

Uzbekistan

The Government of Uzbekistan has strengthened legislation to address the worst forms of child labor and issued decrees to further protect children. However, large numbers of children are forced by local authorities to harvest cotton each fall, rather than attending school. By establishing high cotton production quotas, the Government is complicit in this use of forced child labor.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	4.3%
Attending School	5-14 yrs.	84.1%
Combining Work and School	7-14 yrs.	5.0%

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor⁵²⁹⁶

Children in Uzbekistan are exploited in the worst forms of child labor. Thousands are forced to work in the annual cotton harvest, in part because the Government maintains a quota system for cotton production and requires that local administrators and farms meet quotas or face penalties such as firings, fines, and government takeover of farmland. To meet these quotas, local officials often close schools for up to 6 weeks or more and force children to pick cotton.⁵²⁹⁷

Some reports indicate that fewer children below secondary school age were involved in the 2009 harvest than in past harvests.⁵²⁹⁸ However, children as young as age 11 continued to be compelled to harvest cotton in the regions of Syrdarya, Gulistan, Tashkent, Khoresm, Jizzakh, Bukhara, and Surhandarya.⁵²⁹⁹ While harvesting cotton, children sometimes lack sufficient food, clean drinking water, and adequate housing.⁵³⁰⁰ In addition, many are exposed to pesticides and long periods of sustained, repetitive movements that can cause injuries. Earlier in the season, some children also work long hours planting cotton.⁵³⁰¹

Some children from Uzbekistan migrate with their families to Kazakhstan, where wages are higher, during the autumn harvest season to work in the cotton fields.⁵³⁰²



In 2006, the Government reported that the number of street children in Uzbekistan was increasing.⁵³⁰³ Children working on the streets may be exposed to severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements.

There are reports that girls are trafficked abroad and internally for the purpose of commercial sexual exploitation.⁵³⁰⁴ Boys are reportedly trafficked to Kazakhstan and Russia for forced labor, primarily to work in the construction and agriculture sectors.⁵³⁰⁵

Laws and Regulations on the Worst Forms of Child Labor

The labor code of Uzbekistan establishes the minimum age for work at 16. During the reporting period, the Government amended the Labor Code and the law On the Guarantees of the Rights of the Child to raise the minimum age for light work from 14 to 15.⁵³⁰⁶ The Government also ratified ILO Convention No. 138 on the Minimum Age for Admission to Employment, during this reporting period.⁵³⁰⁷

In August 2009, the Decree on Adoption of the List of Occupations with Unfavorable Working Conditions to which it is forbidden to Employ Persons Under Eighteen Years of Age from the Ministries of Labor and Social Protection (MOL) and Health (MOH)

revised the list of hazardous activities forbidden for children under age 18, which specifically prohibits the manual harvesting of cotton.⁵³⁰⁸ The February 2010 MOL and MOH Decree On Approval of Provision on Requirements on Prohibition of Use of Minors' Labor, bars employers from using child labor in specific sectors of work, but does not include picking cotton.⁵³⁰⁹ Prohibited work activities in the 2010 Decree include work underground, underwater, at dangerous heights, or with dangerous equipment.

The February 2010 Decree grants authority to parents and labor inspectors to cancel the employment contracts of workers under age 18 if the work involved could endanger the child's health or well-being.⁵³¹⁰ Likewise, in December 2009, the President signed amendments to Uzbekistan's Code on Administrative Responsibility, which raised the penalties for the use of child labor by citizens and public officials.⁵³¹¹

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	✓

The Constitution of the Republic of Uzbekistan and the Labor Code prohibit forced labor, and the Criminal Code states that the forceful deprivation of liberty is punishable by a fine or by imprisonment.⁵³¹² The Criminal Code penalizes commercial sexual exploitation of children, including child prostitution and pornography.⁵³¹³ The 2008 Law on Trafficking and the Criminal Code prohibit human trafficking.⁵³¹⁴

Institutional Mechanisms for Coordination and Enforcement

The Government's ICCTP is charged with overseeing efforts to combat trafficking. The Commission is chaired by the Prosecutor General, with representatives from other government entities such as the Ministries of Manpower and Migration, Interior, Foreign Affairs, and the National Security Service and the State Customs Committee.⁵³¹⁵ Although the Government of Uzbekistan has established the ICCTP, research found no evidence of a coordinating mechanism to combat other worst forms of child labor.

