



Talking Points on Uzbekistan and the International Labour Organisation (ILO):

Effective monitoring is the first step towards ending forced labor in the Uzbek cotton sector--

- A. The Cotton Campaign urges the government of Uzbekistan to expeditiously follow the standing recommendations of the ILO tripartite supervisory body, the Committee on the Application of Standards:
- 1) Take the necessary measures to ensure the effective implementation of national legislation prohibiting compulsory labour and hazardous work for children below the age of 18;
 - 2) Accept an ILO high-level tripartite observer mission that would have full freedom of movement and timely access to all situations and relevant parties, including in the cotton fields, in order to assess the implementation of the Convention, and
 - 3) Avail itself of ILO technical assistance, and to commit to working with the ILO International Programme on the Elimination of Child Labour.¹
- B. The government of Uzbekistan has communicated unequivocally that they would never accept an ILO high-level mission.
- C. As a minimum first step towards ending the practice of Uzbek government forced labor cotton production system, the Cotton Campaign calls on the Uzbek government to immediately accept the current proposal from the ILO, for the ILO to conduct technical assistance monitoring during the 2012 cotton harvest. The ILO has the unique competency to conduct monitoring and report out in order to establish an internationally shared understanding of the facts.
- D. If it occurs in 2012, ILO technical assistance monitoring with unfettered access and over a period of years is a hopeful sign, but it is clearly not the full tri-partite high level mission called for by the ILO Supervisory body, in which civil society plays a vital role as a part of the monitoring.
- E. The Cotton Campaign recommends that ILO technical assistance monitoring, if it occurs, should include:
- 1) Active participation of civil society,
 - 2) Disclosure of the monitoring reports to the Committee of Experts and made available to the public,
 - 3) Unfettered access to all parts of Uzbekistan, throughout the entirety of the cotton harvest and without prior announcement, scheduling or other forms of advance notice of visits, and
 - 4) Specific investigation and reporting on the root cause of identified forced labor of children and adults
- F. The end of July is the deadline for the Uzbek government to accept the ILO proposal of technical assistance monitoring during the 2012 cotton harvest. The Cotton Campaign calls on all governments to immediately communicate to the Uzbek government that diplomatic and economic relations depend on its accepting the ILO proposal, as a first step towards ending forced labor in the Uzbek cotton sector.

The Cotton Campaign is a global coalition of trade unions, human rights, labor and faith-based nongovernmental organizations, business associations and investors coalesced around the goal of ending forced labor in the cotton sector in Uzbekistan. For more information, visit www.cottoncampaign.org or contact cottoncampaigncoordinator@gmail.com.

¹ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning the Worst Forms of Child Labour Convention, 1999 (No.182), Published 2011.

Annex: Update of the Uzbekistan Case at the International Labour Organisation (ILO), June 13, 2012

Coalition members met with Kari Tapiola, Special Advisor to the Director General of the ILO and Deepa Rishikesh (ILO), the Coordinator for the Child Labor and Forced Labor Conventions who is responsible for forced labor in the standards department. We are maintaining communications with the ILO to discuss the ILO's next steps.

I. Status of the case of Uzbekistan at the ILO

Though the Gov't of Uzbekistan (GOU) was apparently quite hopeful that the suspension of the ILO Committee on the Application of Standards (CAS) at the 2012 ILC would let them off the hook, the ILO told them that it didn't change anything except prevent the case from being listed this year under a second special paragraph indicating "continuing failure" to implement CAS conclusions. The 2011 CAS conclusions are still in effect and the Committee of Experts (COE) will meet again this November 2012 to review whether Uzbekistan has implemented the CAS recommendations and come into compliance with Convention 182 and Convention 105. In March 2013, the COE will issue its report, which should include information related to the Fall 2012 harvest. The case will be eligible for a hearing again at the CAS in June 2013. ILO also told the GOU that continuing failure to address the problem would likely result in an complaint under ILO Constitution Article 26 – which requests the ILO Governing Body to delegate a Commission of Inquiry to investigate the case, which apparently made the GOU very angry.

II. ILO Monitoring in Uzbekistan

In May and again in June, the GOU told the ILO unequivocally that they would never accept a High-level Tripartite Monitoring Mission (HLM). GOU protested that they were in fact "monitoring" the situation and that they had it "under control." In particular, they cited their new "action plan" that calls for the GOU itself to implement monitoring for the first time. The GOU representative explained that they were concerned about any process that involved the word "Mission" and expressed doubt that anything that includes the name "Mission" would be accepted by his superiors in Tashkent. The GOU representatives said both in May in Tashkent and again at the ILO in June that they might accept ILO monitoring of the cotton harvest as a part of a "technical assistance" program, but only if conducted by the ILO Secretariat and not the ILO Tri-partite partners.

The ILO explained to the GOU that "technical assistance" in their case means monitoring by the ILO during the cotton harvest, and it could also include other types of assistance along with it, such as capacity building for advocacy on the issue and to examine other types of the Worst Forms of Child Labor (WFCL) beyond forced labor and WFCL in other industries. The ILO also explained to the GOU that by accepting "technical assistance" monitoring by the Secretariat, they would have to agree to allow it to occur over several years. The GOU also would have to agree that the findings of the ILO monitoring team would be reported to the COE. Disclosure to the COE is non-negotiable on the ILO's part and likely an issue for the GOU, considering that the GOU recently asked UNICEF representatives to leave Uzbekistan because UNICEF shared its findings during the 2011 cotton harvest with the ILO.

The ILO told the GOU that while the Committee of Experts had only recommended “technical assistance”, the CAS had in fact called for a HLM and “technical assistance” and that the ILO Secretariat is bound by the CAS conclusions. However, the ILO advised the GOU that if they are in fact prepared to accept monitoring by the ILO Secretariat, the ILO advised the GOU to issue a statement along the lines of “technical assistance, which would include monitoring of cotton fields during 2012” and perhaps the IOE and ITUC would be willing to revise the CAS conclusions at the next session of the CAS.

III. Timing of Next Steps

The ILO explained that if the GOU does not accept a HLM or monitoring by the ILO Secretariat under a “technical assistance” agreement by the end of July, then it will not be possible to conduct monitoring during the 2012 harvest. The ILO continued their bi-lateral dialogue with the GOU during the week of June 11, and the Cotton Campaign maintains communication with the ILO to be aware of any change of position by the GOU.

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