

Uzbekistan

The Government of Uzbekistan strengthened legislation to protect children against hazardous work. However, the Government has failed to enforce legislation prohibiting the worst forms of child labor in cotton sowing and harvesting. Large numbers of children, many under conditions of forced labor, are engaged in the cotton harvest through a mandated quota system enforced by government officials.



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 Labor

Children in Uzbekistan are engaged in the worst forms of child labor,⁶⁰⁷⁸ primarily in the annual autumn cotton harvest. Each spring, during the pre-harvest season, children work long hours sowing cotton.⁶⁰⁷⁹ Thousands of children continue to be forced to work during the annual harvest due to the Government's system for cotton production which requires local administrators and farms to meet harvest quotas.⁶⁰⁸⁰ Local officials often close schools for six weeks or up to two months during the harvest and force children to pick cotton to reach the mandated quotas.⁶⁰⁸¹ Some reports indicate that efforts were initially made to reduce the number of children below secondary school age required to work in the 2010 harvest, but a high labor demand to meet quotas resulted in children as young as age 10 being forced into the fields toward the end of the season.⁶⁰⁸²

While harvesting cotton, some children do not have access to sufficient food and clean drinking water.⁶⁰⁸³ Children often resort to drinking water from irrigation drainage ditches, resulting in intestinal and respiratory infections, meningitis

or hepatitis.⁶⁰⁸⁴ In addition, university researchers and trade unions report that children are withheld wages and work long work hours in extreme temperatures.⁶⁰⁸⁵ Reports also indicate that children are abused or beaten by their supervisors or have been injured in transport to the fields.⁶⁰⁸⁶ Children forced to work in cotton miss weeks of school every year, negatively impacting their learning.⁶⁰⁸⁷ Students who refuse to participate risk expulsion from school.⁶⁰⁸⁸ Parents who refuse to send their children to the harvest are threatened with fines or with having their food subsidies and child benefits withheld. Villages that fail to meet their quotas have had their electricity supply cut.⁶⁰⁸⁹

Emerging reports also indicate that children are engaged in the harvest of silk worms and the collection of scrap metal; however, research has not confirmed the scale of this problem. Both of these activities are reportedly driven by government quotas similar to cotton.⁶⁰⁹⁰ Harvesting silkworm cocoons requires children to gather mulberry leaves to feed the worms at strict intervals seven times a day, working between 4:00 a.m. and midnight, missing school and sleep.⁶⁰⁹¹




Children working on the streets are also a concern. These children may be exposed to severe weather, accidents caused by proximity to vehicles and vulnerability to criminal elements.⁶⁰⁹²

There are reports that girls are trafficked abroad and internally for the purpose of commercial sexual exploitation.⁶⁰⁹³

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code of Uzbekistan establishes the minimum age for work at 16 and the minimum age for light work at 15.⁶⁰⁹⁴

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 presents a list of hazardous activities forbidden for children younger than age 18. This list specifically includes the manual harvesting of cotton.⁶⁰⁹⁵

	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	18
	Free Public Education	Yes

In February 2010, the Ministry of Labor and Social Protection (MOL) and Ministry of Health

issued the Decree on Approval of Provision on Requirements on Prohibition of Use of Minors' Labor, which further bars employers from using children to work under a list of hazardous conditions including underground, underwater, at dangerous heights or with dangerous equipment.⁶⁰⁹⁶ The February 2010 Decree grants authority to parents and labor inspectors to cancel the employment contracts of workers younger than age 18 if the work involved could endanger the child's health or well-being.⁶⁰⁹⁷

The Constitution 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.⁶⁰⁹⁸ The Criminal Code penalizes commercial sexual exploitation of children, including child prostitution and pornography.⁶⁰⁹⁹ The 2008 Law on Trafficking and the Criminal Code prohibit human trafficking.⁶¹⁰⁰

According to the Law on Education, the Government has established the right to free and compulsory education for 12 years, which children generally complete from ages 6 to 18, depending on the age that the child begins grade one.⁶¹⁰¹ However, in practice, schools are closed for weeks or months during the annual cotton harvest, depriving children of this right.