MOL is responsible for carrying out labor inspections, including for compliance with child labor laws.⁵³¹⁶ MOL executes this responsibility through state legal inspectorates and occupational safety and health inspectorates established in each region of the country. As of 2005, the most recent data available, the MOL employed 850 labor inspectors across the country.⁵³¹⁷ MOL inspectors can refer findings of hazardous or forced child labor to the Prosecutor General's Office for criminal prosecution.⁵³¹⁸ Reportedly, inspections are not carried out in the agricultural sector.⁵³¹⁹

Uzbek officials reported that 150 local hokims (administrators) were reprimanded for allowing child labor in the 2008 cotton harvest, and that a few of the hokims were replaced. Information is not available about child labor investigations or any enforcement actions taken to penalize the use of forced child labor in the cotton harvest of 2009.⁵³²⁰

The Prosecutor General's Office and the criminal investigators of the Ministry of the Interior are responsible for investigating and prosecuting criminal violations of the child labor laws.⁵³²¹ The MOI criminal investigations department investigates crimes against children, including commercial sexual exploitation.⁵³²² MOI also has a special juvenile victims department within its crime prevention section. The agency's Office for Combating Trafficking is charged with investigating trafficking-in-persons crimes, which may then be prosecuted by the Prosecutor General's office.⁵³²³ The Government runs hotlines around the country for people to report incidents of child labor and human trafficking.⁵³²⁴

During the reporting period, the Government hired additional trafficking investigators, conducted trafficking investigations, and prosecuted cases, although disaggregated statistics on child versus adult trafficking or forced labor are unavailable.⁵³²⁵

Government Policies on the Worst Forms of Child Labor

The Government's central policy on the worst forms of child labor is the National Action Plan (NAP), adopted in 2008. The NAP includes a comprehensive set of activities to be undertaken through 2009 and beyond, including legislative reform, increased enforcement, awareness raising, and the implementation of specific projects to assist working and at risk children. The NAP specifically calls for an end to the use of forced child labor.⁵³²⁶ However, the ILO Committee of Experts has stated that the NAP may be insufficient to combat the deeply entrenched forced mobilization of children for the cotton harvest. The Government has refused to allow ILO to undertake an assessment of the problem of forced child labor during the cotton harvest.⁵³²⁷

In January 2009, the Government developed an annual work plan to implement the NAP. It calls for monitoring, raising awareness of national and international legislation on child labor; conducting training programs for labor inspectors, local administrators, teachers, farmers, and other relevant parties; and developing community-based prevention programs.⁵³²⁸

During the start of the fall 2009 cotton harvest, the Ministry of Education sent letters to school directors urging them to certify they would not require student participation in the cotton harvest.⁵³²⁹ However, a

significant number of children were forcibly mobilized to participate in the fall harvest rather than attend school.⁵³³⁰

The Government has other child-focused policies including the National Plan of Action on the Well-Being of Children (2007-2011) and the National Program on Improving Quality and Efficiency of Education.⁵³³¹ The question of whether this policy has an impact on the worst forms of child labor does not appear to have been addressed.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

UNICEF is working on the issue of child labor in Uzbekistan as part of its larger child protection country strategy (2010-2015), which includes ensuring that all children are attending school during the cotton harvest season by 2015.⁵³³² As part of this program, UNICEF is engaging the Government of Uzbekistan in efforts to eliminate the worst forms of child labor through improved monitoring, implementation, and reporting on the National Plan of Action.⁵³³³

During the reporting period, as part of its implementation of the National Plan of Action on Trafficking, the Government opened its first government-run shelter for trafficking victims. It also conducted a number of awareness raising campaigns aimed at preventing human trafficking.⁵³³⁴

Despite the above initiatives, the Government of Uzbekistan does not implement sufficient programs to combat the worst forms of child labor commensurate with the scope of the problem in agriculture, street work, and trafficking.

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Uzbekistan:

IN THE AREA OF LAWS AND REGULATIONS:

- Eliminate quotas for the cotton harvest.
- Legislate that all schools remain open and that student attendance be mandatory during the cotton harvest.
- Amend the Decree On Approval of Provision on Requirements on Prohibition of Use of Minors' Labor to include a prohibition on cotton picking.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to combat all worst forms of child labor.
- Strictly enforce legislation that prohibits children's forced involvement in the cotton harvest.
- Penalize responsible parties for forcing children to participate in the cotton harvest.
- Make information publicly available on investigations, charges, prosecutions, and punishments for parties responsible for exploitive or forced child labor.
- Invite ILO or other third parties to monitor cotton harvests.
- Disaggregate official trafficking in persons statistics between child trafficking, adult trafficking, and child and adult forced labor.

IN THE AREA OF PROGRAMS:

- Expand programs to address the worst forms of child labor, with a particular focus on agriculture, street work, and trafficking.

