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▶ **Building Trust
in Cotton Fields:**
The ILO's engagement in Uzbekistan

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Kari Tapiola

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Building Trust in Cotton Fields: The ILO's engagement in Uzbekistan

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► Preface

The International Labour Conference adopted in 1998 a Declaration on Fundamental Principles and Rights at Work and its follow-up. Technical cooperation is one of the principal ways of promoting the Declaration, and over the last three decades it has given a new dimension to how human rights at work can be implemented numerous challenging situations all over the world. It has combined the ILO's programme for the elimination of child labour with special action against forced labour, strengthening freedom of association and the right to collective bargaining as well as a variety of interventions against discrimination in employment and occupation.

The annual cotton harvest of Uzbekistan has been the largest seasonal mobilization of labour in the world. At its peak over 3 million people were sent to pick cotton, among them children as well as university students and medical personnel. Many of them were forced to go to the cotton fields for up to two months under threat of adverse consequences for their education or jobs.

Initially, the Government of Uzbekistan and the international organizations of employers and workers had strongly contradictory views of what really was taking place on the ground. When the Committee on the Application of Standards repeatedly recommended monitoring of the cotton harvest by the ILO, Uzbekistan agreed and a decade of cooperation started in 2013. The ILO's techniques of monitoring facilitated the decisions of the Government to put an end to the practice of child labour. This was followed by the more complicated question of forced labour. In this monograph Kari Tapiola, former Deputy Director-General of the ILO, tells about the dialogue which he participated in over several years. Discussions at roundtables were supported by surveys and analysis of what was a profound decent work deficit. Given its investments in the country, the World Bank engaged with the ILO in a joint exercise, which developed into a significant example of cooperation within the multilateral system.

There is no universal blueprint for improving labour standards and human rights in different countries and circumstances. The process depends on both political will, on knowledge of the root causes of problems and on the capacity to cope with it. In Uzbekistan it coincided with political change and a new commitment to use social dialogue for modernization. This description of how negotiations took place between governments, employers' organizations and trade unions and two international organizations demonstrates how improving fundamental rights at work can be an entry point to economic, social and political reform. What started as monitoring the cotton harvest to prevent child labour gave the spark to full-scale agricultural modernization, upgrading of labour administration and inspection, labour law reform, freedom of association and increased use of social dialogue. The most recent monitoring of Uzbekistan's cotton harvest, carried out in 2021 by human rights activists under the guidance of the ILO, has shown that there is no more systemic child or forced labour. But even if the acute monitoring phase is over, the work is never done. After the strengthening of the fundament, there is a full agenda of creating more and better work and decent working conditions for the young and growing population of an important Republic in Central Asia.

Philippe Vanhuynegem

Branch Chief

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This monograph describes how a process aimed at strengthening fundamental rights can unfold. It has involved many persons who have been in a position to influence reform in Uzbekistan as well as those who have been invited to assist in the reform. On the Uzbek side, undoubtedly the most outstanding role has been assumed by Tanzila Narbaeva, currently Chairperson of the Senate, although she still follows cooperation with the ILO closely. She both anticipated and assisted in the reforms initiated by President Shavkat Mirziyoyev.

Particularly decisive inputs came from Akmal Saidov, head of the Human Rights Institute of Uzbekistan and now also Deputy Speaker of the Parliament. His knowledge of the United Nations system and capacity to make use of it is remarkable.

Both Ms Narbaeva and Minister Saidov continue to be prominent representatives of Uzbekistan on the international scene. Their work has been complemented by Labour Ministers Akmal Haitov, Aziz Abdukhakimov, Sherzod Kuibyev and Nozim Khusanov. The latter have in turn been seconded by Deputy Ministers Botir Alimukhammedov and Erkin Mukhitdinov. Labour inspection has developed significantly under Deputy Minister Nodirbek Yakubov and Chief Labour Inspector Gulrux Niyazmetova.

Uzbekistan has been efficiently represented by its Ambassadors in critical duty stations. Special mention goes to Ulugbek Lapasov in Geneva, Javlon Vakhobov in Washington D.C. and Vladimir Norov in Brussels.

Among the Uzbek employers, the pioneering role played by Alisher Shaykhov has now been efficiently taken on by Adkhan Ikramov. On the trade union side, special mention has to be made of Federation of the Trade Unions of Uzbekistan (FTUU) President Kudratilla Rafikov, his deputy Bakhtior Makhmaliev and the head of the social issues department, Makhmud Isaev.

Civil society activists in Uzbekistan have weathered difficulties, but have also always chosen to believe in change. Shukhrat Ganiyev's contribution deserves special recognition. Mr Ganiyev directs the Humanitarian Legal Centre in Bukhara and has lately been focusing on the issues faced by farmers. He led the team of civil society activists who carried out the cotton harvest monitoring in 2021.

I wish to highlight the role of the dedicated United States and European Union Ambassadors in Tashkent who, together with their staff, followed the process with their hearts and minds: Pamela Spratlen and David Rosenblum, Yuri Sterk and Eduards Striptais. The ILO interacted with them continuously and benefited greatly from their insights. Particular mention should also be made of the team of officials from the United States Department of Labour. They made it possible to start the Decent Work Country Programme.

On the side of the ILO's main partner Organization, the World Bank, Regional Director Saroj Kumar Jha was instrumental in getting the agreement of cooperation with the ILO done. The Country Directors in Uzbekistan, Jhungun Cho, Hideki Mori and Marco Mantovanelli, have been deeply involved throughout. Of the World Bank staff members, I especially wish to mention Mark Woodward and Nina Kolybashkina. At the outset, they were certainly not completely aware of what they had signed up for.

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Bennett Freeman was largely responsible for setting the Cotton Campaign in motion and for keeping it going. Collective recognition goes to the various members of the Campaign; they were active, motivated and knowledgeable. A special role was played by Steve Swerdlov, once Human Rights Watch returned to Uzbekistan in 2017.

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Tripartite cooperation played a decisive role in overcoming child and forced labour in Uzbekistan. On the Workers' side the engagement of Sergeyus Glovackas and Gocha Alexandria, supported by the ACTRAV Director Maria Helena André, was indispensable. The Employers' Specialists in the ILO's Subregional Office in Moscow, Jelena Katic and Vladimir Curovic, were quick to support the process.

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Many others have contributed to this teamwork, supporting the transition of agriculture in Uzbekistan. The exercise took Decent Work both as a tool for, and a means to measure, progress achieved. At crucial junctures, when it really mattered, President Shavkat Mirziyoyev of Uzbekistan, as well as the President of the World Bank and the Director-General of the ILO, did not hesitate to get involved to push the process in the right direction. All deserve special mention and gratitude.

Because the author participated throughout, the narrative is occasionally in the first person singular, but only where that construction helps the reader to understand the process. The author admits that text is indeed both subjective and personal; yet it remains a description of a remarkably efficient commitment to team-work by the ILO and the World Bank, together with their Uzbek partners.

► List of abbreviations

CCIU	Chamber of Commerce and Industry of Uzbekistan
CEARC	The ILO's independent Committee of Experts examining reports on the application of Conventions and Recommendations
CFA	The ILO Governing Body's Committee on Freedom of Association
CTA	Chief Technical Adviser, responsible for an ILO project
EP	European Parliament
EPZ	Export Processing Zone
FBM	Feedback mechanism
FTUU	Federation of Trade Unions of Uzbekistan
ILC	The ILO's annual International Labour Conference
IOE	International Organization of Employers
ITUC	International Trade Union Confederation
ILO	International Labour Organization. Also used for its Secretariat, the International Labour Office
INTA	The European Parliament's Committee for International Trade
IPEC	The ILO's International Programme for the Elimination of Child Labour
MELR	Ministry of Employment and Labour Relations (Labour Ministry)
OESC	Organization for Economic and Security Cooperation in Europe
TPM	Third-Party Monitoring
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nation's Children's Fund
US, USA	United States of America
WTO	World Trade Organization



1



1. Executive summary

Of all the legacies bestowed on the successors of the state planning system of the former Soviet Union, the use of child and forced labour in Central Asia has been particularly painful.

Today, members of the political elite of Uzbekistan freely admit that three decades ago they would have seen little abnormal in large numbers of schoolchildren spending time harvesting cotton. Nor had it been unusual that large numbers of people were uprooted from their daily occupations to ensure that the cotton, on which the economic fortunes of the country depended, was picked and processed. Today, there is a sense of relief that this shadow of the past is being removed. This relief is boosted by the satisfaction that the result is a better performing economy.

The cotton harvest in Uzbekistan remains the world's largest organized seasonal activity of its kind. In 2020 altogether 2 million people, an eighth of the population of Uzbekistan, participated in it, and for most of them it was the only yearly source of cash income. Two thirds were women, and 80 per cent came from rural areas of the country. Over 30 per cent of arable land is still used for cotton production. Although the number of cotton pickers has diminished by nearly a fifth over the past five years, the annual harvest will provide for a significant amount of employment, income and export earnings for a long time to come.