Men are required to serve for one year in the military, with compulsory conscription at age 18.⁶¹⁰²

Institutional Mechanisms for Coordination and Enforcement

The Government's Interagency Commission on Combating Trafficking in Persons 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, Internal Affairs (MIA), Foreign Affairs and the National Security Service and the State Customs Committee.⁶¹⁰³ 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.⁶¹⁰⁴ 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, MOL employed 850 labor inspectors across the country.⁶¹⁰⁵ Reportedly, inspections are not carried out in the agricultural sector.⁶¹⁰⁶ The Government has refused to allow the ILO to undertake an independent assessment of forced child labor during the cotton harvest.⁶¹⁰⁷

The Government did not report any violations of child labor laws during the reporting period.⁶¹⁰⁸

The Prosecutor General's Office and the criminal investigators of MIA are responsible for investigating and prosecuting criminal violations of the child labor laws, including trafficking and commercial sexual exploitation.⁶¹⁰⁹ MIA's Office for Combating Trafficking is charged with investigating crimes related to trafficking in persons, which may then be prosecuted by the Prosecutor General's office.⁶¹¹⁰ The Government runs hotlines for people to report incidents of human trafficking.⁶¹¹¹

Government Policies on the Worst Forms of Child Labor

The Government's central policy on the worst forms of child labor and minimum working age was the National Action Plan (NAP), adopted in 2008.⁶¹¹² The NAP included a comprehensive set of activities to be undertaken through 2010, including legislative reform, increased enforcement, awareness raising and the implementation of specific projects to assist working and at risk children.⁶¹¹³ The NAP specifically called for an end to the use of forced child labor.⁶¹¹⁴ Research did not confirm whether the NAP was extended beyond 2010.

To address trafficking, the Government implemented the National Action Plan to Increase the Effectiveness of Combating Trafficking in Persons, which ended during the reporting period. The plan assigned responsibility for services to trafficking victims, including children, raised awareness on trafficking, and created interagency trafficking commissions at the provincial level.⁶¹¹⁵ Research did not confirm whether the plan was renewed to continue into 2011.

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 2008-2012.⁶¹¹⁶ The question of whether these policies have had 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

As part of the National Action Plan to Increase the Effectiveness of Combating Trafficking in Persons, the Government established a shelter for trafficking victims, including children. The shelter provides medical, psychological, legal and other support services.⁶¹¹⁷ The Government also supported an extensive awareness-raising campaign and trainings on trafficking issues.⁶¹¹⁸

The Government of Uzbekistan, however, has not made efforts to implement programs to combat other worst forms of child labor, especially for children forced to work in agriculture. The Government has not conducted research or made information available regarding the worst forms of child labor, specifically forced labor in the harvesting of cotton or silk worms, or the collection of scrap metal.

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

IN THE AREAS OF LAWS AND REGULATIONS:

- Legislate that all schools remain open and that student attendance be mandatory during cotton planting and harvest.

IN THE AREAS 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.
- Invite the ILO or other credible third parties to monitor cotton harvests.

IN THE AREA OF POLICIES:

- Renew the NAP beyond 2010 with annual action plans to address the worst forms of child labor.
- Assess the impact that existing child and education policies may have on addressing child labor, particularly in the agriculture sector.

IN THE AREA OF SOCIAL PROGRAMS:

- Expand programs to address the worst forms of child labor, with a particular focus on agriculture.
- Conduct research on the prevalence and hazards of forced or exploitative child labor in cotton and silk worm cultivation and scrap metal collection.

⁶⁰⁷⁸ 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.

⁶⁰⁷⁹ IWPR - Central Asia Human Rights Reporting Project, "Uzbek Child Labour Laws Yet to Achieve Real Change", Institute for War & Peace Reporting, [online], December 18, 2009 [cited May 05, 2011]; available from <http://iwpr.net/report-news/uzbek-child-labour-laws-yet-achieve-real-change>. See also International Labor Rights Forum (ILRF) and Human Rights Defenders in Uzbekistan, *Forced Child Labor in Uzbekistan's 2008 Spring Agricultural Season*, October 10, 2008, pages 9, 13; available from [\[and-resources/Child%20Labor%20in%20Uzbekistan%20Spring%202008.pdf\]\(http://www.laborrights.org/sites/default/files/publications-and-resources/Child%20Labor%20in%20Uzbekistan%20Spring%202008.pdf\).](http://www.laborrights.org/sites/default/files/publications-</p>
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⁶⁰⁸⁰ IWPR - Central Asia Human Rights Reporting Project, "Uzbek Child Labour Laws Yet to Achieve Real Change". See also ILO Committee of Experts, *Report of the Committee of Experts on the Application of Conventions and Recommendations: Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) Observation, CEACR 2010/81st Session*, May 05, 2011 2010; available from <http://www.ilo.org/ilolex/english/iloquery.htm>. See also University of London The School of Oriental and African Studies, *What Has Changed? Progress in eliminating the use of forced labour in the cotton harvests of Uzbekistan and Tajikistan*, London, November 2010, page 28; available from <http://www.soas.ac.uk/ccac/centres-publications/file64329.pdf>. See also U.S. Embassy- Tashkent, *reporting, November 03, 2010*, para 1.

