



## **Cotton Campaign written input to the List of Issues Prior to Reporting (LOIPR) ahead of Turkmenistan’s review on its fifth and sixth reports.**

### **The Committee on the Rights of the Child, 97 Pre-Sessional Working Group (February 2024)**

#### **I. INTRODUCTION**

##### **Authors of the report**

The Cotton Campaign<sup>1</sup> is a coalition of international human and labour rights NGOs, brand and retail associations, responsible investor organisations, supply chain transparency groups, and academic partners, united to end forced labour and promote decent work for cotton workers in Central Asia. The Cotton Campaign uses policy, legal, and campaigning tools to pressure the Turkmen Government to acknowledge the state-imposed forced labour problem and take concrete steps to address it.

##### **Report content**

This submission provides information on the continued existence of child labour in the annual cotton harvest of Turkmenistan. The Government of Turkmenistan uses widespread, systematic state-imposed forced labour in the annual cotton harvest, forcing tens of thousands of public sector workers, including employees of schools, to pick cotton or pay for replacement pickers under threat of penalty, such as loss of employment. Child labour is primarily driven by this state policy of forcing adults to pick cotton or pay for a replacement picker.

This submission is structured under the Committee on the Rights of the Child’s (hereafter ‘the Committee’) ‘Special Protection Measures’ cluster, with specific focus on economic exploitation, including child labour, with specific reference to applicable minimum ages (art. 32). We hope that the information contained in this report will inform the pre-sessional review and urge the Committee to consider reflecting the areas of concern and suggested questions highlighted below in its list of issues to the Government of Turkmenistan.

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<sup>1</sup> Cotton Campaign, <https://www.cottoncampaign.org/>.



## **Methodology**

The information provided in this submission is drawn from primary data collected annually by independent labour rights observers and monitors in Turkmenistan who work with Cotton Campaign member organisations Turkmen.News and the Turkmen Initiative for Human Rights. This material is supplemented by desk research from reputable sources, namely Free Radio Europe/Radio Liberty's Turkmen Service: Azatlyk Radiosy, which provides independent Turkmen-language media reporting from inside Turkmenistan.

## **II. SPECIAL PROTECTION MEASURES**

### **Economic exploitation, including child labour, with specific reference to applicable minimum ages (art. 32)**

#### ***Recommended questions to the Government of Turkmenistan:***

- *What steps has the Government taken to eradicate forced labour and child labour in the cotton sector, including to eliminate quotas for cotton production, ensure that state employees are protected from forced mobilisation, prosecute perpetrators, and provide remedy to victims?*
- *What steps has the Government taken to enforce all relevant legislation prohibiting child labour, including:*
  - *Whether any offences of child labour have been reported, and if so, how many?*
  - *Whether any investigations of child labour have been conducted, and if so, how many?*
  - *Whether any violations have been found or penalties/sanctions imposed under all such legislation, and if so, how many?*
- *What measures will the Government take in advance of the 2024 harvest, to ensure that child labour is not used?*
- *What measures has the Government taken to create the space for civil society activists, human rights defenders, and independent journalists to operate without risking harassment and detention for doing their work, including to report on conditions of child labour in the cotton harvest?*



## **Background to child labour in Turkmenistan**

Whilst the use of children to pick cotton has been officially prohibited in Turkmenistan since 2005,<sup>2</sup> the practice still exists. The Government's policy of forcing adults to pick cotton or pay for replacement pickers<sup>3</sup> is the primary driver of child labour, alongside poverty; children are paid to work as "replacement pickers," hired by public sector employees forced to either pick or hire someone else; others are sent as replacement pickers by parents or relatives who were forcibly mobilised; still others join the harvest to earn money for their families.

Cotton picking is difficult physical labour, and labourers work in hazardous and unsanitary conditions without medical care. Workers are not afforded protection from extreme temperatures, ranging from 40 degrees Celsius to below freezing, over the course harvest, which lasts from August to November or December. They are not advised on or protected from agricultural chemicals sprayed from planes or tractors. These public employees often must provide their own food, water, and shelters for shifts that can last anywhere from a day to multiple weeks.

The cotton season coincides with the start of the school year, and schools barely function for two months as teachers in schools and kindergartens across the country are mobilised to pick cotton. The cotton season therefore disrupts children's education in Turkmenistan directly, when children work in the fields, and indirectly, when the education system shuts down.

Detailed below is evidence of child labour from independent labour monitors from the 2020-2022 cotton harvests. The findings from the 2023 cotton season will be published in 2024, but monitors have already confirmed that they have seen, and have visual proof of, teenagers picking cotton during this year's harvest. One monitor has described seeing young girls walk hunched over under the weight of heavy cotton bags.

