



Environmental Justice Foundation – UPR submission – Uzbekistan 18th July 2008

1. 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.

Summary background

2. In 2004, the Environmental Justice Foundation (EJF) responded to requests from Uzbek human rights defenders to document **forced child labour** in Uzbekistan's annual cotton harvest. Travelling to Ferghana, Tashkent, Namangan and Jizzakh provinces, EJF 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 highlighted the human rights abuses directly linked to Uzbek cotton production. In 2006, EJF investigators in Kyrgyzstan and Kazakhstan met with adult workers –Uzbek illegal migrants - who confirmed the ongoing use of child labour in Uzbekistan. It has become abundantly clear from our regional and desk-based research, and from ongoing liaison with Uzbek nationals over the past 4 years that the issue of forced child labour is widespread and endemic.

EJF's report, *White Gold*, is attached to this submission as supplementary evidence.

3. Uzbekistan is, EJF believes, entirely unique in the world for its state-orchestrated forced child labour. Such is the strategic importance of the cotton crop, 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 economic migration to neighbouring countries, children are systematically drafted in to ensure the fulfillment of the cotton harvest.¹

4. Uzbekistan is failing to meet its international commitments to redress child labour abuses through the effective implementation of domestic legislation. Moreover, it is the Uzbek state which is responsible for these reported abuses.

5. Key points of concern

- Hundreds of thousands of Uzbek children, some as young as seven years old are dispatched to the cotton fields for up to three months each year, missing out on their education and jeopardizing their future prospects;
- Cotton picking is arduous labour – children must stoop down to pick the ripe cotton buds, and carry several kilos in bags slung across their backs. 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 older students and those from urban areas are required to stay in barrack-like accommodation for the duration of the harvest. Living conditions are reportedly squalid. The food provided to children is inadequate, and many children drink water from irrigation pipes, which carries health risks.

- Children are left in poor physical condition following the harvest; human rights defenders report significant adverse health impacts. Several children are reported to have been injured or died during their period of involvement in the cotton harvest.
- Children receive little or no reimbursement for their labour, perhaps a few US cents per kilo of cotton picked. Children must pay for the food and accommodation they are provided with during the cotton picking season.
- 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.
- 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 pressure to fulfill state-sanctioned cotton production quotas that have led to this endemic human right abuse.

6. The allegations made by Uzbek human rights defenders have been substantiated by reports and documentation produced by several reputable and credible independent agencies, including the International Crisis Group, Institute for War and Peace Reporting, IRIN, and the BBC, which gathered film evidence of the issue in October 2007. As a result of the compelling arguments presented, several major international fashion retail corporations have committed to avoiding Uzbek cotton in their supply chain until such time as forced child labour is eradicated from cotton production.

7. The Legal Framework Relating to Child Labour in Uzbekistan

1. Article 37 of the Constitution of Uzbekistan prohibits any form of forced labour. ILO Convention 29 ratified in August 1997
2. The 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.
3. Additionally, in March 2008, Uzbekistan signed ILO Convention 138 on the minimum age for admission to employment; and the ILO convention 182 on the Worst forms of child labour (which includes agricultural work). These conventions will come into force in 2009, however, notably the Government has announced that no new domestic legislation is needed to implement these new commitments.

8. Evidence of a failure to implement legislation

Uzbek children – some as young as seven – are drafted in as cheap or free labour during the cotton harvest. They can miss up to 3 months education as schools are closed² and they are dispatched to the cotton fields where the ‘luckiest’ amongst them can earn a meagre 3 US cents for each kilo of cotton they pick.³ Although child labour is common in many countries, Uzbekistan is unusual in that it is at the behest of the government and public employees, rather than their families that children toil in the cotton fields.^{4,5}

9. Although prohibited under the Uzbek constitution, child labour for under-16’s and compulsory labour for young adults is widespread.^{6,7} The Government denies that this is an official policy, claiming that children volunteer out of loyalty to family or their community and blame is apportioned to irresponsible parents. It is certainly true that traditionally, children in poorer rural households have worked to supplement the family income by helping on family-owned plots⁸. However campaigns promote a sense of duty towards cotton as ‘the wealth of our country’, which when coupled with strictly-imposed cotton quotas offer no alternative but to demand that families and whole villages work the land.