⁶⁰⁸¹ U.S. Embassy- Tashkent, *reporting, November 03, 2010*, para 2, 29. See also The School of Oriental and African Studies, *What Has Changed?*, page 4. See also Uzbek German Forum, *A Chronicle of Forced Child Labour: Reports from the Uzbekistan Cotton Harvest 2010*, December 06, 2010; available from http://www.eccr.org.uk/dcs/Uzbek_cotton_and_forced_child_labour_update_2010.pdf. See also Press Association, "Child labour call over cotton firms", Independent.ie, [online], December 12, 2010 [cited May 05, 2011]; available from <http://www.independent.ie/>

breaking-news/world-news/child-labour-call-over-cotton-firms-2457976.html.

⁶⁰⁸² U.S. Embassy- Tashkent, *reporting*, November 03, 2010, para 18.

⁶⁰⁸³ The School of Oriental and African Studies, *What Has Changed?*, page 4. See also U.S. Embassy- Tashkent, *reporting*, November 03, 2010, para 3.

⁶⁰⁸⁴ U.S. Embassy- Tashkent, *reporting*, November 03, 2010, para 3. See also IWPR - Central Asia Human Rights Reporting Project, “Uzbek Child Labour Rebranded as ‘Voluntary’”, Institute for War & Peace Reporting, [online], August 04, 2010 [cited May 05, 2011]; available from <http://iwpr.net/report-news/uzbek-child-labour-rebranded-voluntary>. See also International Labor Rights Forum (ILRF) and Human Rights Defenders in Uzbekistan, *Forced Child Labor in Uzbekistan’s 2008 Spring Agricultural Season*, pages 6, 8, 9. See also ILO Committee of Experts, *Report of the Committee of Experts C182: Uzbekistan (2010)*.

⁶⁰⁸⁵ The School of Oriental and African Studies, *What Has Changed?*, pages 4 and 14. See also International Labor Rights Forum (ILRF) and Human Rights Defenders in Uzbekistan, *Forced Child Labor in Uzbekistan’s 2008 Spring Agricultural Season*, pages 2, 5, 8. U.S. Embassy- Tashkent, *reporting*, November 03, 2010, para 4.

⁶⁰⁸⁶ U.S. Embassy- Tashkent, *reporting*, November 03, 2010, para 11, 13.

⁶⁰⁸⁷ ILO Committee of Experts, *Report of the Committee of Experts C182: Uzbekistan (2010)*. See also ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) Submitted: 2010*, May 05, 2011 2010; available from <http://www.ilo.org/ilolex/english/iloquery.htm>.

⁶⁰⁸⁸ IWPR - Central Asia Human Rights Reporting Project, “Uzbek Child Labour Rebranded as ‘Voluntary’”. See also International Labor Rights Forum (ILRF) and Human Rights Defenders in Uzbekistan, *Forced Child Labor in Uzbekistan’s 2008 Spring Agricultural Season*. See also Radio Free Europe and Radio Liberty, “Uzbek Students ‘Regularly’ Expelled For Not Picking Cotton”, www.rferl.org, [online], December 06, 2009 [cited May 05, 2011]; available from http://www.rferl.org/content/Uzbek_Students_Expelled_For_Not_Picking_Cotton/1896518.html. See also Uznews.net, “Official uses force against cotton-picking teachers in Jizak Region”, www.uznews.net, [online], October 18, 2010 [cited May 05, 2011]; available from http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=3&nid=15248.

⁶⁰⁸⁹ IWPR - Central Asia Human Rights Reporting Project, “Uzbek Child Labour Rebranded as ‘Voluntary’”. See also International Labor Rights Forum (ILRF) and Human Rights Defenders in Uzbekistan, *Forced Child Labor in Uzbekistan’s 2008 Spring Agricultural Season*, page 10. See also Radio Free Europe and Radio Liberty, “Uzbek Students ‘Regularly’

Expelled For Not Picking Cotton”. See also Uznews.net, “Official uses force against cotton-picking teachers in Jizak Region”.

⁶⁰⁹⁰ International Labor Rights Forum (ILRF) and Human Rights Defenders in Uzbekistan, *Forced Child Labor in Uzbekistan’s 2008 Spring Agricultural Season*, page 5. See also Central Asia Economy Newswire, “Uzbek children breed silkworms despite child labor ban”, centralasianewswire.com, [online], September 06, 2010 [cited May 05, 2011]; available from <http://centralasianewswire.com/Business/Uzbek-children-breed-silkworms-despite-child-labor-ban/viewstory.aspx?id=1614>. See also Uznews.net, “Uzbek government demands schoolchildren collect scrap metal”, www.uznews.net, [online], March 10, 2011 [cited May 05, 2011]; available from http://www.uznews.net/news_single.php?nid=16599.

⁶⁰⁹¹ Central Asia Economy Newswire, “Uzbek children breed silkworms despite child labor ban”. See also International Labor Rights Forum (ILRF) and Human Rights Defenders in Uzbekistan, *Forced Child Labor in Uzbekistan’s 2008 Spring Agricultural Season*.