The system of producing cotton is being forced to modernize because of the need for economic efficiency, to enable the market to displace state orders, to make use of modern machinery, to empower farmers and workers and to ensure that decent wages and working conditions underpin this transformation. A system of processing cotton through integrated clusters is providing the latest impetus for agricultural renewal. Its functioning may actually comfort reformers who believe that shock-therapy is a solution for post-soviet societies.

After retracing the history of Uzbekistan and cotton, this monograph describes the tools provided by the ILO's system of supervising international labour standards and its technical cooperation programmes. It explains how they were put to work to achieve the desired outcome of eliminating child and forced labour in Uzbekistan. Different stages of negotiation both before and after policy reforms introduced by President Shavkat Mirziyoyev are examined. The monograph highlights the ILO's unique contribution and explains why the partnership with the World Bank was decisive. As such, it provides a case study of the benefits of cooperation within the multilateral system, a lesson in building a partnership based on trust with a host government and the tripartite constituents through social dialogue, and an example of how to promote the United Nations Sustainable Development Goal of decent work.

Contrary to the experience of many other countries in transition, in Uzbekistan respect for fundamental labour rights at work became a significant part of the reform process. In a remarkably short time-frame, those rights have been confirmed as a motor for economic benefit and for a transition guided by the needs and aspirations of all citizens. Another prominent lesson is that coherent cooperation between international organizations produces real results. One can only hope that the future will show that international labour standards and decent work and social dialogue indeed are essential cornerstones of how a country that is opening up becomes integrated into the world economy.



▶ 2

2. Introduction

During the transition from soviet or soviet-dominated command systems to a market economy starting in the late 1980s, social questions and rights at work were frequently overlooked. Human rights, in terms of civil liberties, freedom of association and of the press, were significant factors behind the change, but collective social rights and humane conditions of labour were accorded less priority than readjusting the productive and financial system to enhance production. As transition proceeded, the promise of catching up with the West remained almost as elusive as during the Communist time. For Uzbekistan, as for many countries, just coping with the rough competition of the world markets was difficult.

Labour standards and social justice were not an integrated part of the theories – propagated by Western economic advisers – which were applied to achieve rapid change. Where shock therapies were administered, the economy was given absolute priority. Unemployment and displacement of work were inevitable collateral damage when the market was given a free hand to replace an artificial full-employment system.

The former socialist countries were marked by an egalitarian ideology which had been implemented through authoritarian methods and structures. While the system changed, the knowledge and mind-set of the people did not. Transition had to be managed by-and-large with the same cadres that had been in charge earlier. Many of them had been well aware of the serious shortcomings of the old system, but had kept a low profile. Others realized that they were losing power and privileges and manoeuvred to benefit from any new opportunity. They were reluctant to redistribute any gains. As accountability systems were generally lacking, the potential for abuse and corruption was high.

Some countries had easier access to foreign investment which came with badly needed reform of management methods. Expatriates returned to countries their families had left. But in vast spaces of what had been the Soviet Union this had only a limited effect. The undoing of the collective farm system and experiments with different farming models did not remove authoritarian practices. The new circumstances had not changed a basic fact: that control over land and what it produced remained a strategic issue for the State. This extended to control over the people who worked the land.

Uzbekistan began modernizing and attracted investments in the automobile industry and telecommunications. Yet the economy could not shed its dependence on agriculture and in particular cotton: its “white gold”. It retained the soviet-era practice of sending up to three million seasonal workers annually to pick cotton for 20 to 30 days. Many of them participated against their will, and large numbers were children. The production was determined by quotas fixed by the State, which drew up detailed instructions of how and when the harvest should be carried out. The huge and complex operation left little room for personal choice.

Change started to be driven by questions of fundamental labour standards. When the heavy-handed suppression of a revolt in the city of Andijan in 2005 led into an international outcry, the use of child and forced labour in cotton farming became the centrepiece of a world-wide campaign. Its message was provided by civil society organizations, including a number of trade unions. Its effectiveness came from the participation of textile and clothing manufacturers and retailers. Over 300 companies, most of them American and European, pledged not to use cotton from Uzbekistan as long as it was produced by child and forced labour. The argument that cotton picked by children could end up in everyday clothes or high fashion in the world markets was a powerful one.

After initial hesitation, Uzbekistan agreed to cooperate with the International Labour Organization (ILO) on child and forced labour. The issue had been taken up by the ILO's system of supervising international labour Conventions, established over a hundred years ago, which provides for regular reports by countries that have ratified those Conventions, accompanied by comments from employers' organizations and trade unions. There is then a procedure to discuss alleged violations at the annual International Labour Conference. This ensures that virtually every significant violation of a ratified ILO Convention comes under the scrutiny of the ILO.

When allegations are made about human rights violations, compliance with the ILO's fundamental Conventions on freedom of association, child and forced labour and discrimination is repeatedly cited. The allegations of such non-compliance are frequently accompanied by calls for sanctions and boycotts. To help solve the problems identified by its supervisory mechanism, the ILO has increasingly offered technical cooperation to support proper implementation of fundamental rights at work, or core labour standards, as they are also known.

Provision of ILO technical cooperation sprang from the recognition that while the supervisory mechanism could make an accurate diagnosis of a labour rights problem and prescribe remedies, the follow-up had to be done on the ground, where conditions regularly defy simple and standard solutions.

In the case of Uzbekistan the supervisory system recommended external monitoring to prevent child and forced labour in cotton production during the annual harvest, a remedy which had already been applied in a number of countries. Within a few years of the Uzbek political leadership making it clear that children should not be sent to pick cotton, the ILO was able to conclude that child labour had become socially unacceptable and rare.

The Organization then entered into a partnership with the World Bank which, following receipt of a complaint made to its own oversight mechanism, had pledged to avoid both child and forced labour in projects which it financed in Uzbekistan. The ILO agreed to carry out monitoring for the World Bank and report on its findings.

Monitoring established that there was a risk of forced labour, but closer analysis was necessary to better understand where and how it occurred. Thus, the ILO conducted surveys to determine the profile and extent of compulsion during the harvest. Combining this information with the data on the productivity of workers clearly demonstrated that the greater the compulsion, the lower worker productivity, giving the lie to forced labour being cheap and advantageous.

Low productivity was not exclusively due to the forced cotton picking. It had at least as much to do with inadequate wages and working conditions. The surveys showed that a large number of workers would agree to pick cotton if pay and working conditions were improved.

Eradicating forced labour called for reviewing the governance of agriculture. State control continued to be exercised by local officials who, through instructions from the top, were made personally responsible for meeting production targets. But centrally set prices and wages provided only meagre benefits for both farmers and workers.

While some local vestiges remain, eight years of monitoring has put an end to both child and forced labour in Uzbekistan's cotton industry. Indeed, the case of Uzbekistan is a powerful argument for using labour rights as a driver of transition, instead of seeing them as a possible, but secondary, outcome of reform.



3



3. A historical overview

Strategically situated in the middle of the ancient trading routes between Europe and China, Uzbekistan has a rich past. After the empire of Genghis Khan dissolved, Amir Timur, also known as Tamerlane, ruled the lands between the Black Sea and Mongolia in the late fourteenth century. He conquered Delhi and today's Turkey, Iran and Iraq. His armies threatened Moscow. He destroyed much of the eastern Christian church in the area he controlled while installing a moderate version of Islam. Tamerlane ruled from Samarkand, which became an early centre of astronomy. Scientists, such as the developers of early medicine and of algorithms, Avicenna and al-Khwarizmi, came from today's Uzbekistan.

When the Russian Empire expanded eastwards, the khanates of Central Asia became its protectorates, which at least officially ended their practice of slavery. Tashkent became the centre of what was known as Turkestan. It had its own share of revolutionary movements, and after the October 1917 upheaval and the Civil War, Russian Central Asia passed under communist rule. Lenin's promise of self-determination for all people was executed by Joseph Stalin, who in the 1930s drew the internal borders of the Union of Soviet Socialist Republics using the time-honoured principle of divide and rule.

Stalin wanted to create a new soviet space which would not be divided by national identities or cultural or linguistic differences. After the deportation of the Crimean Tatars, the Second World War provided a further population shock, when people from western parts of the Soviet Union were relocated to Central Asia. Factories were moved out of reach of the war, and afterwards industries remained in their new locations. Tashkent grew into the fourth largest city of the Soviet Union. It was rebuilt and modernized after a devastating earthquake, which struck on 26 April 1966 - twenty years to the day before the Chernobyl nuclear catastrophe hit another part of the Soviet Union.

