



Comments Concerning the Ranking of Uzbekistan by the United States Department of State in the 2015 Trafficking in Persons Report, submitted by the Cotton Campaign, January 30, 2015

I. Tier 3 remains the only appropriate ranking for the government of Uzbekistan

The government of Uzbekistan not only failed to make serious progress to curb forced labor during the 2014 cotton harvest but continued to organize, orchestrate and benefit from it. Therefore, the only appropriate ranking for Uzbekistan in the 2015 Trafficking in Persons Report remains Tier 3. The Tier 3 ranking would communicate to the Uzbek government that its policy and practice of forced labor is unacceptable and would encourage the Uzbek government to commit to work with the ILO to apply international conventions prohibiting forced labor.

As citizens of Uzbekistan have documented, the Uzbek government continued its forced-labor system of cotton production in 2014. The government used coercion to oblige farmers to fulfill production quotas and other citizens to fulfill harvest quotas under threat of penalty. Following international pressure, the government ended the nationwide mobilization of children to harvest cotton in 2014 but increased the forced mobilization of adults to compensate. Authorities suppressed any attempts by citizens to report on these abuses, sustained the policies that drive forced labor, and continued to deny the use of forced labor.

II. The government of Uzbekistan continued to organize, orchestrate and benefit from forced labor on a massive scale in 2014.¹

While many governments fail to effectively curb trafficking in persons, the government of Uzbekistan stands out among governments of the world as one of very few that subjects large numbers of its citizens to forced labor. In 2014 the government once again used coercion to forcibly mobilize its citizens to fulfil the national cotton production plan.

¹ The evidence presented herein was gathered by human rights defenders in Uzbekistan through interviews, observations, and review of government documents. The human rights defenders have received training on monitoring and interview techniques by a social scientist and operate anonymously for their personal protection. Their reporting is frequently covered by independent news media outlets, such as those cited in this document. Much of the material herein is included in Uzbek-German Forum for Human Rights, "Preliminary Report on Forced Labor During Uzbekistan's 2014 Cotton Harvest," 7 November 2014, <http://uzbekgermanforum.org/wp-content/uploads/2014/11/Forced-Labor-During-Uzbekistans-2014-Cotton-Harvest.pdf> (last accessed 23 January 2015).

A. In 2014, the government of Uzbekistan used coercion to mobilize farmers to cultivate cotton for the centralized system of production; those who failed to comply were penalized.

In 2014, as it has every year, the Uzbek government assigned annual cotton production quotas to farmers and maintained its monopoly control over land ownership, agricultural inputs, purchases of raw cotton and sales of ginned cotton. If farmers failed to meet the government-mandated quota, they risked losing their lease to farm the land, criminal charges and physical abuse. Land confiscation is not the only form of punishment for farmers who do not fulfil cotton production quotas. Hokims, administrators of state institutions, the prosecutor's office, and police use intimidation to enforce the quotas.

The government of Uzbekistan's practice of penalizing farmers was publicly established through an order from the Prime Minister, "Hokims, 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 contractual obligations, a schedule will be made to levy damages from them. Under the law, their land lease will be revoked."²

In 2014 the government imposed annual production quotas on farmers in the first quarter, and³ farmers in Karakalpakstan and the Andijan, Jizzak, Kashkadarya, Khorezm, Syrdarya and Tashkent regions reported that the authorities enforced the quotas with threats, beatings and public humiliation throughout the year.⁴ A farmer in Andijan explained, "If you do not fulfil the plan, the farmer's life turns into hell."⁵ A farmer in Tashkent said, "If you do not fulfil the plan, the land will be taken away."⁶ A farmer in Kashkadarya asked, "When the hokim beats you with the prosecutor and police present, what can you do?"⁷ Farmers in Syrdarya said that the authorities open criminal cases against them to intimidate them into fulfilling the cotton quotas, and despite the risk of such actions, they plant non-cotton crops to support their families.⁸ In Jizzak region, a district hokim verbally abused Gulchekhra Turaeva after she refused his orders to convert her farm from cattle to cotton.⁹ In Khorezm region, a district hokim

² Usman Sarwar, "Пахтакор боланинг ўлими учун ким жавобгар?," *Ozodlik.org*, 23 October 2009, available at <http://www.ozodlik.org/content/article/1859306.html>, last accessed 4 January 2013.