## **Child labour in the cotton harvest (2022)**

In 2022, Turkmen.News monitored and documented the mass, country-wide participation of school-age children throughout the cotton harvest.<sup>4</sup> Local government

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<sup>2</sup> 'Law No. 5-III of 1 February 2005 on Guarantees of the Right to Work for Youth', [https://natlex.ilo.org/dyn/natlex2/r/natlex/fe/details?p3\\_isn=89892&cs=1NHdE0mpNXbonVN-AU-YLRrjhS04hNu7c4ePDInOwFBBdfwsPV7yTOeq78vXEwKR8tWoXrysTCAY8X0Kox3\\_iv0](https://natlex.ilo.org/dyn/natlex2/r/natlex/fe/details?p3_isn=89892&cs=1NHdE0mpNXbonVN-AU-YLRrjhS04hNu7c4ePDInOwFBBdfwsPV7yTOeq78vXEwKR8tWoXrysTCAY8X0Kox3_iv0).

<sup>3</sup> Public sector employees are required to pick cotton, hire replacement pickers, or pay money to a supervisor for replacement pickers or other harvest expenses – a "pick or pay" system.

<sup>4</sup> Cotton Campaign, Turkmen.News, and Turkmen Initiative for Human Rights. 'Time for Change, Forced Labor in Turkmenistan Cotton 2022' (June 2023), [https://static1.squarespace.com/static/618550501fe9be0ff3428860/t/64834274d914c53c30fc4538/1686323839498/Forced\\_labor\\_Turkmenistan\\_2023\\_report+\\_LR.pdf](https://static1.squarespace.com/static/618550501fe9be0ff3428860/t/64834274d914c53c30fc4538/1686323839498/Forced_labor_Turkmenistan_2023_report+_LR.pdf).



leadership, prosecutors, officials from regional education departments, and other officials who implement and oversee the use of forced labour did not prevent children from participating in the cotton harvest. Specific documented instances include:

- Children aged 9 to 16 were seen picking cotton in eight different districts across two regions. Monitors saw vehicles transporting children to the fields along with adults in all district centres, as well Dashoguz, Mary, and Turkmenabat regional centres. In September, Radio Azatlyk reported children as young as eight working in fields in Mary region.<sup>5</sup>
- Monitors in Dashoguz region recorded an increased number of children in the cotton fields starting October 20, when the autumn school holiday began. On Friday, October 21, at 6:00 am, near the Ak-bazaar parking lot, a monitor counted roughly two dozen teenage boys and girls who had gathered to be hired as replacement cotton pickers for day shifts, offering their labour for 40 manats (about \$2) per day.
- In late August, Turkmen.News monitors obtained video and audio evidence, from a telephone company in Dashoguz, of employees and replacement workers being taken to pick cotton in Gubadag district from the regional centre – a ride of about 1.5 hours – in the back of a windowless truck not intended to transport people. School-age children were seen among the pickers.
- On 4 September, monitors documented a group of 30–40 replacement pickers, many of whom were teenagers, in front of the building of the education department of the city of Kerki, where teachers and technical staff were gathered to go to the fields.
- A 15-year-old schoolboy from Lebap region told a monitor that he picked cotton as a replacement worker for two female relatives. He disclosed that he received 20 manats per day, earning 240 manats (roughly \$12) in 12 days, in addition to what he received for the cotton he picked. He stated,

*“I was paid 0.3 manats per kilogram for the cotton I picked, the same as the adult pickers. On average, it was possible to collect 17–20 kilograms per day. This is another 5–6 manats in addition to the money that I was paid as a replacement picker. Of course, I could have picked more, but there was very little cotton at the beginning of the harvest. To collect one bagful, it was necessary to walk more than one cotton bed. As experienced pickers say, one had to look for cotton by chasing*

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<sup>5</sup> Radio Azatlyk, Туркменские школьники собирают хлопок (12 September 2022), <https://rus.azathabar.com/a/32029856.html>.



*it in the field.*<sup>6</sup>

The forced labour system can also make children vulnerable to child labour *outside* of the cotton sector, given the extent to which cotton impacts educational provision. In 2022, Radio Azatlyk reported a notable increase in children working in the informal economy during school breaks, including weeding cotton, given the prolonged economic crisis<sup>7</sup> and school closures due to forced labour of teachers. To give one example of such a school closure, monitors documented that on 9 November 2022, education departments in Lebap region received an oral order from local government administration that teachers in all schools and kindergartens had to reduce the curriculum to the bare minimum and complete the lessons by 11:00 am so that teachers could leave for the cotton fields.

