



Cotton Campaign Pre-Sessional Report on forced labour in Uzbekistan to the Country Report Task Force for the Adoption of the List of Issues , 112th Session of the UN Human Rights Committee, 7-31 October 2014

Introduction

This is a submission by the Cotton Campaign, a coalition of human rights organisations, trade unions, socially responsible investors and business organizations who are working together to end forced labour of children and adults in the cotton industry in Uzbekistan.

Since 2007, the Cotton Campaign has advocated with governments, companies and investors to use their leverage in Uzbekistan to end this continuous and systematic human rights violation. Our advocacy has contributed to key steps towards securing fundamental labor rights for Uzbek citizens.

Lead organizations in the Cotton Campaign coalition include: Advocates for Public Interest Law, American Federation of Labor and Congress of Industrial Organizations, American Federation of Teachers, Anti-Slavery International, Association for Human Rights in Central Asia, Boston Common Asset Management, Calvert Investments, Ezgulik, Human Rights Watch, Inkota-netzwerk e.V., International Labor Rights Forum, Open Society Foundations, Responsible Sourcing Network, Solidarity Center, Stop the Traffik, Uniting Church in Australia Synod of Victoria and Tasmania Justice & International Mission, Uzbek-German Forum for Human Rights, and Walk Free.

Summary

This submission focuses on Article 8 of the International Covenant on Civil and Political Rights ('ICCPR'). More specifically, it outlines how the Government of Uzbekistan has failed to meet its obligations under the Covenant through subjecting their citizens to forced labour.

The Government of Uzbekistan has not implemented the raft of legislative and policy measures purported to address forced and child labour which it has reported to international bodies. During the 2013 cotton harvest, after a decade of global pressure, the Uzbek government reduced the number of children under the age of 16 forced to pick cotton and accepted monitoring by the ILO. In taking these steps Tashkent demonstrated that it responds to international pressure and its ability to change practices unilaterally. Yet the core of the state-orchestrated forced labour system remains unaltered.

In 2013, the Uzbek government once again forced farmers to produce state-imposed, annual quotas of cotton and operated an established infrastructure to coercively mobilize more than one million children and adults to pick cotton and prepare the cotton fields. Authorities forced children, mostly aged 16 to 17 years but some as young as 10 years old, to work in the cotton fields under threat of punishment, including expulsion from school, verbal abuse and physical abuse. Adults, including teachers, doctors, nurses, civil servant and private sector employees, were forced to pick cotton under threat of dismissal from work, or the loss of salary, pension and welfare benefits. Authorities harassed, intimidated and

detained Uzbek human rights defenders who attempted to monitor the harvest. Public officials also demanded and accepted payments in return for exemptions from forced labour, fostering corruption throughout the country.

The Uzbek system of forced labour continues despite national legislation criminalising the practice and international obligations to eradicate the practice, including under Article 8 of the ICCPR. The Government of Uzbekistan continues to deny the existence of forced labour.

Article 8 (Prohibition of Forced and Compulsory Labour): State-sponsored System of Forced Labour in Uzbekistan

The Uzbek Government forcibly mobilizes millions of citizens to harvest cotton each fall. This includes 16-17 year-old students, university students, teachers, health-care and other public-sector workers, private-sector workers and pensioners. In 2012 and 2013, as the Uzbek Government shifted the burden of the cotton harvest from children under age 16 to older children and adults, it forced over five million citizens to pick cotton.¹ This number of persons represents over 16% of Uzbekistan's population and far exceeds the total worldwide estimate of persons subjected to state-sponsored forced labour in 2012, of 2.2 million persons.² The cotton harvest is a highly orchestrated affair, controlled and directed by the Government.

A clear chain of command ensures the mobilization of the cotton pickers. Reporting directly to the President, the Prime Minister produces the national plan for cotton production, which includes the national production target. The Prime Minister then convenes the Regional Governors (*hokims*) and verbally dictates the cotton production quota for each region. The quotas are then further subdivided and enforced right down through the hierarchy of state institutions. Children and adults are forced to work alongside farmers to ensure that quotas are met.

In 2013 the Uzbek government again assigned and enforced cotton production quotas. Regional Governors were held to account by central government for fulfilling their contribution to the national target. At the local level, authorities assigned daily quotas to individuals according to the amount of cotton in the fields. Average daily quotas were:

- Starting in early September, 70 kg of cotton a day;
- October 5 - 16, 60 kg per day;
- October 17 – 22, 40 kg per day; and
- October 23 – November 15, 30 kg per day.³

Many people were unable to pick enough cotton to fulfil their daily quotas and therefore had to pay farmers or local residents for the cotton they needed to make up the shortfall.

In 2014, the Uzbek Government has already imposed the annual production quotas on farmers⁴ and forced citizens to weed and prepare the cotton fields,⁵ even while publicly committing to apply fundamental labour conventions, by signing the Decent Work Country Programme with the ILO.

State-Orchestrated Forced Labour of Children

In 2013, the Uzbek government systematically mobilized children aged 16 to 17 and adults throughout the country and 15-year old children in many regions. Authorities also mobilized even younger children in some locations. Forced child labour was organized through the state education system, under threat of expulsion from school.

Children in Uzbekistan enter high schools, known as “colleges” and “lyceums” in the Uzbek education system, at age 15 or 16.⁶ High-school administrators sent their students to prepare the cotton fields in May in the Tashkent region.⁷ Beginning in August, high-school administrators around the country – who faced dismissal for failure to mobilize a sufficient number of students to participate in the harvest -- organized groups of students to lobby their peers on the importance of their participation in the nationwide, “voluntary” campaign to harvest cotton.⁸ The school administrators also required parents to sign contracts committing their children to pick cotton in order to register them for school.⁹ One of these letters stated:

“I _____, the student of course # ___ agree to obey all the internal rules and regulations of the school and to attend all the classes. I also agree to participate in cotton harvesting, the national wealth of our nation and sincerely fulfill my duty in front of my country, my nation and my family. I promise to earn respect of my teachers and administration of the school by my exemplary behavior. I will follow all the safety rules. If I do not fulfill my above mentioned promise, I agree to be left to re- take the course and be penalized by all means showed in the law.”¹⁰

In spite of the government’s effort to portray child labour in the harvest as voluntary, school administrators reported that it was necessary to threaten punishment to ensure that students would pick cotton.¹¹ In Tashkent region, school administrators sent teachers to students’ homes to pressure families to send their children to pick cotton, pay 400,000 – 500,000 soums (\$188 - \$235 USD), or expect expulsion from school.¹² In other regions, school administrators and teachers offered exemptions from the cotton harvest for 300,000-800,000 soums (\$142-\$378).¹³ On September 20, the dean of Lyceum No. 2 in Karshi expelled Barhayot Turaev, a 16-year old student, for refusing to pick cotton, indicating that he was following orders from the education department.¹⁴

Mass mobilization of children began on September 10 throughout the nation, although the extent and intensity of mobilization varied somewhat from place to place according to how district and regional government officials implemented orders.¹⁵ As in past years, students who were deployed to pick cotton far from their homes were housed in schools and other public buildings, yet more proof of the government’s continued, systematic involvement in mobilizing forced child labour. Administrators in the Syrdarya region sent all high-school students to the fields starting on September 12.¹⁶ Of the 2,000 students of the Construction College in Gulistan, Syrdarya, 350 went to pick cotton, and the rest paid 150,000-200,000 soums (\$71-\$94 USD) for exemptions.¹⁷ Jizzak high schools sent their students to pick cotton in Dustlik district in early September.¹⁸ High-school administrators in Tashkent region conducted a mass mobilization of students on September 16.¹⁹ Tashkent municipality staff reported that high schools sent students in shifts, beginning with first-year students (15-16 year olds), followed by second- and third-year students.²⁰ Andijan high schools sent large numbers of third-year students to pick cotton in early

October.²¹ School administrators required teachers to mobilize thirty students each to pick cotton and to report uncooperative students to the police.²² By mid-October, high-school administrators in Samarkand had sent all grade levels to pick cotton.²³ Teachers worked as supervisors in the fields; for example, a high-school teacher from Syrdarya region supervised a group of 31 second-year students (16-17 year olds) for ten days, then the school administrator sent another teacher to take his place and ordered him to visit the homes of students who had not gone to pick cotton and send them to the fields.²⁴

In some places government officials forced children as young as age 10 to work in the cotton fields. Administrators of schools No. 170 and No. 35 of Chiroqchi district, Kashkadarya region suspended class and sent 5th- and 6th-grade students (ages 10-12) to weed and plough cotton fields in May.²⁵ Schools in Amudarya district of Karakalpakstan region also sent schoolchildren to weed and plough in May.²⁶ School administrators sent 7th-, 8th- and 9th-grade students (ages 14-15) to pick cotton in the Kasbi, Konlikol and Turtkol districts of Karakalpakstan, in October.²⁷ Some schools sent students after Saturday classes; others sent students for 3-4 days at a time, forcing them to miss classes.²⁸ Administrators of school N16 in Oltinkul district, Andijan region, sent schoolchildren as young as age 11 to pick cotton in mid-October.²⁹ Doctors, themselves forced to pick cotton, reported seeing a group of children, apparently ages 12-14, on the edge of a cotton field with collection bags and accompanied by police officers, on October 15.³⁰ Local authorities ordered school administrators to send schoolchildren to pick cotton in Andijan and Kashkadarya regions in November.³¹

State Orchestrated Forced Labour of Adults

In 2013, the Government's systematic use of adult forced labour affected farmers, public-sector workers, private-sector workers, unemployed citizens and those in receipt of public welfare benefits. Authorities forced pensioners, mothers receiving social benefits and other citizens to pick cotton under threat of losing the social security support on which they depend. Under pressure from authorities in higher positions, administrators of public institutions and private business owners forced their workers to pick cotton under threat of dismissal from their job. University administrators forced students to pick cotton under threat of expulsion from university.