³ "How cotton is grown in Uzbekistan," *UzNews*, 21 March 2014, <http://www.uznews.net/en/economy/25583-how-cotton-is-grown-in-uzbekistan>; "Ҳазорасплик фермер МТПнинг тракторини ёқиб юборди," *Radio Ozodlik*, 12 July 2014, <http://www.ozodlik.org/content/article/25454714.html>. (In July, the district hokim punished Bakhtiyor Ruzimetov for not fulfilling the state-imposed quota for wheat by destroying the farmer's sunflower crop, and the frustrated farmer set fire to a tractor belonging to the district in protest.); "'Little Thorn' in Jizzakh province protests against growing cotton" *UzNews*, 1 August 2014, <http://www.uznews.net/en/human-rights/27043-little-thorn-in-jizzah-province-protests-against-growing-cotton>. (In August, a district hokim of the Jizzak region, Jergash Gajbullaev, verbally abuses Gulchekhra Turaeva after she refused his orders to convert her farm from cattle to cotton.)

⁴ Uzbek-German Forum for Human Rights, field interviews, November 2014 - January 2015.

⁵ *Ibid*

⁶ *Ibid*

⁷ *Ibid*

⁸ *Ibid*

⁹ "'Little Thorn' in Jizzakh province protests against growing cotton" *UzNews*, 1 August 2014, <http://www.uznews.net/en/human-rights/27043-little-thorn-in-jizzah-province-protests-against-growing-cotton>.

destroyed Bakhtiyor Ruzimetov's sunflower crop as punishment for not fulfilling his wheat quota, and the frustrated farmer set fire to a tractor belonging to the district in protest.¹⁰ According to a farmer from Karakalpakstan, the pressure had increased in the last nine years.¹¹

On June 22, the farmer Kurbontoy Usmanov committed suicide, reportedly due to the stress of fulfilling cotton quotas.¹² On October 17, the authorities of the Khazarasp district of Khorezm region humiliated the farmer Habibullo Egamberdiev for not fulfilling his cotton quota, and their severity reportedly led the farmer to commit suicide.¹³ On January 31, the farmer Dilshod Murodillaev committed suicide, and residents of Murodillaev's village, in the Kattakurgan Pakhtakor district of Samarkand region, reported that local officials had pressured the farmer throughout the year, threatening to reallocate his land for not fulfilling his cotton quota.

B. In 2014, the government of Uzbekistan used coercion to mobilize adults and children to harvest cotton; those who failed to comply with orders were penalized.

1. The government reduced forced child labor in the 2014 cotton harvest but failed to end it.

During the 2014 harvest the central government did not orchestrate the forced mobilization of children to harvest cotton as it had in previous years.¹⁴ However, in several regions, local government officials continued to use the education system to forcibly mobilize children, especially toward the later part of the harvest.

In Kashkadarya region, for example, schoolchildren in the 6th-9th grades harvested cotton on Fridays, Saturdays, and Sundays. In some cases, such as the Nishon district of Kashkadarya, children also picked cotton after school.¹⁵ Beginning on October 15, local authorities in the Bukhara and Kashkadarya regions ordered schoolchildren from upper grades to pick cotton. In one case in the Syrdarya region, teachers stated that the order came from the *hokimiat* (local administration) that teachers must organize their classes to pick cotton during the school break from November 3-10.¹⁶ A parent in the Jizzakh region reported to Radio Liberty that for two weeks all classes for 7th-9th grades had stopped and the

¹⁰ "Хазорасплик фермер МТПнинг тракторини ёқиб юборди," *Radio Ozodlik*, 12 July 2014, <http://www.ozodlik.org/content/article/25454714.html>.

¹¹ Uzbek-German Forum for Human Rights, field interviews, November 2014 - January 2015.

¹² "Пахта режасини бажара олмаган самарқандлик фермер ўзини осди," *Radio Ozodlik*, 6 January 2015, <http://www.ozodlik.org/content/article/26779607.html>.

¹³ "Хоразмда ҳокимлик йиғилишида ҳақоратланган фермер ўзини осди," *Ozodlik Radio*, 21 October 2014, <http://www.ozodlik.org/content/article/26648503.html>.

¹⁴ In international law and Uzbek law, a child is a person under age 18. In Uzbekistan colleges, vocational institutes, and lyceums are secondary education institutions. First-year students are often 16 years old, 2nd year students are often 17 years old, and third year students are often 18, although some 3rd year students are only 17.

¹⁵ Uzbek-German Forum for Human Rights, *Ibid*, Kashkadarya monitor's report.

