

Pick All the Cotton: **Update on Uzbekistan's Use of Forced** **Child Labor in 2009 Harvest**



**A group of human rights defenders in Uzbekistan
In collaboration with the International Labor Rights Forum**



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This report is based on information gathered by human rights defenders within Uzbekistan from September through November 2009. Contrary to the government of Uzbekistan's assertions that it has banned forced child labor, the most recent information indicates it continues to compel children to pick cotton, closing schools and using other coercive measures to enforce compliance. Although Uzbekistan has signed two International Labour Organization (ILO) conventions against child labor and two ILO conventions on forced labor and being also a signatory of the Convention of the Rights of the Child, information from throughout the cotton growing regions shows that the government continues to promote the mass mobilization of children to harvest cotton. Indeed, in 2009 the reality proved to be even grimmer than in 2008. While the Government of Uzbekistan refused to allow the ILO or any other credible international observer access to the country, reports from local human rights activists indicate that schoolchildren and college students were forced to work in the cotton fields for more than two months, in some cases missing school from September until the beginning of December.



Due to continued international attention to, and criticism of, Uzbekistan's practice of forced child labor, the authorities have sought to minimize the publicly visible evidence of their involvement in the practice this year. Thus they stopped overseeing the safe transport of children to and from the cotton fields. Unless they brought drinking water from home, children were forced to drink unhealthy water from canals and ditches. They ate their food sitting on the grounds beside the cotton fields, where pesticides and herbicides are widely used. There were no medical personnel attending to their health needs and the physicians themselves have also been mobilized to pick cotton. This year it was nearly impossible for children to obtain permission to leave the cotton fields even for reasons of illness or poor health.

While in many developing countries child labor is driven by poverty, in Uzbekistan the situation is entirely different. This year, there is clear proof that senior officials of the Government of Uzbekistan ordered that Uzbek schoolchildren be forced to work in the cotton fields. The orders to mobilize schoolchildren come from local governments, which in turn received instructions from the central authorities in Tashkent. All these instructions were given orally.

Conditions During the September – November 2009 Cotton Harvest

On September 22, Prime Minister Shavkat Mirziyayev held a conference call with local officials, prosecutors, police chiefs, and farmers in all of Uzbekistan's regions. He instructed local governors to arrange a so-called "*khashar*," which is a form of forced labor, the practice of which has been known since Soviet times.¹ Initially, the cotton harvest "*khashar*" was expected to last until October 12, but was later extended a number of times. In practical terms, this meant that all schoolchildren, college students, and local civil servants in cotton growing provinces were subject to "conscription."

Such conference calls took place every 15 days at the initiative of the Prime Minister, who is charged with overseeing Uzbekistan's agricultural sector. During these conference calls, Mirziyayev instructed local governments and farmers when to begin certain agricultural tasks such as seeding, weeding, using pesticides and defoliants, harvesting, etc. This style of governance suggests that little has changed since the times of the Soviet *kolkhozes* and *sovkhozes*.



According to a farmer in the Bukhara region, in early October all farmers received a telegram signed by the Prime Minister stating that: "By October 15 of this year, all farms that have not fulfilled their contractual obligations for the sale of raw cotton will be singled out. Separate explanatory talks will be held with those farmers who have not fulfilled the harvest plan. Above all, the harvesting of cotton must be organized using each hour of clement weather. *Khokims*, prosecutors and departments of

internal affairs of districts must take under control those farms where cotton has not been picked and organize the final cotton harvest. In those cases where farms have not complied with their contractual obligations, a schedule will be made to levy damages from them. Under the law, their land lease will be revoked." According to this farmer, other farmers and local officials responded to this threat by keeping schoolchildren in the fields longer than previously planned in order to fulfill the plan.

There were also reports that local administrations created divisions charged with mobilizing schoolchildren and their teachers to participate in the cotton harvest. Human rights activist Dimitri Tikhonov reported that in Angren city the headquarters for the campaign to mobilize

¹ The term "*khashar*" means voluntary, collective work done for the sake of the common good or to help out one's neighbors, a practice that is in keeping with Uzbek tradition. However, the Uzbek regime exploits the concept to put a positive spin on its policy of forced labor, which contravenes international conventions to which it is a signatory, as well as its own constitution.

schoolchildren and university students to participate in the cotton harvest was based at the city *khokimiyat's* (local administration) department of education.

In another example reported on the website *Ferghana.ru*, on September 27, more than one thousand students of Bukhara State University were forcibly sent to pick cotton under threat of expulsion. A signed and sealed letter sent to students who failed to show up for the harvest stated that:

"In accordance with the Presidential Decree of August 20, 2008, 'On the Organization and Conduct of the Cotton-Harvesting Campaign' and in accordance with directives from local administrations, the participation of students in the cotton harvest is considered 'practical training in the autumn fields'. Students who do not take part in field work without valid reason will be expelled. In connection with this, I urge you to appear immediately for the cotton harvest. Otherwise, I warn you that you could face expulsion. S.S. Raupov, Dean of the Humanities Faculty of the Bukhara State University."

Failure of Government of Uzbekistan to Implement 2008 Commitments

In September 2008, Prime Minister Shavkat Mirziyayev issued a decree instructing the government to implement a national "action plan," purportedly developed as an instrument to combat child labor. Nevertheless, ten days later, governors in at least five provinces had issued orders to mobilize children for the harvest. None of the children in the fields, parents or teachers interviewed across these provinces in fall 2008 had heard of the governmental decree.² Local human rights organizations were aware of the existence of the plan but reported that it was not publicly shared. Despite this resolution, an offer by ILO and ICAC to undertake or facilitate an independent technical assessment of the problem of forced child labor in the 2008 harvest was not taken up by the Uzbek government.