Teachers and other public-sector professionals participated in the cotton harvest to avoid losing their jobs or salary.³² In May, administrators of schools, hospitals, power plants and other public-sector institutions in Jizzak and Tashkent regions sent teachers, doctors, nurses and other staff to plough and weed the cotton fields.³³ School administrators in Tashkent offered exemptions from springtime field work for 20,000 soums (\$9USD).³⁴ Earlier in the year, the government had inserted a clause in public-sector contracts making help with agricultural work a condition of employment for all public-sector workers.³⁵

In August and September, public-sector administrators organized staff into shifts to pick cotton and docked the salaries of those not selected for field work, purportedly to hire additional workers to pick cotton.³⁶ Hospitals and other health care institution administrations instructed doctors, nurses and other staff that they would have to pick cotton or contribute approximately half of their salaries to cotton collection during the harvest season or they would be dismissed.³⁷ Nurses reported that they picked cotton because they could not afford to pay the exemption, which cost more than a month's salary.³⁸ In Tashkent region, public-sector administrators informed staff that they would be held to a daily cotton-picking quota

of 50 kilograms and would have to pay for their own transportation, food and lodging during the harvest.³⁹ Authorities in Surkandarya and Tashkent regions ordered public institutions and private businesses to pay and arrange accommodations for students forced to participate in the cotton harvest.⁴⁰

The tax inspectorate threatened private business owners with extraordinary investigations if they refused to contribute to the cotton harvest, forcing some businessmen to pay to hire day labourers to pick cotton in their place.⁴¹ In September, local authorities in the Tashkent region, including the Prosecutor's Office and the Tax Inspectorate, convened business owners to present these demands and threaten tax penalties for those who failed to comply.⁴² Authorities in Tashkent city gave vendors operating in city parks a choice: pick cotton for forty days in Syrdarya region, pay 1.6 million soums, or expect criminal charges.⁴³ The Tashkent authorities ordered the city's business owners to transfer money to the Mega Food Store, purportedly to support the purchase of food for cotton pickers.⁴⁴ In Surkandarya region, authorities ordered private businesses with ten or more employees to send as much as half of their staff to pick cotton.⁴⁵ In September, Trastbank sent one-fifth of its staff, and the Shurtaneftegaz gas exploration company sent shifts of 800 workers to pick cotton.⁴⁶ GM Uzbekistan sent 32 people to pick cotton, nine of the company's own employees and the rest hired workers.⁴⁷

Authorities coerced community residents to pick cotton with threats to cut their electricity and social welfare benefits.⁴⁸ In Tashkent region, mahalla committees, the local entities responsible for distributing public welfare benefits, visited residents' homes, demanded they pay 89,000 soums (\$42) for the cotton harvest, and threatened cutting off electricity if they refused.⁴⁹ In the Buka district of Tashkent region local authorities carried out orders to mobilize five people from each neighborhood.⁵⁰ The regional governor of Namangan issued a public statement in September instructing mahalla committees to mobilize residents.⁵¹ Authorities of Zaaminksi district, Jizzak region, ordered residents to pick cotton in order to maintain their electricity and receive pension, child-care and other social welfare payments.⁵² Police rounded up day labourers at the Koylik market in Tashkent and sent them to pick cotton, citing their lack of Tashkent residence permits.⁵³

In the south of Uzbekistan, the authorities began mass mobilization of public-sector workers, businesses' employees, and unemployed residents to the cotton fields on September 5.⁵⁴ By September 10, authorities had expanded the mobilization nationwide.⁵⁵ Many public institutions sent their workers to pick cotton for shifts of 10-15 days.⁵⁶ The regional governor of Namangan issued a statement on September 13 that all students of the three regional universities and all workers of private and public-sector institutions would pick cotton.⁵⁷ In a statement delivered at Tashkent's South Station on September 17, the Mayor of Tashkent ordered city residents to pick cotton in Jizzak region.⁵⁸ In Syrdarya region, local authorities closed markets to prevent people from avoiding work in the cotton fields.⁵⁹ In Kashkadarya region, authorities informed residents that transportation, food and accommodation costs would be residents' responsibilities, and that penalties for refusing to participate in the harvest would include dismissal from work, docked salary, and denied social welfare benefits.⁶⁰ Education officials offered exemptions for 400,000 soums, and other public sector workers reported fees for an exemption up to 700,000 soums.⁶¹ Some citizens hired day labourers to work in their place, for rates that ranged 400,000 - 500,000 soums (\$189-\$236 USD).⁶²

Forced Labour⁶³ of Farmers

Nearly all farmers in Uzbekistan are subject to a coercive and exploitative, state-organised system of agriculture. The Uzbek Government owns all land and coerces the farmers to produce annual quotas of cotton, wheat and silk. Farmers must sell these products only to the Government at state-established, artificially low procurement prices, leaving many farmers in debt.⁶⁴ If farmers fail to meet the government-mandated quota, they risk losing their lease to farm the land, criminal charges and physical abuse. The Government exerts full control over the industry through a monopoly, and farmers are compelled to fulfil the government-mandated quotas and sell their cotton, wheat and silk to the Government, or face penalties, including fines and loss of their lease to farm the land.

Under this system, farmers are financially and legally unable to manage their land, invest in new technology, or switch from cotton monoculture, even though it negatively affects the yields. Despite a formal transition to private farms in Uzbekistan, ownership of the land remains with the state, and farmers are granted tenancy rights. It is, however, a highly insecure tenancy.⁶⁵ The government's contracts with farmers establish a lease of the land averaging 40-60 years, specify the percentage of land on which cotton is to be grown, and define the annual cotton production quota. Percentages and quotas are renewed in the annual issuances of the contracts between the government and each farmer. Upwards of 50% of each farm is designated for cotton production, and many contracts also require another percentage of the farm to be dedicated to wheat production. Uzbek state media confirmed in 2013 that the government continued not to allow farmers to choose the crops they grow, in an announcement that the government would 'award' the most productive farmers with the freedom to grow non-cotton crops.⁶⁶ Government monopolies of the input market and cotton sales also burden farmers with significant debt. The government sets prices for farm inputs and outputs and is the sole buyer of cotton from farms and sole exporter of cotton to world markets. Farmers' costs are estimated to exceed returns by 1/3.⁶⁷

The Government penalizes farmers who fail to meet the government-established quota for cotton production. Penalties include the loss of the lease to farm land, prosecution on criminal charges and physical punishment. During the cotton harvest, authorities regularly scold, humiliate and even beat farmers at regular meetings held by *hokims* (district and regional governors) in which they are supposed to report on their progress in fulfilling their cotton quota.

In 2013, Yangiyul District Department of Internal Affairs official Aziz Tashpulatov beat 63-year old farmer Tursunali Sadikov for arriving late to a cotton planning meeting, and the elderly farmer died of a heart attack the following morning.⁶⁸ In Tashkent region during the harvest, authorities restrained farmers from participating in the weighing of cotton in their own fields, so the farmers had no way of knowing the yield and how much they the state owed them.⁶⁹ In October, at least three farmers, Mukhtar Bekimbetov, Anvar Ismoilov and Khamidjon Matrizaev, fled Uzbekistan to avoid arrest and imprisonment for failing to meet their quotas for the cotton harvest.⁷⁰ In Surkhandarya, Kizir District Administrator Olim Alimardanov insulted and beat Orif Ruziboyev, 29-year old farmer, for delivering less cotton than expected, on October 5.⁷¹ Safarboy Karimov, a farmer from Karakalpakstan, committed suicide in his cotton field for fear of the consequences of failing to fulfill his state quota.⁷²

Severe Impacts Suffered by Uzbek Citizens

The Uzbek government policy and practice of forced labour directly afflicts nearly every citizen, either through the violation of their rights, damage to their health, reduced access to medical care and education, or even the loss of a loved one.

