

CHRONICLE OF FORCED LABOUR IN UZBEKISTAN: Issue 6, 2015

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CHRONICLE OF FORCED LABOUR IN UZBEKISTAN

Issue 6, October 14, 2015



The Uzbek-German Forum for Human Rights presents the latest reports from the 2015 cotton harvest in Uzbekistan in this sixth issue of the *Chronicle of Forced Labour in Uzbekistan 2015*, detailing instances of forced labour by the government of Uzbekistan, in violation of international law and national law and its commitments to implement these laws.

Six people died during the cotton harvest in the first weeks of October. A 2-year old boy died while his mother picked cotton under threat of losing her job as a kindergarten teacher. A 17-year old boy and reported 3 others died when the cargo truck transporting them to the cotton fields rolled. Dr. Yusuf Esirgapov died after the hokim of Gallaaral district (Jizzak region) ordered his arrest and two-day detention as punishment for not fulfilling the cotton harvest quota assigned to the hospital he directed.

UGF calls on the Uzbek government, International Labour Organization and World Bank to address the following reports of violations of its commitments, detailed further below.

Violations reported in the Chronicle of Forced Labour in Uzbekistan 2015, Issue 6:

Report No.	ILO Conventions Nos. 29 & 105	ILO Convention No. 182	ICCPR Article 19	Uzbek national law	2014 GOU decree to enable voluntary labour	2015 GOU commitments to not send education / medical staff to pick cotton	GOU - World Bank covenants prohibiting forced or child labour
1							
2	X			X	X	X	
3	X			X	X	X	X
4			X				
5			X				
6	X			X	X	X	
7	X			X	X	X	X
8					X	X	
9	X			X	X	X	X
10	X			X	X		
11	X			X	X		
12	X			X	X		X
13		X					
14	X			X	X	X	
15	X			X	X		
16	X			X	X		
17						X	
18		X			X		
19	X			X	X	X	X
20	X	X		X	X	X	
21	X			X	X	X	X
22	X			X	X	X	X
23	X				X	X	