10. Cotton has such strategic significance for the national economy that procurement quotas are rigorously enforced. In order to harvest the cotton, large amounts of inexpensive labour must be mobilised: children and students make up the reserve that ensures cotton quotas can be met.⁹ Despite official denials of child labour, cotton quotas for each region are sent direct from Tashkent and local officials approach head teachers who announce the harvest and quotas to staff and pupils

and ensure that their students pick the required daily amount.¹⁰ Children are compelled to pick cotton during the autumn harvest – lasting between early September until the end of October – in addition to weeding the cotton fields. In April 2008, human rights monitors documented the widespread use of children to prepare the fields for planting, with children being dispatched to the fields en masse in farm vehicles.¹¹

11. Poor living conditions

Local children are able to return home in the evening but older children and those conscripted to 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 eat.¹² 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 fields.¹³ 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*”.¹⁴

12. Health problems experienced by children during the cotton 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 place¹⁵. 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 hepatitis¹⁶. Despite the harsh nature of the work, threats of expulsion from school keep many children in the fields. Those 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 suffer¹⁷. One teacher filmed by EJF told the children that “*If you don’t pick 4 k.g.s, I’ll beat you*”.¹⁸

13. Monitoring carried out in the cotton fields in the Bukhara region in 2007 document cases of cruel and 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 hepatitis.¹⁹ In addition, Lack of safely procedures have been reported to cause accidental death of children working in the cotton fields.²⁰

14. In October 2004, a minister with the public education department reportedly admitted that a least 44, 000 senior pupils and students were harvesting the cotton. However, these official figures can be expected to fall far short of the reality: three years previously, 198,055 school children and over 13, 000 (perhaps as many as 17, 000) students were reported working in the Ferghana region alone²¹. In 2004, one human rights group claimed that around 60, 000 children and students were picking cotton in Jizzakh region alone, with around 30, 000 being school age children²². Estimating the total numbers involved is complicated further as the number of children engaged varies over the course of the harvest: children are only employed in cotton picking in an organised way once the best part of the cotton has already been picked and when the potential earnings from cotton picking is too low to entice adult workers²³. Younger children are drafted in towards the end, as adults are less inclined to work even if quotas have not been filled.

15. Depending on their age and the stage of the harvest, children can pick between 10 and 50 kilos of cotton each day²⁴,²⁵. Money due to them is reduced for low quality or damp cotton²⁶. Some children claim that they are not paid anything once deductions for food, supplies and transport are made²⁷ and parents note that payment often falls far below the costs of replacing clothes damaged whilst picking cotton²⁸. Interviews in cotton growing areas reveal that antipathy towards child labour stems in part because the rewards of the labours do not return to the family or community. In the post-Soviet period school attendance has decreased in the most impoverished regions and poor households cannot afford textbooks or clothes²⁹

16. Stifled media and free speech

Uzbekistan is not a free democracy. Exposing the child labour issue is therefore extremely difficult. Uzbekistan's media remains strictly controlled and the government imposes severe restrictions on freedom of expression. Media editors and journalists are held personally responsible for the accuracy of the news stories they produce, leaving them open to criminal prosecution for their reporting. Journalists responsible for reports critical of the government have been arrested, tortured and imprisoned. On June 25th, 2008, Solidzhon Abdurakhmanov who has reported on the cotton sector, and human rights issues, was arrested in Nukus, Karakalpakstan, on an alleged drugs charge.³⁰ Mutabar Tajibayeva, head of the Fiery Hearts Club served 2 years, 8 months of an 8-year sentence on a trumped-up charge. 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 civil society groups in 2004³¹. NGOs are facing increasing restrictions on the monitoring and reporting of human rights abuses, including forced child labour. Following the massacre in Andijian in May 2005, the Government intensified its crackdown on human rights activists and NGOs, and has effectively closed down the monitoring and reporting of human rights abuses in the country, making the process of monitoring child labour extremely difficult to undertake..

