



## **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.

*Contact for more information:*

*Brian Campbell, International Labor Rights Forum, [brian.campbell@ilrf.org](mailto:brian.campbell@ilrf.org) m: 202 701 3021*