



STILL IN THE FIELDS

**The continuing use of state-sponsored forced
child labour in Uzbekistan's cotton fields**

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This document should be cited as:
EJF. 2009. *Still in the fields: the continuing use of state-sponsored forced child labour in Uzbekistan's cotton fields*. Environmental Justice Foundation, London, UK.

ISBN No. 1-904523-15-3

Acknowledgements

This report was researched, written and produced by the **Environmental Justice Foundation**.

Design **Dan Brown** (dan.brown@ukf.net)

Cover photo © Thomas Grabka

Back cover photos: (top) © EJF;
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Printed on 100% post-consumer waste recycled paper.

EJF would like to thank all those people and organisations who have given their valuable time and assistance with information and visual materials used in this report. We in no way imply these people endorse the report or its findings. In order to ensure their personal safety, EJF has withheld the identity of many of those individuals who contributed information and interviews to this report.

EJF Cotton Reports



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This report has been researched, written and published by the Environmental Justice Foundation (EJF), a UK Registered charity working internationally to protect the natural environment and human rights.

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EXECUTIVE SUMMARY

'It was obvious that adults would not manage the cotton harvest without children'

SCHOOL DIRECTOR,
FERGANA,
SEPTEMBER 2008¹

- Cotton production in the Central Asian Republic of Uzbekistan remains one of the most exploitative enterprises in the world. The Government of Uzbekistan routinely and forcibly conscripts hundreds of thousands of children as labourers to harvest the country's annual cotton crop with benefits accruing to the Government rather than children or their families.
- Children as young as ten years old are dispatched to the cotton fields for two months each year, missing out on their education and jeopardizing their future prospects and facing exposure to harsh and potentially fatal conditions.
- Cotton picking is arduous labour. The harvest begins in the late summer, when temperatures in the fields remain high and can continue until the onset of the Uzbek winter.
- Children living near to the cotton fields can return home each night, but those from urban areas may be required to stay in barrack-like accommodation for the duration of the harvest. Living conditions are often squalid. In those places where food is provided to children, it is inadequate, often lacking in basic nutrition, and children frequently can only access water from irrigation pipes, which carries serious health risks.
- Children are left in poor physical condition following the harvest; human rights defenders report significant adverse health impacts, including hepatitis. Each year there are reports of fatalities and injuries from accidents due to lax or non-existent safety provisions; in 2008 there were at least five reported deaths.
- Children receive little or no reimbursement for their labour, perhaps a few US cents per kilo of cotton picked. However, children must pay for the food they are provided with during the cotton picking season, which often leaves them with no income for their labour.

- Forced child labour is used by the Uzbek State as it is cheap or free and as there is a lack of mechanized harvesters. Adults cannot earn a living wage from their own labour and therefore choose not to voluntarily work in the cotton fields. Both problems exist directly because cotton production is entirely state-run, operating in a corrupt system with the major benefits accruing to a small, violent ruling elite, and this has resulted in a crippling lack of investment in the sector so as to maximize profits accruing to the regime.
- Journalists and human rights defenders exposing the issue have been subject to harassment and arrest. The human rights situation prevailing in the country prevents an open dialogue on the issue and its potential remediation. The allegations made by Uzbek human rights defenders have been substantiated by reports and documentation produced by Uzbek journalists along with several reputable and credible independent agencies, including Environmental Justice Foundation, International Crisis Group, Institute for War and Peace Reporting, IRIN, SOAS (University of London), and the BBC, which gathered film evidence of the issue in October 2007.
- A proposal by UNICEF, the International Labour Organisation (ILO) and International Cotton Advisory Council (ICAC) to undertake a survey of child labour in the 2008 harvest was unable to progress due to strict preconditions placed by the Government. A systematic survey of child labour has not been possible under the prevailing conditions. Independent monitoring of the harvest has been very limited, and only undertaken at personal risk to journalists and human rights defenders.
- Despite laws prohibiting forced and child labour – including the recent signing of two ILO conventions relevant to the issue – it is the Uzbek Government (and specifically the pressure to fulfill state-sanctioned cotton production quotas) that has led to this endemic human rights abuse.
- Children are the most vulnerable to exploitation in the cotton harvest, but are not alone in their involvement, as public employees and the wider public are also conscripted to the cotton fields. Anecdotal information from 2008 suggests that pressure on adults and older youths to work in the cotton fields is intensifying as international attention on the child labour issue has come to the fore.
- Uzbekistan is the world's 3rd largest cotton exporter and earns around US\$1 billion per annum from the sale of its cotton to clothing factories primarily in Asia and to cotton traders, many in Europe. Uzbekistan is the single largest supplier of cotton to German traders. Since 2007, international retail names including Tesco, Wal-Mart, and C & A have publicly expressed their disapproval of the use of forced child labour, and rejected the purchase of Uzbek cotton for use in their products until such time as the problem is eradicated.
- Over the past 2 years, international decision makers have highlighted their concerns on the issue at an array of fora, including the United Nations and the European Parliament. International calls for the Uzbek Government to implement change have been widespread.
- This report is a follow-up to EJF's 2006 'White Gold' report, and consolidates new information on the issue based on reports from human rights defenders, independent journalists and EJF's own investigations in the country in October 2008.
- The report concludes that in the absence of Government commitments and systemic reforms towards liberalization of cotton production, an end to production quotas, and an end to the government's monopoly over cotton procurement and trade, forced child labor will remain in extensive use. Public announcements and 'action plans' will not have any tangible effect unless they address the causal factors behind child labour.
- This report highlights EJF's call for the international community to use significant leverage to end the use of forced child labour and help ensure that the country's cotton crop brings long-lasting, equitable benefits to the Uzbek people and contributes to rural development and in turn, environmental security. It makes particular note of the role of corporate business in exerting constructive influence by refusing to use cotton produced in Uzbekistan so long as the practice of forced child labour continues.