In 2013, at least eleven Uzbek citizens died as a result of the forced-labour cotton production system:

- Tursunali Sadikov, a 63-year old farmer from Yangiyul district of Tashkent region was beaten by the Head of the Yangiyul District Department of Internal Affairs Aziz Tashpulatov and died from a heart attack the following morning April 16, 2013. Tashpulatov beat the farmer for being late to a cotton planning meeting.⁷³
- Mukhlisa Rajabova, a 17-year old second-year student of Kashkadarya Region Agro-Industrial High School, died of electric shock while working in the cotton fields on September 9, 2013. Authorities returned her body to the family after a forensic examination, and no other circumstances of the case have been disclosed.⁷⁴
- Amirbek Rakhmatov, a six-year old first-year schoolboy from Vobkent district of Bukhara region, died on September 15, 2013. Amirbek had accompanied his mother, and while she picked cotton, he fell asleep in a trailer and suffocated when cotton was loaded on top of him. They only found his body when they emptied the trailer.⁷⁵
- Kozim Omonov, a 22-year old fourth-year student of Karshi State University, and Samandar Nurmatov, a 23-year old fourth-year student at Karshi State University, died from stab wounds suffered during a fight with Akram Sadatovich Urolov, a 23-year old student of Karshi State University, on September 16. Urolov knifed Omonov, Nurmatov, 25-year old Zafar Tukhtaev and 24-year old Vokhid Qodirov during a fight over cotton quotas. Tukhtaev and Qodirov were hospitalized.⁷⁶
- Malika Embergenova, a 17-year old second-year student at Nukus City Medical College No. 1, hanged herself on September 23, 2013, in the village of Atakul, Tahtakupir District, Karakalpakstan.⁷⁷ The high school (“college”) had sent Embergenova to pick cotton and stay in the village during the harvest.
- Zulajkho Jergasheva, a 30-year old teacher at school no. 55 in Samarkand region, died in a car accident while returning home from picking cotton. Ms. Jergasheva had stayed near the cotton fields for five days and was driving home to visit her two small children.⁷⁸
- Khayrulla Nurmatov, a 31-year old resident of Tashkent region, died after an epileptic seizure on October 4, 2013, in a cotton field in Dustlik District, Jizzak region. Nurmatov was picking cotton in place of Dustmurod Abraev, a surgeon of Clinic No. 49 in Yunusobod District of Tashkent City, who had hired Nurmatov to replace him in the cotton fields and pick his quota.⁷⁹
- Safarboy Karimov, a 38-year old farmer from Karakalpakstan, hanged himself in his cotton field, on October 17. Three days prior, authorities scolded him for not meeting his quotas for cotton and wheat.⁸⁰
- Erkinboj Yoldashev, a 16-year old first-year student at the Urgench Industrial High School, died of a heart attack on the evening of October 21, 2013, in the village of Galaba of the Urgench District of the Khorezm Region.⁸¹ The school administrators had sent Erkinboj to pick cotton in mid-September.⁸² In an interview the day of the tragedy, Erkinboj’s mother said Dilfuza Jumaniyozova expressed grief and outrage: “He died at 10 PM, and they came at 5 a.m. saying, ‘Your child is dead. He’s in the morgue,’ and ran away. None of them visited us since then. If my

child dies, why don't they call for me right away? Why did they inform us only after my son had undergone an autopsy? Why did they do this to my child?"⁸³

- Zulfira Akhmedova, a third-year student at Andijan State University, died on October 25 from stab wounds, inflicted by a day labourer who accused Ms. Akhmedova and her mother of underpaying him for picking the daughter's quota of cotton. Authorities denied Ms. Akhmedova a medical exemption, even though she presented a certificate from the medical advisory board stating that she was unfit to work in the cotton fields.⁸⁴

In addition to the fatalities, the Uzbek government forced children and adults to pick cotton in hazardous conditions. The authorities denied virtually all requests for medical exemptions and ignored health risks.⁸⁵ In early September, authorities ordered citizens to manually spray defoliants on the cotton fields, without personal protection equipment or training.⁸⁶ In October, a teacher suffered severe back injuries incurred by lifting bags of cotton day after day, following orders to weigh cotton picked at a farm in Syrdarya region.⁸⁷ People forced to pick cotton around the country, of all ages, reported a lack of potable water at the fields, despite extreme heat at the beginning of the harvest and 10-hour work days throughout the harvest.

Citizens forced to pick cotton also reported unhygienic conditions at the accommodations arranged by authorities near the fields.⁸⁸ Accommodations were in school gymnasiums, hallways and classrooms and unused buildings in the countryside. Adults and children often slept on the floors and reported a lack of washing facilities, heat, electricity and adequate food. A week into the harvest, children from high schools in Tashkent fled the cotton fields because of the poor living conditions. Those with resources paid local residents 500-1000 soums (\$0.23 - \$0.47) per night to sleep in their houses. Many students fell ill and were sent home early.⁸⁹

The Uzbek government's massive use of government employees strains the delivery of essential public services, including medical care and education. Doctors, nurses, emergency medical technicians and other staff of hospitals and clinics from around the country are sent to the fields. The education sector was also severely affected. Even where younger school children were not mobilized for the harvest, the state-sponsored mobilization of teachers, parents and older school children continued to negatively affect the learning process.

Following its investigation in November 2013, the World Bank Inspection Panel reported,

"The Panel also heard concerns about the weakened provision of essential social services, especially in health and education due to the alleged forced involvement of social service workers (including doctors, nurses and teachers) in the picking of cotton. During its field visit, the Panel heard direct testimony of cases where school teachers were forced to abandon their duties to go pick cotton for two months during the school year in this year's cotton harvest. There is concern that the recent alleged trend of substituting forced adult labour for child labour is said to be aggravating these concerns, as more public sector workers may be forced to go to the fields."⁹⁰

The Government Response

Failure to Acknowledge the Existence of Forced Labour

The Government continues to deny forced labour and misrepresented international organizations to support its claims. In public testimony before the United States Trade Representative in March 2013, the Uzbek Ambassador to the US denied that forced labour is used in the cotton harvest.⁹¹ In June, in public comments made on the floor of the International Labour Conference, the Uzbek government misrepresented UNICEF's program in Uzbekistan and claimed to quote a UNICEF report, stating, "the outcome of monitoring exercises carried out by UNICEF in 2012, in which investigations confirmed that in all 13 regions none of the 3.5 million pupils were obliged to participate in the harvest."⁹² UNICEF corrected the record immediately after the Conference, reporting, "UNICEF's observations do confirm that forced child labour in Uzbekistan remains a major and extensive problem as it observed in 2012 the mass mobilization of senior secondary school students for weeks at a time in the cotton fields."⁹³

The Government intensified its efforts to deny forced labour by attempting to create the impression that work in the cotton fields is voluntary. In January 2013, the government inserted a clause in contracts for public-sector workers making work in the cotton harvest a condition of employment. Leading up to the harvest, school administrators required students and parents to sign commitments at enrolment that students would pick cotton. Throughout the country, authorities instructed children at schools and adults in their workplaces and communities to report to foreigners that they picked cotton "voluntarily" and "for the love of the motherland."

Also during the 2013 cotton harvest, the ILO for the first time monitored the application of ILO Convention No. 182 on the Worst Forms of Child Labour. The ILO's stated goal of the exercise was to subsequently develop "a comprehensive national cooperation programme in collaboration with the Sub-Regional Office and Decent Work Team covering Eastern Europe and Central Asia."⁹⁴ Limitations under which the ILO monitors observed the 2013 harvest included the restriction of its mandate to ILO Convention No. 182, presence of representatives of the government with all monitoring teams, lack of participation by the International Trade Union Confederation and International Organisation of Employers, lack of participation by Uzbek civil society, and efforts by the Uzbek government to undermine monitoring, including moving people around to avoid inspections and instructing people to lie to monitors.

In the ILO mission report, the conclusion that "forced child labour has not been used on a systematic basis in Uzbekistan to harvest cotton in 2013" reflected both the goal of the exercise and the limitations imposed on the ILO monitors. It also contrasts with the evidence presented in the ILO mission report of the use of the state school system to mobilize students to the harvest. For example, the ILO monitors reported that in 8 of 9 high schools ("colleges") they visited, classes were not in session due to cotton picking, and school officials provided no attendance registers or other evidence to support the reasons given to monitors, e.g. that students were engaged in extra-curricular activities.⁹⁵ Despite the limitations under which the ILO observed the harvest, their mission report noted the use of child labour, emphasized concerns about the use of forced labour for the cotton harvest, and recommended that the government take action to implement ILO Convention No. 105.⁹⁶

Since signing the Decent Work Country Programme with the ILO in 2014, the Government has not permitted the ILO to conduct the survey of forced labour committed to therein.

Repression against Citizens that Attempt to Monitor Forced Labour

The Uzbek government continued to repress and detain Uzbek citizens seeking to document state-sponsored forced labour. In September 2013, authorities arrested and detained independent journalist Sergei Naumov for 12 days, during which time they denied him access to his lawyer and family.⁹⁷ The Bukhara City Criminal Court sentenced Bobomurad Razzakov, a farmer and human rights activist who has frequently represented fellow farmers' interests before the prosecutor's office, to four years imprisonment, on politically motivated charges of 'human trafficking'. In Jizzak, authorities took human rights activist Uktam Paradaev into police custody and then placed him under house arrest, following his meeting with a visiting delegation from South Korea. Authorities also detained Paradaev incommunicado during the 2012 cotton harvest.

