the [medical workers] who are supposed to pick cotton at one time actually did [instead of buying their way out]? The epidemiological center would not be able to do its work for two months. I don't know what they are thinking when they send everyone out at this time of year to pick cotton. Who will do laboratory analyses? Inspections? We do a lot of preventative work. In addition, we have an outbreak of hepatitis every autumn. Every autumn. And that's just hepatitis.*⁶⁸

Numerous doctors and other health care workers reported that their local health clinics or hospitals had to operate at significantly reduced levels during the harvest. A nurse in Karakalpakstan who worked a 25-day shift picking cotton said that at her clinic “There weren’t enough doctors and nurses. [Those left] had to work double, and patients often had no one to attend to them.”⁶⁹ Another nurse said “we couldn’t give enough attention to every patient. There weren’t enough doctors on call. Some doctors had to work several shifts per week for the same pay.”⁷⁰

⁶³ Uzbek-German Forum Tashkent region monitor’s report, September 13, 2014.

⁶⁴ Uzbek-German Forum interview with nurse (name withheld), Tashkent, November 13, 2014.

⁶⁵ Uzbek-German Forum interviews with nurse (name withheld) Tashkent region, November 17, 2014.

⁶⁶ Uzbek-German Forum Tashkent region monitor’s report, September 9, 2014.

⁶⁷ Uzbek-German Forum interview with dentist (name withheld), Tashkent region, November 14, 2014.

⁶⁸ Uzbek-German Forum interview with nurse (name withheld), Tashkent region, November 17, 2014.

⁶⁹ Uzbek-German Forum interview with dentist (name withheld), Karakalpakstan, November 6, 2014.

⁷⁰ Uzbek-German Forum interview with nurse (name withheld), Tashkent, November 13, 2014.

One medical clinic in the Khorezm region normally staffed with two doctors and 13 nurses had to operate with only one doctor and one nurse for the duration of the harvest as the rest of the employees were forced to pick cotton.⁷¹ Village medical clinics in some regions were forced to close temporarily during the harvest. In another example from the Khorezm region, a grandfather reported finding no doctors at the district hospital to treat his grandson and instead, only a sign reading: “All at the cotton harvest.”⁷² One rural doctor commented,

*The harvest negatively affects [our clinic].... One or two doctors are left. Are the abilities of just two people enough to do everything? For example, we are always going out on house calls to different patients, elderly people. A couple of times a week we visit them, check their conditions, measure their blood pressure, give injections. When we're at the harvest, no one does this. Our patients are left without care. If something happens, they're brought to the hospital, but there are also few people there. Half of them are at the harvest. If they call an ambulance, it doesn't come—they are told you need to get here yourselves, we have no gasoline. [The cotton harvest] very negatively affects our work.*⁷³

Local police and representatives from *mahalla* (neighborhood) committees used pressure and threats to conduct broad forced recruitment of people in their districts, including pensioners, people with health problems, and single mothers. In particular, they threatened that people would face consequences such as the loss of their maternity, child, or other social payments if they refused to pick cotton. Monitors discovered cases in which the authorities did not make exceptions for breastfeeding mothers or people caring for young children or the elderly. The breastfeeding mother of an infant told Radio Liberty that she either had to take her baby to the cotton fields or pay for a worker to replace her under threat of losing her maternity benefits.⁷⁴ A nurse in Andijan was forced to flee the cotton fields after permission to leave was refused so she could care for her two-year old son who was seriously ill.⁷⁵ In the Jizzakh region, even people visiting from other regions were forced to harvest cotton. One person told Radio Liberty, “Recently my brothers-in-law came to visit us from Samarkand. They were taken on a bus from the street and made to pick 40 kilos of cotton.”⁷⁶ A local human rights group reported that *mahalla* committee representatives in the Andijan region attempted to force a blind man to pick cotton.⁷⁷

3.2.3 The Uzbek government continued its forced labour system in 2015, starting with the preparation of cotton fields for sowing⁷⁸

⁷¹ “Хоразмда тиббиётчилар оммавий равишда пахтага ҳайдалди,” [In Khorezm all medical staff sent en masse to the cotton harvest] Radio Ozodlik, September 7, 2014, available at:

<http://www.ozodlik.org/content/article/26571023.html>

⁷² *Ibid.*

⁷³ Uzbek-German Forum interview with doctor (name withheld), Shahrisabz region, November 2014.

⁷⁴ “Хоразмда тиббиётчилар оммавий равишда пахтага ҳайдалди,” Radio Liberty, September 7, 2014, available at: <http://www.ozodlik.org/content/article/26571023.html>.

⁷⁵ Uzbek-German Forum for Human Rights, *Ibid.*, Andijan monitor’s report, (2 November).

⁷⁶ Uzbek-German Forum for Human Rights, *Ibid.*, Materials for final report email (29 October).

⁷⁷ Uzbek-German Forum for Human Rights, *Ibid.*, Alliance email, Andijan region, 4 November 2014.

⁷⁸ From April – July 2015 the the Uzbek-German Forum for Human Rights (UGF) monitored labor practices in six regions of Uzbekistan throughout the spring. UGF monitors received extensive training on research methodology by an expert in labor law. Throughout the spring, they visited the cotton fields, photographed the mobilization of

The government of Uzbekistan began a mass forced mobilization to weed cotton fields on May 10. Authorities of the central government in Tashkent ordered regional and local authorities throughout the country to organize field workers in their territories. The government forced teachers, medical workers and other public-sector workers as well as university students and children to toil in the cotton fields throughout the country.