¹⁶ Uzbek-German Forum for Human Rights, *Ibid*, Syrdarya monitor's report.

children were in the fields picking cotton.¹⁷ A parent in the Samarkand region reported that school children were sent to the fields at the end of the harvest to gather any remaining cotton and that classes that had not picked 10 kilograms per child were not allowed to return to school.¹⁸

The government took steps to urge officials to comply with the national law prohibiting child labor by not mobilizing first- and second-year students of colleges (high schools) and technical institutes, who are usually 16 and 17 years old. Nevertheless, 1st and 2nd year students were mobilized in a few cases. In the Karakul district of the Bukhara region, 1st and 2nd year students from eight colleges were sent to pick cotton beginning on October 12. Beginning on October 15 all colleges in five districts of Kashkadarya region sent 2nd year students to the harvest and several colleges also sent 1st students.¹⁹ Moreover, the government forcibly mobilized third-year high-school students, typically age 18 but including 17 year olds, in every region for 30-43 days.²⁰ According to student registration journals of several colleges, approximately 8% of all third-year students were younger than age 18. If this percentage were valid nationwide, that would mean that approximately 40,000 17 year olds were systematically and forcibly mobilized for the cotton harvest in 2014.

These cases indicate that the government of Uzbekistan did not reform the policies that drive child labor in the cotton sector of the country. Nor did the government make it clear to local officials that child labor would not be tolerated or task them with enforcing laws prohibiting child labor. Rather, local officials' actions clearly indicate that they believe the central authorities still care more about their fulfilling cotton quotas than about their adherence to the ban on the use of child labor. This belief is likely based in the officials' observations over two decades that officials risk losing their jobs for underperforming on their cotton production orders but not for directing forced and child labor. Therefore, in 2014 the central authorities remained complicit in the forced mobilization of child labor in many parts of the country.

2. The government of Uzbekistan increased forced labor of adults, apparently to compensate for fewer children in the 2014 cotton harvest.

In 2014, the government systematically forced adult workers to pick cotton across the country and on a mass scale. People were forced to pick cotton under threat of penalty such as loss of social benefits payments, loss of employment, loss of utilities and other public services, social exclusion, fines, administrative harassment, and criminal prosecution.

¹⁷ “В Джизакской области Узбекистана школьники собирают хлопок уже 15 дней,” Radio Liberty, November 4, 2014, available at: <http://www.profi-forex.org/novosti-mira/novosti-sng/uzbekistan/entry1008233418.html>.

¹⁸ “В Узбекистане школьники продолжают собирать хлопок,” Radio Liberty, November 1, 2014, available at: <http://www.profi-forex.org/novosti-mira/novosti-sng/uzbekistan/entry1008233089.html>.

¹⁹ Uzbek-German Forum for Human Rights, *Ibid*, Kashkadarya monitor's report. The five districts that sent 2nd year college students to the harvest are: Qasbi , Nishon , Mirishkor , Karshi, Koson. The Kashkaradya region is one of the highest producers of cotton in Uzbekistan, producing more than 400,000 tons per year.

²⁰ Uzbek-German Forum for Human Rights, *Ibid*.

For example, on August 28, 2014 the mayor of Tashkent issued an order for the “mass mobilization of workers” from the capital to pick cotton in the Jizzakh and Syrdarya regions. The order set in motion Tashkent’s contribution to the national plan for the cotton harvest, which was laid down by the Cabinet of Ministers in July. With the directive, the Tashkent mayor assigned tasks to all levels of the city government, including law enforcement, the department of health, deputy mayors, and mahalla (neighborhood) councils, for the mass mobilization and transport of workers from the capital.²¹

The observed increase in forced labor of adults was apparently to compensate for reduced numbers of children forced to pick cotton. For example, researchers documented instances of parents being forced to pick cotton for schools and kindergartens in place of their children.²² In past years, public organizations were required to send up to 16% of their entire staff to pick cotton. The percentage of staff members required to pick cotton increased significantly in 2014, with public organizations obligated to provide as much as 30-60% of their personnel for the duration of the harvest. In some cases, organizations provided up to 80% of their staff. Public-sector employees who did not want to or could not pick cotton were forced to pay for replacement workers.