The Civil War in the United States restricted transatlantic supplies of cotton in the mid 19th century. Uzbekistan became a major producer of cotton for imperial Russia which, throughout the 19th and early 20th centuries, was engaged in the Great Game over control of the areas between it and the British Empire. In the soviet years, cotton was its "white gold", the bedrock of Uzbekistan's economy, and its production was accelerated to the maximum.

The drive for cotton played a role in the unravelling of the Soviet Union. Towards the end of the Brezhnev era, in the early 1980s, the Uzbek leadership reported fictional amounts of cotton produced for the overall soviet effort. Heavy-handed methods of mobilizing children and adults were used, but the promised amounts could not be delivered. Stones were added to increase the weight of sacks of cotton. Between 1978 and 1983, Moscow paid Uzbekistan over 6 billion US dollars for cotton that was never delivered.

Sharaf Rashidov - who still retains affection for boosting Uzbek national identity by reconstructing the role of Amir Timur - had been First Secretary of the Communist Party since 1959. When the cotton scheme started to unravel it became clear that nearly everyone involved in the transactions between Tashkent and Moscow was implicated in it. In 1983 Leonid Brezhnev's successor at the top of the Soviet Union, former KGB director Yuri Andropov, let Rashidov know that he had proof of the swindle. Rashidov died the following day of causes that were never disclosed. The case was so complex that five years later it sent Rashidov's successor Inomjon Usmonxojayev behind bars. By the time Mikhail Gorbachev's perestroika ended with the collapse of the USSR in 1991, nepotism and abuse had been found both in the leadership of Uzbekistan and the highest levels of the Soviet Communist Party. But the criminal case disappeared with the dissolution of the Soviet Union.

All this had been taking place against a background of ecological disaster. Some 80 per cent of the water for cotton production came through the Amu Darya and Syr Darya river systems, which flowed through Uzbekistan into the Aral Sea. In 1986, under the more open atmosphere of perestroika, the world learned that the sea was disappearing. Grandiose plans to divert water south from the Siberian rivers were conceived and abandoned. By the time independence came, Uzbekistan had inherited an ecological catastrophe. The flow from the Syr Darya river into the Aral Sea ceased in the 1970s. By 2000, not more than 10 per cent of the sea was left, broken into two separate strands of water.

The Central Asian republics were not prepared for fundamental change in 1991. There had been no independence movement to speak of: sovereignty was a consequence of the sudden collapse of the Soviet Union. The old guard remained in control because there was no one else to take over. Thus, first secretaries of republican communist parties became presidents. Searching for international contacts they joined the OSCE, the UN and the ILO.

In Uzbekistan, the leadership role fell to Islam Karimov. He had risen somewhat unexpectedly to the post of First Secretary of the Communist Party of Uzbekistan in 1989, as his predecessors were still suffering the consequences of the cotton scandal with Moscow. At the time of the failed putsch in Moscow in August 1991, Karimov was one of the four regional leaders, together with those from Ukraine, Belarus and Kazakhstan, whom Gorbachev contacted for support when he was detained in Crimea. Uzbekistan and other Soviet Republics proclaimed independence in the Autumn of 1991, and the Soviet Union collapsed.

Post-soviet conflicts

After decades of deep freeze, the outer circle of the post-soviet space went through waves of violent conflict. Stalin's design for a soviet identity was shattered. National passions erupted within and between artificially drawn borders.

The Russian Federation inherited a civil war in Chechnya, and Armenia and Azerbaijan have been at war with one another since the late soviet period. Ethnic tensions caused a war between Moldova and its separatist entity of Transnistria, and Abkhazia broke away from Georgia. In the Caucasus this was followed by the Russian-Georgian War in 2008, when South Ossetia came under Russian control. The tensions in Ukraine led to armed conflict in 2014, and Russia annexed the Crimean peninsula.

Neither was Central Asia spared conflict. Ethnic tensions and disputes over water simmered in the triangle of Uzbekistan, Tajikistan and Kyrgyzstan around the Fergana valley, which had the highest population concentration in the Soviet Union and where some borders remained unmarked. Tajikistan went through five years of civil war, which ended in 1997 with mediation by the United Nations.

Uzbeks made up 9 per cent of the ethnic mosaic of Afghanistan's population. Jihadist incursions into Uzbekistan took place in 1999–2000. After the attack on the World Trade Centre in New York City on 9 September 2001, the strongly secular Uzbekistan joined the US-led "war on terror". It allowed American aircraft to use the former soviet air base of Karshi-Khanabad on the way to and from Afghanistan.

In the former soviet space, popular uprisings in Georgia in 2003 and Ukraine in 2004 were known as “colour revolutions”. The insurrectionists waved red roses in Georgia and dressed in orange in Ukraine. In the Spring of 2005, Kyrgyzstan was shaken by a popular uprising called the “Tulip Revolution”.

In Uzbekistan, an uprising in the city of Andijan in 2005 set free a number of imprisoned local businessmen during a demonstration against the Government. No doubt fearing another colour revolution Karimov’s Government retaliated with lethal force, leaving no room for negotiations. It has been estimated that between three to five hundred people died, while others escaped across the frontier to Kyrgyzstan. Reports by the OSCE, the UN, the International Crisis Group and Human Rights Watch recorded the harsh reprisals exacted by the government forces in detail.

The Andijan events suspended Uzbekistan’s military cooperation with the United States, and Karimov closed the Karshi-Khanabad air base. A number of refugees from Andijan were transported to the United States, where political circles were influenced by critics of the Karimov regime. The reporting by the Uzbek diaspora on the national political and economic situation, including the cotton harvest, alimanted an international campaign directed at the Uzbek regime.

Cooperation between the European Union (EU) and Uzbekistan also came to a halt after the imprisonment of human rights activists following the events in Andijan. Visas were denied to Uzbek officials, forums for dialogue frozen and EU arms sales were halted for some years until a number of detained activists gained liberty under surveillance.

In 2005, the international “Cotton Campaign” targeted the cotton exports of Uzbekistan. The campaign took the issue of child and forced labour as its main theme, and engineered a boycott of Uzbek cotton by a significant number of international brands. The international and national action that was to a large extent initiated by the Cotton Campaign is central to the present narrative.

Uzbekistan and cotton

For many generations, the participation of children in the cotton harvest had been a normal state of affairs. In primarily agricultural societies children are frequently engaged in work. When compulsory education started, the school year was arranged to meet the seasonal needs of agriculture, whether for the full harvest or shorter periods for collecting fruits or potatoes.

The mobilisation of communities for planting or harvest periods is a phenomenon that is centuries old. People come together to raise a barn, cut the hay from a field or drain a lake. People living close to the land have their own words for such community efforts. In Uzbekistan, something that communities must do together is called *khazhar*. In its original communal form it does not meet the criteria for forced labour, but it has frequently served as a cover to mobilize workers.



In the soviet times the cotton harvest was organized in a centralized and often brutal way. The existing machines were ill adapted to the job and often in disrepair, and hand-picking was necessary to ensure the quality of the cotton. Labour was needed at a large scale: over 3 million cotton pickers participated annually in the three passes of the harvest between September and early November. Adults were transferred from their workplaces to the fields, and schools were closed so that the children could join the effort.

Painting depicting cotton farming. “Autumn” by Saparov Uzakbergen. From the Savitsky Museum in Nukus, Karakalpakstan, which contains avant-garde art that was repressed during the Soviet period.



Y Conapa

Picking cotton was hailed as a patriotic duty. The question of whether the workers participated voluntarily or by force was a moot point. In the soviet system, engaging in any work was seldom completely voluntary, but local Uzbek officials used particularly harsh methods to mobilize labour for the cotton harvest.

Independent Uzbekistan inherited this extremely labour-intensive effort. The economy depended on cotton, and labour was abundant. The harvest continued to follow a centrally established scheme which stipulated the amount and price of cotton to be collected. Regional and district leaders, the *"hokims"*, provided the necessary labour, occupying a place in the system at least as strong as the communist party secretaries had done earlier.

Labour law and collective agreements were adapted to the needs of the harvest. Collective bargaining agreements referred to something which could be translated as "obligatory volunteering". Workers could be detached to other functions for a 60-day period, which coincided with the length of the harvest.

Although farmers were no longer formally tied to a collective system, they were told what to grow on lands allotted to them. If they failed to meet the production quotas set by the State, they lost their land. Apart from their regular farm staff and volunteers, farmers were not free to choose their own workers. They were in the same straitjacket as their labour force.