Citizens forced to participate reported the government communicated instructions down the chain without official written orders. Authorities assigned specific cotton fields to each organization, with the orders to clear weeds and prep the field for cotton cultivation. Administrators of each institution either sent its own employees or collected money from its employees to hire outside workers to clear the assigned fields. A Ministry of Education employee admitted that local authorities oblige teachers to work in the fields. The employee said the ministry is against the exploitation of teachers, but it occurs on the orders of local authorities. He added that local authorities consider teachers as free labor. According to the Education Ministry employee, the hokims and their deputies are responsible. "The Ministry is unable to influence the situation, because local authorities are ordered to perform certain community service by the Cabinet of Ministers," he said.

The teachers, nurses and other public-sector workers forced to work did so out of fear of losing their jobs. They did not receive payment for the 8-hour days weeding the cotton fields, but continued to receive their salaries as public-sector workers. They reported that fear of losing their jobs motivates them to obey orders. Meanwhile, employees who remained at the public-sector institutions were forced to take on double workloads with no additional compensation.

Farmers explained that they could not have paid the workers even if they were allowed to do so. They cannot withdraw cash from their bank accounts, which are controlled by the Finance Ministry, and many are unable to hire workers due to the debts incurred to fulfill their state-assigned annual cotton quotas.

Authorities forcibly mobilized children to weed cotton fields in the in the Zarbdor district of Jizzak region, starting in mid-May. School No. 25 sent 9th-grade students (ages 14-16) to clear the fields, on orders from the head of the district office of the Education Ministry, Bakhtiyor Elmurodova.

The community lost 15-year old Ulugbek Iskhakov, a member of school No. 25's 9th-grade class. The school sent 25 students, including Ulugbek, to work on the farm "Rakhmon Niyati" on May 19. The students swam in canal No. 2, a main irrigation canal, during lunchtime. After Ulugbek began to drown, his classmates pulled him from the water, and he was taken to the hospital. He died shortly thereafter.

The Office of the Prosecutor General has since opened a criminal case and arrested the director and the 9th-grade class teacher of the school. Radio Ozodlik tried to contact the Mr. Elmurodova, head of the Zarbdor district office of the Education Ministry, but he refused to comment on the events and fatal accident. Another staff person at the school confirmed the course of events to Radio Ozodlik and added

citizens to the cotton fields and have conducted 30 interviews in different locations with representatives of different professions and organizations.

that local authorities have ordered school staff and the child's mother to not speak about the incident to anyone.

In Karakalpakstan, officials sent nearly half of its teachers and hospital staff to clear cotton fields. Authorities forced nearly half of all college teachers, staff of the Central Hospital in Huzhayli district and university students to clear the cotton fields of weeds. The mass mobilization began May 12.

College administrators sent up to 50% of all teachers to conduct the field work, in 15-day shifts. For example, colleges in Nukus sent the first shifts of teachers on May 12, and 15 days later another group replaced them. After receiving orders to send 100 people to weed the cotton fields, the Nukus College of Art and Culture sent 91 teachers. The college administrators gave teachers the option of paying 300,000 sums (\$60) for an exemption from the field work.

The Medical College of Huzhayli district sent 60% of its employees to weed the cotton fields, in 10-day shifts. Its administrators also charged 20,000 sums per day (\$4) for an exemption from the field work.

The Karakalpak State University sent 3rd-year students to weed cotton fields in the Turtkul, Ellikkala, Beruni and Amudarya districts of Karakalpakstan, starting in mid-May. Students reported, "We are working in the cotton fields in 35-40 degree heat." The Turtkul, Ellikkala and Beruni districts are also locations of the World Bank South Karakalpakstan project.⁷⁹ The State Pedagogical University in Nukus sent 30 students to work in the cotton fields this spring. The students worked on the farm "Berdak" and slept overnight in the homes of residents near the farm.

The government ordered hospitals and medical clinics to contribute to the field work in May as well. The City Hospital Tuberculosis Center in Nukus sent 50% of its staff to weed the cotton fields. Administrators offered exemptions from the field work for 30,000 sums per day (\$6). The administrators of the Beruniy city sanitary and epidemiological station sent employees to the cotton fields every day starting May 12. The Central Hospital in Huzhayli district sent nearly half of its staff to the fields throughout the month, and its administrators charged 10,000 sums per day (\$2).

In Kashkadarya, colleges and universities in Kashkadarya sent staff and students to pull weeds from the cotton fields. The authorities in Kasan district sent college teachers to work in the cotton fields starting May 7. The teachers reported that they were organized into groups of 10-15 teachers each day, and each teacher worked in the fields 1-2 days per week. Administrators of the medical colleges of Shakhrisabz sent students and teachers to the fields starting May 12, and they worked each day until lunchtime. The State University of Karshi sent its students to the cotton fields beginning May 18.

In Samarkand, officials forced secondary and college teachers to the cotton fields. The authorities in Kattakurgan district, Samarkand region forced teachers from the secondary schools and colleges to pull weeds from the cotton fields starting May 5. Teachers from a secondary school in the district reported that

⁷⁹ World Bank, "Restructuring Paper on a Proposed Project Restructuring of South Karakalpakstan Water Resources Management Improvement Project," April 7, 2015, http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/IB/2015/04/09/000442464_20150409092322/Rend/ered/PDF/RES187860PJPR00BLIC00Box391423B0ACS.pdf, page 14.

each school was ordered to send 15 teachers each day to the cotton fields. "We were warned that those who will not work (weeding) will be dismissed," said the teacher in an interview with Radio Ozodlik.