Local police and representatives from *mahalla* (neighborhood) committees used pressure and threats to conduct broad forced recruitment of people in their districts, including pensioners, people with health problems, and single mothers. In particular, they threatened that people would face consequences such as the loss of their maternity, child, or other social payments if they refused to pick cotton. Monitors discovered cases in which the authorities did not make exceptions for breastfeeding mothers or people caring for young children or the elderly. The breastfeeding mother of an infant told Radio Liberty that she either had to take her baby to the cotton fields or pay for a worker to replace her under threat of losing her maternity benefits.²³ A nurse in Andijan was forced to flee the cotton fields after permission to leave was refused so she could care for her two-year old son who was seriously ill.²⁴ In the Jizzakh region, even people visiting from other regions were forced to harvest cotton. One person told Radio Liberty, “Recently my brothers-in-law came to visit us from Samarkand. They were taken on a bus from the street and made to pick 40 kilos of cotton.”²⁵ A local human rights group reported that *mahalla* committee representatives in the Andijan region attempted to force a blind man to pick cotton.²⁶

3. Government officials extorted money from individuals and businesses on an unprecedented scale in 2014.

Extortion by government officials increased in 2014 in parallel to the government’s increased use of forced labor of adults.

²¹ See the Tashkent mayor’s August 2014 directive at Uzbek-German Forum for Human Rights, *Ibid*, Annex, pages 12-13.

²² Uzbek-German Forum for Human Rights, *Ibid*, Andijan monitor’s report.

²³ Хоразмда тиббиётчилар оммавий равишда пахтага ҳайдалди,” Radio Liberty, September 7, 2014, available at: <http://www.ozodlik.org/content/article/26571023.html>.

²⁴ Uzbek-German Forum for Human Rights, *Ibid*, Andijan monitor’s report, (2 November).

²⁵ Uzbek-German Forum for Human Rights, *Ibid*, Materials for final report email (29 October).

²⁶ Uzbek-German Forum for Human Rights, *Ibid*, Alliance email, Andijan region, 4 November 2014.

While people forced to pick cotton received a nominal payment, usually between 200-250 soum (approximately \$.07-.08 USD) per kilogram of cotton harvested, this amount was reduced by fines for failure to meet the quota, for cotton evaluated to be of lower quality, and to pay for food, housing, transportation, or other costs. Payments were generally made every five days, so some workers forced to pick cotton for shorter periods often received no payment at all.²⁷

Citizens who did not want to or were unable to harvest cotton, including for health reasons, or professional or personal obligations such as caring for young children were forced to hire workers to replace them, usually at a cost of 20,000-25,000 soum per day (approximately \$6-7 USD per day or more than \$200 USD per month). Individuals or institutions such as schools or hospitals that failed to meet their harvest quotas were obligated to use their own money to purchase cotton to rectify the deficit. They purchased this cotton from local residents who sold it at inflated prices—350 soum (approximately \$.10 USD) per kilogram instead of the 250 soum the government paid workers for cotton picked.

At the end of the season many public sector employees in the Tashkent region were forced to stay in the cotton fields to attempt to meet harvesting quotas of 30 kilograms per day. Many workers reported that with so little cotton remaining in the fields it was impossible to pick more than 20 kilograms in a 10-hour workday. With no cotton available to buy at the end of the season to make up the difference, local officials instead demanded the cash equivalent.²⁸

The government of Uzbekistan also extorted mandatory contributions of labor and payments from companies to support the cotton harvest. The size of the contribution depended on the size of the enterprise. At the lowest end of the scale, small enterprises generally paid around 500,000 soum (approximately \$167 USD) for the harvest.²⁹ Businesses made these payments under threat of penalty such as increased inspections or forcing the business to close. Officials from the tax inspectorate visited businesses to extract payments and apply pressure such as the threat of burdensome tax inspections and the finding of violations. Businesses also suffered lost business and reduced productivity because they were forced to provide workers to the harvest or pay for food for workers.

On the upper end of the scale, multinational companies operating in Uzbekistan reported that they were required to contribute to the cotton harvest as a prerequisite to doing business in the country. General Motors Uzbekistan contractor UzDongVonCo stated that its employees were sent to pick cotton.³⁰

²⁷ Uzbek-German Forum for Human Rights, *Ibid*, UGF interviews with nurses and teachers, October 2014.

²⁸ Uzbek-German Forum for Human Rights, *Ibid*, Tashkent region monitor's report.

²⁹ Uzbek-German Forum for Human Rights, *Ibid*, Karakalpakstan monitor's report.

³⁰ "'GM-Ўзбекистон"га пудратчи корхонанинг 19 яшар ишчиси пахтада вафот этди," *Radio Ozodlik*, 8 October 2014, <http://www.ozodlik.org/content/article/26627321.html>.

