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## Information on Uzbekistan

**Compliance with ILO Convention 105 on Abolition of Forced Labour (ratified in 1997) and ILO Convention 29 on Forced Labour (ratified in 1992)**

### **Forced labour in Uzbekistan's cotton industry**

State-sponsored forced labour, including forced child labour, underpins Uzbekistan's cotton industry. Uzbekistan is the sixth largest producer of cotton in the world and the third biggest exporter, generating over US\$1 billion annually through the export of around 800,000 tonnes of cotton every year.

In the absence of mechanized harvesters, around 90% of Uzbek cotton is harvested by hand. Public employees, members of the public, together with children and students are forced to work alongside paid farm workers to ensure that state cotton quotas can be met.

Uzbekistan has ratified ILO Convention No. 29 on Forced Labour and ILO Convention No. 105 on the Abolition of Forced Labour. Contrary to recent assertions by the government that it has taken action to ban this practice, including the ratification of ILO Convention No. 182 on the Worst Forms of Child Labour and the creation of a National Action Plan on child labour, multiple credible reports from Uzbek human rights defenders and independent media, alongside field research by the Environmental Justice Foundation (EJF), showed that forced labour was once again used during the autumn 2008 cotton harvest season.

### **Forced child labour**

Regional government officials mobilise children as free or cheap labour during the cotton harvest in an attempt to ensure that state cotton quotas are met. It is impossible to ascertain the exact numbers, but estimates by human rights groups suggest that hundreds of thousands of children are involved each year.

Field research by the Environment Justice Foundation<sup>1</sup> (EJF) found that during the cotton harvest many rural schools are closed down as children, some as young as ten, are sent to the fields to pick cotton by hand. The cotton harvest begins in mid September and takes

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<sup>1</sup> EJF. 2009. *Still in the fields: the continuing use of state-sponsored forced child labour in Uzbekistan's cotton fields*, Environmental Justice Foundation, London, UK, 2009. and *White Gold: The True Cost of Cotton. Uzbekistan, Cotton and the Crushing of a Nation*. Environmental Justice Foundation, London, UK 2005.

place over a 2 to 3 month period. Children are also used to manually weed the fields and tend the cotton plants during the growing season. There are reports of children being compelled to apply pesticides to the growing crop. During an investigation by the EJF, one child complained that “It’s so hot in the fields and the chemicals burn your skin”.

Headmasters are given quotas which dictate how much each student is to harvest. Those who fail to meet their targets, or who pick a low quality crop, are reportedly punished with detentions and told that their grades will suffer, or are beaten. One teacher filmed by EJF told the children that “If you don’t pick 4kgs, I’ll beat you”. Children who run away from the cotton fields, or who refuse to take part, can face expulsion from school.

Older children and those conscripted to work in the more remote cotton farms are forced to sleep in makeshift dormitories on farms or in classrooms, in poor conditions with insufficient food and drinking water. Some children recount living in barracks with no electricity, windows or doors. After weeks of arduous work and poor accommodation children can be left exhausted and suffering from ill-health and malnutrition.

Children receive little or no pay for their labour, perhaps a few US cents per kilo of cotton picked. Some are not paid anything once deductions for food, supplies and transport are made. Parents note that payment often falls far below the costs of replacing clothes damaged while picking cotton.

*“We’re really afraid of getting expelled from school. Every 2 September, the first day of school, the Director warns us that if we don’t go out to pick cotton we might as well not come back to school. The school administration does everything to create the impression that the schoolchildren themselves are the ones who have decided to go out to the cotton fields. But just try to “voluntarily” not go out to the harvest! We’re all forced to obey this unwritten law. And moreover, the only way to get cash is to go out and pick cotton. It’s painful to see how the kids knock themselves out in the cotton fields to earn this rotten money. Just think about it: in order to earn 50 sum (four US cents), a kid who is barely 14 has to bend down to the cotton bush over 50 times. And his earnings from a day of this work won’t even buy him a pair of ugly socks.”*

Boy, ninth grade (14 years old), Kashkadaria province<sup>2</sup>

In April 2006, the UN Committee on the Rights of the Child stated in its concluding observations that it is “deeply concerned at the information about the involvement of the very many school-age children in the harvesting of cotton resulting in serious health problems such as intestinal and respiratory infections, meningitis and hepatitis”. The Committee recommended that the Government of Uzbekistan take all measures to comply with international child labour standards and establish mechanisms to monitor the situation.<sup>3</sup>

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<sup>2</sup> *Forced Child Labour in Uzbekistan’s 2007 Cotton Harvest: Survey Results*, Group of Human Rights Defenders and journalists of Uzbekistan, Tashkent, 2008. Available at: <http://www.laborrights.org>

<sup>3</sup> Concluding Observations of the Committee on the Rights of the Child: UZBEKISTAN, Forth-second session. CRC/C/UZB/CO/2. 2 June 2006

### **Forced labour of adults**

Adults are also subject to forced labour during the cotton harvest. Local administration employees, teachers, factory workers and doctors are commonly forced to leave their jobs for weeks at a time and pick cotton with no additional compensation. In some instances refusal to co-operate can lead to dismissal from work.