⁵²⁹⁶ Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2010. Data on working children and children combining working and schooling are from 2006. Data on school attendance are from 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

⁵²⁹⁷ U.S. Department of State, "Uzbekistan," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 7c and 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136096.htm>. See also U.S. Embassy- Tashkent, *reporting*, February 2, 2010, para 6. See also International Labor Rights Forum, "Pick all the cotton: Update on Uzbekistan's use of forced child labor

in 2009 harvest," (December 2009), 1-2; available from <http://www.laborrights.org/sites/default/files/publications-and-resources/UzbekCottonFall09Update.pdf>. See also U.S. Embassy- Tashkent, *reporting*, February 25, 2010, para 25B. See also British Broadcasting Corporation, "Activist 'beaten' after BBC story", news.bbc.co.uk, [online], November 11, 2009 [cited February 22, 2010]; available from <http://news.bbc.co.uk/2/hi/asia-pacific/8355585.stm>.

⁵²⁹⁸ U.S. Department of State, "Country Reports- 2009: Uzbekistan," section 7d. See also U.S. Embassy- Tashkent, *reporting*, February 2, 2010, para 39.

⁵²⁹⁹ U.S. Department of State, "Country Reports- 2009: Uzbekistan," section 7d. See also U.S. Embassy- Tashkent, *reporting*, February 2, 2010, para 39. See also U.S. Embassy- Tashkent, *reporting*, February 25, 2010, para 25B. See also British Broadcasting Corporation, "Activist 'beaten' after BBC story".

⁵³⁰⁰ British Broadcasting Corporation, "Activist 'beaten' after BBC story". See also International Labor Rights Forum, "Pick all the cotton," 1. See also U.S. Embassy- Tashkent, *reporting*, February 25, 2010, para 25C. See also International Crisis Group, *The Curse of Cotton: Central Asia's Destructive Monoculture*, February 28, 2005, 18; available from <http://www.crisisgroup.org/en/regions/>

asia/central-asia/093-the-curse-of-cotton-central-asias-destructive-monoculture.aspx.

⁵³⁰¹ U.S. Embassy- Tashkent, *reporting, February 2, 2010*, para 6.

⁵³⁰² U.S. Embassy- Tashkent, *reporting, January 16, 2009*, para 37. See also U.S. Embassy- Astana, *reporting, December 3, 2007*, para 2. See also Joanna Lillis, “Kazakhstan: Cotton Harvest Fails to Provide Rich Pickings”, EURASIANET.ORG, [online], November 13, 2008 [cited August 27, 2010]; available from <http://www.eurasianet.org/departments/insightb/articles/eav111408.shtml>.

⁵³⁰³ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding observations: Uzbekistan*, CRC/C/UZB/CO/2, Geneva, June 2, 2006, para 62; available from [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.UZB.CO.2.En?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CRC.C.UZB.CO.2.En?Opendocument).

⁵³⁰⁴ U.S. Department of State, “Country Reports- 2009: Uzbekistan,” section 5. See also U.S. Department of State, “Uzbekistan (Tier 2 Watch List),” in *Trafficking in Persons Report*, Washington, DC, June 4, 2009; available from <http://www.state.gov/g/tip/rls/tiprpt/2009/123139.htm>.

⁵³⁰⁵ U.S. Department of State, “Country Reports- 2009: Uzbekistan,” section 5. See also U.S. Embassy- Tashkent, *reporting, February 25, 2010*.

⁵³⁰⁶ U.S. Department of State, “Country Reports- 2009: Uzbekistan,” section 7d.

⁵³⁰⁷ ILO ILOLEX Database of International Labour Standards, *C138 Minimum Age Convention, 1973*, August 27, 2010; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.

⁵³⁰⁸ U.S. Embassy- Tashkent, *reporting, January 16, 2009*, para 6. See also U.S. Department of State, “Country Reports- 2009: Uzbekistan,” section 7d. See also U.S. Embassy- Tashkent, *reporting, February 2, 2010*. See also Government of Uzbekistan, *Decree on adoption of the list of occupations with unfavorable working conditions to which it is forbidden to employ persons under eighteen years of age*, (August 8, 2009).

⁵³⁰⁹ Government of Uzbekistan, *Decree on Approval of Provision on Requirements on Prohibition of Use of Minors’ Labor*, (February 1, 2010).

⁵³¹⁰ U.S. Embassy- Tashkent, *reporting, February 25, 2010*, para 27A. See also Government of Uzbekistan, *Decree on Approval of Provision on Requirements on Prohibition of Use of Minors’ Labor*.