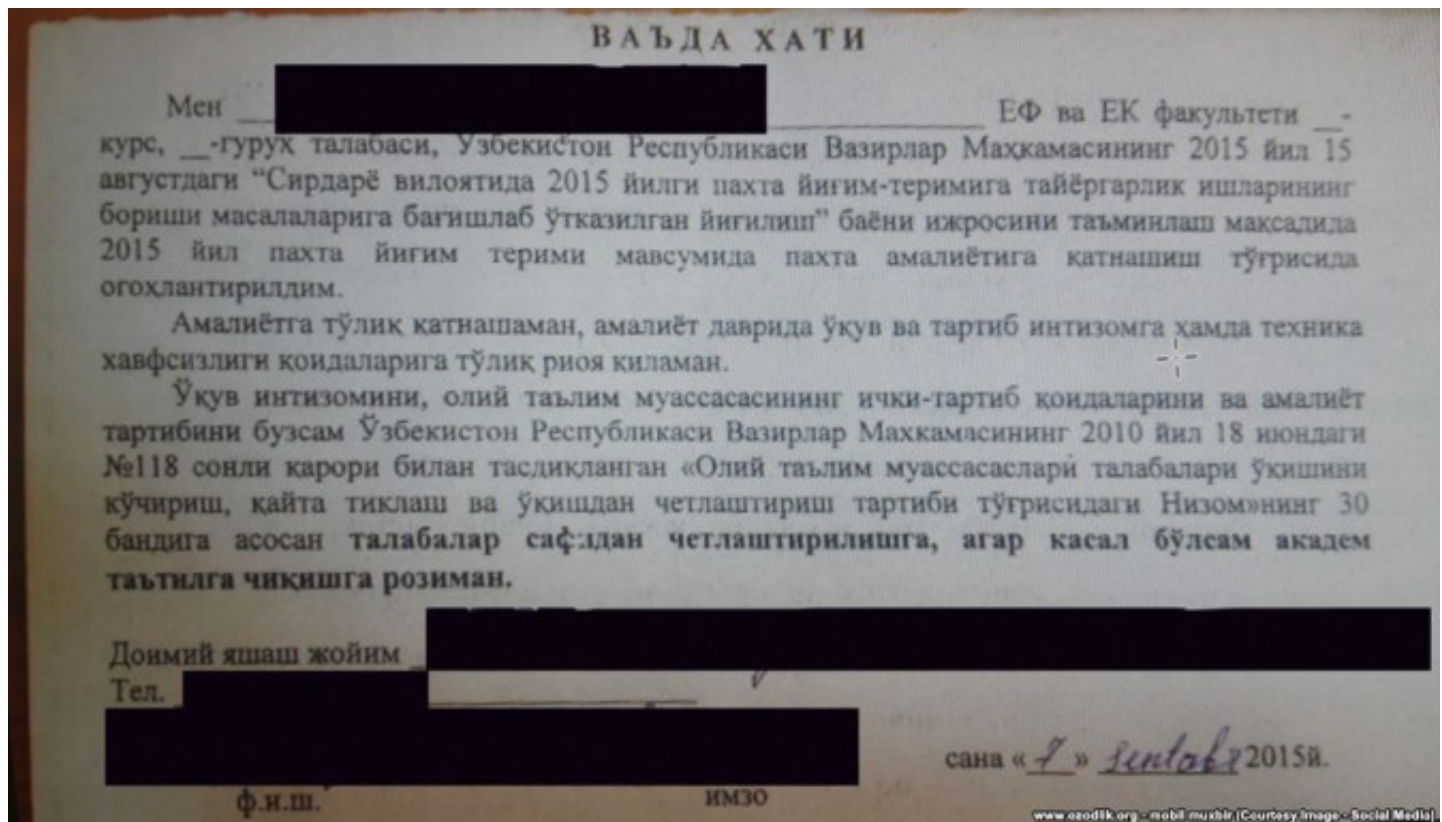
The Uzbek Government's Commitments

The Uzbek government has committed to not use forced labour, including for the purpose of economic development, has established laws prohibiting forced labour. It has also committed to develop a voluntary labour market for the cotton sector, to prevent cotton picking by education and medical staff, and to ensure there is no forced or child labour in World Bank project areas.

The Uzbek government is a member of the International Labour Organization and has ratified ILO conventions concerning forced labour, Nos. 29^[1] and 105,^[2] and, concerning forced child labour, No. 182.^[3] Article 37 of the Uzbek constitution prohibits forced labour and guarantees the right to work in fair labour conditions,^[4] and Article 241 of the Labour Code of the Republic of Uzbekistan prohibits the employment of persons under 18 years of age in hazardous work, including cotton picking. In 2014, the Uzbek government issued a decree committing to the “Creation of institutional base for ensuring of free employment of the cotton pickers by farmers through labour market institutes.”^[5] In August 2015, the Uzbek government committed “to prevent the mobilization of education and medical personnel for the cotton harvest,” at a round table with International Trade Union Confederation, International Organization of Employers, UN, UNICEF, EU and Embassies of the US, Germany, Switzerland, France, Korea and Russia in Uzbekistan.^[6] In 2014 and 2015, the Uzbek government signed loan agreements with the World Bank agreeing to the suspension of finance if there is child or forced labour in the project areas.^[7] Furthermore, the Uzbek government has committed to respect the inalienable civil rights of its citizens, including freedom of expression and the exchange of information of all kinds through any media, by ratifying the International Covenant on Civil and Political Rights.^[8] Despite its commitments, the Uzbek government continues systematic forced labour on a mass scale. From the president to the local neighborhood committees (“mahalla”),^[9] all levels of government are orchestrating the forced labour system, and the government is harassing, detaining and suppressing citizens’ attempts to document the cotton harvest and to distribute information about national laws and human rights.

Latest Reports of Violations of the Uzbek Government’s Commitments

Report 1: The administration of the Tashkent Institute of Irrigation and Reclamation threatened to suspend students of the Faculty of Automation and Mechanization in order to mobilize them to pick cotton in the Sayhunabad district of Surkhandarya region.



Local men beat up Rezhavaliev Ilkhom, sending him to the hospital where he was treated for a broken jaw and potential brain damage, when he was returning to the accommodations assigned to the students after bathing in a local bath house, at 10:30 PM on September 23. Mr. Ilkhom is a second-year student in the Automation and Mechanization

Faculty of the Institute of Irrigation and Reclamation. The Institute administration has sent students to pick cotton since the start of the harvest, instead of classes. The accommodations provided for the students to sleep near the cotton fields lack sanitary facilities, so the students pay local residents or bath houses to bathe. Mr. Ilkhom's family had to pay for the medical treatment at the hospital, the Medical Academy in Tashkent, and has subsequently paid an additional \$150 for medications prescribed to Mr. Ilkhom.

Source: "Узбекский студент-второкурсник, находившийся на сборе хлопка, госпитализирован с переломом челюсти," Radio Free Europe / Radio Liberty "Ozodlik," 26 September 2015, <http://www.ozodlik.org/content/article/27272013.html>.