Elderly people and mothers of young babies have also been reportedly ordered by local government officials to pick cotton or lose their pensions or child benefits.

*“This year the chairman of the collective farm insisted that I, and my daughter-in-law and my remaining children, go out to pick cotton otherwise he would take our plot away [garden plot used to grow fruits and vegetables]. The chairman said that if we don’t go out, I’ll have to pay one hundred thousand sum (approximately US\$70- equivalent to more than three average monthly wages). When I said there was no way I could pay that kind of money, he started to threaten that in that case we wouldn’t get the welfare payment. I don’t know where to turn to complain.”*<sup>4</sup>

Mother of six children, Boiavut district

Neighbourhood committees are allegedly enlisted to ensure the implementation of these orders. Human rights activists reported that interviews they held with *Mahalla* (area division) Chairman in Fergana, Khorezm and Surkhandarya regions confirmed that failure to recruit 30 to 40 residents to work in the cotton harvest would result in their having to pay bribes of around 70-80,000 sums (US\$65-75) to local authorities. Violence and beatings have also been meted out by those working for *hokims* (local governors) when too few local people have been conscripted to the fields.<sup>5</sup>

In 2008 in Samarkand region the authorities temporarily closed down food and clothes markets to force traders to pick cotton. Each morning the police forced the market traders and shoppers out of the market, and patrol drivers were reportedly travelling through the region to drive cotton pickers to the fields. They reportedly also sometimes force drivers and their passengers to pick cotton in nearby fields for no pay. Women – including mothers at home with young children and babies- claimed that local officials warned them that they would lose their child benefit payments if they did not pick cotton.<sup>6</sup>

Anecdotal information from 2008 suggests that pressure on adults and older youths to work in the cotton fields is intensifying as international attention on the child labour issue has come to the fore.<sup>7</sup>

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<sup>4</sup> *Forced Child Labour in Uzbekistan’s 2007 Cotton Harvest: Survey Results*, Group of Human Rights Defenders and journalists of Uzbekistan, Tashkent, 2008. Available at: <http://www.laborrights.org>

<sup>5</sup> *Cotton idiocy growing strong*, Uznews.net, 29.10.2008, [http://www.uznews.net/news\\_single.php?lng=en&cid=2&sub=top&nid=7862](http://www.uznews.net/news_single.php?lng=en&cid=2&sub=top&nid=7862)

<sup>6</sup> *Elderly people, breastfeeding women ordered to pick cotton in Samarkand Region*, Uznews.net, 16.10.2008

<sup>7</sup> E.J.F. 2009. *Still in the fields: the continuing use of state-sponsored forced child labour in Uzbekistan’s cotton fields*, op.cit, p11

### **Cotton farming in Uzbekistan – state control and coercion**

One third of Uzbekistan's workforce is employed in cotton production. The Uzbek government rigidly controls all aspects of the industry. The Government acquires cotton by means of compulsory state purchase and holds a monopoly over the country's exports of cotton. Inputs such as chemical fertilizers and pesticides are state-controlled, farmers are told when to sow their crop, and how much they must produce. Annual cotton quotas are set for each region and regional governors (*Hokims*) are appointed directly by the President to ensure the delivery of their quota. Quotas are rigorously enforced. Private farmers are routinely threatened with eviction should they fail to follow the orders of the local administration and reports of state orchestrated arrests and beatings as common.

According to a study by the World Bank, the declared price paid to Uzbek farmers in return for their cotton represents only third of its export price.<sup>8</sup> In practice many get far less. Receiving almost nothing for the cotton they produce, many of Uzbekistan's cotton farmers live in dire poverty. An assessment by the World Bank classifies 30.5% of the country's rural population - 4.9 million Uzbeks - as "poor", declaring them "unable to meet their basic consumption needs". Of these, approximately 1.8 million were said to be extremely poor.<sup>9</sup>

One cotton farmer described his situation as being "like hanging between life and death", explaining, "The government controls our lives very tightly. If we don't obey, we'll end up in trouble. All we want is freedom, and the state is punishing us for wanting freedom".<sup>10</sup>

The practice of compelling farmers to plant and harvest cotton was confirmed anecdotally by a New York Times reporter in June 2008.<sup>11</sup> The article states:

Though the industry was rearranged several years ago to break the Soviet-era collective farms into private plots, the price paid for cotton is still set by the Government, as are the quotas for how much to grow. The State price is set at less than one quarter of the world market price. As yields decline and government prices remain low, farmers say that profits are increasingly elusive, and in some areas farmers have begun to abandon their fields. . . .As in Soviet times, production plans are not closely coordinated with the realities on the ground, and in Jizzax the local authorities, whose jobs depend on fulfilling quotas, have started to force bad fields — about a third of the cultivated land area in the region, according to local statistics — onto State institutions such as the post office, the State pension fund and schools, three farmers there said. Those, in turn, are forced to farm the land or to pay cash to satisfy the quota.

