

COTTON CAMPAIGN

END FORCED LABOR IN CENTRAL ASIA

August 23, 2017

Mr. Ajay Banga
President and CEO
Mastercard

Dear Mr. Banga,

We write to you as members of the Cotton Campaign, a coalition of companies, investors, business associations, trade unions, and human rights organizations dedicated to ending forced labor in global cotton production. We ask you to use your status as an Official Supporter of the 5th Asian Indoor and Martial Arts Games to urge the Government of Turkmenistan to end state-sponsored forced and child labor in its annual cotton harvest.

Every year the Government of Turkmenistan forcibly mobilizes tens of thousands of public sector workers and farmers to cultivate and harvest cotton.¹ The use of forced labor violates international laws ratified by the government of Turkmenistan, including International Labour Organization (ILO) Conventions No. 29 on Forced Labour and No. 105 on the Abolition of Forced Labour. In its 2016 annual report, the ILO Committee of Experts made a specific observation on Turkmenistan, noting “with *deep concern* the widespread use of forced labour in cotton production which affects farmers, businesses and private and public sector workers, including teachers, doctors and nurses, under threat of losing their jobs, salary cuts, loss of land and extraordinary investigations” [emphasis in original].²

We are also deeply disturbed by reports of government reprisals against journalists and other members of civil society who attempt to document and report on forced labor and other human rights issues.

On October 4, 2016, Mr. Gaspar Matalaev, a Turkmen citizen and human rights monitor, was arrested, two days after he published a report on the extensive use of forced labor and child labor in the 2016 cotton harvest. He has reportedly been subjected to torture by electric current to force him to confess to false charges of minor fraud and bribery attempt. Repeated promises by the authorities to release Mr. Matalaev have been broken. Although the charges against him are minor he is still imprisoned, despite other convicts charged with the same offenses having been released or pardoned.

Mr. Matalaev’s incarceration has drawn widespread international condemnation, including in the 2017 United States Trafficking in Persons Report, which highlighted the case as evidence for its decision to keep Turkmenistan in Tier 3, the lowest possible ranking a country can receive.³ Furthermore, during its recent review of Turkmenistan, the United Nations Human Rights Committee noted: “The Committee remains concerned about laws and practices severely restricting freedom of opinion and expression, including...continuous use of harassment, intimidation, torture and arbitrary arrests, detention and convictions on reportedly politically motivated charges as a retaliation tool against journalists, human rights activists, dissidents, members of religious groups and ethnic minorities, and members of nongovernmental

¹ International Labour Organization, CEACR, “Direct Request (CEACR) - adopted 2011, published 103rd ILC session (2012) Abolition of Forced Labour Convention, 1957 (No. 105) - Turkmenistan (Ratification: 1997) available at http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2699323; International Labour Organization, CEACR, “Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014) Abolition of Forced Labour Convention, 1957 (No. 105) - Turkmenistan (Ratification: 1997) available at http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3146802;

Alternative Turkmenistan News (ATN), “Monitoring of Forced Labor during Cotton Harvest Campaign in Turkmenistan,” 2013; ATN, “Spotlight on Turkmenistan: Widespread State-Orchestrated Forced Labor in Turkmenistan’s 2014 Cotton Harvest, June 2015; ATN, State-Led Forced Labor during the Long 2015 Cotton Harvest, January 2016; ATN, “They bring people to cotton fields in the back of a truck, like sheep for sale”, October 2016: <https://habartm.org/archives/5844>

² International Labour Organization Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning the Abolition of Forced Labour Convention, 1957 (No.105), Turkmenistan, published in 2016: http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3253697

³ The 2017 United States Trafficking in Persons report on Turkmenistan: <https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271304.htm>

organizations... and those seeking to document forced labour in the cotton harvest such as Gaspar Matalaev.⁴”

Unfortunately, Mr. Matalaev’s case is not unique. Turkmen authorities have a long history of persecuting independent journalists. In 2015, the United Nations Working Group on Arbitrary Detention (UN WGAD) expressed concern over the widespread use of incommunicado detention, closed trials, lack of legal defense, torture and ill-treatment in detention facilities, including the imprisonment of the journalist Mr. Saparmamed Nepeskuliev, which UN WGAD concluded was arbitrary and in retaliation for exercising his right to freedom of expression.⁵ In 2016 and 2017, a Radio Free Europe/Radio Liberty Turkmenistan correspondent Ms. Soltan Achilova, was questioned by police and assaulted by unknown assailants as an attempt to silence her critical journalistic work.⁶

As an Official Supporter of the 5th Asian Indoor and Martial Arts Games in Turkmenistan, we urge you to deliver a strong message to the Government of Turkmenistan that it must take immediate steps to end endemic forced labor in its cotton sector, free Mr. Matalaev and Mr. Nepeskuliev and allow Ms. Achilova to document and report on labor and human rights concerns without risk of reprisals.

We appreciate your attention to this matter and welcome the opportunity to engage in further dialogue.

Sincerely,

Alternative Turkmenistan News



American Federation of Labor and Congress of Industrial Organizations



Anti-Slavery International



Advocates for Public Interest Law



Applied DNA Sciences



⁴ The United Nations Human Rights Committee, Concluding observations on the second periodic report of Turkmenistan, published on 20 April 2017:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/TKM/CO/2&Lang=En

⁵ United Nations Working Group on Arbitrary Detention, “Opinion No. 40/2015 concerning Saparmamed Nepeskuliev (Turkmenistan),” A/HRC/WGAD/2015, available at <http://www.ohchr.org/EN/Issues/Detention/Pages/Opinionsadoptedin2015.aspx>

⁶ Radio Free Europe/Radio Liberty, “Journalist Suffers Repeat Attack In Turkmenistan”, November 14, 2016: <http://www.rferl.org/a/28116700.html> and “RFE/RL Correspondent Achilova Threatened With Death In Turkmenistan”, July 31, 2017: <https://pressroom.rferl.org/a/28651354.html>

Adrian Dominican Sisters



Action by Christians for the Abolition of Torture
(ACAT Germany and the Czech Republic)



Alternative Asean Network on Burma



Child Labor Coalition



Coalition on Corporate Accountability



Congregation of St. Joseph



Dignity Health



Dana Investment Advisors



Daughters of Charity, Province of St. Louise



Freedom United



Fair Labor Association



Human Rights Alliance of Uzbekistan



International Labor Rights Forum



International State Crime Initiative



International Rights Advocates (IRAdvocates)



International Partnership for Human Rights



Intercommunity Peace and Justice Center



Jade Marketing Group



Korean Teachers and Education Workers Union



Mercy Investment Services



Mercy Health



National Consumers League



Responsible Sourcing Network



Solidarity Center



Stop the Traffik



Synod of Victoria and Tasmania, Uniting Church in Australia



Zevin Asset Management