Convergence of International Concern

International observers from multilateral organizations and bilateral partners of Uzbekistan share serious concern for the Uzbek government's continued use of forced labour in the cotton industry. During the latest Universal Periodic Review of Uzbekistan in 2013, the Government accepted Recommendations relating to forced labour in the cotton sector:

Recommendation 41. "Eliminate all forced labour and hazardous child labour and implement recommendations of the ILO supervisory bodies,"

Recommendation 42. "Continue to fight against child labour and ensure their rights, and in this respect, accept to develop a comprehensive cooperation with ILO which shall include the fight against forced labour," and

Recommendation 45. Improve compliance with International Labour Organisation standards, including in relation to forced labour."

The June 2013 Concluding Observations of the UN Committee on the Rights of the Child states that the Committee "remains gravely concerned about: (b) The continued involvement of children above the age of 16 years in forced labour in the cotton industry; and, (c) The lack of positive responses to the recommendation contained in the observations issued in 2011 by the Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organisation (ILO) to accept a high-level tripartite mission and avail itself to ILO technical assistance."⁹⁸

During the 2013 cotton harvest, the National Human Rights Commission of Korea sent a mission to investigate human rights impacts of South Korean companies in Uzbekistan. The mission's report concludes that "forced child/adult labour persists in the cotton fields in Uzbekistan."⁹⁹ The report further concludes that the Korean companies Daewoo Textile and Global KOMSCO Daewoo have failed to avoid complicity in the violations of international conventions prohibiting forced labour and child labour in Uzbekistan, and that the Korean government has failed to fulfil its duty, as a member of the Organization

for Economic Cooperation and Development, to work proactively to ensure these Korean companies respect international labour standards in their operations and supply chains.¹⁰⁰

In October 2013, the U.S. Customs and Border Protection applied the Tariff Act prohibition on the entry of goods produced with forced labour into the United States. The action reminded the Uzbek government that its continued practice of forced labour to produce cotton prevents companies around the world from legally importing goods into the U.S. that contain Uzbek cotton.

In November 2013, the Committee against Torture (CAT) highlighted forced labour and child labour among the “principle subjects of concern” in Uzbekistan.¹⁰¹ The CAT recommended “that the State party should end the practice of using forced labour of adults and children in the cotton sector, and permit international and independent national nongovernmental organizations and activists to conduct regular independent monitoring,” citing the Uzbek government’s duty to prevent acts of degrading treatment or punishment through the effective application of the law and regardless of any public authority’s orders.¹⁰²

In December 2013, the World Bank Inspection Panel issued their report on the Request for Inspection of the World Bank’s Second Rural Enterprise Support Project (RESP II).¹⁰³ The Panel visited with civil society activists and victims of forced labour in Uzbekistan and concluded that the plausible link between bank financing for the agricultural sector and the perpetuation of forced labour raises serious policy compliance issues. Further action by the Inspection Panel depends on progress in the World Bank’s discussion with the Uzbek government about ending the use of forced labour in cotton production and the Bank establishing third-party labour rights monitoring of its project activities.

Conclusions and Recommendations

State orchestrated system of forced labour is persistently used by the Government of Uzbekistan, despite national laws and international commitments. This is a violation of Article 8 of ICCPR. There is a denial by the Government about the use of forced labour and a continuous effort to prevent any citizen who attempts to monitor and report about the state orchestrated forced labour system.

The Government of Uzbekistan is urged to:

1. Take immediate and effective time-bound measures to eradicate forced labour of children and adults in the cotton sector, including:
 - a. Ensure no government official or citizen acting on behalf of the government coerces anyone to pick cotton. This includes children up to age 18, students, public-sector workers, private-sector workers, pensioners, mothers and others receiving public welfare support, and the unemployed.
 - b. Ensure farmers can recruit labour by: providing pre-harvest cash advances from the Selkhozfond to farmers to cover the costs of hired labour; setting the price for raw cotton to exceed production costs, including labour; setting minimum wages for work in the

cotton sector sufficiently high to attract voluntary labour; and publicly advertising on behalf of farmers to recruit unemployed citizens to work the harvest.

2. Cooperate fully with the ILO to implement all fundamental labour standards, including by:
 - a. Permitting unfettered access for ILO monitors to monitor ILO Convention No. 105 on the Abolition of Forced Labour during the 2014 cotton harvest with the participation of the IOE, ITUC, IUF and local independent civil society;
 - b. permitting unfettered access for the ILO Special Action Programme to Combat Forced Labour to conduct a survey on working conditions in agriculture; and
 - c. Ratifying and implementing ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize so farmers and farmworkers can form independent organizations to represent their interests, speak out when abuses such as forced labour occur and negotiate for better working conditions.
3. Establish and implement time-bound reforms of the cotton sector, including reporting all state expenditures and revenues from the cotton sector in national accounts that are provided to the Uzbek Supreme Assembly (*Oliy Majlis*), ending the practice of re-allocating agricultural lands as a penalty against farmers who do not fulfill cotton quotas, replacing quotas with incentives, and de-monopolizing agriculture input markets and sales markets.
4. Allow independent human rights organizations, activists and journalists to investigate and report on conditions in the cotton production sector without facing retaliation.

For more information, please contact:

Matthew Fischer-Daly
Cotton Campaign Coordinator
CottonCampaignCoordinator@gmail.com
+1(347) 266-1351

ENDNOTES

¹ Two methodologies to estimate the total persons mobilized produce an estimate of over 4 million adults. The estimated cost of the Uzbek government's mobilization of public-sector workers to pick cotton is \$211- \$291 million, depending on the exchange rate, official or unofficial.

A. According to the Labor Demand:

Assumptions-

1. The annual production target for raw cotton is 3.5 mln tons.
2. Almost all cotton is harvested manually. The amount of cotton harvested by machinery is negligible.
3. Over last two years, in 2012 and 2013, the school kids of the age up to 14 years old were released from forced labor in cotton fields. In the previous years, they had to work in cotton fields 45 days in average each season.
4. In 2012 and 2013 the government had to compensate for the loss of school children as the main labour force for harvesting cotton by dramatically increasing the number of adults and university students mobilized for harvest. The number of mobilized high school (colleges and lyceums) students remained unchanged – most of them have been and still are subject to forced labor. According to the Uzbek-German Forum for Human Rights, not less than 1.4 lm high school and university students are being mobilized for cotton harvest each year [See “Cotton — it’s not a plant, it’s politics”: The system of forced labour in Uzbekistan’s cotton sector, Berlin: Uzbek-German Forum for Human Rights, 2012, p. 35.]
5. While the high school and university students would stay in the cotton fields for the whole season, 45 days in average, the employees of organizations and enterprises have been mobilized on a rotation base, for 10 days each round.
6. Although the daily norm of picking cotton for each pickers has varied between 50 – 70kg, in reality productivity has been 30 kg in average.

Taking into account the above assumption, we made the following calculations according to the labor demand:

National production target, kg	3,500,000,000
No of high school and university students mobilized for cotton harvest	1,400,000
No of days the students work in the cotton fields	50
Daily productivity per person, kg	30
The volume of cotton the students would pick over a harvest season, kg	2,100,000,000
Remaining cotton	1,400,000,000
10 days productivity (adults), kg	300
No of adults required to pick 1.4 mln tons	4,666,667

B. According to the citizens available to the Government to mobilize through state institutions:

Assumptions-

1. This is based on the observations that suggest the universal character of mobilization for cotton wherein the authorities make no exclusion to any category of organizations and enterprises.
2. According to official statistics, there were 12,523,000 people employed in the economy and public institutions in 2013. [Uz24.Uz, March 19, 2014, <http://www.uz24.uz/society/chislenosty-naseleniya-uzbekistanauvelichilasy-na-4951-tis.-chelovek>.]

According to these assumptions, it would fair to suggest that at least third of this number, approximately four million adults, have been subject to compulsory mobilization for cotton and each worked at least ten days in the cotton field on a rotation base.

² International Labour Organisation, *Profits and Poverty: The Economics of Forced Labour*, Geneva, 2014, page 7.

³ Университет ўқитувчиси: 40 кун пахта тердим, тушликни уйдан ташидим,” Radio Free Europe, Radio Liberty “Ozodlik,” 25 October 2013, <http://www.ozodlik.org/content/article/25148101.html>, English summary: A teacher of Guliston State University picked 30-40 kilograms of cotton per day. Uzbek human rights monitor, 19 October; Uzbek human rights monitor, 20 October; *Radio Free Europe, Radio Liberty “Ozodlik,”* 10 October 2013, “WhatsApp Пахтакор: “Яна озгина териб беринглар, наварамни Австрияда ўқитволай!”