Report 2: The director of a middle school threatened to fire a pregnant teacher in order to mobilize her to contribute to the cotton harvest, either by picking cotton or hiring someone to pick cotton instead of her.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

2015 GOU commitments to not send education / medical staff to pick cotton

"I'm six months pregnant. On the 15th day of the cotton harvest, the director sent me to pick cotton. My belly is already quite large, and it is very hard to bend over all day long and pick cotton. Moreover, two to three times a day I have to carry 15-20 kilograms of cotton to have it weighed. I tried to explain my situation to the school director, but she said,

"If you want to continue to work [at the school], you have to endure it. That is the policy. If you are pregnant, then hire a labourer to replace you. Be grateful that you receive your wage."

"The first few days, I went and picked cotton, although it was hard. To hire someone, I would have to pay 20,000 soums (~\$7) per day. I don't have that kind of money. But the other day some official saw me picking cotton and apparently said something to my school director. She called me and started screaming, saying that she had been taken to task because of me. She threatened me,

"I told you, hire a labourer. Either you hire someone, or I cut the number of your lessons." [ed. Uzbek teachers are paid per lesson.]

Source: Uzbek-German Forum for Human Rights, Personal interview, Gulistan city, Syrdarya region, 29 September 2015.

Report 3: The administrators of Uzbekkino, the partially state-owned film companies, threatened to put actors onto a blacklist for castings and industry awards in order to mobilize them to pick cotton in Tashkent region.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour
 2015 GOU commitments to not send education / medical staff to pick cotton
 GOU – World Bank covenants prohibiting forced or child labour

Uzbekfilm studio is the personnel department of Uzbekkino, the joint-stock company that manages the film industry in Uzbekistan. Starting September 26, Uzbekfilm administrators forced staff to pick cotton in the Tashkent region, by threatening to put anyone who refused on a blacklist, compromising their eligibility for future work and awards. An Uzbekkino staff person said,

“On Saturday morning they put us all on the bus and took us to the cotton fields. In the past, film actors visited cotton fields to organize cultural activities for the cotton pickers. This time we were all forced to pick cotton ourselves.”

Source: “Кино артистлари пахта теримига сафарбар қилинди,” Radio Free Europe / Radio Liberty “Ozodlik,” 28 September 2015, <http://www.ozodlik.org/content/article/27275209.html>

Report 4: Police in Uzbekistan arrested two human rights defenders and two local residents after they documented the cotton harvest on September 29 in Khorezm region, and police subjected the two female human rights defenders to body-cavity searches during a 14-hour detention.

Violations reported:

ICCPR Article 19

The morning of September 29 Elena Urlaeva, head of the Human Rights Alliance of Uzbekistan and fellow Alliance member Malokhat Eshankulova visited the accommodations provided to the high-school students forced to pick cotton in the Khazarasp district, Khorezm region. After taking photos and interviewing several students, police arrived in two patrol cars and arrested the two activists and two local residents who drove them, at approximately 8 AM. During the arrest, a police officer hit one of the local residents in the head, causing bleeding, and confiscated the activists' phones, which they used to take photos.

At the station, the officers interrogated Ms. Urlaeva and Ms. Eshankulova. “They accused us, ‘You sell the Motherland!’” reported Ms. Eshankulova. After three hours, the police ordered a gynecologist, Dr. Mekhriniso Shokirova, to conduct a body-cavity search of the two women. Ms. Eshankulova’s request to go to the hospital so that the search could be conducted in sanitary conditions and without the presence of policemen was refused. “I was also stripped naked and then searched with the help of gynecological instruments for a USB flash drive, and then with a gloved hand.” reported Ms. Urlaeva. The police held the three activists in the Khazarasp police station for 14 hours and presented no charges.

Source: Uzbek-German Forum for Human Rights, monitors in Tashkent region, 1 October, 2015.

Report 5: A surveillance squad followed a human rights defender 100 kilometers from his home to his lawyer’s office, in order to intimidate him into silence.

Violations reported:

ICCPR Article 19

Six men in two cars followed human rights defender Dmitry Tihonov from nearby his home in Angren all the way to Tashkent city, at least 100 kilometers (~60 miles). Walking on the street in Angren, Mr. Tihonov noticed the driver of a white car on surveillance. When he sat to eat in a teahouse, the driver and another man sat nearby, watching him. He took a bus to Tashkent and called a lawyer. Upon arrival at the lawyer's office, Mr. Tihonov noticed that a second car had joined the first, and six people were outside, watching him. The lawyer approached the surveillance squad, and the men fled.

The surveillance of Mr. Tihonov bears striking resemblance to the government's strategy to silence another human rights defender, Sergey Naumov. The police in Khorezm region detained Mr. Naumov for 15 days during the 2013 cotton harvest, when the International Labour Organization was monitoring in his region. This latest episode of surveillance of Mr. Tihonov occurred one week after the police arrested him and during the ILO's effort this year to monitor forced labor during the cotton harvest.