In Tashkent region, officials forcibly mobilized public-sector workers from schools, medical clinics and state-owned enterprises to pull weeds from the cotton fields this May.

Administrators of school No. 1 in Buki ordered 10-12 employees to work in the cotton fields each day. The school maintenance staff bore the brunt of the burden. Instead of working at the schools, the school staff reported to the city administration office (hokimiyat), from which they were sent to the fields on buses.

Officials in Urta- Chirchik district ordered kindergarten No. 48 to contribute, and the kindergarten administrators sent 27 workers to the cotton fields, starting May 10. One of the teachers noted that the children received less support from the kindergarten without the teachers.

Authorities in Buka district mobilized college teachers to the cotton fields starting May 11. The college administrators ordered staff to the fields in shifts of 10 persons, leaving only 30 staff in the classrooms. The teachers reported each morning to the city administration office (hokimiyat) and worked in the cotton fields until 17:00.

In Almalyk city, the principle of school No. 19 Kodirova S. ordered the teachers to clear the cotton fields in the Pskentky area, starting May 12. The principle sent 8 of the total 60 teachers to the fields each day and offered exemptions from the field work for 20,000 sums per day (\$4).

The Chirchik city mayor (hokim) Furkat Hamidullaeva ordered public sector workers to report to the city administration office (hokimiyat) on May 12, to be transported to the cotton fields. On May 21, school teachers from schools № 10, №5, № 12, № 23 and №8, college teachers and medical workers were all required to again report for field work. The teachers reported they obliged the city's orders for fear of losing their jobs.

The government assigned 20 hectares of cotton fields for clearing to the Sanitary-Epidemiological Station (SES) of the city of Angren. Nearly the entire SES staff of 250 people opted to pay 15,000 sums (\$3) for exemptions instead of pulling weeds from the cotton fields. According to one of the SES employees, the national head of the SES ordered all SES facilities in the country to contribute to the cotton weeding this May.

Administrators of the medical clinics of Angren city announced orders to pull weeds from the cotton fields at a general meeting on May 10. The city mayor (hakim) and head physicians of the clinics attended, and a personal acquaintance of the mayor delivered the announcement. They informed the medical workers of the clinics that they were required to work 10-day shifts or contribute 10,000 sums (\$2). Nearly everyone paid for the exemption.

The administrators of the central medical clinic in Buka ordered workers to the cotton fields on May 10, adding that refusal would lead to dismissal from their jobs. Fearing the loss of their jobs, the medical

workers showed up at 7 in the morning at the district government office (hokimiyat), and from there the authorities sent them on buses to the cotton fields. The medical workers cleared weeds from the fields until the evening, when buses took them back to Buka. Of the clinic's staff of 120 employees, only 50 remained to run the clinic. Similarly, the children's medical clinic sent 30 of its 40 total employees to the cotton fields this May.

The administrators of an oil storage facility required its entire workforce of 700 to contribute. Only 10 staff pulled weeds from the cotton fields. The rest paid 10,000 sums each (\$2) for exemptions from the field work.

3.3 The government of Uzbekistan failed to reform policies that drive forced labor, repressed citizens' attempts to document forced labor, and steadfastly denied its use of forced labor in 2014 and first half of 2015

3.3.1 The government's direct total control of the cotton sector sustains a system of patronage, is the root cause of forced labor and remained unaltered in 2014 and first half of 2015.

Forced labor in the cotton sector in Uzbekistan is “government-compelled”⁸⁰ and results directly from government “policies in the cotton sector, which mandate harvest quotas and cause local administrators to organize and impose forced labor on children and adults.”⁸¹ These analyses of forced labor in the cotton sector in Uzbekistan continue to apply to the situation in 2014 and first half of 2015, when the Uzbek government continued a state-order system of cotton production underpinned by forced labor to earn income that disappears into a secret fund in the Finance Ministry and sustains a patronage system.

In the first quarter of each year, the President, Prime Minister, Ministers of Agriculture and Water Resources, the Economy, Finance, Foreign Economic Relations, and Investments and Trade and representatives from Khlopkoprom⁸² set the national production target; the Prime Minister issued quotas to the regional hokims, and Khlopkoprom issued quotas to farmers via annual procurement contracts. From quota setting through the harvest, the regional hokims convened farmers to oversee progress towards the fulfillment of procurement quotas, with the support of district-level officials, the police, prosecutor general and occasionally the Prime Minister. The oversight system is known as “cotton collection headquarters,”⁸³ and convenes by some estimates 200 meetings each year,⁸⁴ These meetings are often the occasion of verbal and physical abuse of farmers by hokims.⁸⁵

⁸⁰ United States Department of State, “Uzbekistan 2013 Human Rights Report,” page 35, <http://www.state.gov/documents/organization/220622.pdf> (last accessed 15 January 2015).

⁸¹ United States Department of Labor, “2013 Findings on the Worst Forms of Child Labor: Uzbekistan,” <http://www.dol.gov/ilab/reports/child-labor/uzbekistan.htm> (last accessed 15 January 2015).

⁸² Khlopkoprom (also known as Uzhlopkoprom or Uzpakhtasanoat in Uzbek) is the state-controlled association responsible for procurement of raw cotton and ginning. Its regional divisions interact directly with farmers, including by obtaining farmers signatures on land leases and annual contracts for the delivery of cotton quotas.

⁸³ Uzbek-German Forum for Human Rights, “Cotton, It's not a plant – It's Politics,” 2012, <http://uzbekgermanforum.org/wp-content/uploads/2012/12/cotton-its-not-a-plant-its-politics-online.pdf>.