<http://www.ozodlik.org/content/article/25104210.html>, English summary: Students of Dustlik district, Jizzak region reported that the daily quota of 70 kilograms of cotton must be met to receive any payment, and deductions are taken for food and accommodations; “Узбекистан: Ученики колледжей переведены на казарменное положение на хлопок отправляют даже нарушителей ПДД,” *Fergana News*, 21 September 2013, <http://www.fergananews.com/news/21226>, English summary: Students from ages 16-18 are being mobilized to pick cotton and assigned daily quotas of 50-60 kilos. The article includes pictures of children in a bus being taken to the harvest and of a place in the town of Buka where students from one high school from another area are being housed while they pick cotton; “Uzbek Government to mobilize state employees for the cotton harvest,” *Fergana News*, 23 August 2013, <http://enews.fergananews.com/news.php?id=2699&mode=snews>, English summary:

Tashkent, administrations of public-sector institutions informed staff that they would be required to pick cotton and pay for their travel, alimentation and lodging during the cotton harvest. The daily cotton picking quota told to city residents was 40-60 kilograms.

⁴ "How cotton is grown in Uzbekistan," *UzNews*, March 21, 2014, <http://www.uznews.net/en/economy/25583-how-cotton-is-grown-in-uzbekistan>

⁵ Uzbek-German Forum for Human Rights, *A Chronicle of Forced Labour of Children and Adults*, Issue 1, May 15, 2014, http://uzbekgermanforum.org/wp-content/uploads/2014/05/Chronicle-2014_Issue1-May-193.pdf

⁶ United Nations Educational, Scientific and Cultural Organization (UNESCO), "World Data on Education, VII Ed. 2010/11: Uzbekistan," August 2011, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Uzbekistan.pdf.

⁷ "In Angren all residents mobilized to weed cotton fields," *UzNews*, 16 May 2013, http://www.uznews.net/news_single.php?lng=en&sub=usual&cid=2&nid=22737.

⁸ Uzbek human rights monitor, August 2013.

⁹ Uzbek human rights monitor, August – September 2013; "Uzbek authorities conceal the true scope of forced labour, including that of children," *UzNews*, 7 October 2013, http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=30&nid=23979, English summary: The government authorities are requiring high-school students to signing statements of their volition to work in the cotton harvest, returning high-school students from the fields to their homes prior to the arrival of ILO monitors, and instructing students under age 18 to claim to be older; "Коллеж талабалари "пахтага бораман" деган тилхат ёзишга мажбурланмоқда," *Radio Free Europe, Radio Liberty "Ozodlik"*, 12 September 2013, <http://www.ozodlik.org/content/article/25103653.html>, English summary: Throughout the country, students were required to sign letters stating their agreement to pick cotton, 'to fulfill my duty to my country, my nation and my family,' and acknowledgement to accept punishment if they fail to fulfill this "duty." A high-school staff person confirmed the use of these letters and stated that punishment for not fulfilling the order is necessary to ensure the students pick cotton, as they have each year.

¹⁰ "Коллеж талабалари "пахтага бораман" деган тилхат ёзишга мажбурланмоқда," *Radio Free Europe, Radio Liberty "Ozodlik"*, 12 September 2013, <http://www.ozodlik.org/content/article/25103653.html>, English summary: Throughout the country, students were required to sign letters stating their agreement to pick cotton, 'to fulfill my duty to my country, my nation and my family,' and acknowledgement to accept punishment if they fail to fulfill this "duty." A high-school staff person confirmed the use of these letters and stated that punishment for not fulfilling the order is necessary to ensure the students pick cotton, as they have each year.

¹¹ "Коллеж талабалари "пахтага бораман" деган тилхат ёзишга мажбурланмоқда," *Radio Free Europe, Radio Liberty "Ozodlik"*, 12 September 2013, <http://www.ozodlik.org/content/article/25103653.html>.

¹² "Police in Angren force children to pick cotton," *UzNews*, 25 October 2013, http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=2&nid=24188.

¹³ Uzbek human rights monitor, September – November 2013.

¹⁴ Uzbek human rights monitor, English summary: September 20, Karshi, Director of academic lyceum No. 2 expelled the 16-year old student Barhayot Turaev for refusing to pick cotton. Photograph depicts the teacher giving the expulsion note to the student: https://www.facebook.com/photo.php?fbid=635208806523144&set=a.600655889978436.1073741826.475357399174953&type=1&relevant_count=1; "Қаршида пахтага чиқмаган касал талаба ўқишдан ҳайдалди," *Radio Free Europe / Radio Liberty "Ozodlik"*, 21 September 2013, <http://www.ozodlik.org/content/article/25113332.html>, English summary: Students of academic Lyceum # 2 in Karshi city who didn't go to pick cotton are being expelled. Barhayot Turaev, a third-year student at the high school, has a skin disorder, was refused a medical exemption, and was expelled for refusing to work in the cotton fields. The school dean confirmed the policy and stated that the education director had ordered school administrators to follow it.

¹⁵ Uzbek human rights monitor, English summary: 10 September, authorities began the nationwide mobilization of students to the cotton fields; "Қашқадарёда 9 сентябрдан оммавий пахта терими бошланади," *BBC*, 7 September 2013, http://www.bbc.co.uk/uzbek/uzbekistan/2013/09/130907_cy_uzbek_cotton.shtml

¹⁶ Uzbek human rights monitor, English summary: 15 September, Syrdarya, all high-school students sent to pick cotton, including from Jizzak, Pakhtakor, Zafarabad, Arnasay, Dustlik, Mirzachul, Zarbdor and Zaaminsky; Uzbek

human rights monitor, English translation: 12 September, Syrdarya region, all high-school students began picking cotton. A student's mother reported that her daughter picked cotton in the Bayavut district, where they were required to pick 50 kilograms of cotton per day, for which they rise at 6:00 AM and return to their accommodations at 19:00 and 20:00, despite the high temperatures and insufficient drinking water.

¹⁷ Uzbek human rights monitor, English summary: 15 September, Gulistan city, Syrdarya region, the Construction College mobilized its students. Of the 2,000 high-school students, 350 went to pick cotton, and rest paid 150,000-200,000 soums (\$71-\$94 USD) for an exemption.

¹⁸ Uzbek human rights monitor, English summary: September 19, the Jizzak Politechnical Institute sent its adult university students to join the children, students of Jizzak's high schools, to pick cotton at farm No. 11 in the Dustlik district.

¹⁹ Uzbek human rights monitor, English summary: 16-17 September, Angren, Tashkent region, mobilization of high-school students (ages 15-18):

<https://www.facebook.com/media/set/?set=a.633550863355605.1073741828.475357399174953&type=1>

²⁰ Uzbek human rights monitor, English summary: 25 October 201, Tashkent region, the city municipality reported that the harvest is expected to continue until November 5. High-school students were sent to pick cotton in shifts during October, starting with the first-year students, followed by the second- and third-year students. Some students were obliged to pay the expense of transportation to the cotton fields.

²¹ Uzbek human rights monitor, English summary: 7 October, Andijan region, high schools sent a large number of third-year students (ages 17 and 18) to the cotton fields.

²² "Пахта: Ўқитувчиларга талабаларни топишдек изқуварлар вазифаси берилган," *BBC*, 17 September 2013, http://www.bbc.co.uk/uzbek/uzbekistan/2013/09/130917_cotton_teacher.shtml, English summary: The BBC interviewed a high-school teacher, who reported that they were ordered to pick cotton despite poor health; and they were ordered to coerce 30 students into picking cotton under their oversight. The teachers were instructed to report uncooperative students to police, who would record a list of their names. The target students were the 10-15% who register but work instead of attending school. The teacher also reported visiting a healthcare clinic, where staff instructed everyone the no medical exemptions would be granted, except by the mayor's office. Another teacher reported receiving the orders to recruit and oversee students in the cotton fields.

²³ Uzbek human rights monitor, English summary: 15 October, Samarkand region, high-school students from all grade levels were working in the cotton fields.

²⁴ Uzbek human rights monitor, English summary: 20 October, Syrdarya region, high-school teacher reported that he began overseeing a group of 31 second-year high-school students since September 12. Of the 966 students of his high school, 450 were sent to pick cotton. The daily cotton pick quota is 60 kilograms. After 10 days, another teacher took over his role as overseer, and he was ordered to visit homes of students who had not gone to pick cotton and to send them to the fields

²⁵ "Чироқчида ўқувчилар чописққа мажбурланмоқда," *Radio Free Europe, Radio Liberty "Ozodlik,"* 23 May 2013, <http://www.ozodlik.org/content/article/24994813.html>, English summary: Chiroqchi district, Kashkadarya region, classes for grades 5-6 at School No. 170 and No. 35 were suspended, and the children ages 10-12 were sent to weed and plough cotton fields.

²⁶ "Амударё туманида ўқувчилар фўза чописқига чиқарилди," *Radio Free Europe, Radio Liberty "Ozodlik,"* 15 May 2013, <http://www.ozodlik.org/content/article/24987039.html>, English summary: Amudarya district, Karakalpakstan, schoolchildren were sent to weed and plough cotton fields. Jizzak region, teachers and other public-sector workers were forced to work in the cotton fields on the weekends.