Uzbekistan in the ILO

The Soviet Socialist Republic of Uzbekistan was, as one of the soviet socialist republics of the USSR, a member of the ILO from 1934 to 1939 and then from 1954 until the collapse of the USSR in 1991. There is little evidence of Uzbek interaction with the ILO from those periods. Upon becoming an independent Member State on 13 July 1992, Uzbekistan assumed the ratifications of eight international labour Conventions that had been signed by the Soviet Union. Those included the following fundamental Conventions: the Forced Labour Convention, 1930 (No. 29); the Discrimination (Employment and Occupation Convention, 1958 (No. 111); the Equal Remuneration Convention, 1951 (No. 100); and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). Uzbekistan ratified the Abolition of Forced Labour Convention, 1957 (No. 105); the Minimum Age Convention, 1973 (No. 138); and the Worst Forms of Child Labour, 1992 (No. 182), early in the present century.

With the exception of the Baltics, Ukraine and Georgia, the former soviet republics had had little taste of independence. Once they joined the ILO, Kazakhstan, Uzbekistan, Tajikistan and Kyrgyzstan stayed in the Organization's European regional structure, which was renamed to cover Central Asia: the ILO Regional Office for Europe and Central Asia. Turkmenistan first opted for the ILO Asia-Pacific region but then changed its mind.

During its first decade in the ILO, Uzbekistan was not very active. Together with its neighbours, its participation in the International Labour Conference was sporadic and its behaviour even a degree evasive. President Islam Karimov went so far as to prohibit national trade unions from international affiliation. The Federation of Trade Unions of Uzbekistan (FTUU) was not a member of the General Council of Trade Unions (GCTU), which had inherited what was left of the soviet trade union structure.



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4. The ILO and child and forced labour

The ILO has dealt with child labour since its foundation. The first International Labour Conference adopted a Convention on the minimum age for industrial employment: the Minimum Age (Industry) Convention, 1919 (No. 5). This was followed by a series of standards for other occupations, which in 1973 were all pulled together in the Minimum Age Convention, 1973 (No. 138), covering all economic sectors. The aim was to prohibit the recruitment of young persons to work before they had finished school. Each country set a general minimum age, often first at 15 years, and the Convention also regulated light work up to 18 years of age.

When the market economy went global after the end of the Cold War, child labour and forced labour attracted new attention. The liberalization of international trade demonstrated that they were very much alive in the new patterns of production and trade, which provided affluent consumers with goods at advantageous prices. Carpets and garments, as well as cocoa, coffee and tobacco, were produced by children. The new competition from low cost goods shook the foundations of the working class of the industrialized countries. Calls were made for consumer boycotts and restrictions of imports of items which were, or were suspected to be, manufactured by children.

The ILO's Programme for the Elimination of Child Labour (IPEC), started with German and Dutch voluntary financing in 1992. By the beginning of the 21st century it was the ILO's largest technical cooperation programme, and President Bill Clinton made the United States its biggest donor. From 2004 to 2014, IPEC operated in 107 countries, 16 of which were in Europe and Central Asia.

Reactions in the countries where the ILO's child labour programmes were introduced varied from denial to engagement. Denial was fed by the fear that openly admitting the existence of child labour could provoke sanctions and trade and consumer boycotts. However, it soon became evident that countries that engaged in technical cooperation to eliminate child labour held a powerful argument against sanctions.

In Uzbekistan the ILO's programmes on occupational safety and health cautioned against making children pick cotton. Two regional projects directly addressed child labour and covered Kazakhstan, Tajikistan and Kyrgyzstan as well. They started in 2004 with financing by the United States and Germany, targeting the worst forms of child labour through capacity building, education and youth employment.

When the Cotton Campaign called for a boycott of Uzbek cotton, IPEC faced a dilemma. The Uzbek authorities did not want the ILO to be involved in the country's cotton production, which had become the centrepiece of international attention. For the ILO, the presence of its child labour programme in Uzbekistan was not acceptable without it being involved in cotton. The national IPEC project coordinator moved to Kyrgyzstan in 2008 and activities ceased in Uzbekistan.

Child labour monitoring

Independent monitoring of working conditions had become a prominent ingredient of a number of IPEC programmes. This meant checking without prior warning places where child labour was liable to be found and removing children who had not reached the minimum age from production. These programmes were active where labour inspection was weak or absent, and they often worked closely with civil society organizations and activists. As they were ILO programmes, they were also tripartite, involving employers and trade unions.

Monitoring was intended to build up the capacity of local communities to identify child labour and remove children from work, placing them in schools or another protected activity. Monitoring takes place on the ground, but it has to rely on more than spot visits to factories or agricultural installations where children might be working. It has to take into consideration the availability and financing of educational opportunities, class attendance, alternative activities during week-ends and the access of women and children to health services.

The method grew up in a grey zone between direct rescue action, favoured by a number of donors, and the less spectacular approaches of policy advice, research, awareness-raising and training. Monitoring appealed to those who wanted to see action on the ground, and lessons from it could be used to develop comprehensive national programmes. In the longer run these national programmes were indispensable: global estimates made by IPEC showed that there were over 250 million children at work, and they clearly could not be picked out of unacceptable situations one by one.

As the IPEC programme expanded rapidly, the standards supervisory mechanism of the ILO increasingly recommended technical cooperation in cases where a Convention was not being honoured. This happened especially when the Worst Forms of Child Labour Convention, 1999 (No. 182) started to gain ratifications. Currently it is the only universally ratified Convention in the United Nations system. Ratifications led to regular reports by governments to the ILO and opened the door for allegations by employers' and workers' organizations of violations of the Convention.

The United States, and in particular the senators in Congress who decided on voluntary financing for the ILO's child labour programmes, insisted on seeing child labour quantified. Accordingly, IPEC produced data validating both progress by the countries concerned and donor investment.

The methodology of workplace visits and removal of children was first developed in Bangladesh for textile and garment factories, spurred by the threat of legislation by the United States Congress to ban textile and garment imports if the practice of employing children continued. The monitoring was designed in 1997 by Rijk Van Haarlem, former head of the labour Inspectorate of the Netherlands. There were unannounced visits to textile and garment factories; computerized follow-up of all children removed from the workplace; and the transfer of the children to educational institutions. Stipends were used to compensate the families for the loss of earnings.

Another ILO monitoring programme was introduced in 1997 in Sialkot, Pakistan, to ensure that the footballs for the World Cup and regional soccer tournaments were not stitched by children. This was driven by global sporting goods brands' desire to avoid boycotts. As in Bangladesh, the monitors made unannounced workplace visits, withdrawing children from the workplace and directing them to educational alternatives.

Other programmes in Africa targeted tobacco and cocoa. Monitoring helped reveal and explain the child labour problem to the local communities, parents included.

There is a misconception that the purpose of monitoring is to catch offenders. Its focus is in fact on the protection of children, their rehabilitation, educational opportunities and financial support for families. Finding children at work is not a sign of failure; it demonstrates that prevention is working. Where child labour occurs, even with the most efficient programmes to eliminate it, a situation where monitoring finds no children is as improbable as city traffic without any accidents or violations of rules.

Information gained through monitoring gives an idea of the nature and extent of child labour. However, it cannot be the basis for an estimation of the extent of the problem. That requires surveys and research to identify the qualitative and the quantitative aspects of child labour.

Regarding remedies, the situation in the countries that had formed part of the Soviet Union was different from many other countries in the world. Alternatives for the children have often been few and far between, mainly because of inadequate education systems. There has been fear that children removed from work would end up on the streets, or worse. However, in the successor states of the former Soviet Union education opportunities were abundantly available.

Programmes against forced labour

Child labour can be seen as a subset of forced labour, which emerged as a topic in the early years of multilateral cooperation. When the League of Nations examined action against slavery in the 1920s, forced labour was assigned to the ILO. The ILO's Forced Labour Convention, 1930 (No. 29) was primarily about native contract labour in the colonies. In the 1950s, a second Forced Labour Convention expanded the scope to forced labour as a punishment for political activities, or when used for purposes of national economic development.

In 2001 the ILO launched a special action programme against forced labour. In the globalized economy, the issue had become increasingly visible and urgent due to human trafficking, which was sometimes referred to as "the soft underbelly of globalization". Estimates showed the number of trafficked persons to be in the tens of millions world-wide, not sparing any country, and independent of their levels of development. The forced labour programme was inspired by the ILO's experiences with child labour. Forced labour and child labour were occasionally dealt with together on the ground. In Niger such a joint approach was a success, with surveys to gain a realistic view of the dimension of the problems, and cooperation established with local chiefs.



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5. Uzbekistan in the standards supervisory mechanism

When international criticism of Uzbekistan on child and forced labour initially started to gather momentum, the Government considered it unfair and politically motivated. Uzbekistan had ratified the ILO's Worst Forms of Child Labour Convention 1999 (No. 182) in 2008, and the Minimum Age for Employment Convention 1973 (No. 138) a year later. The Government argued that national legislation and practice fully respected the provisions of Convention No. 138. It set up a working group for the preparation of information on ratified ILO Conventions, which adopted a plan of action consisting of 34 measures, but it did not consult the ILO. One of the proposed measures was to hold roundtables on the implementation of ILO Conventions.