Teliasonera informed its investors that the company sponsors the cotton harvest in Uzbekistan,³¹ and Telenor publicly stated it also contributed.³²

Forced payments from businesses, payments to replacement workers, and payments to compensate for unmet quotas made under the threat of penalty, amounted to a massive, unregulated, and unaccounted for direct subsidy to the government's forced labor-based cotton production system and masked the true cost of cotton production in Uzbekistan. These payments also contribute to the corruption of local officials in charge of the harvest.

4. The government of Uzbekistan's forced labor cotton production system took lives, deteriorated public health, and undermined delivery of health care and education in 2014.

In 2014 monitors observed a disturbingly high number of accidents and deaths as a result of the cotton harvest and poor or unsafe working conditions. At least 17 people died. Two children in Karakalpakstan died from smoke inhalation when they were trapped in a burning home while their mother was forced to pick cotton. Although she usually took her children to the fields with her, she had been told that the authorities would monitor the fields that day and she could not bring her children. A neighbor reported that the local police had gone house to house informing residents that they would lose child benefits unless they picked cotton.³³ At least five people apparently died from heart attacks or other health complications while picking cotton or immediately upon their return from the fields. At least three people committed suicide during forced deployments to pick cotton, including a 7th-grade girl in the Samarkand region and a farmer in the Khorezm region who was humiliated and threatened by local authorities for failing to meet his production quota. Numerous vehicle crashes occurred while transporting workers to the cotton fields or transporting cotton, injuring at least 35 people. In one case, a cargo truck transporting students crashed, injuring 29, some of them seriously; the youngest was 16 years old.

People forced to pick cotton, including children, generally worked long days, usually arriving to the cotton fields before 8 a.m. and working until 5 or 6 p.m. and then waiting an hour or more to deliver their cotton and have it weighed. Many people were forced to work even longer. Some students in the Bukhara region picked cotton from 5 a.m. until 7 p.m., and were then forced to gather firewood for cooking fires from 9-11 p.m., a manual labor requirement of 16 hours per day for 44 days.³⁴ During the harvest season workers did not have weekends, holidays, or rest days off. Teachers were forced to "celebrate" Teacher's Day in the cotton fields as it falls on October 1, during the height of the harvest

³¹ Reports available: http://www.svd.se/naringsliv/nyheter/varlden/telia-sponsrar-tvangsarbete_3909874.svd, <http://www.dn.se/nyheter/sverige/telia-sponsrar-tvangsarbete/>, <http://www.di.se/artiklar/2014/9/12/telia-sponsrar-tvangsarbete/> (last accessed 15 January 2015).

³² Report available at: <http://www.klassekampen.no/article/20141212/ARTICLE/141219985> (accessed 15 January 2015).

³³ "Пахта мавсуми қурбонлари сони тўққиз нафарга етди, Ozodlik Radio, 4 October 2014, <http://www.ozodlik.org/content/article/26620554.html>.

³⁴ Uzbek-German Forum for Human Rights, *Ibid*, Bukhara monitor's report (2 November).

season.³⁵ In no cases did monitors find that people forced to pick cotton were provided with protective gear such as gloves.

Workers living near the fields generally provided their own food. Workers who stayed in temporary housing near the fields generally received food from the farmer, but always had to pay for it with deductions from their earnings, usually the equivalent of 20 kilograms of cotton per day. Most people reported that the food they were provided was monotonous and of poor quality. One student returning from a 40-day stint picking cotton said: “Goodbye cotton and goodbye macaroni!” referring to the bland, monotonous diet provided by the farmer.³⁶

Housing was usually poor, crowded, and unsanitary, with many workers being housed in garages, unused farm buildings, or local schools. Nearly all housing was unheated, even during cold weather at the end of the season. In numerous cases students were housed in tents that provided insufficient protection from rain.³⁷ Workers had to provide their own bedding and in many cases had no access to hot water or facilities for hygiene. In many cases workers bathed in nearby streams or paid to use local facilities.

The forced mobilization undermined essential public services, including education and health care. All 3rd year college students, all university students and some other workers picked cotton for the entire two-month period of the harvest and did not attend classes or work at their normal jobs during this time. Adults employed at publicly funded organizations including schools, hospitals, clinics, and local administrations usually worked 25-day shifts, longer than the 10-day shifts prevalent in 2013. A medical clinic in the Khorezm region normally staffed with two doctors and 13 nurses had to operate with only one doctor and one nurse for the duration of the harvest as the rest of the employees were forced to pick cotton.³⁸ Village medical clinics in some regions were forced to close temporarily during the harvest. In another example from the Khorezm region, a grandfather reported finding no doctors at the district hospital to treat his grandson and instead, only a sign reading: “All at the cotton harvest.”³⁹

III. The government of Uzbekistan failed to reform policies that drive forced labor, repressed citizens’ attempts to document forced labor, and steadfastly denied its use of forced labor in 2014

A. The government’s direct total control of the cotton sector sustains a system of patronage, is the root cause of forced labor and remained unaltered in 2014.