Source: Uzbek-German Forum for Human Rights, monitors in Tashkent region, 1 October, 2015.

Report 6: Hospital administrators threatened staff with dismissal or reduced hours in order to mobilize them to pick cotton and to follow instructions to lie and tell authorities visiting the cotton fields that they picked cotton voluntarily, at the encouragement of their mahallas.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

2015 GOU commitments to not send education / medical staff to pick cotton

On September 30, a hospital staff person wrote:

“There is one nurse and one assistant left in the hospital when the rest of the staff is gone to the shift. They told us not to tell local authorities coming to the field that we are from a medical institution. They said that we had to tell them we came voluntarily, from the mahallas. If we do not do as they told us, they threatened to fire us or to reduce our shifts.”

Source: “Live Blog / Cotton 2015,” Radio Free Europe, Radio Liberty “Ozodlik,” 4 October 2015, <http://www.ozodlik.org/contentlive/liveblog/27246431.html>.

Report 7: School administrators have ordered teachers to pick cotton throughout the country, and school administrators in Tashkent, Kashkadarya and Khorezm regions threatened to dismiss teachers if they reported that they were forced to participate in the cotton harvest.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

2015 GOU commitments to not send education / medical staff to pick cotton
 GOU – World Bank covenants prohibiting forced or child labour

Administrators of schools throughout the country have sent teachers and other school staff to pick cotton in shifts during this year's cotton harvest, for example, in groups of 20 at a time for a school with a staff of 60. Administrators in Tashkent, Kashkadarya and Khorezm regions sent all staff to pick cotton on October 1, national teachers' day in Uzbekistan. Most teachers refused to comment on why they picked cotton, and one teacher explained that they feared losing their jobs if they were found to have reported that they were forced to participate.

Source: “Ўқитувчилар пахта даласида эканини айтишидан қўрқадилар,” BBC O'zbek, 1 October 2015, http://www.bbc.com/uzbek/uzbekistan/2015/10/151001_teachers_at_cotton_field.

Report 8: High-school students, education and medical workers picked cotton in the Khazorasp district of Khorezm region, and administrators removed the education and medical workers from the fields during a visit by the International Labour Organization.

Violations reported:

2014 GOU decree to enable voluntary labour
 2015 GOU commitments to not send education / medical staff to pick cotton

High-school students picking cotton in the Khazorasp district of Khorezm region reported that teachers and medical workers had been picking cotton alongside them, were sent away during a visit by the ILO, and returned after the ILO representatives left.

Source: “Ўқитувчилар пахта даласида эканини айтишидан қўрқадилар,” BBC O'zbek, 1 October 2015, http://www.bbc.com/uzbek/uzbekistan/2015/10/151001_teachers_at_cotton_field.

Report 9: Administrators of secondary schools in the Bayavut district of Syrdarya region have threatened staff with their jobs or fines in order to mobilize them to pick cotton, and starting October 1 the administrators increased the number of staff sent to pick cotton from 30% to over 50%.

Violations reported:

ILO Conventions Nos. 29, 105
 Uzbek national law
 2014 GOU decree to enable voluntary labour
 2015 GOU commitments to not send education / medical staff to pick cotton
 GOU – World Bank covenants prohibiting forced or child labour

There are approximately 55 secondary schools in Bayavut district. Administrators accelerated the forced mobilization of staff to the cotton fields starting October 1. School No.19 in Yuldoshabad sent 40 of the 60 teachers it employs to pick cotton. School No.11 in Muqimiy sent 37 of its 62 teachers. School N10 in B. Umurzakov sent 40 of 65 teachers. School No.13 in Istiklol sent 30 of its 45 teachers.

Source: Uzbek-German Forum for Human Rights, Syrdarya region monitor, 2 October 2015.

Report 10: Administrators of Gulistan State University threatened students of the Economics and Physical Mathematics faculty with expulsion in order to mobilize them to the cotton harvest.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

Source: Uzbek-German Forum for Human Rights, Syrdarya region monitor, 2 October 2015.

Report 11: Police forced shop owners to close their businesses and pick cotton by shutting off their electricity and threatening to subject them to extraordinary tax investigations.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

Police shut down the shops in the central market in Gulistan city starting October 1, and ordered the shop owners to pick cotton. Instead of the commonly seen sign “everyone went to the cotton harvest,” police hung signs that read “Under audit.” One of the shop owners said,

“Okay, I’ll find and hire as many workers to pick cotton as they need. If only they did not stop the trade, did not close the market. I’m losing money every day the store is closed. They also cut the electricity, so many of my products went bad. Because of this cotton campaign they destroy my business. Who will care for my family? The state? Will the government ever say you suffered from such losses due to the cotton campaign? They would never do so!”