The case of Uzbekistan started working its way through the standards supervisory mechanism of the ILO. The Government's first report on Convention No. 29 was not sent to the Committee of Experts, for the Committee's annual examination of the application of Conventions, until 2004. Annexed to the report was a comment made by the Federation of Trade Unions of Uzbekistan which, in one sentence, stated that "there are instances where public sector workers are required to help farmers with weeding and harvesting cotton". The Committee of Experts requested further details but did not get an answer.

The International Organisation of Employers then sent allegations of widespread use of forced labour in Uzbekistan to the Committee of Experts. In the United States, civil society and the corporate world are well tuned into campaigns on human and labour rights, and the United States employers played a prominent role in launching the Cotton Campaign. The International Trade Union Confederation was somewhat more reluctant to come forward, as it preferred to deal with child labour in cotton as a regional issue, not limited to Uzbekistan. But after prompting by sectoral unions – especially those of agricultural and food workers and teachers – the ITUC sent critical observations to the Committee of Experts. The allegations on the violation of ILO Conventions relied mainly on material produced by the Cotton Campaign.

The Government argued that the Convention No. 138 permits the work of 16 – 17 year olds under certain conditions. However, the Committee of Experts had deemed cotton picking to be hazardous work, and thus prohibited for children under 18 years of age. Moreover, the Uzbeks themselves had adopted a list of hazardous work under Convention No. 182, and that list included cotton picking.

After examination in 2009 of the Government's first report on Convention No. 182, together with the allegations of the IOE and ITUC, the Committee of Experts requested the Government to respond before the Conference Committee on the Application of Standards at the 99th Session of the International Labour Conference (2010), suggesting that the case be discussed under that same Convention.

The spokesperson of the Employers' Group in the Conference Committee, Ed Potter from the United States, proposed sending a tripartite high-level ILO mission of to Uzbekistan to monitor the cotton harvest. He built his proposal on experiences from Colombia and Guatemala, where he had participated in successful tripartite missions. The Workers' group found no reason to disagree with the Employers' proposal.

I recall saying to Ed Potter in June 2010 that he had raised the bar too high. The Uzbek side suspected that they were being railroaded by the US cotton lobby. The proposed high-level mission looked like a Trojan horse, bringing the international Cotton Campaign into Uzbekistan by subterfuge, and there was little follow-up to the Conference recommendations. In 2011, the Conference repeated the proposal for an ILO mission during the cotton harvest. It adopted a so-called "special paragraph", a procedure which indicated that the violation of the Convention was deemed to be serious and continuing.

Focussing on the Worst Forms of Child Labour Convention placed the case in a context where monitoring had become one of the principal features of technical cooperation programmes. Had a Conference discussion taken place under the forced labour Conventions, given that monitoring was not among the tools of the ILO's Special Action Programme against Forced Labour, it might not have had the same prominence.

Monitoring activities had already been conducted in Uzbekistan. Embassies regularly sent staff to see what was going on in the fields. The Government had previously assisted UNICEF in observing the involvement of children in the harvest in some regions. In 2010 UNICEF deployed seven teams, with 15 monitors. They found that in some areas, such as the Fergana Valley, child labour seemed to have slightly diminished.

UNICEF called its observations "snapshots" and stressed that any real monitoring would have to be done by the ILO. The following year UNICEF was not permitted to go to the Fergana Valley, and the hokim of the province was assigned to other functions. The Government could not be said to have welcomed the UNICEF reports, but equally appeared to regret that UNICEF decided to put a stop to its visits.

Opening the path to solutions

My personal involvement with Uzbekistan started when Akmal Saidov, Director of the National Human Rights Centre of Uzbekistan, walked into my office at the ILO, in late 2008, to discuss what the Committee of Experts was up to. Saidov was and remains the external face of Uzbekistan in the United Nations human rights mechanism. He currently also holds the post of First Deputy Speaker of the Parliament of the Republic of Uzbekistan.

Saidov saw the proposal for a high-level independent monitoring mission as a sanction, not a solution. He felt that after ratifying Convention No. 182 Uzbekistan had been put on an unreasonably fast track to a discussion at the Conference. I defended the procedure, pointing out that other countries, and notably the United States and China, had been called to explain their application of this Convention quite soon after they had ratified it. He was not convinced but ready to discuss more. I stressed that further discussions of the matter should take place in Tashkent, not Geneva.

Uzbekistan was encouraged by the European Commission to restore its relationship of cooperation with the ILO. The European Union's dialogue with Uzbekistan developed into an extensive structure of forums and meetings which also engaged members of the European Parliament and of the Uzbek legislature. The topics discussed ranged from human rights, governance and democracy to economic cooperation, energy, investment and transport. The EU occasionally observed that the focus appeared to be more on roundtables and conferences than on actual achievements.



The United States also strongly urged Uzbekistan to cooperate with the ILO, arguing that a high-level mission to monitor the cotton harvest would be proof of such cooperation. When the Secretary of State, Hillary Clinton, visited Tashkent in October 2011 she did not press the issue, as she was informed that an ILO mission had just taken place. That had, however, simply been a technical mission on occupational safety and health. Then at a trade hearing in 2012 in Washington D.C. the Ambassador of Uzbekistan announced that a seminar would be arranged in Tashkent, to consider ratification of a number of ILO Conventions. The ILO was informed of the initiative shortly after the Ambassador's statement in Washington.

Monitoring the cotton fields was regularly combined with training and awareness raising. In the picture, Jana Costachi, a veteran monitor, conducts a local information session.

Having long suggested discussions in Tashkent, the ILO agreed. A date was fixed for 2 – 4 May 2012. There was initial uncertainty as to whether all Conventions, notably those on forced labour, were to be discussed. In the end, everything was on the table.

This first encounter in Tashkent introduced the pattern of roundtables as the principal forum for cooperation. The European Commission, which had experience of such gatherings, helped with arrangements and participated in the discussions.

The roundtables first brought the ILO together with the interlocutors who would play a key role over the coming years. On the government side the broker was Saidov, who had the backing of Deputy Minister of Labour, Botir Alimukhammedov, a veteran of ILO Conferences since Uzbekistan started regularly participating in them. In passing however, it is worth noting that in its first decade and half of ILO membership, the country only once sent a full tripartite delegation to Geneva.



Tanzila Narbaeva had become Chairperson of the FTUU in 2011, after twelve years in the Office of the Prime Minister, Shavkat Mirziyoyev. She knew the ILO from the earlier period of cooperation between Uzbekistan and the Organization, due to her responsibilities for social questions; she also chaired the National Coordinating Committee on Child Labour. Her colleague in the Chamber of Commerce and Industry of Uzbekistan (CCIU) was Alisher Shaykhov, a former Ambassador to the EU. Between them, they set the tone for the discussions.

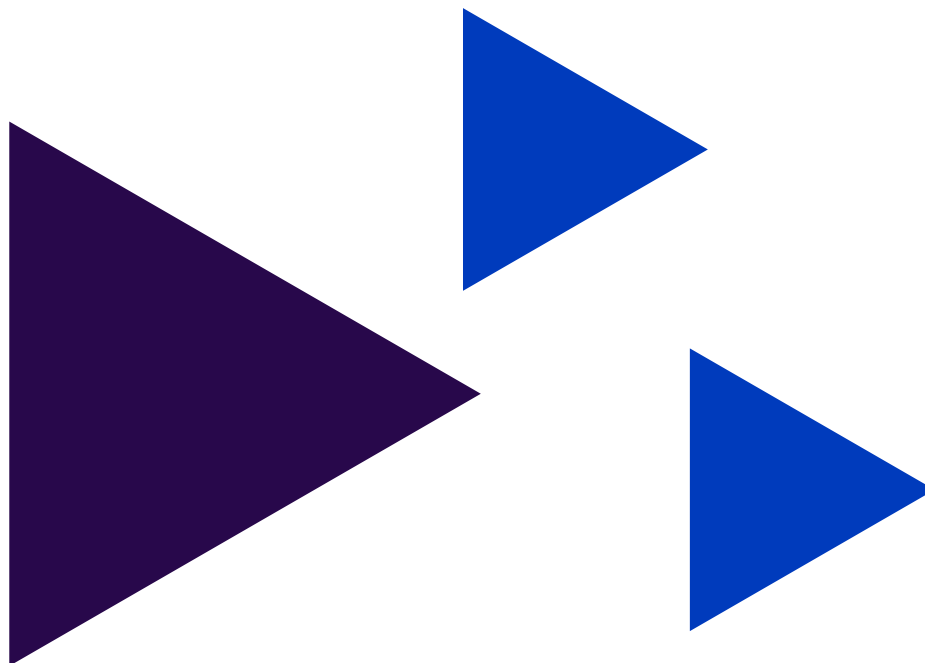
The idea of an independent tripartite high-level monitoring team remained a red line. The Uzbek participants pointed out that trade unions were already monitoring the social conditions of workers during the harvest. The ILO could perhaps send someone to train the national monitors. The idea of a tripartite assessment, conducted by the ILO in Tashkent after the harvest, was floated. This represented the first time since the ratification of the child labour Conventions that an actual role on the ground for the ILO was envisaged: for the ILO, that was a fundamental objective.