© Thomas Grabka

INTRODUCTION

'It is impossible to reap the harvest without free [conscripted] labour. Farmers are facing shortages of agricultural vehicles and equipment and labour.'

HUMAN RIGHTS DEFENDER, SAMARKAND, SEPTEMBER 2008²

'We have formed an unprecedented coalition, representing 90 per cent of the US purchases of cotton and cotton based merchandise, to bring these appalling child labor conditions to an end.'

WAL-MART, THE WORLD'S LARGEST RETAILER, 30 SEPTEMBER 2008

Cotton production in the Central Asian Republic of Uzbekistan continues to be one of the most exploitative enterprises in the world. The Uzbek Government compels up to one third of the country's workforce to labour on cotton farms. Denied reasonable wages and co-opted into cotton production, farm workers labour at the behest of the State, and can only sell their cotton to state-owned cotton processors and export agencies, whose financial dealings – and the beneficiaries of them – are beyond the scrutiny of the Uzbek people.

EJF considers Uzbekistan to be unique for the scale of its system of state-sponsored forced child labour. Whilst ad hoc reports of forced child labour have emerged from neighbouring nations – such as Tajikistan and Turkmenistan – Uzbekistan appears to dwarf others both in the magnitude of the abuse and, despite mounting international pressure, the Government's reluctance to recognize and address the causal factors behind forced child labour.

Such is the importance of the cotton crop in Uzbekistan, generating an estimated US\$1 billion per annum for the State that the government-imposed production quotas must be fulfilled at any cost. In the face of a labour shortfall caused by low wages and adult migration to neighbouring countries in search of paid work, children are systematically drafted in to ensure the fulfillment of the cotton harvest. In the Soviet era, extensive use of mechanized cotton harvesters was made, but a chronic failure by the state to support investment has reduced the availability of machinery to a minimum. A specialist from the International Cotton Advisory Council has estimated that for 100% of cotton to be machine harvested (an impossible scenario given current land tenure and distribution) it would require approximately 3000 harvesters, each costing around US\$280,000 and a total investment cost of around US\$800 million³.

In 2004, the Environmental Justice Foundation (EJF) responded to requests from Uzbek human rights defenders to document the environmental and human rights abuses common in Uzbek cotton production. Travelling to Fergana, Tashkent, Namangan and Jizzak provinces, EJF investigators gathered film evidence and testimonies from children, teachers, parents, farmers and human rights defenders and published a report, *White Gold*, together with a film of the same name, which documented these abuses and highlighted the massive use of forced child labour by the Uzbek authorities. In 2006, EJF investigators in Kyrgyzstan and Kazakhstan met with adult workers – illegal migrants in the cotton sector – who confirmed the poor wages paid to cotton pickers, and the ongoing use of child labour in Uzbekistan, which had contributed to their seeking work across the border. Again in 2008 EJF sent researchers, incognito, to Uzbekistan to assess the claims made by the Uzbek Government that the problem had been addressed and to again document the use of child labour in the Autumn harvest.



"Human rights apply to all people, in all places and at all times. They apply to children in Uzbekistan picking cotton for long hours for little or no wages, when they should be in school." —**Extract from statement by Dutch Minister of Foreign Affairs Maxime Verhagen at the 7th session of the Human Rights Council, Geneva, 3 March 2008.**

‘The use of organized and forced child labour is completely unacceptable and leads us to conclude that whilst these practices persist in Uzbekistan we cannot support the use of cotton from Uzbekistan in our clothing.’

TESCO, 7 JANUARY 2008

Our regional and desk-based research and ongoing liaison with Uzbek nationals over the past 4 years can clearly demonstrate that forced child labour has been, and remains, widespread and continues to be used at the behest of the Government and its’ small controlling elite.

To generate international action to resolve these abuses EJF has been campaigning to raise corporate, political and consumer awareness of the issues. During this time a majority of the leading western retailers (by market value and brand recognition) including Tesco, Wal-Mart, C & A, and Marks and Spencer have stated that they will not use Uzbek cotton, until such time as forced child labour is removed from the supply chain. Others such as GAP and Levis are currently working toward this position seeking supply chain transparency to ensure effective action.

In response to the international outcry, the Uzbek Government has most recently launched an expansive Public Relations offensive to try and persuade governments, businesses and civil society groups around the world that they no longer use forced child labour and that they are reforming their industry – these claims are false and misleading.