### **Child Labour in the Cotton Harvest (2021)**

In 2021, monitors documented that public sector employees in all regions who were forced to pick cotton and/or pay for cotton pickers sometimes sent relatives in their place, including children as young as 10 in some districts.<sup>8</sup> In some cases, children seeking to earn extra money for their families offered themselves as replacement pickers for employees extorted to hire pickers. This was compounded by the fact that few people wanted to go to the fields because of the COVID-19 pandemic.

Turkmen.News sources reported in 2021 that, during the autumn holiday, school children between 12 and 17 years of age went to the cotton fields to help their families financially. A teenager receives 30–40 manats (approximately \$1.5–2) for a day's work in the fields in addition to money for the cotton they have picked.

Radio Liberty sources reported that school children were directly forced to work, too:

*“Dozens of children, some of them coughing and sneezing, could be seen in the fields along the road in the Baharden farmers’ association (Ahal region). Though they were clearly unwell, they were still kept in the fields.”<sup>9</sup>*

### **Child Labour in the Cotton Harvest (2020)**

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<sup>6</sup> Turkmen.News interview with 15-year old cotton picker, Lebap region (30 August 2022).

<sup>7</sup> Radio Azatlyk, “В период летних каникул увеличивается число работающих детей” (21 July 2022), <https://rus.azathabar.com/a/31953742.html>.

<sup>8</sup> Cotton Campaign, Turkmen.News, and Turkmen Initiative for Human Rights. ‘Review of the Use of Forced Labor During the 2021 Cotton Harvest in Turkmenistan’ (July 2022), [https://www.cottoncampaign.org/s/CC\\_TKM\\_2021\\_HARVEST\\_REPORT.pdf](https://www.cottoncampaign.org/s/CC_TKM_2021_HARVEST_REPORT.pdf), p. 4.

<sup>9</sup> Radio Azatlyk, “Больные школьники на хлопковых полях. Власти Ахала пытаются выполнить свои хлопковые обязательства” (5 November 2021), <https://rus.azathabar.com/a/31547092.html>.



In 2020, schools began sending children to the cotton fields in summer, before the harvest started.<sup>10</sup> Radio Azatlyk reported that in June in Dargan- Ata district (Lebap region), the heads and teachers of school No. 25 took children to weed the cotton fields and harvest potatoes as summer camp activities.<sup>11</sup> It cost parents 300 manats (around \$85) to send a child to this summer camp.

In addition, the school heads took the children to do agricultural work several times without providing either food or drinking water. The schoolchildren were in the fields from 8.30 to 15.00 and had to work without sustenance in temperatures of above +40 degrees centigrade. Parents were afraid to complain to the school administration, fearing their children would suffer further mistreatment during the school year.

When the harvest started, there were many children between 10 and 16 years of age in the fields. Some went cotton picking in place of their parents, while others were hired for money in place of public sector workers. A pupil in the ninth grade at secondary school in Dashoguz region told a Turkmen.News monitor why he picked cotton on Sundays:

*"Mum works in the culture department and always goes herself, but she's not well, she's got a high temperature. Her boss told her by phone that she should send a hired worker instead, but we would have to pay him and we're in debt. We decided that I would go instead of mum, since there's no school on Sundays anyway. Last Sunday I picked 12 kg. Six out of 32 people in our class pick cotton: four boys and two girls. Two go as hired workers to help their families, while the others go instead of their parents. It's about the same in the other classes. The class leaders and school principal understand the situation. It's even in their interests, as they can reduce the number of pupils and divide the classes into 15 pupils each to meet the new public health requirements. Otherwise, if there is an inspection and there are too many pupils in class, they'll have problems. But there are far fewer inspections this year. Teachers say among themselves that the staff of the district education department try to keep school visits to a minimum out of concern for their own health, so they sort out all the issues with the school principals by phone."<sup>12</sup>*

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<sup>10</sup> Turkmen.News and Turkmen Initiative for Human Rights, 'Review of the Use of Forced Labor in Turkmenistan During the 2020 Cotton Harvest' (March 2021), [https://en.turkmen.news/wp-content/uploads/2021/03/TURKMENISTAN\\_COTTON\\_2020\\_WEB\\_ENG.pdf](https://en.turkmen.news/wp-content/uploads/2021/03/TURKMENISTAN_COTTON_2020_WEB_ENG.pdf), p.40.

<sup>11</sup> Radio Azatlyk, "Туркменских школьников в летнем лагере отдыха водят на прополку хлопка и сбор картофеля" (13 June 2020), <https://rus.azathabar.com/a/30667090.html>.

<sup>12</sup> Interview with a pupil in the ninth grade at secondary school in Dashoguz region, Turkmen.News and Turkmen Initiative for Human Rights, 'Review of the Use of Forced Labor in Turkmenistan During the 2020 Cotton Harvest', op.cit, p.41.