Any agreement, however, would have to wait for the discussion at the 101st Session of the International Labour Conference (2012), to be held a month later. Narbaeva, Shaykhov, Saidov and Alimukhammedov came to Geneva for that session: the first time that the Chairperson of the FTUU had attended the Conference. In March 2018, Narbaeva – at that stage Deputy Prime Minister – told the Voice of America in an interview that “no-one wanted to speak with us. The perception was that we were this horrible country exploiting kids, closing schools and workplaces and forcing everyone to pick cotton. It was true to some extent but not quite accurate.”

All three groups of the ILO had now an interlocutor, marking a significant change from the time when Karimov discouraged both trade unions and the Chamber of Commerce from having international contacts.

The Uzbek Conference delegation was briefed on the functioning of the ILO’s child labour programme, including on action undertaken in Central Asia. The presentation by Constance Thomas, Director of the Fundamental Principles and Rights at Work branch, and Snezhi Bedalli, Senior Child Labour Specialist, dwelled on the negative effects that herbicides and pesticides commonly used in cotton fields around the world were liable to have on children. Wide use was made of chemicals to make the plants drop their leaves, making it easier to gather the exposed cotton bolls. The defoliant employed belonged to the same category of chemicals as the notorious Agent Orange used by the United States in Vietnam. The factual data on the hazards for children in agricultural work proved to be a game-changer. The interest of the Uzbek delegation increased considerably, and soon I was discussing with Saidov details of the statement he was preparing to make.

But then, in the second week of the 2012 Conference, its Committee on the Application of Standards broke down over a disagreement between the Employers and Workers on the right to strike. There was no discussion on Uzbekistan and no new recommendations. Whatever momentum there had been evaporated. It looked as though the ILO’s standards supervisory mechanism might be paralyzed for a long time.





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6. Reaching agreement on monitoring

In the run-up to the 2013 Conference, the Employer and Worker groups lifted the block on the Conference Committee on the Application of Standards by agreeing that the Committee would carry out its work as usual. Uzbekistan was back on the agenda. The proposal for a high-level tripartite monitoring mission remained unchanged.

As in 2012, the tripartite Uzbek delegation engaged in discussions with the International Labour Office team, with the Worker and Employer groups and with various governments. Soon, the issue was no longer on whether or not child labour monitoring would take place, but on how it would take place. To obtain a reliable picture, monitoring would have to cover the whole harvest in September and October. It was hard to see a high-level team of Ambassadors and employers' and trade union leaders spending two months in the cotton fields of Uzbekistan.

This difficulty was overcome by the idea of sending a team of experts, provided by the ILO, to monitor the whole harvest. The international team would consist of experienced ILO officials or experts recruited for the purpose. The results could then be validated by a high-level team which would not be tripartite but made up of ILO officials. This scheme was approved by the Conference.

Monitoring arrangements were to be sorted out at another roundtable in Tashkent. When the IOE and ITUC were invited to participate in that roundtable, the discussions began more closely to resemble the earlier call for a tripartite mission. Indeed, the suggestion of involving those two international organizations could well have been made by the ILO – but the initiative actually came from the Uzbek delegation.

The sequencing of technical cooperation

The roundtable to set the process in motion took place in Tashkent in July 2013. In addition to the IOE, ITUC and the EU Commission, the Uzbeks invited the UN, UNICEF and representatives of some foreign embassies in Tashkent to attend. Initially the employer and worker organizations were not supposed to be present at a planning session held on the second day of the roundtable, but as the discussions proceeded, no objections were raised to their continued participation.

From the outset, the Government had proposed a broad technical cooperation programme. Several countries had called for IPEC to return to Uzbekistan. A formula for cooperation between Uzbekistan and the ILO was developed. Following up on what had been discussed in Geneva, I drew a large circle which said "technical cooperation" on a flip-chart. Inside it I drew a smaller circle labelled "the IPEC programme", and within that, a small third circle which said "monitoring". The idea was to advance with all three simultaneously. As the harvest was rapidly approaching, it went without saying that monitoring would be the first element of the programme to start.

Whatever hesitancy the Labour Minister, Aktam Khaitov, might have felt was swept aside by the determined agreement of Tanzila Narbaeva and Alisher Shaykov.

At the next stage intensive negotiations put in place the groundwork for the actual monitoring. Constance Thomas, assisted by Snezhi Bedalli and Anton Hausen, led the negotiations for the ILO. Anton Hausen had experience of monitoring activities from previous work in Africa, where the tool had often been used to combat child labour. The main negotiator on the Uzbek side was Tanzila Narbaeva.

Apart from the principles of independence, integrity, accountability, transparency, ethics and the best interest of the child, there was no universal model for monitoring: it had always been tailor-made to suit each specific situation. In Bangladesh and Cambodia, there was an agreement with the textile and garment industry. In Pakistan, global sporting goods brands insisted that local manufacturers in the Sialkot area should open their premises to monitoring by the ILO. In Uzbekistan, agreement needed to be reached with the Government.

At the outset, it was agreed that the monitoring would be a joint exercise. An international organization such as the ILO could not do monitoring behind the Government's back, as it were. Permissions, interpreters and drivers as well as access to the fields and institutions, schools and local authorities were needed. Ten ILO experts would be accompanied on field visits by representatives of the Uzbek Ministry of Labour, employers and trade unions.

Tanzila Narbaeva and the ILO's team-leader, Anton Hausen, were to be jointly in charge. The ILO's team-leader would have operational responsibility for the monitoring and for processing its results. To ensure that field visits were unannounced, the team-leader would only instruct the international monitors where to go at the start of each morning. The monitors would then conduct the interviews in the fields and schools and report back to the team-leader. All data would be retained by the ILO for the high-level mission, which would prepare a report at the end of the harvest. The team leader would keep Ms Narbaeva regularly informed on progress with the monitoring.

Finding children picking cotton

The monitoring teams travelled 40,000 kilometres and made 806 documented visits, conducting 1,592 anonymous interviews. In addition, awareness-raising and training meetings were arranged for farmers, employers' representatives and workers' representatives, school officials and local government authorities. This outreach was an integral part of the monitoring.

As the monitoring got underway, cases of children picking cotton started to crop up. The first reaction of some Uzbek partners was shock: this was not supposed to happen. Some attempts were made to find mitigating circumstances, such as explaining the presence of the children as either a misunderstanding or due to their own initiative. Local monitors were concerned that this would be greeted with hostility by higher officials or their own supervisors. Yet Ms Narbaeva had accepted from the outset that children would be found in the fields: finding no cases would not have been credible. The children were returned to school and reprimands and fines were issued by the authorities to the responsible institutions.

Establishing cases of children picking cotton broke down a taboo. Uzbek monitors started addressing strong criticism to the authorities who had sent or allowed a child to pick cotton. At the same time these national monitors were familiar with the circumstances in their country and helped their international colleagues to understand the social realities in communities better. Many such communities were far from the capital and its political decision making.

All in all, 62 children were found picking cotton, of which 53 were in the 16 – 17 years age bracket. More children had been seen running away when monitoring teams arrived, and in some schools classrooms were empty. The confirmed cases established the typology of child labour in cotton.

The presence of children was not at a level which would have been decisive for meeting the cotton quotas. In other words the harvest did not depend on child labour. The number of children at work had declined from the earlier UNICEF snapshots. It was possible to conclude that there had been a concentrated effort to comply with the prohibition of employing cotton pickers under the age of 18, a ban that Prime Minister Shavkat Mirziyoyev had reissued before the 2013 harvest.

Some things happen due to circumstances instead of design. The original plan was to prepare a full written report for the final roundtable. Returning to Tashkent from Samarkand on the eve of the roundtable the ILO high-level team members Constance Thomas, Anton Hausen and myself concluded that we simply could not produce a complete report. Instead, we could do a power point presentation.

Power points may skip important nuances but they have distinct benefits. The main issues get highlighted and disagreement over details can be avoided. This pattern has been followed by all subsequent monitoring outcomes in Uzbekistan. The responsibility for drawing up conclusions rested with the ILO – they were not joint conclusions, but neither were they contested by the Government.

A one page summary was prepared acknowledging widespread awareness of the prohibition to use child labour and stating that its use was not systematic in Uzbekistan. The conclusion that child labour was not systematic was met with some criticism, but the ILO team reasoned that you could not eradicate child labour at the same time as making systematic use of it. Whatever the situation might have been earlier, there was enough evidence to show that the current practice was to avoid child labour.