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<sup>8</sup> Cotton: Market Setting, Trade Policies, and Issues, by John Baffes, World Bank Policy Research Working Paper 3218, February 2004

<sup>9</sup> Uzbekistan: Living Standards Assessment, Volume II, World Bank, 2005

<sup>10</sup> *White Gold: The True Cost of Cotton. Uzbekistan, Cotton and the Crushing of a Nation*, op.cit, p5

<sup>11</sup> Tavernise, Sabrina, *Old Farming Habits Leave Uzbekistan A legacy of Salt*, New York Times, June 2008

“Jizzax is an experiment,” said one of the farmers, who asked that his name not be published to avoid trouble with local officials. He provided a document for a plot of land that had been abandoned by a farmer and was now the responsibility of a local school. Farmers who did not meet quotas were fined and even taken to court, as was the case in April with 89 farmers.

“Farmers have no rights,” he said. “They are just ordered around by the Government.”

The farmers who are fined must pay with cash, which forms the heart of a cycle of corruption that has enriched officials for generations. Those officials, envied and vulnerable to charges of corruption, change with the seasons: in Jizzax, there have been five heads of the main cotton processing factory since 2000, the farmers said.

### **The legal framework and government response**

Article 37 of the Constitution of Uzbekistan prohibits any form of forced labour. Uzbekistan has ratified ILO Convention No. 29 on Forced Labour and ILO Convention No. 105 on the Abolition of Forced Labour, in 1992 and 1997 respectively. In 2008, Uzbekistan ratified the ILO Convention No. 182 on the Worst Forms of Child Labour, which will enter into force in June 2009. At the time of writing, Uzbekistan has reportedly also ratified ILO Convention No. 138 on the Minimum Age, by declaring a minimum age (15 years old), a requirement for registration with the ILO.

In September 2008, Prime Minister Shavkat Mirziyev reportedly issued instructions to provincial governors that children were not to be used in the cotton harvest and signed a National Action Plan on child labour.

Despite this, within a matter of days, school children across the major cotton-producing regions were once more participating in the autumn 2008 harvest, organized by Government agencies and public employees, in order to fulfil cotton production quotas set by central government.

Field research by EJF in Syrdarya, Tashkent, Samarkand and Fergana regions during the October 2008 cotton harvest witnessed the continued use of hundreds of children working in the fields under the watchful eye of security personnel or supervisors. Over 60% of the fields observed had children picking cotton and children confirmed their ages as between 12 and 15 years old.

Children told EJF researchers of poor living conditions and a lack of proper drinking water and adequate food. Some said that their daily quotas were set higher than in previous years, at around 60 kilos per day, with threats or beatings ensuing for not meeting them. Many children said that they were not paid any money for their labour, although this was not the case in all circumstances. Four children are said to have died

from accidents during the harvest and one further girl reportedly committed suicide after being harshly reprimanded for not meeting her cotton quota.<sup>12</sup>

### **Conclusions and recommendations**

The 2009 report of the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) noted, inter alia, that the Government of Uzbekistan had stated (in a report submitted to the Committee in March 2008) that “under no circumstances may employers use compulsory labour for the production or harvesting of agricultural products in Uzbekistan.”

The Committee of Experts also requested the Government to “comment on the workers' and employers' observations referred to above, indicating, in particular, how the participation of the public sector workers, schoolchildren and university students in the cotton harvest is organized, and what measures have been taken or envisaged to ensure the observance of the Convention, which expressly prohibits the use of forced or compulsory labor for the purposes of economic development” and also supply the Committee of Experts with “available statistics and copies of any relevant documents, reports, studies and enquiries.”

It is clear that state-sponsored forced adult and child labour remains a profound and widespread problem in Uzbekistan, despite government denials and action taken in recent months. There is a vast disparity between legal commitments made to eradicate forced labour and their practical implementation, as witnessed by the continued use of forced labour in the most recent autumn 2008 cotton harvest.

Journalists and human rights defenders exposing the issue have been subject to harassment and arrest. Independent monitoring of the harvest has been very limited, and only undertaken at personal risk to journalists and human rights defenders.

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

- Publicly renounce forced and child labour in the cotton industry of Uzbekistan and take urgent action to end this practice;
- Put in place a comprehensive national action plan to end forced labour in the cotton industry and commit all resources necessary to the implementation of this action plan;
- Invite an ILO high-level mission to Uzbekistan during the upcoming harvest;
- Implement its commitments under ILO Conventions No. 29, No. 105 and No. 182;
- Allow independent journalists and human rights defenders unrestricted access to document the situation during the 2009 cotton harvest.

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<sup>12</sup> EJF.2009. *Still in the fields: the continuing use of state-sponsored forced child labour in Uzbekistan's cotton fields*, op.cit, pp5-7