⁸⁴ Hornidge and Shtaltovna, *Ibid*, page 23.

⁸⁵ Farmer, interviewed for report, anonymous for personal security. Personal Interview by Matthew Fischer-Daly, 26 September 2012.

In 2014 and first half of 2015, regional governors were again held responsible for ensuring enough labour was available for cotton field work. They directed district and local authorities in their regions to implement labour recruitment plans. In April and May of 2014, authorities forced teachers in the Bukhara and Tashkent region, private businessmen, mahalla (community) committees, and students in Karakalpakstan to weed cotton fields or pay a fee, purportedly for the hiring of a day labourer to do the work in their place.⁸⁶ As reported in the previous section, the local authorities used forced labour to weed the cotton fields again in the spring of 2015. Leading up to the 2014 harvest, colleges and lyceums in Tashkent and other cities required parents to sign an agreement that their children will conduct agricultural work during the school year, as a condition for enrolment.⁸⁷ In August 2014, authorities across the country ordered teachers to sign up for shifts to pick cotton. In Fergana region, the authorities ordered the teachers to sign up or resign.⁸⁸ Officials also issued orders to other public institutions to organize staff to work in the cotton harvest, such as the Tashkent mayor's directive, noted above. Starting September 8, 2014 the government mobilized adults en masse to harvest cotton throughout the country.

In August in 2014 and 2015, the government communicated the annual procurement price for cotton to farmers. The price was set by the Finance Ministry, and was below the government's estimate of production costs, thereby making the mass use of forced labor the only way the cotton crop could be harvested.⁸⁹ Under their lease contracts, farmers were, as in previous years, obligated to sell their cotton to one of the 127 state-controlled gins of the association Khlopkoprom or the 18 gins of the Ministry of Agriculture and Water Resources. All cotton exports and domestic sales in Uzbekistan remained under centralized state control, sold through the three government-owned trading companies - *Uzprommashimpex*, *Uzmarkazimpex*, and *Uzinterimpex*. In October 2014, the government announced cotton sales of over \$1 billion.⁹⁰ And once again, the income from cotton sales in 2014 disappeared into the extra-budgetary "Selkhozfond (Agricultural Fund)," housed in the Ministry of Finance, to which only the highest level government officials have access and knowledge of its use.⁹¹ In 2015, the government has not indicated any change to its monopoly of sales.

3.3.2 As an essential element of its coercive system of cotton production, the government of Uzbekistan continued to repress the rights of citizens reporting on forced labor in 2014 and the first half of 2015.

The government of Uzbekistan's use of forced labour to produce cotton is supported by its denial of fundamental rights of association, freedom of press, and due process enable its use of forced labour to

⁸⁶ *Chronicle of Forced Labour of Children and Adults in Uzbekistan, Issue 1*, Uzbek-German Forum for Human Rights, 15 May 2014, http://uzbekgermanforum.org/wp-content/uploads/2014/05/Chronicle-2014_Issue1-May-193.pdf.

⁸⁷ See an example agreement form in *Chronicle of Forced Labour of Children and Adults in Uzbekistan, Issue 2*, Uzbek-German Forum for Human Rights, 18 August 2014, http://uzbekgermanforum.org/wp-content/uploads/2014/08/Chronicle-2_2014.pdf.

⁸⁸ "Fergana Valley teachers prepare for the cotton harvest," *UzNews*, 12 August 2014, <http://www.uznews.net/en/economy/27160-fergana-valley-teachers-prepare-for-the-cotton-harvest>.

⁸⁹ Ilkhamov and Muradov, 2014, *Ibid*, pages 20-23.

⁹⁰ "On Uzbek Cotton Fair vystyavyat for sale cotton on more than \$ 1 billion," *CA-News*, 13 October 2014, http://www.cottoncampaign.org/wp-content/uploads/2014/10/CA-NEWS_-On-the-Uzbek-Cotton-Fair-vystyavyat-to-sell-cotton-to-more-than-1-billion.pdf.

⁹¹ Ilkhamov and Muradov, 2014, *Ibid*.

produce cotton. In its latest report on Uzbekistan, the United Nations Human Rights Committee expressed concern and issued recommendations on these fundamental rights.⁹² In particular, “The Committee remains concerned about consistent reports of harassment, surveillance, arbitrary arrests and detentions, torture and ill-treatment by law enforcement officers and prosecutions on trumped-up charges of independent journalists, government critics and dissidents, human rights defenders and other activists, in retaliation to their work.”⁹³

On Sunday, September 28, 2014, police of the Kibray district, Tashkent region, arrested and detained Dmitry Tikhonov, a human rights monitor with the Uzbek-German Forum for Human Rights (UGF), after he photographed and interviewed college students picking cotton in the Tashkent region. Mr. Tikhonov reported the arrest to the ILO Tashkent Director Harri Taliga during a meeting September 29 when he was attended by Mr. Tihanov as the representative of both UGF and the Cotton Campaign. On October 15 authorities again detained Mr. Tikhonov and searched his laptop while he was returning to Tashkent from a training workshop on labour rights monitoring. In October 2014, Jizzak regional prosecutors and police threatened to imprison human rights monitor Uktam Paradaev without any charges. In 2013, police put Mr. Paradaev under house arrest after his visit with a South Korean human rights delegation and Cotton Campaign member,⁹⁴ and during the 2012 cotton harvest authorities detained Paradaev incommunicado following his reports on forced child labour.⁹⁵ During the 2014 cotton harvest, authorities have detained human rights monitor Elena Urlaeva three times and conducted a degrading search of her on October 14.⁹⁶ In the autonomous republic of Karakalpakstan authorities continued to crackdown on local civil society and have imprisoned dozens of peaceful Karakalpak activists, imposing strict controls on the freedom of expression, association, and assembly.⁹⁷