Forced labour

The recommendations of the 102nd Session of the International Labour Conference (2013) had concentrated on child labour. However, the Committee of Experts had also made observations regarding the allegations of forced labour, which had been the issue under which the Employers' Group had first raised the case of Uzbekistan. As a post-script to the monitoring, the ILO's mission discussed next steps with Ms Narbayeva, Mr Shaykov and Mr Alimukhammedov. The team reminded their national counterparts that in addition to child labour, the Committee of Experts was likely to pursue its comments on forced labour in its future reports. The international monitors had identified "other issues relevant to the mandate of the ILO" – in particular the recruitment campaign for the cotton harvest. The government would be in a better position if it was ready to cooperate on the topic.

A further argument for moving on to forced labour was that the success of removing children from the cotton harvest was liable to increase pressure to find adult replacements for them. The Government promptly sent a letter to the Committee of Experts requesting assistance for the application of the ILO's Abolition of Forced Labour Convention, 1957 (No. 105).

The Decent Work Country Programme

In line with what was agreed in July 2013, the child labour monitoring was followed by broad technical cooperation in the form of a Decent Work Country Programme. The ILO only engaged in further activities once it was clear that the Committee of Experts had no serious concerns about the exercise. The Expert's report published in early 2014 welcomed the monitoring and endorsed the idea of broad technical cooperation between Uzbekistan and the ILO. The Decent Work Country Programme was signed in Tashkent on 24 April 2014 at a ceremony attended by the Ambassadors of the United States and the European Union as well as the United Nations' Resident Coordinator.

Decent Work Country Programmes were conceived as an umbrella under which the ILO's technical cooperation would integrate the goals of employment, social protection, labour standards and social dialogue. Such programmes were negotiated and signed with the tripartite constituents, and they provided for autonomous activities for employers and trade unions.

It was the first agreement that Uzbekistan had signed with the ILO after a period of estrangement. Its formulations had to be mutually acceptable as well as acceptable to donors, whose financing would be crucial. The Decent Work Country Programme obviously had to cover child and forced labour, but they were far from being its sole concerns.

The programme pledged cooperation for the eradication of forced labour so "that conditions of work and employment in agriculture, including in the cotton-growing industry, are in conformity with fundamental standards". Roundtables for employers were to be arranged in order to raise their awareness of the issue. A survey was to be carried out to provide recommendations on improving labour recruitment and retention practices in agriculture.

Cooperation with UN Resident Coordinator Stefan Priesner played an important role in the preparation and implementation of the first Decent Work Country Programme. This continued with his successor, Helena Fraser, and with time the ILO's programme was aligned with the UN Development Assistance Framework for Uzbekistan.

The programme led to a full-time ILO presence in the country. The first Chief Technical Adviser of the project to support the Decent Work Country Programme was Harri Taliga, a former Chairperson of the Estonian Trade Union Association who had also participated in the 2013 child labour monitoring. An office for the support project was opened in the UNDP premises. The United States Department of Labour stepped in to finance a project which had a time-scale extending through 2020. For all practical purposes this first donation made it possible for the ILO to engage in the activities on the ground. The United States Embassy and the Delegation of the European Union became permanent participants of the roundtables held in Tashkent.

Both employers and trade unions developed their own programmes with the active support of the Employers' and Workers' Specialists in the Sub-regional Office in Moscow, The CCIU became a member of the IOE.

The past history of the FTUU was similar to that of other former soviet republic trade union federations which had undertaken structural reforms after the system changed. The trade unions' political dependence on the Communist Party had ended, but at the same time, by default, the unions inherited a significant role in the otherwise largely absent provision of social security. The ITUC gave the FTUU associated membership status, considering that it was a strong organization with potential for reform to better represent the workers' interests. This outreach was accompanied by an insistence that Uzbekistan would soon ratify the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

At the 103rd Session of the International Labour Conference (2014), the Employers and Workers did not place Uzbekistan on the list of countries to be discussed by the Committee on the Application of Standards. The issue had moved into technical cooperation mode without returning to the supervisory procedures of the Conference.

To the surprise of some of the ILO's constituents, no monitoring was foreseen in 2014. The monitoring of the previous year was a one-off project, and its cost had to be extracted from the regular budget of the ILO. The nature of child labour had been established, and monitoring would continue to be undertaken by the national actors with the ILO in a supportive capacity-building role.

The monitoring manual was reviewed for use by Uzbek teams. The ILO provided training to the monitors from government, employers organizations and trade unions for the 2014 harvest. They reported that the incidence of child labour remained roughly at the same low level as the previous year. The roundtables of 2014 concentrated on two issues: the ILO's surveys on forced labour and the growing involvement of the World Bank with child and forced labour in Uzbekistan.

The ILO Third-Party Monitoring Project facilitates productive responsible cotton production in Uzbekistan. The project is funded by a donor trust fund with generous contributions by the European Union, the United States and Switzerland



Schweizerische Eidgenossenschaft
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7. The World Bank and forced labour

Towards the end of the first decade of the 2000s, cotton became a sticking point in the relations between Uzbekistan and the European Union. Finally, in 2011, the European Parliament declined to approve the extension of a Textile Protocol to Uzbekistan. It would give its consent only “if ILO observers have been granted access by the Uzbek authorities to undertake close and unhindered monitoring and have confirmed that concrete reforms have been implemented and yielded substantial results in such a way that the practice of forced labour and child labour is effectively in the process of being eradicated”.

At the same time the World Bank was caught in the turbulence of the Cotton Campaign. The question of Uzbek cotton played an even more prominent role in Washington D.C. than in Brussels – or, indeed, in the ILO.

The Inspection Panel of the World Bank is an independent complaints mechanism which individuals or communities can turn to if they are, or could be, negatively affected by a Bank-funded project. This fact-finding body reports directly to the Board of Executive Directors of the Bank as to whether a case warrants an investigation or not.

In September 2013 the Panel had to assess whether an investigation should be made of projects aimed at increasing the productivity and sustainability of agricultural businesses in seven regions of Uzbekistan. Among the beneficiaries were rural enterprises which, according to the Cotton Campaign, used forced and child labour during the cotton harvest. The allegation was similar to the one that had launched action by the ILO, but the complaint was directed at the Bank, not the Government of Uzbekistan. The Bank was asked either to ensure that fundamental labour standards were respected or to stop financing rural projects in Uzbekistan.

Novel concepts

In response to the complaint, the Bank pledged to conduct what it referred to as “third-party monitoring” during the cotton harvest in order to detect and prevent forced and child labour. In addition, a feedback mechanism would be set up to provide a channel for complaints and remedy. As the Bank had no experience of monitoring, it turned to organizations which specialize in social auditing, but they did not feel confident of being able to undertake it. Moreover, some proposals they suggested were unacceptable to the Uzbek authorities.

The inspection panel of the Bank was studying the situation at the same time that the ILO was conducting its first monitoring round. The World Bank had previously cooperated with the ILO on child labour, in the areas of education and statistics, but no joint field activities had been conducted. Informal exchanges of information on the ILO's experiences in Uzbekistan took place between experts. The approaches of the two Organizations were frequently seen not only to be different, but even contradictory, especially regarding the role of international labour standards.

After preliminary discussions, in the Summer of 2014 the World Bank asked whether the ILO could undertake the "third-party" monitoring and help to set up the feedback mechanism. The ILO replied that it would have to base any methodology on what was already used in Uzbekistan. The Government confirmed its agreement to joint action by the World Bank and the ILO. The Ministry of Labour, the Chamber of Commerce and the Uzbek trade unions were new interlocutors for the Bank. In light of this action taken by the Bank, its inspection panel decided not to pursue the matter further.

The World Bank was invited to roundtables which had by now become regular. It carried out some scoping of cotton fields during the 2014 harvests and undertook a joint field visit with the ILO. Because of the pressure it was under, the Bank made the most of the ILO's support to undertake sporadic field visits to cotton producers, occasionally calling these visits "investigations". Otherwise the ILO's representative, Harri Taliga, concentrated on the range of issues covered by the Decent Work Country Programme.

In October 2014 the ILO and the World Bank signed a Memorandum of Understanding, which paved the way for the project *Third-party monitoring of child and forced labour in cotton picking in Uzbekistan*. Under that project, the ILO would monitor child and adult forced labour in 2015 and 2016, and report its findings to the Bank. The monitoring was led by Stephen McClelland, who had conducted child labour programmes in Western Africa and had considerable experience with the United Kingdom Department for International Development. The project worked out of the World Bank premises in Tashkent. As the Bank's regulations did not permit it to use its own resources for an assessment arising from a complaint, a trust fund was set up with the European Union, Switzerland and the United States. The German development agency joined the donors later on.