³⁵ Uzbek-German Forum for Human Rights, *Ibid*, Jizzakh monitor’s report (24 October).

³⁶ Uzbek-German Forum for Human Rights, *Ibid*, Andijan monitor’s report (2 November).

³⁷ Uzbek-German Forum for Human Rights, *Ibid*, Bukhara monitor’s report (2 November).

³⁸ “Хоразмда тиббиётчилар оммавий равишда пахтага ҳайдалди,” Radio Liberty, September 7, 2014, available at: <http://www.ozodlik.org/content/article/26571023.html>.

³⁹ *Ibid*.

As the U.S. government has reported, forced labor in the cotton sector in Uzbekistan is “government-compelled”⁴⁰ and results directly from government “policies in the cotton sector, which mandate harvest quotas and cause local administrators to organize and impose forced labor on children and adults.”⁴¹ These analyses of forced labor in the cotton sector in Uzbekistan continue to apply to the situation in 2014, when, far from making serious and sustained efforts to eliminate trafficking in persons, the Uzbek government continued a state-order system of cotton production underpinned by forced labor to earn income that disappears into a secret fund in the Finance Ministry and sustains a patronage system.

In the first quarter, the President, Prime Minister, Ministers of Agriculture and Water Resources, the Economy, Finance, Foreign Economic Relations, and Investments and Trade and representatives from Khlopkoprom⁴² set the national production target; the Prime Minister issued quotas to the regional hokims, and Khlopkoprom issued quotas to farmers via annual procurement contracts. From quota setting through the harvest, the regional hokims convened farmers to oversee progress towards the fulfillment of procurement quotas, with the support of district-level officials, the police, prosecutor general and occasionally the Prime Minister. The oversight system is known as “cotton collection headquarters,”⁴³ and convenes by some estimates 200 meetings each year,⁴⁴ These meetings are often the occasion of verbal and physical abuse of farmers by hokims.⁴⁵

In 2014, regional governors were again held responsible for ensuring enough labour was available for cotton field work. They directed district and local authorities in their regions to implement labour recruitment plans. In April and May of 2014, authorities forced teachers in the Bukhara and Tashkent region, private businessmen, mahalla (community) committees, and students in Karakalpakstan to weed cotton fields or pay a fee, purportedly for the hiring of a day labourer to do the work in their place.⁴⁶ Leading up to the harvest, colleges and lyceums in Tashkent and other cities required parents to sign an agreement that their children will conduct agricultural work during the school year, as a condition for enrolment.⁴⁷ In August, authorities across the country ordered teachers to sign up for shifts to pick

⁴⁰ United States Department of State, “Uzbekistan 2013 Human Rights Report,” page 35, <http://www.state.gov/documents/organization/220622.pdf> (last accessed 15 January 2015).

⁴¹ United States Department of Labor, “2013 Findings on the Worst Forms of Child Labor: Uzbekistan,” <http://www.dol.gov/ilab/reports/child-labor/uzbekistan.htm> (last accessed 15 January 2015).

⁴² Khlopkoprom (also known as Uzhlopkoprom or Uzpakhtasanoat in Uzbek) is the state-controlled association responsible for procurement of raw cotton and ginning. Its regional divisions interact directly with farmers, including by obtaining farmers signatures on land leases and annual contracts for the delivery of cotton quotas.

⁴³ Uzbek-German Forum for Human Rights, “Cotton, It’s not a plant – It’s Politics,” 2012, <http://uzbekgermanforum.org/wp-content/uploads/2012/12/cotton-its-not-a-plant-its-politics-online.pdf>.

⁴⁴ Hornidge and Shtaltovna, *Ibid*, page 23.

⁴⁵ Farmer, interviewed for report, anonymous for personal security. Personal Interview by Matthew Fischer-Daly, 26 September 2012.

⁴⁶ *Chronicle of Forced Labour of Children and Adults in Uzbekistan, Issue 1*, Uzbek-German Forum for Human Rights, 15 May 2014, http://uzbekgermanforum.org/wp-content/uploads/2014/05/Chronicle-2014_Issue1-May-193.pdf.