In Spring 2008, the Uzbek Government signed two International Labour Organisation (ILO) Conventions, (138 on Minimum Age and 182 on the Worst Forms of Child Labour) claiming that this heralded an end to forced child labour, whilst at the same time stating that no new domestic legislation would be needed to implement these new legal commitments. More recently, in September 2008, as the annual cotton harvest got underway, the Government published a National Action Plan (as it has previously done for the eradication of torture, with little effect). The purpose of these actions however, is clearly focused on deflecting international concern, rather than demonstrating a meaningful commitment to resolving the issues. The National Action Plan notably does not include any outside mechanism for reviewing compliance. The problem is not the lack of plans or laws – Uzbekistan’s constitution already bans child labour for children under the age of 16 – but the failure to move towards their effective implementation and enforcement and the apparent determination to force Uzbeks to work almost exclusively for the benefit of a small, corrupt ruling elite.

A proposal by the ILO, International Cotton Advisory Council (ICAC) and UNICEF to undertake a survey of child labour in the 2008 harvest was unable to progress, reportedly due to too many preconditions being placed on the terms of reference and modalities by the Uzbek Government, leaving monitoring to Uzbekistan’s independent human rights defenders.

EJF subsequently proceeded to “ground-truth” the claims made by the Uzbek authorities to have stopped the use of forced child labour and assess whether these are true commitments to a fairer future for Uzbek children, or an attempt to undermine human rights defenders and stifle international concern and action. In October 2008, EJF returned to Uzbekistan and this report summarises information gathered during that field trip, along with evidence from other published reports and media articles, together with personal communications with human rights defenders and journalists.

EJF’s conclusion, having witnessed firsthand the continued use of hundreds of children working in the fields under the watchful eye of monitors, is that the system remains the same.

What has changed in 2008 is that independent monitoring of the situation has been severely curtailed by the presence of security personnel in the fields – the very people the Uzbek State claims have been instructed to enforce the law and protect the rights of children.

EJF believes that concerted efforts must be taken by the international community to support the Uzbek people and protect children from state-sponsored exploitation in the cotton fields, and to ensure that the production of cotton sustains people and the environment that they depend upon.

EJF Investigation October 2008

EJF field monitors were active in Syrdarya, Tashkent, Samarkand and Fergana regions in October 2008. Their analysis based on in situ observations, interviews and analysis can be summarized thus:

- Over 60% of the fields observed had children picking cotton.
- Security personnel or supervisors were observed in around 70-80% of the fields observed.
- EJF personnel were refused access to a number of fields where children were working.
- EJF spoke with a number of children (from across the regions visited) who confirmed their ages as between 12-15.
- Children state that they are taken to the fields by their teachers; they work from early morning until 5pm, when their school bus collects them.
- The children EJF met stated that the 2008 harvest was essentially the same as in previous years – the government announcements had made little difference to their lives.
- EJF investigators noted the intensive and widespread monitoring of the cotton fields – by both plain-clothes and uniformed people – but paradoxically this was seemingly not to enforce legislation and ensure that no children are working, but that there is no reporting by NGOs or media. EJF’s communications with local people, teachers and school children confirms the sensitive nature of the issue, with people unwilling to talk openly, and photography prohibited in and around the cotton fields.

Source: EJF visual observations and pers. comm. with child labourers, Uzbekistan, October 2008.

He told us the field managers were against photos “because of the under aged children on the field...they’re afraid some people might find out and, you know, think something about it...” quote from field supervisor (anon) to EJF, Syrdarya region, 7 October 2008.



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PRESSURE TO PRODUCE

Uzbekistan is the world's 6th largest cotton producer, producing around 1.03 million tonnes in 2008 from 1.3 million hectares of cotton fields⁷. The Ministry of Finance sets the procurement prices each year, and Uzhlopkoprom, the state-run national association of cotton ginners (processors), buys virtually all of the cotton production. The processed cotton is mainly sold to the three main government-controlled export companies, which negotiate contracts with international traders^{7a}.

Uzbekistan is the world's 3rd largest exporter (exporting 0.85 million tonnes), contributing around 10% of the total amount of internationally traded cotton (7.50 million tonnes)^{7b}.

According to recent figures from the Liverpool Cotton Exchange, the export price reported for Uzbek cotton currently stands at around US\$1,100 per ton^{7c}, netting the Uzbek authorities almost US\$1 billion in cotton export earnings.

'The reason for this [child labour] is the government's interference in our business... The government sets targets for us but does not create conditions for our development.

It disposes money on our accounts as it wishes. We all – children, farmers, the elderly and mothers – are in one boat.'

FEMALE FARMER, SAMARKAND PROVINCE, OCTOBER 2008¹²

Cotton has such strategic significance for the national economy that Soviet-style production quotas are rigorously enforced, and there is intense pressure to secure the cotton crop – set at 3.6 million tons in 2008. The Government, despite moves towards some limited liberalisation of cotton production, still retains a strong control over the way in which cotton is grown, harvested and traded. Inputs such as chemical fertilisers and pesticides are state-controlled, farmers are told when to sow their crop, and how much they must produce, and are compelled to sell it for a fraction of its true value to state-owned, companies whose dealings are shrouded in secrecy and opaque financial transactions.