Source: Uzbek-German Forum for Human Rights, Syrdarya region monitor, 2 October 2015.

Report 12: Police threatened criminal charges of prostitution in order to mobilize women to pick cotton in the Alat district of Bukhara region.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

GOU – World Bank covenants prohibiting forced or child labour

A police officer of Alat district of Bukhara region, reported:

“The order to mobilize people to the cotton harvest is tough. It is not easy to recruit people from the mahallas [ed. neighborhood committees]. There are some women who do not work and could go and pick cotton. These women, it can

be said, sell their bodies for money. We mobilized such women for the cotton harvest. We told those who resisted that we would reopen their previous cases and penalize them. Now they are picking cotton very assiduously.”

Assad Salomov, a resident and witness of the mobilization, reported:

“There is an area in the district where mostly single women live in multi-story homes. The local police and mahalla representatives took more than 40 women. I was watching from the balcony. They ordered the women to line up, called out their names, and put them on a bus to go to pick cotton.”

Source: “B Uzbekistane k sboru xlopka privedeny i prostityutki,” Radio Free Europe, Radio Liberty “Ozodlik,” 2 October 2015, <http://www.ozodlik.org/content/article/27283051.html>.

Report 13: An open-top cargo truck carrying people to the cotton fields overturned, resulting in a reported 4 people dead, including a 17-year old boy, and 19 injured.

Violations reported:

ILO Convention No. 182

The truck, model GAZ-53 was taking passengers to farm No.8 in the Mirzaobod district of Syrdarya region when it swerved to avoid a passenger car, “Zhiguli” model, and rolled several times, according to the human rights organization Ezgulik member Isroil Rizaev. An Internal Affairs officer of Mirzaobod district confirmed the accident and the deaths and injuries. Officials often use the GAZ-53 trucks to transport people to the cotton fields, despite the obvious dangers of driving them on highways with dozens of people standing in the open-air cargo area.

Source: “Пахта мавсумидаги автохалокатда қурбонлар бор,” BBC O'zbek, 2 October 2015, http://www.bbc.com/uzbek/uzbekistan/2015/10/151002_cy_cotton_deaths.

Report 14: Administrators of a medical institution threatened staff with dismissal in order to mobilize them to pick cotton, and threatened to reduce hours or fire staff if they did not follow instructions to lie to anyone who asks by saying that they picked cotton voluntarily at the encouragement of their mahalla (neighborhood committee), in Fergana region.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

2015 GOU commitments to not send education / medical staff to pick cotton

On October 4, staff of the medical institution wrote,

“They taught us not to tell the authorities visiting the fields that we are from a medical institution. They said that we have to tell them that we came voluntarily through our mahallas. They threatened to fire us or to reduce our shifts if we did not do as they say.”

“We go to the field at 6 or 7 in the morning and return at 7 or 8 in the evening. There are married women among us. When we say that they should go home earlier because they have small children, they accuse us of being against their

policy and threaten to fire us. Everyone gets used to it and does not dare oppose. We keep our troubles to ourselves.”

Source: “Live Blog / Cotton 2015,” Radio Free Europe, Radio Liberty “Ozodlik,” 4 October 2015, <http://www.ozodlik.org/contentlive/liveblog/27246431.html>.

Report 15: The dean of the English faculty of the university threatened to record low academic scores in order to mobilize students to pick cotton in the Baghdad district of Fergana region.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

On October 4, a student from the English faculty wrote:

“We are from the English faculty, and were in the cotton field. One student has a dust allergy. She felt bad and lost consciousness. There was a car, so we immediately took her to the Baghdad district hospital. The doctor said she should not work in the fields under any circumstances, said that it could even be life-threatening for her. We took her to the headquarters,^[10] and after a while our dean told her that she had to go back to the cotton field. Every meeting, the dean tells us that not collecting cotton would have a negative impact on our exams and threatens us with bad marks.”

Source: “Live Blog / Cotton 2015,” Radio Free Europe, Radio Liberty “Ozodlik,” 4 October 2015, <http://www.ozodlik.org/contentlive/liveblog/27246431.html>.