On March 19, 2015, the Uzbek government arrested, detained, and deported Andre Mrost, an international labour rights consultant.⁹⁸ At the time of his arrest, Mr. Mrost was discussing ILO conventions with members of Ezgulik, the only human rights organization officially registered by the Uzbek government. On May 31, Uzbek authorities arrested and brutalized Elena Urlaeva, head of the Human Rights Alliance of Uzbekistan, as she was documenting government-orchestrated forced labour in

⁹²United Nations Human Rights Committee, “Concluding observations of the Human Rights Committee: Uzbekistan,” New York, 8-9 July 2015, CCPR_C_UZB_CO_4, http://www.ceprcentre.org/doc/2015/07/CCPR_C_UZB_CO_4.docx.

⁹³ United Nations Human Rights Committee, *Ibid*, paragraph 23.

⁹⁴ “Jizak-based activist under round-the-clock watch,” *UzNews*, 12 February 2013, http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=3&nid=22026; “Jizzakh human rights worker ‘hidden’ from Korea child labour monitors,” *UzNews*, 27 September 2013, http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=2&nid=23899

⁹⁵ “Central Asia: Overview of Key Human Rights Concerns and Recommendations: Uzbekistan,” *Human Rights Watch*, 15 November 2012, <http://www.hrw.org/news/2012/11/15/central-asia-overview-key-human-rights-concerns-and-recommendations>

⁹⁶ “Elena Urlaeva subjected to full-body search for taking photos of forced cotton pickers,” *UzNews*, 14 October 2014, <http://www.uznews.net/en/human-rights/27902-elena-urlaeva-subected-to-full-body-search-for-taking-photos-of-forced-cotton-pickers>.

⁹⁷ Human Rights Watch, “‘Until the Very End’: Politically Motivated Imprisonment in Uzbekistan,” September 2014, <http://www.hrw.org/reports/2014/09/26/until-very-end>.

⁹⁸ Cotton Campaign, “Uzbek government arrests and deports international labor rights consultant March 24, 2015, <http://www.cottoncampaign.org/uzbek-government-arrests-and-deports-international-labor-rights-consultant.html>

the cotton fields.⁹⁹ On the day of her arrest, Ms. Urlaeva documented the Uzbek government's forced mobilization of teachers and doctors to clear weeds from cotton fields near the city of Chinaz in Tashkent region. Kindergarten teachers told her that the mayor had ordered the schools to send them to weed the fields. Urlaeva also photographed 60 physicians pressed into work in the cotton fields by representatives of the city hall. After arresting her, the police injected her with unknown sedatives, and, led by the First Deputy Chief of the local Police Department, interrogated her for 18 hours. During the interrogation, the police struck her in the head. While the police held her, doctors probed Ms. Urlaeva in the vagina and anus until she bled, and took X-rays, after accusing her of hiding a data chip. She was denied access to a toilet, ordered to relieve herself outside, and photographed nude. The police threatened more physical violence and confiscated her camera, notebook and information sheet of ILO conventions. On August 16, police in Tashkent attacked, kicked, arrested, and detained Ms. Urlaeva for seven hours, during which they confiscated 200 pamphlets that explained national laws prohibiting forced labor.¹⁰⁰

3.4 The government of Uzbekistan's forced labor cotton production system took lives, deteriorated public health, undermined delivery of health care and education, and expanded corruption in 2014 and the first half of 2015.

3.4.1 An unprecedented number of deaths were linked to the forced labour system of cotton production, which also degraded health and undermined essential services, in 2014 and the first half of 2015.

In 2014 monitors observed a disturbingly high number of accidents and deaths as a result of the cotton harvest and poor or unsafe working conditions. At least 17 people died. Two children in Karakalpakstan died from smoke inhalation when they were trapped in a burning home while their mother was forced to pick cotton. Although she usually took her children to the fields with her, she had been told that the authorities would monitor the fields that day and she could not bring her children. A neighbor reported that the local police had gone house to house informing residents that they would lose child benefits unless they picked cotton.¹⁰¹ At least five people apparently died from heart attacks or other health complications while picking cotton or immediately upon their return from the fields. At least three people committed suicide during forced deployments to pick cotton, including a 7th-grade girl in the Samarkand region and a farmer in the Khorezm region who was humiliated and threatened by local authorities for failing to meet his production quota. Numerous vehicle crashes occurred while transporting workers to the cotton fields or transporting cotton, injuring at least 35 people. In one case, a cargo truck transporting students crashed, injuring 29, some of them seriously; the youngest was 16 years old.

People forced to pick cotton, including children, generally worked long days, usually arriving to the cotton fields before 8 a.m. and working until 5 or 6 p.m. and then waiting an hour or more to deliver their cotton and have it weighed. Many people were forced to work even longer. Some students in the Bukhara

⁹⁹ Cotton Campaign, "Uzbek police brutalize human rights monitor Elena Urlaeva"

June 2, 2015, <http://www.cottoncampaign.org/uzbek-police-brutalize-human-rights-monitor-elena-urlaeva.html>

¹⁰⁰ Cotton Campaign, "Uzbek Police Assault Human Rights Defender Elena Urlaeva Again," August 18, 2015,

<http://www.cottoncampaign.org/blog/uzbek-police-assault-human-rights-defender-elena-urlaeva-again>.