²⁷ "Касби туманида ўқувчилар пахтага ҳайдалди," *Radio Free Europe, Radio Liberty "Ozodlik,"* 4 October 2013, <http://www.ozodlik.org/content/article/25126888.html>, English summary: Kasbi district, Kashkadarya region, schoolchildren of 7th, 8th and 9th grades were sent to pick cotton; "Қорақалпоғистонда мактаб ўқувчилари пахта теримига чиқарилди," *Radio Free Europe, Radio Liberty "Ozodlik,"* 12 October 2013, <http://www.ozodlik.org/content/article/25135028.html>, English summary: In the Turtkol and Konlikol districts of Karakalpakstan, schoolchildren were taken to pick cotton. In the Ordurdiv village, school #9 took 8th and 9th grade students (ages 14-15) to pick cotton on Saturday after classes. In the Konlikol district, most schools took 7th – 9th grade students to pick cotton for 3-4 days, instead of classes.

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- ²⁸ “Қорақалпоғистонда мактаб ўқувчилари пахта теримига чиқарилди,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 12 October 2013, <http://www.ozodlik.org/content/article/25135028.html>, English summary: In the Turtkol and Konlikol districts of Karakalpakstan, schoolchildren were taken to pick cotton. In the Ordurdiev village, school #9 took 8th and 9th grade students (ages 14-15) to pick cotton on Saturday after classes. In the Konlikol district, most schools took 7th – 9th grade students to pick cotton for 3-4 days, instead of classes.
- ²⁹ Uzbek human rights monitor, English summary: 16 October, Oltinkul district Andijan region, schoolchildren as young as age 11 from school N16 were sent to pick cotton.
- ³⁰ Uzbek human rights monitor, English summary: 15 October, Tashkent region, Buka district, doctors reported seeing a group of 15 children approximate ages 12-14, standing at the edge of a cotton field with bags used to collect cotton and accompanied by two police officers.
- ³¹ Uzbek human rights monitor, English summary: November, Andijan and Kashkadarya regions, school children were sent to pick cotton on orders from the local government authorities.
- ³² “Volunteering Gone Mad in Uzbekistan,” *Institute for War and Peace Reporting,* 7 February 2013, <http://iwpr.net/report-news/volunteering-gone-mad-uzbekistan>; “Is teacher more useful at school or in a cotton field?” *BBC,* 1 October 2013, http://www.bbc.co.uk/uzbek/uzbekistan/2013/10/131001_uzbek_teacher_day.shtml, English summary: On Uzbekistan’s Teachers’ Day, a national holiday, President Islam Karimov did not mention the participation of teachers in the cotton harvest. Teachers shared their experiences of picking cotton, managing double workload while colleagues pick cotton, and being fired for reporting on the mobilization for the cotton harvest; “Университет ўқитувчиси: 40 кун пахта тердим, тушликни ўйдан ташидим,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 25 October 2013, <http://www.ozodlik.org/content/article/25148101.html>, English summary: A teacher of Guliston State University picked cotton for 40 days, returning home each night, to avoid losing his salary.
- ³³ “Амударё туманида ўқувчилар ёўза чопиғига чиқарилди,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 15 May 2013, <http://www.ozodlik.org/content/article/24987039.html>, English summary: Jizzak region, teachers and other public-sector workers were forced to work in the cotton fields on the weekends; “In Angren all residents mobilized to weed cotton fields,” *UzNews,* 16 May 2013, http://www.uznews.net/news_single.php?lng=en&sub=usual&cid=2&nid=22737.
- ³⁴ “In Angren all residents mobilized to weed cotton fields,” *UzNews,* 16 May 2013, http://www.uznews.net/news_single.php?lng=en&sub=usual&cid=2&nid=22737.
- ³⁵ “Янгийўллик тиббиёт ходимлари пахта яганасига мажбурланди,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 27 May 2013, <http://www.ozodlik.org/content/article/24998716.html>, English summary: Tashkent region central hospital doctors, nurses and other staff were sent to weed cotton fields. A paramedic and head doctor stated that the contracts for the hospital staff included a statement that they would “voluntarily” help with agricultural work.
- ³⁶ Uzbek human rights monitor, August – September 2013.
- ³⁷ “Шифокорлар бу йил ҳам мажбуран пахтага олиб чиқилади,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 18 August 2013, <http://www.ozodlik.org/content/article/25079622.html>; “Шифокорлар бу йил ҳам мажбуран пахтага олиб чиқилади,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 18 August 2013, <http://www.ozodlik.org/content/article/25079622.html>, English summary: Around the country, hospitals and other health care institution administrations instructed the doctors, nurses and other staff that they would have to pick cotton or contribute approximately half of their salary to cotton collection during the harvest season, or they would be dismissed.
- ³⁸ Uzbek human rights monitor, September 2013.
- ³⁹ “Uzbek Government to mobilize state employees for the cotton harvest,” *Fergana News,* 23 August 2013, <http://enews.fergananews.com/news.php?id=2699&mode=snews>.
- ⁴⁰ “Uzbek teachers enlisted in preparation for child labour during the cotton harvest,” *UzNews,* 23 August 2013, http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=3&nid=23565; “Ҳашарчилар таъминоти ташкилотларга юкланди,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 28 August 2013, <http://www.ozodlik.org/content/article/25089497.html>, English Summary: Surkhandarya region, authorities convened a meeting with heads of public-sector institutions and private companies and ordered them to pay the cost of refurbishing accommodations for people sent to pick cotton. The “Djarkorgonneft” society was responsible for refurbishing a field house with toilets and showers.

⁴¹ “Пахта мавсуми сабаб Тошкентда мардикорларнинг нархи кескин кўтарилган’,” *BBC*, 16 September 2013, http://www.bbc.co.uk/uzbek/uzbekistan/2013/09/130916_cotton_season_mardikors.shtml, English summary: BBC interviewed Sur’at Ikromov, leader of the Action Group of Independent Human Rights Defenders of Uzbekistan. Mr. Ikromov reported that everyone – public sector and private sector – is required to contribute to the cotton harvest. Government tax inspectors threaten private business owners with extraordinary tax investigations to ensure their contribution. Businessmen avoid the field work by hiring day labourers, which transfers the labour cost from the government to the businesses.

⁴² Uzbek citizen, Email to noforcedlabour[at]gmail.com, 19 September 2013, English translation: A self-described small businessman in Tashkent reported that received a call from the local administration in the district of Tashkent where his business is registered inviting him to a meeting the next day. When he showed up, he was taken in to see a Deputy Administrator who was accompanied by two men who identified themselves as working for the Prosecutor’s Office and the Tax Inspectorate. He was told he needed to contribute two people to the cotton harvest. He explained he only employed four and could not spare two of them for the harvest. He was then told that in that case he should hire two unemployed people to do the harvesting. He again refused and was threatened with stepped up inspections of his business by a variety of government agencies. According to the author of the email, just during the time he was at the local administration office something like 40 other private businessmen were there, having been called in just as he was.

⁴³ *Uzmetronom.com*, 5 September 2013, English summary: Private businessmen whose firms work on the territory of Tashkent’s parks were called together and told that according to the local administration they will all voluntarily spend 40 days picking cotton in Syrdarya. Those who don’t wish to volunteer or wish to volunteer for a shorter period should pay 40,000 soums (\$18-19) per day or 1.6 million soums (\$755) for the full 40 day period (apparently no discounts given). According to the article: “Those who refused were threatened with administrative intervention (additional checks of their financial-economic activities leading to the opening of criminal cases in instances of causing harm to the national economy).” The article notes that teachers, doctors, clerks, industrial workers, etc. are getting the same message.

⁴⁴ “Ушли на грядки,” *UzMetronom*, 16 September 2013, http://www.uzmetronom.com/2013/09/16/ushli_na_grjadki.html, English summary: In Tashkent, authorities required business owners to send their workers to pick cotton and to sign an agreement to buy food for the cotton pickers from Mega Food Store, a company directed by O.Z. Ortikov, yet the actual use of the money is unknown. Example of the agreement is posted on the link. At the Sergeli automotive market in Tashkent, shop owners were compelled to pick cotton for three days in Jizzak region, hire someone to go in their place, or pay 40,000 soums (\$19) per day to the district administration, under threat of losing their shops.

⁴⁵ “Кейинги ҳафтадан пахта теримиға сафарбарлик кутилмоқда,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 3 September 2013, <http://www.ozodlik.org/content/article/25094184.html>, English summary: A listener wrote to Radio Liberty that in Surkandarya, region private companies employing 10 or more persons were ordered to send 2-5 employees to pick cotton.

⁴⁶ Uzbek human rights monitor, September 2013.

⁴⁷ Uzbek human rights monitor, interview of GM worker, November 2013, cited in Uzbek-German Forum for Human Rights, “A Chronicle of Forced Labour of Children and Adults: Issue 8,” 7 November 2013, <http://uzbekgermanforum.org/wp-content/uploads/2013/11/8-Cotton-Chronicle-Issue-8-20131.pdf>.