⁴⁷ See an example agreement form in *Chronicle of Forced Labour of Children and Adults in Uzbekistan, Issue 2*, Uzbek-German Forum for Human Rights, 18 August 2014, http://uzbekgermanforum.org/wp-content/uploads/2014/08/Chronicle-2_2014.pdf.

cotton. In Fergana region, the authorities ordered the teachers to sign up or resign.⁴⁸ Officials also issued orders to other public institutions to organize staff to work in the cotton harvest, such as the Tashkent mayor's directive, noted above. Starting September 8, the government mobilized adults en masse to harvest cotton throughout the country.

In August 2014, the government communicated the annual procurement price for cotton to farmers. The price was set by the Finance Ministry, and was below the government's estimate of production costs, thereby making the mass use of forced labor the only way the cotton crop could be harvested.⁴⁹ Under their lease contracts, farmers were, as in previous years, obligated to sell their cotton to one of the 127 state-controlled gins of the association Khlopkoprom or the 18 gins of the Ministry of Agriculture and Water Resources. All cotton exports and domestic sales in Uzbekistan remained under centralized state control, sold through the three government-owned trading companies - *Uzprommashimpex*, *Uzmarkazimpex*, and *Uzinterimpex*. In October 2014, the government announced cotton sales of over \$1 billion.⁵⁰ And once again, the income from cotton sales in 2014 disappeared into the extra-budgetary "Selkozfond (Agricultural Fund)," housed in the Ministry of Finance, to which only the highest level government officials have access and knowledge of its use.⁵¹

B. As an essential element of its coercive system of cotton production, the government of Uzbekistan continued to repress the rights of citizens reporting on forced labor in 2014.

The government of Uzbekistan's use of forced labour to produce cotton is supported by its denial of fundamental rights of association, freedom of press, and due process enable its use of forced labour to produce cotton. In its latest report on Uzbekistan, the United Nations Human Rights Committee expressed concern and issued recommendations on these fundamental rights.⁵² In particular, the Committee remained "concerned about the number of representatives of independent nongovernmental organizations (NGO), journalists, and human rights defenders imprisoned, assaulted, harassed or intimidated, because of the exercise of their profession."⁵³

On Sunday, September 28, 2014, police of the Kibray district, Tashkent region, arrested and detained Dmitry Tikhonov, a human rights monitor with the Uzbek-German Forum for Human Rights (UGF), after he photographed and interviewed college students picking cotton in the Tashkent region. Mr. Tikhonov reported the arrest to the ILO Tashkent Director Harri Taliga during a meeting September 29

⁴⁸ "Fergana Valley teachers prepare for the cotton harvest," *UzNews*, 12 August 2014,

<http://www.uznews.net/en/economy/27160-fergana-valley-teachers-prepare-for-the-cotton-harvest>.

⁴⁹ Ilkhamov and Muradov, 2014, *Ibid*, pages 20-23.

⁵⁰ "On Uzbek Cotton Fair vystyavyat for sale cotton on more than \$ 1 billion," *CA-News*, 13 October 2014,

http://www.cottoncampaign.org/wp-content/uploads/2014/10/CA-NEWS_-On-the-Uzbek-Cotton-Fair-vystyavyat-to-sell-cotton-to-more-than-1-billion.pdf.

⁵¹ Ilkhamov and Muradov, 2014, *Ibid*.

⁵² United Nations Human Rights Committee, "Concluding observations of the Human Rights Committee: Uzbekistan," New York, 8-26 March 2010, CCPR/C/UZB/CO/3, <http://www.ohchr.org/en/countries/enacaregion/pages/uzindex.aspx>.

⁵³ United Nations Human Rights Committee, *Ibid*, paragraph 24.

when the attended by Mr. Tihanov as the representative of both UGF and the Cotton Campaign. On October 15 authorities again detained Mr. Tikhonov and searched his laptop while he was returning to Tashkent from a training workshop on labour rights monitoring. In October 2014, Jizzak regional prosecutors and police threatened to imprison human rights monitor Uktam Pardaev without any charges. In 2013, police put Mr. Pardaev under house arrest after his visit with a South Korean human rights delegation and Cotton Campaign member,⁵⁴ and during the 2012 cotton harvest authorities detained Pardaev incommunicado following his reports on forced child labour.⁵⁵ During the 2014 cotton harvest, authorities have detained human rights monitor Elena Urlaeva three times and conducted a degrading search of her on October 14.⁵⁶ In the autonomous republic of Karakalpakstan authorities continued to crackdown on local civil society and have imprisoned dozens of peaceful Karakalpak activists, imposing strict controls on the freedom of expression, association, and assembly.⁵⁷