¹⁰¹ "Пахта мавсуми қурбонлари сони тўққиз нафарга етди, Ozodlik Radio, 4 October 2014,

<http://www.ozodlik.org/content/article/26620554.html>.

region picked cotton from 5 a.m. until 7 p.m., and were then forced to gather firewood for cooking fires from 9-11 p.m., a manual labor requirement of 16 hours per day for 44 days.¹⁰² During the harvest season workers did not have weekends, holidays, or rest days off. Teachers were forced to “celebrate” Teacher’s Day in the cotton fields as it falls on October 1, during the height of the harvest season.¹⁰³ In no cases did monitors find that people forced to pick cotton were provided with protective gear such as gloves.

Workers living near the fields generally provided their own food. Workers who stayed in temporary housing near the fields generally received food from the farmer, but always had to pay for it with deductions from their earnings, usually the equivalent of 20 kilograms of cotton per day. Most people reported that the food they were provided was monotonous and of poor quality. One student returning from a 40-day stint picking cotton said: “Goodbye cotton and goodbye macaroni!” referring to the bland, monotonous diet provided by the farmer.¹⁰⁴

Housing was usually poor, crowded, and unsanitary, with many workers being housed in garages, unused farm buildings, or local schools. Nearly all housing was unheated, even during cold weather at the end of the season. In numerous cases students were housed in tents that provided insufficient protection from rain.¹⁰⁵ Workers had to provide their own bedding and in many cases had no access to hot water or facilities for hygiene. In many cases workers bathed in nearby streams or paid to use local facilities.

The forced mobilization undermined essential public services, including education and health care. All 3rd year college students, all university students and some other workers picked cotton for the entire two-month period of the harvest and did not attend classes or work at their normal jobs during this time. Adults employed at publicly funded organizations including schools, hospitals, clinics, and local administrations usually worked 25-day shifts, longer than the 10-day shifts prevalent in 2013. A medical clinic in the Khorezm region normally staffed with two doctors and 13 nurses had to operate with only one doctor and one nurse for the duration of the harvest as the rest of the employees were forced to pick cotton.¹⁰⁶ Village medical clinics in some regions were forced to close temporarily during the harvest. In another example from the Khorezm region, a grandfather reported finding no doctors at the district hospital to treat his grandson and instead, only a sign reading: “All at the cotton harvest.”¹⁰⁷

In 2015, the Uzbek government’s forced labor system has led to further tragedies. On June 4, a 58-year old woman died of heat stroke while weeding cotton fields in Uzbekistan, work she was forced to do under threat of losing her job.¹⁰⁸ On July 2, a 29-year old farmer hanged himself after his mayor threatened to imprison him for not fulfilling state-assigned production quotas- the fourth farmer suicide in

¹⁰² Uzbek-German Forum for Human Rights, *Ibid*, Bukhara monitor’s report (2 November).

¹⁰³ Uzbek-German Forum for Human Rights, *Ibid*, Jizzakh monitor’s report (24 October).

¹⁰⁴ Uzbek-German Forum for Human Rights, *Ibid*, Andijan monitor’s report (2 November).

¹⁰⁵ Uzbek-German Forum for Human Rights, *Ibid*, Bukhara monitor’s report (2 November).

¹⁰⁶ “Хоразмда тиббиётчилар оммавий равишда пахтага ҳайдалди,” Radio Liberty, September 7, 2014, available at: <http://www.ozodlik.org/content/article/26571023.html>.

¹⁰⁷ *Ibid*.

¹⁰⁸ “Узбекистан: Смерть на принудительных работах,” Ferghana Information Agency, 12 June 2015, <http://www.ferghananews.com/articles/8584>

Uzbekistan in the last two years.¹⁰⁹ On July 24, a 19-year old nurse fainted from heat stroke while weeding cotton fields under orders from their hospital administrator; temperatures that day broke 120° Fahrenheit.¹¹⁰

3.4.2 Extortion by government officials increased in 2014 in parallel to the government's increased use of forced labor of adults.

While people forced to pick cotton received a nominal payment, usually between 200-250 soum (approximately \$.07-.08 USD) per kilogram of cotton harvested, this amount was reduced by fines for failure to meet the quota, for cotton evaluated to be of lower quality, and to pay for food, housing, transportation, or other costs. Payments were generally made every five days, so some workers forced to pick cotton for shorter periods often received no payment at all.¹¹¹

Citizens who did not want to or were unable to harvest cotton, including for health reasons, or professional or personal obligations such as caring for young children were forced to hire workers to replace them, usually at a cost of 20,000-25,000 soum per day (approximately \$6-7 USD per day or more than \$200 USD per month). Individuals or institutions such as schools or hospitals that failed to meet their harvest quotas were obligated to use their own money to purchase cotton to rectify the deficit. They purchased this cotton from local residents who sold it at inflated prices—350 soum (approximately \$.10 USD) per kilogram instead of the 250 soum the government paid workers for cotton picked.