Uzbek children are drafted in as cheap or free labour during the cotton harvest, and take the place of adults as the paid incentives for adult labourers diminish after the first critical weeks of the harvest, or because adults migrate in search of opportunities in neighbouring countries. With such restrictive measures in place to maximize profits to the State and in the absence of expensive mechanised harvesters or opportunities for adult labourers to earn a living wage, cotton must be picked by hand. This is an intensive operation for which a massive number of cheap labourers must be mobilised: in addition to paid farm workers, public employees, members of the public, together with children and students make up the coerced labour force that ensures cotton quotas can be met¹³.

Doing business with a dictator?

The following is an abridged version of the 2008 Human Rights Report: **Uzbekistan**, produced by the US Government Bureau of Democracy, Human Rights, and Labor, 25 February 2009.

The full report text can be accessed at:
<http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119143.htm>

Uzbekistan is an authoritarian state with a population of approximately 28.2 million. President Islam Karimov and the centralized executive branch dominated political life and exercised nearly complete control over the other [executive, legislative and judicial] branches. The two-chamber Oliy Majlis (parliament) consisted almost entirely of officials appointed by the president and members of parties that supported him. In December 2007 the country elected President Karimov to a third term in office; however, according to the limited observer mission from the Organization for Security and Cooperation in Europe (OSCE), the government deprived voters of a genuine choice.

Reports continued of security forces torturing, beating, and otherwise mistreating detainees under interrogation to obtain confessions or incriminating information. Human rights activists and journalists who criticized the government were subject to harassment, arbitrary arrest, politically motivated prosecution, forced psychiatric treatment, and physical attack.

The government generally did not take steps to investigate or punish the most egregious cases of abuse, although it prosecuted many officials for corruption and prosecuted at least a few for more serious offenses, including killings, and undertook legal reforms aimed at preventing abuses.

Despite some improvements, prison conditions remained poor... Guilty verdicts were almost universal and generally based upon defendants' confessions and witnesses' testimony obtained through coercion.

The government tightly controlled the mass media and suppressed any criticism. The government did not observe citizens' right to free assembly or association. Police regularly detained citizens to prevent public demonstrations and forestalled contact with foreign diplomats.



LEFT: President Karimov voting, 2000.

© AP photo/Anvar Ilyasov

Authorities sought to control nongovernmental organization (NGO) activity.

...There were reports that such practices [of Forced or Compulsory Labor] occurred, particularly during the cotton harvest, when authorities reportedly compelled medical workers, government personnel and others to pick cotton...During the cotton harvest, the large-scale compulsory mobilization of students under 18 years of age continued in many rural areas. Such labor was poorly paid and living conditions were often poor. Field observations by international organizations indicated that early in the harvesting season there were fewer schoolchildren picking cotton than in previous years; however, schoolchildren were ultimately mobilized in several regions of the country. The age of children picking cotton and conditions varied widely by region. The vast majority of children were older than 11, but children as young as nine were observed picking cotton in some areas. College and university students, including those between the ages of 16 and 18, were also mobilized for the cotton harvest in most regions of the country...Authorities did not punish violations related to the cotton harvest, and there were no reports of inspections resulting in prosecutions or administrative sanctions.

Additionally there is a widespread perception of corruption: Uzbekistan ranked 166 (of 180 countries) in Transparency International's 2008 Corruption Perceptions Index⁶

'We can't pick the cotton we've grown unless we use children.'

COTTON FARMER, KHOREZM, 2008

Although the quotas set for each child vary according to area and their age, in 2008, some reports from children suggested that their daily quotas were set higher than usual, at around 60 kilos per day, with threats or beatings ensuing if they failed to meet their targets. Students in Fergana claimed that the daily quota of 80 kilos was twice the amount that they could reasonably pick¹⁴. If adults are paid 30 US cents for one kilo of cotton, children make no more than between 3-6 US cents. The 2008 harvest resulted in numerous reports that children were not paid any money for their labour¹⁵, although this is not the case in all circumstances, for example, child labourers in Tashkent region told EJJF that they only have to pick 5 kilos per day, and they can earn 30 US cents for this work¹⁶ (before any deductions are made). Others suggest 20-25 kilos per day is an average for each child to collect¹⁷. Nevertheless, two kilos of raw cotton (once processed into a kilo of refined cotton) can be sold for almost one US dollar on the international marketplace. The economics of child labour are self-evident, especially when the government-run companies hold monopoly powers over the cotton trade. Furthermore, despite official denials of child labour, cotton quotas for each region are sent direct from Tashkent; transmitted from



ABOVE: Tashkent Supreme Court.

© 1999 Acacia Shields / HRW

Keeping it quiet

Uzbekistan is not a free democracy. Forced child labour takes place within a repressive system organized by the Uzbek Government, and its agencies, including an extensive security apparatus. By denying free media, and restricting the activities and ability of human rights defenders to monitor abuses, the Government can coerce its people into working in an 'industry' of which the ruling elite in government and the few individuals associated with and approved by it are the major beneficiaries.