Report 16: Officials ordered mahallas to penalize people who refuse to participate in the cotton harvest with fines of 10,000 – 15,000 soums (~\$4-\$5) per weekend, in the Andijan, Fergana, Kashkadarya, and Samarkand regions.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

The secretary of a mahalla in Kokand, Fergana region, reported that officials ordered mahallas in the Fergana, Andijan, Kashkadarya and Samarkand regions to increase their mobilization of cotton pickers by two-to-three times, from 3-5 people to 10-15 people on Saturdays and Sundays. The mahalla representative said,

“Originally each mahalla had to send three people for a 10-day trip to the cotton fields, and 3-5 people to take part in a one-day cotton harvesting. And now they told us to send 10-15 people from each mahalla this Saturday and Sunday. We have sent people. Those who could not participate paid 10,000 – 15,000 soums (~\$4 – \$5). With this money we have hired cotton pickers.”

Source: “Ўзбекские власти требуют в выходные дни в три раза увеличить количество сборщиков хлопка,” Radio Free Europe, Radio Liberty “Ozodlik,” 5 October 2015, <http://www.ozodlik.org/content/article/27288043.html>.

Report 17: Administrators of public institutions in Kashkadarya region mobilized one-third of the employees, including education and medical staff, to pick cotton for ten-day, fifteen-day, and month-long shifts.

Violations reported:

2015 GOU commitments to not send education / medical staff to pick cotton

Source: “Ўзбекские власти требуют в выходные дни в три раза увеличить количество сборщиков хлопка,” Radio Free Europe, Radio Liberty “Ozodlik,” 5 October 2015, <http://www.ozodlik.org/content/article/27288043.html>.

Report 18: High schools mobilized more than 18,000 students, including teenagers under age 18, to pick cotton in the Khorezm region each weekend during the harvest in September.

Violations reported:

ILO Convention No. 182

2014 GOU decree to enable voluntary labour

One of the respondents to a survey of the high-school students in Khorezm region by *Radio Ozodlik*, a student in the College of Technology and Entrepreneurship in Khorezm, reported that after a visit by United Nations representatives, teachers told students that they would not pick cotton anymore. The student said,

“On Thursday people from the UN visited our college. They did not talk to us. We just saw that they had come. Thereafter, the teachers told us that we will not go to pick cotton, only on the weekend now. This time we did not go pick cotton. Third-year students did not go either. We heard that other students of other colleges also had not gone to the cotton fields.”

Source: “Ўзбекские власти требуют в выходные дни в три раза увеличить количество сборщиков хлопка,” Radio Free Europe, Radio Liberty “Ozodlik,” 5 October 2015, <http://www.ozodlik.org/content/article/27288043.html>.

Report 19: Administrators of the Yangiyul school district, Buka city health and statistics departments, the hydroelectric station, the newspapers in Chui-Kirchik and Yangiyul districts, and small businesses threatened employees with the loss of their jobs or fines in order to mobilize them to pick cotton in the Tashkent region.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

2015 GOU commitments to not send education / medical staff to pick cotton

GOU – World Bank covenants prohibiting forced or child labour

Education officials in Yangiyul charged employees 600,000 soums (~\$150) for exemptions from picking cotton, and a

barbershop in Tashkent charged each employee 35,000 soums (~\$9) to then make a contribution to the harvest. The administrators of the TashGRES hydroelectric station in Tashkent also forced their employers to pick cotton.

There are billboards with a statement that child and forced labor is prohibited and the telephone number of a hotline to call with complaints along the roads in the Urta-Chirchik, Buka, Akkurgan, Yukkori-Chirchik and Kui-Chirchik areas of Tashkent region. Residents in these districts reported that they prefer to follow the orders to pick cotton, because they are afraid and do not trust that the hotline will function.

Source: Uzbek-German Forum for Human Rights, Monitor in Tashkent region, 5 October 2015.

Report 20: Following orders from the Jizzak regional governor (hokim), high-school principals forced students, including children, to pick cotton under threat of suspension from school, and administrators of public-sector institutions forced employees, including medical workers, to pick cotton under threat of losing their jobs or paying fines.

Violations reported:

ILO Conventions Nos. 29, 105

ILO Convention No. 182

Uzbek national law

2014 GOU decree to enable voluntary labour

2015 GOU commitments to not send education / medical staff to pick cotton

During the October 5 cotton headquarters[11] meeting, the Jizzak regional hokim issued an order to administrators of schools and public institutions in the region to mobilize students and employees to the cotton harvest, in order to complete the region's cotton harvest target prior to expected rains. The administrators of the Buston medical clinic in Zarbdar district ordered all 46 employees to the harvest. 10 of the clinic's doctors and 1 nurse paid the fine for not picking cotton, hiring a worker to pick in their place for 10,000 soums (~\$2.50) per day, and kept the clinic open without the 9 other nurses and all 26 technical staff. The high schools in Pakhtakor, Dustlik, Mirzachul, Amasay, Zafarobod, Zarbdar and Zaamin districts forcibly mobilized 2nd- and 3rd-year students to pick cotton, and some high schools in rural areas closed and sent all the students to pick cotton. Uzbek students begin the three-year high school typically at age 16, some at age 15. Cotton headquarters officials visit the fields each day to check attendance and progress.