At the end of the season many public sector employees in the Tashkent region were forced to stay in the cotton fields to attempt to meet harvesting quotas of 30 kilograms per day. Many workers reported that with so little cotton remaining in the fields it was impossible to pick more than 20 kilograms in a 10-hour workday. With no cotton available to buy at the end of the season to make up the difference, local officials instead demanded the cash equivalent.¹¹²

The government of Uzbekistan also extorted mandatory contributions of labor and payments from companies to support the cotton harvest. The size of the contribution depended on the size of the enterprise. At the lowest end of the scale, small enterprises generally paid around 500,000 soum (approximately \$167 USD) for the harvest.¹¹³ Businesses made these payments under threat of penalty such as increased inspections or forcing the business to close. Officials from the tax inspectorate visited businesses to extract payments and apply pressure such as the threat of burdensome tax inspections and the finding of violations. Businesses also suffered lost business and reduced productivity because they were forced to provide workers to the harvest or pay for food for workers.

On the upper end of the scale, multinational companies operating in Uzbekistan reported that they were required to contribute to the cotton harvest as a prerequisite to doing business in the country. General

¹⁰⁹ “В Узбекистане оскорбления властей вынудили фермера покончить с собой,” *Radio Ozodlik*, 4 July 2015, <http://www.ozodlik.org/content/article/27109836.html>.

¹¹⁰ “В Узбекистане во время принудительных работ на поле в 50-градусную жару люди падали в обморок,” *Radio Ozodlik*, 27 July 2015, <http://www.ozodlik.org/content/article/27154362.html>

¹¹¹ Uzbek-German Forum for Human Rights, *Ibid*, UGF interviews with nurses and teachers, October 2014.

¹¹² Uzbek-German Forum for Human Rights, *Ibid*, Tashkent region monitor's report.

¹¹³ Uzbek-German Forum for Human Rights, *Ibid*, Karakalpakstan monitor's report.

Motors Uzbekistan contractor UzDongVonCo stated that its employees were sent to pick cotton.¹¹⁴ Teliasonera informed its investors that the company sponsors the cotton harvest in Uzbekistan,¹¹⁵ and Telenor publicly stated it also contributed.¹¹⁶

Forced payments from businesses, payments to replacement workers, and payments to compensate for unmet quotas made under the threat of penalty, amounted to a massive, unregulated, and unaccounted for direct subsidy to the government's forced labor-based cotton production system and masked the true cost of cotton production in Uzbekistan. These payments also contribute to the corruption of local officials in charge of the harvest.

4. Widespread and Longstanding International Concern

International organizations and member states of the ILO share and have long expressed serious concern for the Uzbek government's use of forced labour in the cotton industry.

The ILO Supervisory Bodies have expressed serious concern over the continued reports of forced labour of children and adults for nearly a decade. Each year from 2005 to 2007, the Committee of Experts included a Direct Request under ILO Convention No. 105, "concerning practices of a mobilization and use of labour for purposes of economic development in agriculture (cotton production), in which public sector workers, schoolchildren and university students are involved." Each year from 2008 to 2015, the Committee of Experts report included an Observation under ILO Convention No. 105, concerning "Article 1(b) of the Convention. Mobilization and use of labour for purposes of economic development in agriculture (cotton production)".

During the 2013 cotton harvest, the ILO for the first time monitored the application of ILO Convention No. 182 on the Worst Forms of Child Labour. The ILO's stated goal of the exercise was to subsequently develop "a comprehensive national cooperation programme in collaboration with the Sub-Regional Office and Decent Work Team covering Eastern Europe and Central Asia."¹¹⁷ Limitations under which the ILO monitors observed the 2013 harvest included the restriction of its mandate to ILO Convention No. 182, presence of representatives of the government with all monitoring teams, lack of participation by the International Trade Union Confederation and International Organisation of Employers, lack of consultation with independent Uzbek civil society, and efforts by the Uzbek government to undermine monitoring, including moving people around to avoid inspections and instructing people to lie to monitors.

¹¹⁴ "GM-Ўзбекистон"га пудратчи корхонанинг 19 яшар ишчиси пахтада вафот этди," *Radio Ozodlik*, 8 October 2014, <http://www.ozodlik.org/content/article/26627321.html>.

¹¹⁵ Reports available: http://www.svd.se/naringsliv/nyheter/varlden/telia-sponsrar-tvangsarbete_3909874.svd, <http://www.dn.se/nyheter/sverige/telia-sponsrar-tvangsarbete/>, <http://www.di.se/artiklar/2014/9/12/telia-sponsrar-tvangsarbete/> (last accessed 15 January 2015).

¹¹⁶ Report available at: <http://www.klassekampen.no/article/20141212/ARTICLE/141219985> (accessed 15 January 2015).

¹¹⁷ International Labour Organization, "ILO High Level Mission Report on the Monitoring of Child Labour During 2013 Cotton Harvest in Uzbekistan," 19 November 2013, paragraph 7, page 5.

In the ILO mission report, the conclusion that “forced child labour has not been used on a systematic basis in Uzbekistan to harvest cotton in 2013” reflected both the goal of the exercise and the limitations imposed on the ILO monitors. It also contrasts with the evidence presented in the ILO mission report of the use of the state school system to mobilize students to the harvest. 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.¹¹⁸ Despite the limitations under which the ILO observed the harvest, their mission report noted the use of child labour, emphasized concerns about the use of forced labour for the cotton harvest, and recommended that the government take action to implement ILO Convention No. 105.¹¹⁹

During the latest United Nations Human Rights Council Universal Periodic Review of Uzbekistan in 2013, the Government accepted Recommendations relating to forced labour in the cotton sector:

Recommendation 41. “Eliminate all forced labour and hazardous child labour and implement recommendations of the ILO supervisory bodies,”

Recommendation 42. “Continue to fight against child labour and ensure their rights, and in this respect, accept to develop a comprehensive cooperation with ILO which shall include the fight against forced labour,” and

Recommendation 45. Improve compliance with International Labour Organisation standards, including in relation to forced labour.”