⁴⁸ Uzbek citizen, Email to noforcedlabour[at]gmail.com, 17 September 2013, English translation: Mahalla committee in Tashkent suburbs visited the homes of the community residents and asked them to give 89,000 soums (\$42) to the cotton harvest. The mahalla committee representatives informed the residents that they would have problems with their electricity if they refused to pay. One pensioner reported that he already refused to pay and lost power; he then paid, and the power returned.

⁴⁹ *Ibid.*

⁵⁰ “Тошкент мактаблари пахта теримиға “команда” олди,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 9 September 2013, <http://www.ozodlik.org/content/article/25100550.html>, English summary: In Buka district, Tashkent region, local authorities mobilized five people from each neighborhood.

⁵¹ “Наманганда пахта учун аҳоли ва тадбиркорлардан пул ундирилмоқда,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 13 September 2013, <http://www.ozodlik.org/content/article/25105254.html>, English summary: The

Namangan regional governor issued a statement to the local media that neighborhood “mahalla” committees would mobilize residents for the harvest.

⁵² “Зааминцев заставляють собирать хлопок бесплатно,” *UzNews*, 18 September 2013,

http://www.uznews.net/news_single.php?lng=ru&sub=top&cid=2&nid=23785, English summary: Residents of villages in the Zaaminski district of Dzhizak province were gathered together by local authorities and told they must all pick cotton, for which they will receive no payment, not even the token amounts received in past years. There are to be no exceptions; if anyone is too old or sick to participate they must hire a replacement with their own money. The authorities threatened to cut off electricity and/or hold up child support or pension payments to those who refuse to participate.

⁵³ “Тошкентда мардикорлар мажбурий пахта теримига ҳайдалмоқда,” *Radio Free Europe, Radio Liberty*

“*Ozodlik*,” 5 October 2013, <http://www.ozodlik.org/content/article/25127584.html>, English summary: At the Koylik market in Tashkent, police rounded up day labourers from Syrdarya region and forcibly took them to pick cotton, citing their lack of residence permits to be in Tashkent.

⁵⁴ “Жанубий вилоятларда пахта теримига “старт” берилди,” *Radio Free Europe, Radio Liberty* “*Ozodlik*,” 5

September 2013, <http://www.ozodlik.org/content/article/25096739.html>, English summary: September 5, in southern regions, under orders from the authorities, public-sector institutions and private companies began sending their employees to the cotton fields; “Тошкент мактаблари пахта теримига “команда” олди,” *Radio Free Europe, Radio Liberty* “*Ozodlik*,” 9 September 2013, <http://www.ozodlik.org/content/article/25100550.html>, English summary: Starting September 6, Navoi city, Kashkadarya region, nurses were sent to pick cotton and stay overnight in the cotton fields of Kiziltepa district. The nurses reported picking cotton in shifts for 10-15 days. September 6, Surkhandarya district, workers of several private companies and public institutions were sent to pick cotton.

⁵⁵ “Тошкент мактаблари пахта теримига “команда” олди,” *Radio Free Europe, Radio Liberty* “*Ozodlik*,” 9

September 2013, <http://www.ozodlik.org/content/article/25100550.html>, English summary: Starting September 9, school staff were sent to pick cotton or required to pay a fine of 400,000 soums (\$189). Public sector workers in Tashkent received orders to begin picking cotton on September 10.

⁵⁶ “Тошкент мактаблари пахта теримига “команда” олди,” *Radio Free Europe, Radio Liberty* “*Ozodlik*,” 9

September 2013, <http://www.ozodlik.org/content/article/25100550.html>, English summary: Starting September 6, Navoi city, Kashkadarya region, nurses were sent to pick cotton and stay overnight in the cotton fields of Kiziltepa district. The nurses reported picking cotton in shifts for 10-15 days. September 6, Surkhandarya district, workers of several private companies and public institutions were sent to pick cotton; Uzbek human rights monitor, September – November 2013.

⁵⁷ “Наманганда пахта учун аҳоли ва тадбиркорлардан пул ундирилмоқда,” *Radio Free Europe, Radio Liberty*

“*Ozodlik*,” 13 September 2013, <http://www.ozodlik.org/content/article/25105254.html>, English summary: The Namangan regional governor issued a statement to the local media that the students of the three regional universities and all workers of companies and public-sector institutions would work in the cotton harvest.

⁵⁸ Uzbek citizen, Email to [noforcedlabour\[at\]gmail.com](mailto:noforcedlabour[at]gmail.com), 17 September 2013, English translation: On 17 September 2013, at 6:00 AM at South Station, the Tashkent city mayor sent “volunteers” to the cotton harvest, somewhere in Jizzak region. The people would stay in a college gymnasium.

⁵⁹ “Daytime markets shutdown in Uzbekistan, police chasing vendors,” *Fergana News*, 4 October 2013,

<http://enews.fergananews.com/news.php?id=2732&mode=snews>.

⁶⁰ “Қашқадарёда 9 сентябрдан оммавий пахта терими бошланади,” *BBC*, 7 September 2013,

http://www.bbc.co.uk/uzbek/uzbekistan/2013/09/130907_uz_uzbek_cotton.shtml, English summary: Kashkadarya region, leading up to September 10, university students, public-sector and private sector workers and members of neighborhood “mahalla” committees received orders to pick cotton or pay the value of their daily cotton quota. Authorities also informed residents that transportation and food expenses would be the responsibility of the citizens, and that penalties for disobeying the orders included dismissal from work, docked salary, and expulsion from school.

⁶¹ Uzbek human rights monitor, October 2013.

⁶² Uzbek human rights monitor, September – November 2013.

⁶³ Forced or compulsory labour is defined at Convention No. 29, Article 2.1, as “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 [or herself] voluntarily” [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]. The definition thus contains three basic elements: 1. some form of work or service must be provided by the individual concerned to a third party; 2. the work is performed under the threat of a penalty; and, 3. the work is undertaken involuntarily. Each of the elements of the forced labour definition has been developed over time by the various ILO supervisory mechanisms. According to the ILO Committee of Experts on the Application of Conventions and Recommendations, the second element of the definition, under menace of penalty, “should be understood in a very broad sense: it covers penal sanctions, as well as various forms of coercion, such as physical violence, psychological coercion, retention of identity documents, etc. The penalty here in question might also take the form of a loss of rights or privileges” [International Labour Organization, *Giving Globalization a Human Face*, ¶ 270]. The third element of the definition, *involuntary offer*, “refers to the freely given and informed consent of workers to enter into an employment relationship and to their freedom to leave their employment at any time (e.g. with notice of reasonable length). An external constraint or indirect coercion interfering with a workers freedom to “offer himself voluntarily” may result not only from an act of the authorities, such as a statutory instrument, but also from an employers practice, for example where *migrant workers* are induced by deceit or false promises, or **forced** to remain at the disposal of an employer; such practices represent a clear violation of the Convention. With regard to the possibility to revoke freely given consent to undertake work or service, the Committee has considered, in connection with freedom of workers to leave their employment that, even in cases where employment is originally the result of a freely concluded agreement, the right of workers to free choice of employment remains inalienable” [International Labour Organization, *Giving Globalization a Human Face*, ¶ 271].

⁶⁴ Since independence in 1991, the Uzbek government has passed at least 55 laws, decrees and resolutions concerning agricultural land yet retained state ownership and final decision-making authority. With one of the earliest privatization reforms, the government abolished state farms to relieve itself of the financial burden of paying the large state agricultural workforce. It then introduced a system of land leasing under which farmers rent land from the government and must fulfill terms of the agreement to continue farming the land. See Kandiyoti, Deniz, “Agrarian Reform, Gender and Land Rights in Uzbekistan,” United Nations Research Institute for Social Development, Social Policy and Development Programme Paper Number 11, June 2002.

⁶⁵ The School of Oriental and African Studies, University of London, *What has changed? Progress in eliminating the use of forced child labour in the cotton harvests of Uzbekistan and Tajikistan*, London, November 2010, p24

⁶⁶ “Uzbek farmers promised benefits for good cotton,” *BBC*, 21 October 2013,

http://www.cottoncampaign.org/wp-content/uploads/2013/10/Gazeta_21October2013_farmers_promised_benefits.pdf

⁶⁷ Uzbek-German Forum for Human Rights and Cotton Campaign, “A Systemic Problem: State-Sponsored Forced Labour in Uzbekistan’s Cotton Sector Continues in 2012,” July 2013, p. 14.

⁶⁸ “В Янгиюле схвачен милиционер, обвиняемый в убийстве фермера,” *Radio Free Europe / Radio Liberty* “Ozodlik,” 3 May 2013, http://www.uznews.net/news_single.php?lng=ru&cid=38&nid=22628.

⁶⁹ Uzbek human rights monitor, September 2013.

⁷⁰ Uzbek human rights monitor, October 2013.