Source: Uzbek-German Forum for Human Rights, Jizzak region monitor, 6 October 2015.

Report 21: A school official threatened to dismiss kindergarten teachers in order to mobilize them to pick cotton in the Chust district of Namangan region. The 2-year old son of one of the teachers forced to pick cotton fell into a well and died while she was in the cotton fields.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

2015 GOU commitments to not send education / medical staff to pick cotton

GOU – World Bank covenants prohibiting forced or child labour

A resident who knows the mother reported that the Chust district schools have sent all the teachers to pick cotton for multiple days. The mother told her fellow resident that she asked the head of her kindergarten for an exemption from the cotton harvest because she has a small child and her husband works in Russia. The mother said that the head of the kindergarten told her “I do not know anything. You have to go in any case.” The head of the kindergarten reported that she did not force the employees to pick cotton, and that the teacher concerned went to the harvest on her own.

Source: “В Узбекистане двухлетний ребенок сборщицы хлопка утонул в колоде,” Radio Free Europe, Radio Liberty “Ozodlik,” 8 October 2015, <http://www.ozodlik.org/content/article/27294291.html>.

Report 22: The Angren city health department threatened to dismiss or fine employees in order to mobilize them to pick cotton at the “Independence” farm in Buka district, Tashkent region on October 9.

Violations reported:

ILO Conventions Nos. 29, 105

Uzbek national law

2014 GOU decree to enable voluntary labour

2015 GOU commitments to not send education / medical staff to pick cotton

GOU – World Bank covenants prohibiting forced or child labour

Health department officials fined employees 35,000 soums (\$9) per day for exemptions from cotton picking. Many of the employees instead hired day labourers to pick their assigned quota of cotton, 35 kilograms per day. During their shift at the harvest, the employees pick cotton from 7 in the morning until 5 in the evening, with a break for lunch.

Administrators arranged for the Angren health department workers to sleep in the building of a former hospital during shifts at the cotton harvest. The health department employees reported that posters with a statement that child and forced labor is prohibited and the telephone number of a hotline to call with complaints hung in the building lobby. The employees said that no one would call; everyone would prefer to pick cotton than take the risk of complaining. The health department employees paid locals 2,000 soums (\$.50) to bathe, because the building lacks functioning bathing facilities.

A few of the health department employees asked a man driving a tractor why he was not harvesting the cotton, and the driver said that the tractor was probably 80 years old and the harvesting machinery left in the garage because it is more costly to harvest the cotton with it than manually. A journalist at the Angren newspaper also investigated the use of tractors and reported that tractors remain idle due to both the lack of adequate machinery and fuel as well as the system for mobilizing labor to manually harvest cotton.

Source: Uzbek-German Forum for Human Rights, Monitor in Tashkent region, 9 October 2015.

Report 23: The hokim of Gallaorol district in Jizzak region Azim Tulaboev scolded and ordered the arrest and two-day detention of Yusuf Esirgetov, chief doctor of the central hospital of Gallaorol, for not fulfilling the cotton harvest quota assigned to the hospital. Dr. Esirgapov died of a heart attack few days after his release from detention.

Violations reported:

ILO Conventions Nos. 29, 105

2014 GOU decree to enable voluntary labour

2015 GOU commitments to not send education / medical staff to pick cotton

Witnesses of the cotton headquarters meeting reported that Gallaorol district hokim Azim Tulaboev scolded Dr. Yusuf Esirgetov, chief doctor of the Gallaorol central hospital, for not ensuring that every hospital employee collect 70 kilograms of cotton each day. The hokim alleged that the hospital staff were only picking 17-20 kg per day. Dr. Esirgapov protested, saying that the quota is impossible with the little amount of cotton in the fields. In response, the hokim ordered the chief of the district police to arrest the doctor. The police detained Dr. Esirgapov for two days. Upon his release, Dr. Esirgapov was taken to the Jizzak city central hospital, and he died of a heart attack on October 9.

Source: Uzbek-German Forum for Human Rights, Jizzak region monitor, 10 October 2015.