On 25 June 2008, journalist **Solidzhon Abdurakhmanov**, whose media coverage has included the cotton sector, was arrested in Nukus, Karakalpakstan, on an alleged drugs charge⁴. **Mutabar Tajibayeva**, head of the Uzbek human rights organization "Ardent Hearts", served 2 years, 8 months of an 8-year sentence on false charges. Prior to her arrest and detention, Ms Tajibayeva had been at the fore of the civil society protests against forced child labour, and had presented a demand to western companies to cease buying Uzbek cotton until child labour was eradicated, which was endorsed by 19 Uzbek civil society groups in 2004⁵. NGOs are facing increasing restrictions on the monitoring and reporting of human rights abuses, including forced child labour. Following the massacre of people by State security forces, in Andijian in May 2005, the Government intensified its crackdown on human rights activists and NGOs, and has greatly curtailed the monitoring and reporting of human rights abuses in the country, making the process of monitoring child and forced labour dangerous and difficult.

The European Commission, in a written answer (11th September 2008) to a parliamentary question reiterated their position [taken in a Human Rights dialogue with Uzbekistan in June 2008], stated that: "the EU expressed its concerns regarding the secrecy concerning conditions during the cotton harvest and urged Uzbekistan to allow journalists and NGOs access to the cotton harvest".

central government to provincial governors, down to district governors, district education departments and finally on to school directors, who have the responsibility for conveying the quotas to staff and the pupils who are required to fulfil their daily quota. In this way, the conscription of children into the cotton harvest is inherently linked to government policy, and children are working directly to benefit their Government in Tashkent, rather than their families or local communities¹⁸.

In October 2008, the highly-respected Institute for War and Peace Reporting (IWPR) reported that local officials including justice ministry representatives sent formal letters to farmers threatening court action if they failed to meet production targets, despite protestations from farmers who claimed the harvest would be smaller and of lower quality due to a scarcity of irrigation water. As one human rights defender in Bukhara noted, "in theory, farms are totally independent private enterprises, but in practice they are accountable to the state for ensuring the 'state order' is fulfilled"¹⁹.

It is within this context that children form a major component of the workforce labouring to fulfill cotton quotas for the State. Figures of the total number of child labourers are difficult to come by, due to the repressive nature of the regime. However, a comprehensive study and estimate of the total number of children labouring in the cotton fields was produced by the University of London's School of Oriental and African Studies in 2008. Based on extrapolated figures from surveys that took place in 2006 and 2007, the report estimated that over 2 million schoolchildren aged 10 to 15 were forced to work for up to 63 days without even getting weekends off²⁰.

Springtime labours

Although the major conscription of child labourers takes place in the autumn harvest, children are also drafted in to help prepare the fields for sowing the cotton, weeding and tending the cotton plants during the growing season. In addition to various communications on the issue with human rights defenders²¹, a 2008 unpublished report confirms that schools may be closed for a full month before the official end of the school year to force children out to work. A farm director interviewed in the study was quoted as saying the children work a ten or eleven hour day. By late April the daytime temperature stands at around 30 degrees, and children are working without protective clothing, adequate rest periods or water resulting in heat stroke being commonplace. This report also reflects the fact that it is state policy to recruit children, with local government offices including the police, education and health departments all involved in the planning²².

At the October 2008 International Uzbek Cotton Fair, export agreements for around 950,000 tons of cotton lint were signed (for cotton to be harvested in 08/09 and 09/10). Significant quantities of cotton are shipped to clothing factories in Asia, including China, Korea, Bangladesh and Iran. The newly established Dubai Cotton Center also signed a framework agreement with Uzprommashimpeks (UPM), one of the exporter companies under the Uzbekistan Ministry of Foreign Economic Relations (MFER) to buy 100,000 tonnes of cotton and sell it to the wider Asian market, including Vietnam, Korea and China⁸. Other quantities are traded via western companies, and for example, Uzbekistan is the largest single supplier of cotton to German cotton trading companies, with trade centering on the Bremen Cotton Exchange.



2008 harvest – region by region

"Despite Uzbek Prime Minister Shavkat Mirziyev's pledges and the country's ratification of UN conventions on eradicating child labour, schoolchildren are anyway picking cotton all over Uzbekistan"²³.

In September 2008, Prime Minister Shavkat Mirziyev reportedly issued instructions to provincial governors that children were not to be used in the cotton harvest and signed a National Action Plan on child labour, a resolution of the Uzbek Cabinet of Ministers. Yet within a matter of days, at least five provincial governors had issued orders to mobilize children for the harvest, a move epitomized by a quote reported to be from the deputy governor of Syr Darya province that anyone trying to block children's participation would be named 'an enemy of the people'²⁴.

By late September, human rights defenders and independent media were, once more, reporting child labour in all the major cotton-

growing regions including Jizzakh, Bukhara, Namangan, Samarkand and Fergana.

● "We are at school now. We heard there was a presidential order to stay at school."
—Teacher, Fergana province, 15 September 2008²⁵.