⁷¹ “Ҳақоратланган фермернинг кампир онаси Қизириқ ҳокимига этагини кўтарди,” *Radio Free Europe / Radio Liberty* “Ozodlik,” 9 September 2013, <http://www.ozodlik.org/content/article/25131695.html>

⁷² “Farmer commits suicide on cotton field,” *Fergana News*, 20 October 2013, <http://enews.fergananews.com/news.php?id=2743&mode=snews>; “Тўрткўллик фермер қамалишдан кўрқиб, ўзини осди,” *Radio Free Europe / Radio Liberty* “Ozodlik,” 18 October 2013, <http://www.ozodlik.org/content/article/25140979.html>

⁷³ “В Янгиюле схвачен милиционер, обвиняемый в убийстве фермера,” *Radio Free Europe / Radio Liberty* “Ozodlik,” 3 May 2013, http://www.uznews.net/news_single.php?lng=ru&cid=38&nid=22628

⁷⁴ “‘Пахта – 2013’ нинг илк қурбони Қаршида қайд этилди,” *Radio Free Europe / Radio Liberty* “Ozodlik,” 16 September 2013, <http://www.ozodlik.org/content/article/25107660.html>

- ⁷⁵ “Вобкентда 1-синф ўқувчиси пахта тагида қолиб ўлди,” *Radio Free Europe / Radio Liberty “Ozodlik,”* 19 September 2013, <http://www.ozodlik.org/content/article/25111365.html>
- ⁷⁶ *Fergana News*, October 28, <http://enews.fergananews.com/news.php?id=2750&mode=snews>; “Қаршида пахтага чиқмаган касал талаба ўқишдан ҳайдалди,” *Radio Free Europe / Radio Liberty “Ozodlik,”* 21 September 2013, <http://www.ozodlik.org/content/article/25113332.html>.
- ⁷⁷ “Student commits suicide during cotton harvest,” *UzNews*, 4 October 2013, http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=4&nid=23954.
- ⁷⁸ “Another cotton-related death – teacher dies in car crash,” *UzNews*, 4 October 2013, http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=4&nid=23966
- ⁷⁹ “Шифокор ёллаган мардикор пахтазорда ўлиб қолди,” *Radio Free Europe / Radio Liberty “Ozodlik,”* 8 October 2013, <http://www.ozodlik.org/content/article/25130163.html>; “Наманганда пахта учун аҳоли ва тадбиркорлардан пул ундирилмоқда,” *Radio Free Europe, Radio Liberty “Ozodlik,”* 13 September 2013, <http://www.ozodlik.org/content/article/25105254.html>.
- ⁸⁰ “Farmer commits suicide on cotton field,” *Fergana News*, 20 October 2013, <http://enews.fergananews.com/news.php?id=2743&mode=snews>; “Тўрткўллик фермер қамалишдан кўрқиб, ўзини осди,” *Radio Free Europe / Radio Liberty “Ozodlik,”* 18 October 2013, <http://www.ozodlik.org/content/article/25140979.html>
- ⁸¹ “Урганчда пахта теришга мажбурланган 16 яшар бола ётоқда ўлиб қолди,” *Radio Free Europe / Radio Liberty “Ozodlik,”* 22 October 2013, <http://www.ozodlik.org/content/article/25144742.html>, English summary: 16-year old Yuldoshev Erkaboy Shuhratovich died unexpectedly in the barracks during the cotton harvest in Galaba village, Urgench, Khorezm region, on October 21. Yuldoshev was a 1st-year student of at the Urgench Vocational College. He died in the barracks at 10 p.m., shortly after his returning from the cotton field; “16-year old dies during cotton harvest,” *UzNews*, 23 October 2013, http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=3&nid=24150. “Uzbek Cotton-Picking Claims Eighth Victim,” *Radio Free Europe, Radio Liberty*, 23 October 2013, <http://www.rferl.org/content/article/25145827.html>.
- ⁸² *Ibid.*
- ⁸³ Interview, *RadioFree Europe, Radio Liberty “Ozodlik,”* 22 October 2013, starting at minute 9, <http://www.ozodlik.org/audio/audio/1017350.html>.
- ⁸⁴ “Uzbek Student Stabbed to Death in Dispute over Cotton Picking,” *Radio Free Europe, Radio Liberty*, 31 October 2013, <http://www.rferl.org/content/uzbekistan-cotton-picking-killing/25153889.html>; *Fergana News*, 31 October 2013, <http://www.fergananews.com/news/21431>.
- ⁸⁵ “Пахта: Ўқитувчиларга талабаларни топишдек изқуварлар вазифаси берилган,” *BBC*, 17 September 2013, http://www.bbc.co.uk/uzbek/uzbekistan/2013/09/130917_cotton_teacher_shtml, English summary: The teacher also reported visiting a healthcare clinic, where staff instructed everyone the no medical exemptions would be granted, except by the mayor’s office; “Зааминцев заставляют собирать хлопок бесплатно,” *UzNews*, 18 September 2013, http://www.uznews.net/news_single.php?lng=ru&sub=top&cid=2&nid=23785, English summary: There are to be no exceptions; if anyone is too old or sick to participate they must hire a replacement with their own money; “WhatsApp Пахтакор: “Битта домла камида 3-4 миллион сўм пул ишлаяпти,” *Radio Free Europe / Radio Liberty “Ozodlik,”* 19 September 2013, <http://www.ozodlik.org/content/article/25104210.html>, English summary: A Radio Liberty reader posted a blog stating that students diagnosed with health issues were forced to pick cotton.
- ⁸⁶ Uzbek human rights monitor, September 2013.
- ⁸⁷ Uzbek human rights monitor, October 2013.
- ⁸⁸ Uzbek human rights monitors, September – November 2013.
- ⁸⁹ Uzbek human rights monitor, September - November 2013; “WhatsApp Пахтакор: “Битта домла камида 3-4 миллион сўм пул ишлаяпти,” *Radio Free Europe / Radio Liberty “Ozodlik,”* 19 September 2013, <http://www.ozodlik.org/content/article/25111213.html>, English summary: A listener reported abysmal conditions of accommodations for cotton pickers in Samarkand, including no gas, electricity or appropriate washing facilities;

therefore, some pay 35,000 soums (\$17 USD) for rent and 3,000 soums (\$1.42) per shower in other facilities, expenditures far exceeding any pay for the cotton picked.

⁹⁰ The Inspection Panel, “Report and Recommendation on Request for Inspection: Republic of Uzbekistan- Second Rural Enterprise Support Project (P109126) and Additional Financing for Second Rural Enterprise Support Project (P126962),” 9 December 2013, Paragraph 68, page 16,

http://siteresources.worldbank.org/EXTINSPECTIONPANEL/Resources/PanelReport_Uzbekistan_SRESP_Dec9_2013.pdf.

⁹¹ Executive Office of the President, Office of the U.S. Trade Representative, *Public Hearing for U.S. Generalized System of Preferences (GSP): 2012 Annual Review of Country Practices*, March 28, 2013, Washington DC.

⁹² Report of the Committee on the Application of Standards, Part Two, Record of Proceedings, 19 June 2013. Uzbekistan. Worst Forms of Child Labour Convention, 1999 (No. 182)

⁹³ Statement provided by the Vice-President of Public Policy and Advocacy of the US Fund for UNICEF, June 2013

⁹⁴ International Labour Organization, “ILO High Level Mission Report on the Monitoring of Child Labour During 2013 Cotton Harvest in Uzbekistan,” 19 November 2013, paragraph 7, page 5.

⁹⁵ *Ibid* Annex D, page 77.

⁹⁶ *Ibid*, paragraphs 35-36, page 13.

⁹⁷ See Association for Human Rights in Central Asia, <http://nadejda-atayeva-en.blogspot.com/>; Human Rights Watch, <http://www.hrw.org/news/2013/09/24/uzbekistan-journalist-forcibly-disappeared>; Organization for Security and Co-operation in Europe, <http://www.osce.org/fom/105392>; and Reporters Without Borders, <http://www.trust.org/item/20130923125113-rpyi0/?source=hppartner>.

⁹⁸ Committee on the Rights of the Child, Concluding observations on the combined third and fourth periodic reports of Uzbekistan, adopted by the Committee at its sixty-third session (27 May- 14 June 2013), CRC/C/UZB/CO/3-4, Geneva, 10 July 2013, paragraph 65b and c

⁹⁹ See the report on the National Human Rights Commission of Korea website at: English, <http://www.apil.or.kr/attachment/cfile7.uf@2137684452AAA61E0A2FE4.docx> and Korean, http://www.humanrights.go.kr/03_sub/body02_4.jsp.

¹⁰⁰ *Ibid*

¹⁰¹ United Nations Committee against Torture, “Concluding observations on the fourth periodic report of Uzbekistan,” November 2013,

http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/UZB/CAT_C_UZB_CO_4_15833_E.doc.

¹⁰² *Ibid*.

¹⁰³ The World Bank Inspection Panel, “Report and Recommendation: Republic of Uzbekistan- Second Rural Enterprise Support Project (P109126) and Additional Financing for Second Rural Enterprise Support Project (P126962),” 9 December 2013,

http://siteresources.worldbank.org/EXTINSPECTIONPANEL/Resources/PanelReport_Uzbekistan_SRESP_Dec9_2013.pdf