⁵³¹¹ U.S. Embassy- Tashkent, *reporting, February 2, 2010*, para 8. See also U.S. Department of State, “Country Reports- 2009: Uzbekistan,” section 7d.

⁵³¹² Government of Uzbekistan, *Constitution of the Republic of Uzbekistan*, (December 8, 1992), article 37; available from <http://www.umid.uz/Main/Uzbekistan/Constitution/constitution.html>. See also U.S. Embassy- Tashkent, *reporting, February 25, 2010*, para 27A5. See also ILO Committee of Experts, *CEACR: Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) Published: 2010*, [online] 2010 [cited May 19, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloilc&document=821&chapter=3&query=Uzbekistan%40ref%2B%20Observation%40ref%2B%23YEAR%3D2010&highlight=&querytype=bool&context=0>. See also ILO Committee of Experts, *CEACR: Individual Observation concerning Abolition of Forced Labour Convention, 1957 (No. 105) Uzbekistan (ratification: 1997) Published: 2010*, [online] 2010 [cited May 19, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloilc&document=433&chapter=3&query=Uzbekistan%40ref%2B%20Observation%40ref%2B%23YEAR%3D2010&highlight=&querytype=bool&context=0>.

⁵³¹³ Government of Uzbekistan, *Criminal Code of the Republic of Uzbekistan*, (September 22, 1994), article 130-131, 135; available from <http://www.unhcr.org/refworld/publisher,NATLEGBOD,,UZB,3ae6b59216,0.html>.

⁵³¹⁴ U.S. Department of State, “Country Reports- 2009: Uzbekistan,” section 6. See also U.S. Embassy- Tashkent, *reporting, February 25, 2010*, para 27A3. See also Government of Uzbekistan, *Criminal Code of Uzbekistan*, article 135.

⁵³¹⁵ U.S. Embassy- Tashkent, *reporting, February 25, 2010*, para 26B, 26D.

⁵³¹⁶ U.S. Department of State, “Country Reports- 2009: Uzbekistan,” section 7d. See also ILO Committee of Experts, *CEACR: Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) Submitted: 2010*, [online] 2010 [cited May 14, 2010]. See also ILO Committee of Experts, *Individual Observation concerning Abolition of Forced Labour Convention, 1957 (No. 105) Uzbekistan*.

⁵³¹⁷ U.S. Embassy- Tashkent, *reporting, February 2, 2010*, para 16.

⁵³¹⁸ *Ibid.*, para 13.

⁵³¹⁹ *Ibid.*

⁵³²⁰ *Ibid.*, para 11, 17, 24 and 35.

⁵³²¹ *Ibid.*, para 12, 13, 20, 32.

⁵³²² *Ibid.*, para 32.

⁵³²³ U.S. Embassy- Tashkent, *reporting, February 25, 2010*, para 26B.

⁵³²⁴ U.S. Embassy- Tashkent, *reporting, February 2, 2010*, para 14, 28.

⁵³²⁵ U.S. Embassy- Tashkent, *reporting, February 25, 2010*, para 27 C-E. See also U.S. Embassy- Tashkent, *reporting, February 2, 2010*, para 29.

⁵³²⁶ U.S. Embassy- Tashkent, *reporting, February 2, 2010*, para 33.

⁵³²⁷ International Labor Rights Foundation, *Three GSP petitions filed by ILRF continue in 2008 annual review*, Press Release, July 1, 2009; available from <http://www.laborrights.org/creating-a-sweatfree-world/changing-global-trade-rules/news/11948>. See also International Labor Rights Forum, "Pick all the cotton," 3-4.

⁵³²⁸ U.S. Embassy- Tashkent, *reporting, February 2, 2010*, para 42.

⁵³²⁹ *Ibid.*, para 34.

⁵³³⁰ UNICEF, Country Document, 2009.

⁵³³¹ ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan*. See also U.S. Embassy- Tashkent, *reporting*, December 15, 2009.

⁵³³² U.S. Embassy- Tashkent, *reporting, February 2, 2010*, para 18. See also UNICEF, *Draft Country Programme Document: Uzbekistan*, April 13, 2009, para 20.(f); available from [http://www.unicef.org/about/execboard/files/09-PL14-Uzbekistan-ODS-English\(1\).pdf](http://www.unicef.org/about/execboard/files/09-PL14-Uzbekistan-ODS-English(1).pdf).

⁵³³³ UNICEF, *Draft Country Programme Document: Uzbekistan*, para 31.

⁵³³⁴ U.S. Embassy- Tashkent, *reporting, February 25, 2010*, para 28B and 29A-D.