By late September media reports emerged that schoolchildren were out in the fields in Fergana Region, despite the local authority's continued claims that children were in their classes. On 22 September, schoolchildren aged 13 and over were sent to cotton fields in Fergana Region. The same report cited a teacher in Besharik District who said that children were working even though the local authorities had earlier compelled children to write letters saying that they would not pick cotton at the expense of their classes²⁶.

● In early September, media reports from Jizzakh province stated that children and their parents were being asked to give their written undertakings that they would not be involved in the cotton harvest,

and would remain in school²⁷. But, by 21 September, 15-17 year-old schoolchildren from across Jizzakh were sent to fields and 13-14 year olds followed them on the 24th²⁸. A report on the Isenkyor website reported that some 1200 students from an industrial college and the same number of medical students were sent to cotton fields in 2 districts of Jizzakh region by mid September. Some of those were less than 15 years old, and were reportedly staying in 'barracks without facilities' whilst picking the cotton²⁹.

● Schoolchildren aged 13 and over were sent to pick cotton in all districts in Samarkand Region on 22 September. An official from the Pastdargom District education department said this order had taken him and his colleagues by surprise because only few days before they were ordered to ensure 100% attendances at schools³⁰.

● "Children are being exploited in the fields. This is a reality," says **Yelena Urlaeva, head of the Uzbek Human Rights Alliance**. "... in Namangan

Province, children starting the sixth to ninth grades [12-15 years] work [in the fields]." Children reported that local government officials and bureaucrats from the local education department would visit the fields to check up on the number of children at work, and ensure that quotas would be met³¹.

● Schoolchildren and college students from Almalyk, an industrial town in the Tashkent area have also been drafted into the cotton fields³². Students were mobilised from 13 September, and school children followed on 1 October. The report reveals that none of children's parents are aware of the Government Decree adopted on 12 September and it had not been published in any domestic newspapers.

● The Andijan Region authorities sent 10- and 11-year-old pupils from junior schools to pick cotton. A source in the regional administration said that this decision had been taken because of the administration's concern that the region would not manage the cotton-harvesting campaign³³.



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HARD WORK, POOR HEALTH & SQUALID LIVING CONDITIONS... FOR NO PAY?

‘There is no drinking water; we take water from aryks [small irrigation canals]. Even dogs do not want to eat what we are fed with.’

STUDENT (ANON), JIZZAK REGION, SEPTEMBER 2008

The annual cotton harvest takes place over a 2-3 month period beginning in mid-September, when the cotton bolls are ripe. Children can miss up to 3 months education as schools are closed³⁴ and they are dispatched to the cotton fields where the ‘luckiest’ amongst them can earn a meagre 3-6 US cents for each kilo of cotton they pick.³⁵ A farmer in the Gizhdvansky district in Bukhara region told independent media agency, Ferghana.ru that he hired thirty children, including pupils in the first grade (7 year olds). The farmer stated that he pays 40 sums (US\$0.03) for each kilo of cotton they gather – and that the daily norm of up to 80 kilos of cotton would earn each child US\$2.5-3. The same report reiterates the common complaint from children, that despite their labours, they can only collect about 40 kilos each day³⁶. Children have to pick up to 60 kg of cotton each day for which they are paid 65 sums (€0.03) a kilo³⁷.

Despite this arduous work, many children complain that they are left without any payment, once deductions are made for their transport to the fields, or for the food they are provided with.

EJF’s previous investigations have confirmed that whilst local children are able to return home in the evening, older children and those conscripted to



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The Legal Framework – Reality or rhetoric?

1. Article 37 of the Constitution of Uzbekistan prohibits any form of forced labour. ILO Convention 29 concerning forced or compulsory labour was ratified in August 1997.

2. The Uzbek labour code sets 16 as a minimum age for admission to employment, although children from 14 years are permitted to work after hours of study and with the consent of their parents.

In March 2008, the Uzbek Government announced its ratification of two International Labour Organisation Conventions on minimum age, and on worst forms of child labour.

At the time of writing (March 2009), the Uzbek Government has reportedly finally ratified Convention 138, by declaring a minimum age (15 years old)⁹, a requirement for registration with the ILO¹⁰.

The Uzbek Government has also ratified ILO Convention 182 on the Worst Forms of Child Labour – which includes agricultural labour – and will have to report on the implementation of the Convention by 2010. It has also been noted by the ILO in a statement given on 16 September 2008, that “prohibition of the worst forms of child labour by law alone, would not be sufficient to give effect to this Convention and that this would require active involvement of other social partners...”¹¹ It is also of note that the Convention defines a child as anyone under the age of 18.

In March 2008, when the Government announced its accession to the Conventions, it noted that no new domestic legislation was required in order to ensure implementation. In September 2008, a National Action Plan was announced, containing plans for a series of roundtables and meetings to address the issue of child labour, without a clear mechanism for implementation, monitoring and enforcement.

‘We saw a young girl who seemed exhausted and looked around 10 or 11, struggle to the [irrigation] canal to wash her face and drink some water.’