[1] ILO Convention No. 29 concerning Forced or Compulsory Labour (Forced Labour Convention), adopted June 28, 1930, 39 U.N.T.S. 55, entered into force May 1, 1932, Article 2, stating “forced or compulsory labour shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” The ILO has further explained that “menace of penalty” includes various forms of coercion, such as physical violence, psychological coercion, and the loss of rights or privileges. [ILO, “Giving Globalization a Human Face,” 2012, ILC.101/III/1B, Para

308http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_174846.pdf, at paragraph 270.]

[2] ILO Convention No. 105 concerning Abolition of Forced Labour, adopted June 25, 1957, entered into force, January 17, 1959, at Article 1b, stating “Each Member of the International Labour Organisation which ratifies this Convention undertakes to suppress and not to make use of any form of forced or compulsory labour... (b) as a method of mobilising and using labour for purposes of economic development.”

[3] ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, adopted June 17, 1999, entered into force November 19, 2000, prohibits participation of children in hazardous labour, defined as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.”

[4] Constitution of the Republic of Uzbekistan, Art. 37, available at: <http://www.gov.uz/en/constitution/>.

[5] Prime Minister of Uzbekistan, Sh. Mirzиеv, “Decree of Cabinet of Ministers of Republic of Uzbekistan ‘On additional measures on implementation of conventions of International Labour Organization (ILO) ratified by Republic of Uzbekistan in 2014-2016,” Tashkent, 27 May 2014, No. 132, at point No. 25.

[6] International Labour Organization, “Round table on the implementation of international labour standards in Uzbekistan, 5 August 2015, http://www.ilo.org/moscow/news/WCMS_392458/lang-en/index.htm.

[7] World Bank project areas include the regions of Andijan (Ulugnor district), Bukhara (Alat district), Fergana (Yazyavan district), Karakalpakstan (Beruni, Ellikkala, Turtkul districts), Kashkadarya (Mirishkor district), Namangan, Samarkand, Syrdarya (Bayavut district), Tashkent. See the following documents for the Uzbek government commitments to the World Bank: [1] Inspection Panel, Report and Recommendations on Request for Inspection, Republic of Uzbekistan: Second Rural Enterprise Support Project and Additional Financing for Second Rural Enterprise Support Project (P126962), Report No. 83254-UZ, (December 9, 2013), at ¶ 25 “all of the following documents have been revised to include provisions that require the beneficiary/beneficiaries to comply with national and international laws and regulations on forced labour, alongside those for child labour: (i) the Rural Enterprise Investment Guidelines; (ii) the Subsidiary Loan Agreement among the Ministry of Finance, the Rural Restructuring Agency (RRA) and the Participating Financial Institutions (PFIs); (iii) the Project Implementation Plan; and (iv) the

sub-loan agreement between the PFIs and the beneficiaries. [2] World Bank, “Financing Agreement (South Karakalpakstan Water Resources Management Improvement Project) between Republic of Uzbekistan and International Development Association,” Credit Number 5490-UZ, 29 October 2014, http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/ECA/2014/11/17/090224b082867c9a/1_0/Rendered/PDF/Official0Docum0Z00Closing0Package00.pdf, at ¶ 4.01 “Article IV: Remedies of Association.” [3] World Bank, “Loan Agreement (Horticulture Development Project) between Republic of Uzbekistan and International Bank for Reconstruction and Development,” Loan Number 8393-UZ, 8 April 2015, http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/ECA/2015/05/05/090224b082e3e8f6/1_0/Rendered/PDF/Official0Docum0UZ00Closing0Package00.pdf, at Schedule 2 Project Execution, Section I., Implementation Arrangements, A. Institutional Arrangements, 2. (iv), Schedule 2 Project Execution, Section I., Implementation Arrangements, C. Subsidiary Loan Agreements, 4., Schedule 2 Project Execution, Section I., Implementation Arrangements, C. Subsidiary Loan Agreements, 5.e, Schedule 2 Project Execution, Section I., Implementation Arrangements, D. Sub-financing, 3(e), Schedule 2 Project Execution, Section I., Implementation Arrangements, E. Safeguards, 2., Schedule 2 Project Execution, Section I., Implementation Arrangements, E. Safeguards, 4-6.

[8] United Nations Officer of the High Commissioner for Human Rights, “International Covenant on Civil and Political Rights,” <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>, Article 19, ratified by Uzbekistan 28 September 1995.

[9] Mahallas are traditional Uzbek neighborhood, overseen by a mahalla committee that controls distribution of social benefits payments.

[10] “Headquarters” are the district- and regional-level organizations of officials that serve to oversee cotton production by meeting regularly, typically daily at the district or regional administration office (hokimiyat), with farmers and administrators of institutions to check progress towards harvest quotas. The meetings enable the regional governors (hokims) to keep the Prime Minister informed of progress towards their respective regional production targets.

[11] *Ibid.*