⁶⁰⁹² ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) Submitted: 2010*, May 05, 2011 2010; available from <http://www.ilo.org/ilolex/english/iloquery.htm>.

⁶⁰⁹³ U.S. Department of State, “Uzbekistan,” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/142984.pdf>. See also IWPR - Central Asia Human Rights Reporting Project, “Kazakhstan: Human Trafficking Numbers Underreported”, Institute for War & Peace Reporting, [online], August 28, 2009 [cited May 05, 2011]; available from <http://iwpr.net/report-news/kazakhstan-human-trafficking-numbers-underreported>.

⁶⁰⁹⁴ U.S. Department of State, “Uzbekistan,” in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 08, 2011, page 42; available from <http://www.state.gov/documents/organization/160482.pdf>.

⁶⁰⁹⁵ *Ibid.*, page 43. See also Government of the Republic 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 08, 2009), section XXVIII.

⁶⁰⁹⁶ Government of the Republic of Uzbekistan, *Decree on Approval of Provision on Requirements on Prohibition of Use of Minors’ Labor*, (February 01, 2010), para 4.

⁶⁰⁹⁷ *Ibid.*, para 14.

⁶⁰⁹⁸ Government of the Republic of Uzbekistan, *Constitution of the Republic of Uzbekistan*, (December 08, 1992), chapter 9, article 37; available from <http://www.umid.uz/Main/Uzbekistan/Constitution/constitution.html>. See also

Government of the Republic of Uzbekistan, *Criminal Code of the Republic of Uzbekistan*, (September 22, 1994), article 138; available from <http://www.unhcr.org/refworld/publisher,NATLEGBOD,,UZB,3ae6b59216,0.html>. ILO Committee of Experts, *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) CEACR 2010/81st Session*, May 05, 2011 2009; available from <http://www.ilo.org/ilolex/english/iloquery.htm>.

⁶⁰⁹⁹ Government of the Republic of Uzbekistan, *Criminal Code*, articles 130, 131, 135. See also U.S. Department of State, “Trafficking in Persons Report- 2010: Uzbekistan.”

⁶¹⁰⁰ Government of the Republic of Uzbekistan, *Criminal Code*, article 135. See also U.S. Embassy- Tashkent, *reporting, February 23, 2011*. See also U.S. Embassy- Tashkent, *reporting, February 25, 2010*. See also Government of the Republic of Uzbekistan, *Law on Combating Trafficking in Humans*, (April 17, 2008); available from http://webapps01.un.org/vawdatabase/uploads/Uzbekistan%20-%20Law%20on%20combating%20trafficking%20in%20human%20beings%20_2008_%20_eng_.pdf.

⁶¹⁰¹ U.S. Department of State, “Country Reports- 2010: Uzbekistan.”

⁶¹⁰² Coalition to Stop the Use of Child Soldiers, “Uzbekistan,” in *Child Soldiers Global Report 2008*, London, 2008; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf. See also U.S. Department of State, “Country Reports- 2010: Uzbekistan,” page 37.

⁶¹⁰³ U.S. Embassy- Tashkent, *reporting, February 23, 2011*.

⁶¹⁰⁴ ILO Committee of Experts, *Individual Direct Request C182: Uzbekistan (2010)*.

⁶¹⁰⁵ U.S. Embassy- Tashkent, *reporting, January 25, 2011*.

⁶¹⁰⁶ Ibid.

⁶¹⁰⁷ ILO Committee of Experts, *Observation C182: Uzbekistan (2010)*.

⁶¹⁰⁸ U.S. Embassy- Tashkent, *reporting, January 25, 2011*.

⁶¹⁰⁹ U.S. Embassy- Tashkent, *reporting, February 25, 2010*.

⁶¹¹⁰ Ibid.

⁶¹¹¹ Ibid.

⁶¹¹² U.S. Embassy- Tashkent, *reporting, January 25, 2011*.

⁶¹¹³ ILO Committee of Experts, *Individual Direct Request C182: Uzbekistan (2010)*.

⁶¹¹⁴ ILO Committee of Experts, *Individual Observation C182: Uzbekistan (2010)*.

⁶¹¹⁵ ILO Committee of Experts, *Individual Direct Request C182: Uzbekistan (2010)*. See also U.S. Embassy- Tashkent, *reporting, February 23, 2011*.

⁶¹¹⁶ ILO Committee of Experts, *Individual Direct Request C182: Uzbekistan (2010)*.

⁶¹¹⁷ U.S. Department of State, “Trafficking in Persons Report- 2010: Uzbekistan.” See also U.S. Embassy- Tashkent, *reporting, February 23, 2011*.

⁶¹¹⁸ U.S. Embassy- Tashkent, *reporting, February 23, 2011*.