In 2009, the government of Uzbekistan became increasingly hostile toward efforts to gather information about its child labor practices, and increasingly hostile toward international proposals for an assessment or technical assistance mission by the ILO. Under ILO procedures, international employers and trade unions brought forward information related to forced labor in Uzbekistan's cotton sector and requested an ILO review of the country's compliance with its commitments to ILO conventions on forced labor (Nos. 29 and 105). International union and employer representatives were prepared to discuss this case as one of

² "Uzbekistan Update: Government Still Forcing Young Children to Harvest Cotton Despite Pledges to Ban the Practice," A group of human rights defenders in Uzbekistan and International Labor Rights Forum, November 2008, available at <http://www.laborrights.org/stop-child-labor/cotton-campaign/resources/10773>.

26 'special cases' at the ILO's annual International Labour Conference in June 2009. Despite promises by some Uzbek officials to engage with ILO procedures, the Government of Uzbekistan failed to register a delegation to attend the June conference, and thus the case could not be placed on the agenda. However, after the conference began, representatives from the Government of Uzbekistan did appear, and made a floor statement denying that the problem was pervasive or that it was government-orchestrated, claiming instead that it was perpetuated by ignorant families. Instead of seeking ILO engagement to develop appropriate strategies to implement its ban on child labor, the Uzbek government chose to deny the problem and once again refused to invite an ILO assessment mission to observe the fall 2009 harvest.

In sum, the Government of Uzbekistan has claimed credit for ratification of the ILO conventions prohibiting child labor but has taken no serious measures to engage or work with the ILO to develop an action plan or even to undertake a credible assessment of the problem.

Uzbekistan Cotton Banned by Apparel Retailers

Concerned apparel retailers worldwide continue to instruct their suppliers to avoid all use of Uzbek cotton.³ Not only international corporations but major investors and industry



associations have called on Uzbekistan to halt the use of forced child labor. The US Department of Labor, in a September 2008 report, listed Uzbek cotton among goods produced by child or forced labor.

Despite this increased pressure from brands and retailers, data from the past several weeks indicate that Uzbekistan has been able to

sell all its cotton from this season's harvest at world prices. World cotton fiber prices rose by 9 percent in 2009 compared to 2008.⁴ Between August and November 2009, prices rose from 54 US cents per pound to 72 US cents per pound.⁵ At the October 2009 cotton fair held in Tashkent, the Uzbek government managed to sell most of its cotton, thus for now weakening the impact of the ban declared by a number of Western retailers. As a result, the government of Uzbekistan has restored confidence that it may continue to exploit school children without concern of sanctions.

³ Freeman, Bennett, "The Bitter Harvest of Uzbek Cotton: Reflections on the Business Role Amidst a Human Rights Tragedy," Business and Human Rights/ Institute for Human Rights and Business, December 3, 2009, available at <http://www.business-humanrights.org/Links/Repository/449268>.

⁴ International Cotton Advisory Committee, "Lower Production and Higher Prices Expected in 2009/10," November 2, 2009, available at <http://www.mahacot.com/pdfs/ICAC-Nov09.pdf>.

⁵ BBC News, "Cotton No. 2 Futures," December 4, 2009, available at http://newsvote.bbc.co.uk/1/shared/fds/hi/business/market_data/commodities/11706/three_month.stm.

Strong sales of cotton at high prices in 2009 have created incentives for the Uzbek state trading companies to pick all cotton from the fields. During the last period of the cotton harvest the cotton gins buy cotton from farmers for the lowest prices. Due to this, and because of the low yields of the end of the harvest, the only labor force available to do this poorly paid work are children and students.

Uzbekistan, with its massive unemployment, was and is economically able to eliminate forced child labor. The country already has several laws on the books that would, if respected, ban children's forced labor during the cotton harvest, including longstanding statutes on the rights of children and provisions of the labor code on the minimum age and conditions of children's work. Yet despite these laws, over the past decade, analysts conclude that the government has only intensified its reliance on forced child labor to bring in the cotton harvest.

Recommendations for the US Government:

- Urge the government of Uzbekistan to allow the ILO unfettered access to the country's cotton growing regions prior to and during the 2010 harvest to assess the extent of the problem and its root causes ;
- Restrict trade privileges to Uzbekistan, including suspension from the Generalized System of Preferences program, until such time as the Government of Uzbekistan can demonstrate substantial progress toward eliminating child labor in cotton;
- Engage trade partners with significant bilateral trade ties to Uzbekistan, including South Korea, Bangladesh, Turkey, Vietnam and the United Arab Emirates, and develop joint strategies to track, trace and restrict trade in Uzbek cotton;
- Continue addressing and evaluating the situation of forced child labor through annual reports on human rights, human trafficking and labor issues;
- Encourage the World Bank and Asian Development bank to resume their efforts to promote reform in Uzbekistan's agricultural and cotton sectors as forced child labor is symptomatic of incomplete reform of these sectors of the economy and the lack of farmers' rights to manage their own assets and products;
- Support the actions of companies in the apparel and cotton sector seeking to implement their supply chain policies prohibiting child and forced labor, including through increased economic reporting on traders and financing links in Uzbekistan's cotton sector;
- Encourage appropriate multilateral organizations, including the International Labour Organization, to make public statements through annual and thematic reports about violations of labor and human rights in Uzbekistan's cotton industry.

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