EJF FIELD NOTES, CHINAZ, SYRDARYA REGION, 17 OCTOBER 2008

work in remoter areas are forced to stay in dormitories, on farms, or, ironically, in classrooms, with poor living conditions, at times drinking irrigation water and with insufficient or poor quality food to eat³⁸. Interviews with children reveal how they sleep in barracks with no electricity, windows or doors for weeks at a time, and are required to pay for their own food: how much they get to eat depends on how much they earn in the fields³⁹. As one human rights worker noted, “*You saw what they eat...Even in Soviet times there was hot lunch for the cotton pickers. Here they have bread and tea in plastic bottles*”⁴⁰. This situation does not appear to have changed during the 2008 harvest.

Children can be left exhausted and in poor health after weeks of arduous labour, which as the harvest progresses, coincides with the onset of Uzbekistan’s winter. Although children are theoretically meant to pass a medical examination before working, in reality this doesn’t take place⁴¹. One human rights organisation confirmed the deaths of eight Samarkand children and students while picking cotton over a 2-year period; many more suffer illness and malnutrition. The conditions can give rise to chronic diseases including intestinal infections, respiratory infections, meningitis and hepatitis⁴². Monitoring carried out in the cotton fields in the Bukhara region in 2007 had documented cases of inhuman treatment of children who became ill in the cotton fields. One fourteen year old girl was forced to pick cotton shortly after appendix surgery, while a fifteen year old boy was sent to the cotton field despite having recently suffered from hepatitis⁴³. In addition, a lack of safety procedures caused the accidental death of children working in the cotton fields⁴⁴. Three student deaths were reported in the 2008 cotton harvest, including the suicide of a girl denounced by her school director as having failed to meet her cotton quota⁴⁵.

Despite the harsh nature of the work, threats of expulsion from school keep many children in the fields. In 2008, human rights activists reported unprecedented levels of corruption and bribery to avoid working in the harvest. Parents who try to keep their children in school and out of the fields are subjected to official pressure and public humiliation, told that if they do not co-operate their children will be thrown out of school⁴⁶. Parents can offer bribes of over 150,000 sums (US\$110) if they want their children to avoid working in the harvest⁴⁷. Penalties have been harsher, and one report suggested that for each child missing cotton picking for one day, their teacher is forced to pay from 2 – 3,500 sums (approximately US\$1.5-3) as “an informal penalty”⁴⁸. EJF has previously recorded that children who fail to meet their quotas or pick poor quality cotton are reportedly punished by scolding, beatings, detention or told that their school grades will suffer⁴⁹.

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NOT ONLY CHILDREN

Whilst children are undoubtedly the most vulnerable section of society to endure the coercive practices rife in the cotton harvest, they are not alone in being forcibly conscripted to work for the government. Repressive tactics and coercion in forcing children into the fields is mirrored in the wider community, with public workers (including teachers, doctors and military conscripts), and even pensioners and breastfeeding women being sent to the fields to make up the labour shortfall. Numerous reports emerged of threats and actions that compelled people to participate in the harvest including threats to withhold pensions and child benefits; and the forcible closure of markets in Andijan so that both traders and shoppers were ordered to the fields by the police. Public employees and local residents are often not paid for their labour.

Local people have reported that the government's attempt not to involve children in 2008's cotton-harvesting campaign had turned into more repressive measures against other sectors of the population⁵¹. In mid-October, independent media outlet Uznews reported that '*almost no person has been left out of this year's cotton-harvesting campaign in Andijan Region*'. In addition to students and schoolchildren, police officers and pensioners are now picking cotton⁵². Doctors, professors, and soldiers have also been recruited to work in the harvest, and unconfirmed reports state that working days spent on the fields are not paid and not entitled to any kind of bonuses whatsoever⁵³.

Neighbourhood committees have allegedly been enlisted to ensure the implementation of these orders. Human rights activists reported that interviews they held with Mahalla (area division) chairmen in Fergana, Khorezm and Surkhandarya regions confirmed that failure to recruit 30-40 local residents to work in the cotton harvest would result in their having to pay bribes of around 70-80,000 sums (US\$65-75) to local authorities. Violence and beatings have also been meted out by those working for hokims (local governors) when too few local people have been conscripted to the fields⁵⁴.

In 2008 in Samarkand region the authorities temporarily closed down food and clothes markets to force traders to pick cotton. Each morning the police forced the market traders and shoppers out of the market, and patrol drivers were reportedly travelling through the region to drive cotton pickers to the fields. They reportedly also sometimes force drivers and their passengers to pick cotton in nearby fields for no pay⁵⁵.

Similar reports have emerged from across the country. In both Samarkand and Fergana provinces, women – including mothers at home with young children and babies – claimed that local officials had warned them that they would forego child benefit payments if they did not pick cotton. One young mother recounted how officials had visited her home and warned that she would not be eligible for 41,000 sums (US\$37) as a child benefit for her 12-month-old baby unless she picked cotton⁵⁶.



At the time of writing, the Government of Uzbekistan had not yet responded to the ILO Committee of Experts' request for information on the categories of population required to help farmers in the cotton harvest (these relate to ILO forced labour Conventions 29 and 105)⁵⁰.