The June 2013 Concluding Observations of the UN Committee on the Rights of the Child states that the Committee “remains gravely concerned about: (b) The continued involvement of children above the age of 16 years in forced labour in the cotton industry; and, (c) The lack of positive responses to the recommendation contained in the observations issued in 2011 by the Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organisation (ILO) to accept a high-level tripartite mission and avail itself to ILO technical assistance.”¹²⁰

In November 2013, the Committee against Torture (CAT) highlighted forced labour and child labour among the “principle subjects of concern” in Uzbekistan.¹²¹ The CAT recommended “that the State party should end the practice of using forced labour of adults and children in the cotton sector, and permit international and independent national nongovernmental organizations and activists to conduct regular

¹¹⁸ *Ibid* Annex D, page 77.

¹¹⁹ *Ibid*, paragraphs 35-36, page 13.

¹²⁰ Committee on the Rights of the Child, Concluding observations on the combined third and fourth periodic reports of Uzbekistan, adopted by the Committee at its sixty-third session (27 May- 14 June 2013), CRC/C/UZB/CO/3-4, Geneva, 10 July 2013, paragraph 65b and c

¹²¹ United Nations Committee against Torture, “Concluding observations on the fourth periodic report of Uzbekistan,” November 2013, http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/UZB/CAT_C_UZB_CO_4_15833_E.doc.

independent monitoring,” citing the Uzbek government’s duty to prevent acts of degrading treatment or punishment through the effective application of the law and regardless of any public authority’s orders.¹²²

In December 2013, the World Bank Inspection Panel issued their report on the Request for Inspection of the World Bank’s Second Rural Enterprise Support Project (RESP II).¹²³ The Panel visited with civil society activists and victims of forced labour in Uzbekistan and concluded that the plausible link between bank financing for the agricultural sector and the perpetuation of forced labour raises serious policy compliance issues.

In July 2015, the the United Nations Human Rights Committee reported its concern about forced labour in the cotton and silk sectors and recommended that the Uzbek government:

*“put an end to forced labour in the cotton and silk sectors, inter alia by enforcing effectively the legal framework prohibiting child and forced labour, including by rigorously prosecuting those responsible for violations and improving working and living conditions. The State party should also review its laws and practices to ensure financial transparency and address corruption in the cotton industry and take all necessary measures to prevent deaths in connection with the cotton harvesting, investigate thoroughly such cases when they occur and provide effective remedies, including adequate compensation, to victims’ families.”*¹²⁴

5. Conclusions and Recommendations

The government of Uzbekistan uses systematic, widespread forced labour. The Government’s use of forced labour violates Uzbekistan’s national laws and its obligations under ILO Conventions No. 29 and No. 105, in particular Article 1b of C. 105 which provides each state party to the Convention undertakes to suppress and not to make use of any form of forced or compulsory labour for the purposes of economic development. Yet, the Government continues to use the forced labour of adults and children for economic ends. Furthermore, the government of Uzbekistan is in grave breach of Article 2 of Convention No. 105, whereby State Parties commit “to take effective measures to secure the immediate and complete abolition of forced and compulsory labour as specified in Article 1 of this Convention” because it is directly culpable for the coercive mobilization of children and adults to work in the cotton fields and therefore actively engaged in the promotion of forced labour.

In view of the above, the Government of Uzbekistan is urged to:

¹²² *Ibid.*

¹²³ 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, http://siteresources.worldbank.org/EXTINSPECTIONPANEL/Resources/PanelReport_Uzbekistan_SRESP_Dec9_2013.pdf

¹²⁴ United Nations Human Rights Committee, “Concluding observations of the Human Rights Committee: Uzbekistan,” New York, 8-9 July 2015, CCPR_C_UZB_CO_4, http://www.ccrpcentre.org/doc/2015/07/CCPR_C_UZB_CO_4.docx

1. Take immediate and effective time-bound measures to eradicate forced labour of children and adults in the cotton sector, including:
 - a. Ensure no government official or citizen acting on behalf of the government coerces anyone to pick cotton. This includes children up to age 18, students, public-sector workers, private-sector workers, pensioners, mothers and others receiving public welfare support, and the unemployed.
 - b. Ensure farmers can recruit labour by: raising the price for raw cotton to exceed production costs, including labour and setting minimum wages for work in the cotton sector sufficiently high to attract voluntary labour.
2. Cooperate fully with the ILO to implement all fundamental labour standards, including by:
 - a. Permitting unfettered access for ILO monitors to monitor ILO Convention No. 105 on the Abolition of Forced Labour during the cotton harvest with the participation of the IOE, ITUC, IUF and local independent civil society;
 - b. Permitting unfettered access for the ILO Special Action Programme to Combat Forced Labour to conduct a survey on working conditions in agriculture; and
 - c. Ratifying and implementing ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize so farmers and farmworkers can form independent organizations to represent their interests, speak out when abuses such as forced labour occur and negotiate for better working conditions.
3. Allow independent human rights organizations, activists and journalists to investigate and report on conditions in the cotton production sector without facing retaliation.
4. Establish and implement time-bound reforms of the cotton sector, including reporting all state expenditures and revenues from the cotton sector in national accounts that are provided to the Uzbek Supreme Assembly (*Oliy Majlis*), ending the practice of penalizing farmers who do not fulfill cotton quotas and eventually replacing quotas with incentives, and de-monopolizing agriculture input markets and sales markets.