Primary Sources:

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BBC Newsnight, 30th October 2007, Child labour and the high street,

<http://news.bbc.co.uk/1/hi/programmes/newsnight/7068096.stm> and pers comm with BBC

¹ Pers comm. (anon) human rights worker, Jizzakh region Oct 2004; pers comm. IWPR, June 2004

² BBC Newsnight, 30th October 2007,

³ Pers comm. (various – child cotton harvesters), Ferghana valley, October 2004

⁴ Radio Free Europe, broadcast 12 June 2008

⁵ Group of human rights defenders and journalists of Uzbekistan, FORCED CHILD LABOR IN UZBEKISTAN'S 2007 COTTON HARVEST: SURVEY RESULTS, Tashkent, 2008

⁶ EJF interviews and personal communication with human rights defenders; various locations: Ferghana region, Jizzakh, Namangan province, October 2004

⁷ Numerous published sources, see for example: Institute for War and Peace Reporting (IWPR), Further Growth in Uzbek Child Labour, 18.06.04; ICG, The Curse of Cotton, 2005; IOM 2004 *op cit*; IRIN, Focus on child labour in the cotton industry, 09.02.04; IRIN, 'Uzbekistan forced labour continues in the cotton industry' 9.12.2005

<http://www.irinnews.org/Report.aspx?ReportId=29541>

⁸ UNICEF 2000 cited in US State Dept Country Reports on Human Rights Practices – 2004 (Bureau of Democracy, Human Rights and Labor), February 2005

⁹ White Gold, The True Cost of Cotton, EJF, 2005

¹⁰ IWPR investigation into Uzbekistan cotton, 10.12.2004

¹¹ Email communication (pers comm. Anon) seen by EJF 13th April 2008, accompanied by images of children working on cotton fields taken in April 2008

¹² Interviews (various) with children and parents in Ferghana region, Jizzakh region, Oct 2004; pers comm. Michael Hall March 2004 pers comm. Galima Bukharbaeva, March 2005

¹³ IWPR investigation into Uzbekistan cotton, 10.12.2004

¹⁴ EJF interview with human rights worker, Namangan, October 2004

¹⁵ EJF pers comm. with human rights defenders, Uzbekistan, October 2004 cited in White Gold, EJF, 2005

¹⁶ EJF pers comm. with human rights defenders, Uzbekistan, October 2004 cited in White Gold, EJF, 2005

¹⁷ EJF pers comm. (various), Uzbekistan, Oct 2004; interview with Galima Bukharbaeva, March 2005

¹⁸ School teacher, Rishtan district, Ferghana, interviewed in October 2004

¹⁹ Shukhrat Ganiev, Sukhrobjon Ismoilov, Uzbekistani Rapid Response Group for Prevention of Torture, The Cotton Industry in Uzbekistan, 2008.

²⁰ Human Rights Society of Uzbekistan, Ezgulik, January 30th 2008.

²¹ Figures from human rights defender (anon), Ferghana region, October 2004

²² EJF interview with Ezgulic, Dijazzak region, October 2004

²³ EJF interviews with migrant workers, others, Kyrgyzstan border, 2005.

²⁴ EJF interviews (various), Ferghana, Jizzakh, Namangan, October 2004

²⁵ EJF pers comm. Alisher Ilkhamov, November 2004

²⁶ EJF interviews (various) in Rishtan district, Ferghana region, 17.10.2004

²⁷ EJF interviews with children (various), 17.09.04; Focus on child labour, IRIN, 09.02.04

²⁸ Child labour in Uzbekistan, *op cit*

²⁹ EJF interviews in Ferghana region, October 2004

³⁰ Reporters Without Borders, Detained journalist prevented from seeing his lawyer, 27th June 2008

³¹ EJF personal communication with Mutabar Tajibayeva, Uzbekistan October 2004