It has been established practice for many years for some teachers to send pupils from the senior grades to pick cotton in their place, paying them 20–25 manats a day (just under \$1.5 at the market rate) which on average is cheaper than paying a hired worker (usually between 20–30 manats). The pupils are marked as present in the class registers.

In 2020 in the context of the COVID-19 pandemic, authorities introduced not only a cotton obligation, but a cotton punishment too. It emerged in September that people not wearing masks on the streets of Mary were sent to work in the cotton fields. In October 2020, it was reported that teenagers were sent alongside adults to the fields for failing to follow rules on mask-wearing.

As an alternative, the police suggested that the children pay a fine of 50 manats (\$2.2 at the market rate). As this is too large a sum for most families, the teenagers often agreed to pay off their fine by working in the fields – the harvest norm for those working off their fine is 40 kilos.

### **Additional instances of child labour**

As COVID-19-induced lockdowns exacerbated an existing economic crisis in 2020 and 2021, sellers started utilising children as roving vendors, going door-to-door to pawn goods.<sup>13</sup> In 2022 there was a visible increase of children begging at markets across the country, being engaged as day labourers, and even picking through rubbish for goods to sell.<sup>14</sup> Rather than providing these children with remedial services or support to address the child labour, officials have been documented ridiculing and shaming children found to be begging in public spaces.<sup>15</sup>

## **III. INTERNATIONAL CONCERN**

In its 2015 concluding observations on Turkmenistan, the Committee on the Rights of the Child expressed concern at reports of the persistence of child labour in the cotton harvest and its conflict with children’s right to education.<sup>16</sup> Several other international bodies have expressed similar concerns in recent years, including:

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<sup>13</sup> Radio Azatlyk, “Мешочные рынки”. В Туркменистане дети ходят от дома к дому, предлагая товары” (25 November 2020), <https://rus.azathabar.com/a/30966724.html>.

<sup>14</sup> Radio Azatlyk, “В Туркменистане дети побираются, выпрашивая деньги на школьные принадлежности” (8 August 2022), <https://rus.azathabar.com/a/31978292.html>.

<sup>15</sup> Radio Azatlyk, “Полиция публично осудила и унизила школьницу, задержанную в Ашхабаде за попрошайничество” (15 March 2021), <https://rus.azathabar.com/a/31152198.html>.

<sup>16</sup> UN Committee on the Rights of the Child, “Concluding observations on the combined second to fourth periodic reports of Turkmenistan”, CRC/C/TKM/CO/2-4 (10 March 2015).



- In 2023, the UN Human Rights Committee concluded that the Government of Turkmenistan “should intensify its efforts to eliminate forced labour... particularly in the cotton sector and involving women and child labour” and “improve the working and living conditions in the cotton industry, including through targeted measures to protect women and children.”<sup>17</sup>
- In 2021, the ILO Committee of Experts on the Application of Conventions and Recommendations “strongly encourage[d] the Government to continue taking effective measures to ensure that children under 18 years are not engaged in hazardous work or subject to forced labour in the cotton sector, including during the school holidays or their time out of school” and requested the Government to provide specific information on the steps taken in this regard, including measures to enforce the relevant legislation prohibiting children’s involvement in the cotton harvest, and on any offences reported, investigations conducted, violations found and penalties imposed.<sup>18</sup>
- In 2021, the UN Special Rapporteur on contemporary forms of slavery issued a communication to the Government of Turkmenistan which expressed “deep concern about the working and living conditions of cotton workers, including of children subjected to child labour, in Turkmenistan.”<sup>19</sup>
- In 2018, the UN Committee on Economic, Social and Cultural Rights’ 2018 Concluding Observations expressed concern “about the reported continued widespread use of forced labour among workers and students under threat of penalties during the cotton harvest”.<sup>20</sup>

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<sup>17</sup> UN Human Rights Committee, “Concluding observations on the third periodic report of Turkmenistan”, CCPR/C/TKM/CO/3 (12 April 2023), para 33.

<sup>18</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, “Observation (CEACR) - adopted 2019, published 109th ILC session (2021) Worst Forms of Child Labour Convention, 1999 (No. 182) – Turkmenistan.

<sup>19</sup> UN Special Rapporteur on contemporary forms of slavery, “Concerns raised regarding allegations of forced labour in the cotton picking harvest of 2019 and 2020” AL TKM 2/2021 (30 August 2021).

<sup>20</sup> UN Committee on Economic, Social and Cultural Rights, ‘Concluding observations on the second periodic report of Turkmenistan’ E/C.12/TKM/CO/2 (31 October 2018), paras 23-24.