IV. Tier 3 Placement in the *Trafficking in Persons Report 2015* is vital to ending forced labor in Uzbekistan.

In 2014 the government of Uzbekistan forced more than a million citizens to work in the cotton fields under threat of penalty, for its benefit, and as a matter of state policy. As presented herein, the government failed to implement the U.S. government's recommendations concerning forced labor, presented in the *Trafficking in Persons Report 2014*, including:

“Take substantive action to end the use of forced adult labor and increase action to end child labor during the annual cotton harvest; grant the ILO, its affiliated bodies, and civil society groups full, unfettered access to the annual cotton harvest; ensure full compliance with both the Worst Forms of Child Labour Convention (182) and the Abolition of Forced Labour Convention (105); continue permitting the stable foreign funding of NGOs including anti-trafficking NGOs; investigate and, when sufficient evidence exists, prosecute government officials who violate national and international labor laws, respecting due process; refrain from including language in contracts that require college students to participate in the cotton harvest; promote awareness of

⁵⁴ “Jizak-based activist under round-the-clock watch,” *UzNews*, 12 February 2013, http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=3&nid=22026; “Jizzakh human rights worker “hidden” from Korea child labour monitors,” *UzNews*, 27 September 2013, http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=2&nid=23899

⁵⁵ “Central Asia: Overview of Key Human Rights Concerns and Recommendations: Uzbekistan,” *Human Rights Watch*, 15 November 2012, <http://www.hrw.org/news/2012/11/15/central-asia-overview-key-human-rights-concerns-and-recommendations>

⁵⁶ “Elena Urlaeva subjected to full-body search for taking photos of forced cotton pickers,” *UzNews*, 14 October 2014, <http://www.uznews.net/en/human-rights/27902-elena-urlaeva-subected-to-full-body-search-for-taking-photos-of-forced-cotton-pickers>.

⁵⁷ Human Rights Watch, “‘Until the Very End’: Politically Motivated Imprisonment in Uzbekistan,” September 2014, <http://www.hrw.org/reports/2014/09/26/until-very-end>.

labor rights and develop a transparent process for registering and investigating violations of those rights;”⁵⁸

Currently, Uzbekistan does not meet the minimum standards of the Trafficking Victims Protection Act, nor is it yet taking real steps to meet those standards. On this basis, we call on the State Department to place Uzbekistan in Tier 3 in the *2015 Trafficking in Persons Report*. An upgrade to another placement would reward the government of Uzbekistan in spite of its continued, flagrant disregard of its national laws and international commitments.

The Tier 3 placement would, on the other hand, communicate the need to end forced labor to the government of Uzbekistan. The ILO is currently working to secure a commitment from the government to proceed with work on the application of international forced labor conventions. A clear message from the US government would encourage the government of Uzbekistan to depart from its position of resistance and proceed with serious efforts to end forced labor and move towards compliance with the minimum standards of the TVPA.

Endorsing Organizations:

Advocates for Public Interest Law



American Apparel & Footwear Association



American Federation of Labor and Congress of Industrial Organizations



American Federation of Teachers

Anti-Slavery International



Association for Human Rights in Central Asia



⁵⁸ United States Department of State, *Trafficking in Persons Report 2014*, June 2014, http://www.state.gov/j/tip/rls/tiprpt/2014/?utm_source=NEW+RESOURCE:+Trafficking+in+Persons+R (accessed 15 January 2015), page 405.

Australian Council of Trade Unions



Calvert Investments



Child Labor Coalition



Daughters of Charity, Province of St. Louise



Dignity Health



Environmental Justice Foundation



The Eurasian Transition Group, e.V.



International Labor Rights Forum



Korean Teachers and Education Workers Union (KTU, or Jeon Gyo Jo)



Mercy Health



Mercy Investments Inc.



National Consumers League



National Retail Federation



Northwest Coalition for Responsible Investment



Open Society Foundations



Portfolio Advisory Board of the Adrian Dominican Sisters



Responsible Sourcing Network



Retail Council of Canada



Sisters of St. Francis of Philadelphia



Solidarity Center



St. Joseph Health



Stop the Traffik



The Sunshine Coalition



Synod of Victoria and Tasmania,
Uniting Church in Australia



Textile Clothing and Footwear Union of Australia



United States Fashion Industry Association



Uzbek-German Forum for Human Rights



Walk Free