CONCLUSIONS

Despite Uzbek Government announcements to the contrary, the evidence from multiple, credible sources strongly support the contention that forced child labour remains prevalent across Uzbekistan's cotton growing regions. School age children are conscripted by local government representatives and compelled to pick cotton in arduous, sometimes dangerous, conditions for little or no pay, whilst foregoing their education for several weeks each autumn.

The Government's failure to undertake systemic and rigorous structural changes that will ensure greater freedom, decision-

'What is happening [in Jizzak Region] is a signal to all human rights activists and cotton consumers that the Uzbek government does not deserve the relaxation of pressure and that a campaign to boycott Uzbek cotton should be continued.'

JIZZAK HUMAN RIGHTS DEFENDER
SPEAKING ON CONDITION OF ANONYMITY,
OCTOBER 2008

making ability and economic returns for farmers will continue to stand in the way of efforts to eradicate child and forced labour from cotton production. The National Action Plan does not have any of the measures necessary to prevent children from being used in cotton harvesting – the root-and branch reforms that will lead to greater mechanization, the payment of living wages for adult workers, and the end to centrally-driven quotas. Without such a strategy, it remains implausible that farmers and local governments, under pressure to produce, will be able to harvest the cotton without using child labour.

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RECOMMENDATIONS

1. Within the context of a credible action plan to end forced child labour, the Uzbek Government must take concrete steps towards systemic reforms that will ensure greater freedom, decision-making ability and economic returns for cotton farmers. Time-bound commitments towards ending the state-owned domination of production, trade and exports, together with the quota system are essential to revitalize the cotton sector, secure adult employment and in turn, support rural development. Such changes will help to produce an economically viable and socially sustainable cotton industry, and are essential if child labour is to be eradicated in practice.

2. The Uzbek Government must announce a coherent practicable plan with the necessary resources dedicated to it, to ensure implementation and enforcement of ILO obligations, and existing domestic legislation on forced and child labour.

The Government should make public pronouncements to prohibit child labour and disseminate this information widely.

3. International financial institutions, international organisations such as the OECD, and bilateral trading partners, together with corporate and private business should support calls for greater transparency in the revenue streams derived from the sale and export of cotton, which accumulate with the Uzbek Government and are not subject to any public scrutiny.

4. The Uzbek Government should commit to reinvesting revenue from the sale of cotton and its products in rural development programmes, including education and environmental protection that will sustain rural populations. Revenue from the sale of cotton and its products should be targeted for reinvestment in rural development programmes, including education and environmental protection which will sustain rural populations.

5. The European Union, national governments and trading partners should support efforts to devise protocols by which independent verification – that forced child labour has been permanently eradicated from Uzbek cotton production – can be undertaken. Such verification from the International Labour Organisation in conjunction with labour unions, human rights defenders and others will provide the much-needed evidence of positive change. The Uzbek Government must give its full and unequivocal public backing to independent monitoring – by both human rights defenders and independent media – of the 2009 cotton harvest.

6. The European Union should remove the Generalized System of Preferences (GSP) customs privileges, which Uzbekistan currently enjoys for its cotton exports to the European Union until such time as proven change has taken place. This move would be fully in line with the recent (2007) imposition of a temporary withdrawal of the EU's

Generalised System of Preferences that Belarus held, following evidence that Belarus was not complying with its ILO obligations relating to freedom of association for workers⁵⁶.

7. The EU Commission should reiterate its concerns regarding child labour in the EU-Uzbekistan Human Rights dialogue, and continue to urge Uzbekistan to allow journalists and NGOs access to the cotton harvest.

8. International financial institutions, including the World Bank and European Bank for Reconstruction and Development, which have investments in projects in Uzbekistan must ensure that their funds do not support cotton production to the detriment of children, their education and long-term rural and national development objectives.

Conditionalities and incentives that support sustainable and equitable rural development should be devised and structured within all frameworks for project funding, and benchmarks must be established to measure progress.

9. Cotton traders, international clothing manufacturers and retailers, together with the trade associations that represent them, should add their support to the growing number of companies that have rejected the use of Uzbek cotton until such time as forced child labour is eradicated from its production. Companies should make public their support for positive action and convey their disquiet and concern direct to the Uzbek Government.

10. Cotton traders, clothing manufacturers and retailers should work to ensure a transparent supply chain for the cotton they buy and sell, and inform their suppliers at all levels of the supply chain of their concerns and ensuing concerns. Computerized track and trace schemes should be a minimum requirement that end users implement to ensure transparency.

11. Consumers should demand labels on their cotton clothing that show the country of origin for the cotton fibre, so that they can make informed buying choices. Consumers should ask their retailers what their policy is on Uzbek cotton, and help raise awareness of the issues.

12. International private finance houses should review investments in companies that are linked to the Uzbek cotton trade, including major clothing brands, and use their leverage to support positive change in corporate policies.

13. Relevant public agencies, which procure uniforms for military services; emergency services and national health services – should undertake a review of their procurement practices to ensure that Uzbek cotton produced by forced child labour does not enter their supply chains.