The concept of monitoring seemed to be understandable enough, but the shape of the feedback mechanism had not been defined. It was intended to provide for complaints; yet it could not replace or duplicate national legal procedures or the ILO's standards supervisory machinery. The mechanism would benefit from "ILO facilitation", but what this specifically meant was left to be seen.

Launching the third-party monitoring and the feedback mechanism

It was soon agreed that the feedback mechanism would make use of the hotlines put in place by the Labour Ministry and the FTUU for inquiries on labour legislation and labour relations. During a meeting with the ILO, the new Labour Minister, Aziz Abdukhakimov, whipped out his mobile phone and called the hotline to demonstrate how it worked. Previously, these hotlines had rarely, if ever, received questions or complaints regarding the cotton harvest.

The FTUU set up a legal clinic with a computerized system to run its hotline. To this end it benefited from advice and assistance from the ITUC, the ILO and the World Bank. The ICUU did not set up its own mechanisms.

The 2015 harvest was preceded by a roundtable in Tashkent. The United Nations family and the IOE and the ITUC were present. The Uzbek partners, the ILO and the World Bank invited the international diplomatic community to the roundtable, and the Embassies of France, Germany, Japan, Korea, the Russian Federation, Switzerland and the United States were mainly represented by their Ambassadors, as was the European Union delegation. The United States had a new Ambassador, Pamela Spratlen, who was a career specialist on the region. She engaged strongly with the government authorities and civil society and followed the efforts of the ILO and the World Bank closely.

At the roundtable the Government announced that in addition to the continuing prohibition against sending children to pick cotton, any forced recruitment of employees of education and health-care institutions was now also banned. The importance of such a policy decision had been repeatedly stressed to the Government. The Secretary-General of the United Nations, Ban Ki-moon, had raised the issue during his recent meetings with President Karimov and other government officials. Prime Minister Mirziyoyev had assured the Secretary-General that the prohibition would be issued.

Stopping the forced recruitment of public sector workers had also come up in the discussions which the tripartite Uzbek delegation had held during the International Labour Conference in June 2015. The delegation included it as one of the recommendations in a report submitted by Ms Narbaeva to the Government.

Posters and banners explaining the prohibition were produced, together with other advocacy material which was to be displayed visibly around cotton fields. The telephone numbers of the hotlines were given on the posters. The material had not been foreseen in any Uzbek budget, and financing was arranged by the World Bank.

The 2015 cotton harvest

The monitoring took place in 10 of the 13 provinces of Uzbekistan. All regions in which the World Bank had projects were covered, but the monitoring was intended to give a picture of the whole country, not just areas where, at least in theory, targeted proactive measures might have been undertaken.

As the harvest proceeded, 12 ILO experts carried out 9,620 interviews at 1,100 sites. During the visits to cotton fields, local authorities, education institutions, medical facilities and business establishments, the ILO monitors were accompanied by representatives of the Labour Ministry, trade unions, the Chamber of Commerce, the Women's Committee and accredited NGOs. The Uzbek partners carried out national monitoring separately with technical support and training provided by the ILO.

Ideally, monitoring teams should have been able to fit into one car. However, the number of people involved meant that three or four cars descended on the cotton fields at each visit. To maintain the notion of "surprise" visits, the ILO monitors were only informed of their destinations at the start of each morning, but obviously, cavalcades of such dimensions could not move around in complete discretion.

The international monitors were instructed to assess evidence of both child labour and forced labour, in line with the commitments made by the World Bank. The set of questions to be asked on forced labour during interviews was based on the ILO's on-going survey of the categories of workers involved in the harvest. Preliminary results of this survey had been discussed at a roundtable before the harvest. The typology of potential forced labour included students and education and health workers: groups whose involuntary recruitment had by then been prohibited by the Government.



A traditional roundtable discussion in Tashkent in 2016. From the right, Deputy Minister of Labour Bohudir Nizanov, Chairperson of the FTUU Tanzila Narbaeva, Chairperson of the CCI Alisher Shaykov, ILO Regional Director for Europe and Central Asia Heinz Koller.

Around the table in Tashkent in 2016: Ambassador Pamela Spratlen of the United States. On her right is Jo Beadsworth, Head of the Political Section of the Embassy of the United Kingdom.

The EU Ambassador in Tashkent, Eduard Stripras addresses a new style of roundtables. From the left: moderator Navabakhor Imamova of the Voice of America; Steve Swerdlow of the Human Rights Watch; Ambassador Stripras; UN Resident Coordinator Helena Fraser; Ambassador of the UK Christopher Allan.

The monitoring proved to be different from that conducted two years earlier. At that time, there was agreement between the ILO and its partners on the child labour issue. At all events, child labour was frequently clearly visible in the field. The same did not apply to forced labour. As the monitoring proceeded, it was closely watched by the interested parties: the Uzbek authorities, the World Bank and the Cotton Campaign. For each of them the monitoring was about control and verification, not technical cooperation.

The Uzbek partners were convinced that no forced labour cases could be found on the ground. The international campaign expected the exact opposite, as even one confirmed case would be enough to accuse the World Bank of having broken its obligations. The Bank hoped that the monitoring would show that at worst, the issue was marginal and could be quickly resolved.

Credible monitoring always produces at least some tangible evidence of what needs to be remedied. The children found in the fields could be sent home without punitive action. But the ILO's monitors had no mandate to interrupt work, investigate possible cases of forced labour and initiate legal procedures. As a proven case would have been a breach of the Bank's commitments and of Uzbek law, local and international lawyers could have been called in. But the people caught in the middle would then have had little effective victim protection.

Establishing forced labour risks

Stephen McClelland suggested another approach: determining the extent to which there were "risks of forced labour". Some standard ILO indicators of forced labour, such as abusive living and working conditions, excessive overtime and withholding of payments, were identified. The monitors were cautious about drawing conclusions from the interviews they carried out because the real degree of voluntariness of university and college students found working could not be verified.

Some school attendance records were incomplete, some staff members informed the monitors that they had been obliged to pick cotton on previous occasions. There were students who knew of other students who had been obliged to work. Some employees of private enterprises said that they had worked involuntarily or had paid for a replacement worker. The conclusion was that there were real, and not just theoretical, risks of forced labour, but their magnitude was unclear.

The ILO's first monitoring report to the World Bank highlighted four main issues. Firstly, systematic or large-scale child labour was not used. Sending children to the harvest had become rare and sporadic, although the report stressed the need to sustain preventative action targeted at the 16 – 17 years age-bracket.

Secondly, the report recognized that risks of forced labour existed but it did not identify specific cases. It noted that education and health workers and students from colleges and universities had been participating in the harvest. Their real degree of voluntariness could not be assessed.

Thirdly, the report included the outcome of the fledgling feedback mechanism. The hotlines of the FTUU and the Ministry of Labour had produced a small number of cases, all of which were investigated. The use of the hotlines was low, but higher than in earlier years, when there had been no calls related to the cotton harvest at all.

Fourthly, the somewhat ambiguous results of the monitoring were boosted by decisions made by the Government. There was a steady stream of policy commitments right through to the day when the monitoring outcome was presented to the Executive Board of the World Bank in a teleconference from Geneva. The report enumerated five government plans and instructions against child and forced labour, issued between May and October 2015.

Both the ILO and the World Bank had their own chains of contact which reached up to high levels of the Government of Uzbekistan. The World Bank's traditional interlocutors: officials and political leaders responsible for economic, financial and international trade policies, encouraged or even assisted the Government in making its policy statements and issuing instructions.

Refocusing the monitoring

The situation after the 2015 monitoring was far from ideal. Regional and district *hokims* were irritated by what they felt as a too intrusive process, some going so far as to call it a "police operation". At this stage, the whole exercise might have gone badly wrong. Conceivably, the highest political echelons in Uzbekistan could have decided to discontinue or drastically curtail the arrangements which had been made with the ILO and the World Bank.

In early March 2016 the European Parliament held a hearing on Uzbekistan in Brussels in which Tanzila Narbaeva participated. Following it I had a short discussion with her, and both of us immediately said the same thing: we cannot repeat that sort of action again. The monitoring had to be targeted at something which could actually be seen on the ground.

The commitments that the Government made throughout and after the harvest provided a bridge to the next phase. It would now make sense to assess how the policies announced were being implemented. Monitoring would start before the harvest with visits to ministries and other authorities involved in the administration of cotton production to assess how well prepared they were for the next harvest. These visits were to build capacities and raise awareness just as much as to monitor. The feedback mechanism would be further strengthened, and the ILO would continue to work on the forced labour survey.

The approach was discussed at roundtables in April and August 2016. The ILO experts carried out the pre-harvest assessments without any problems. Ms Narbaeva would have preferred the monitoring of the harvest to have been done by national monitors, but she agreed that smaller teams with ILO experts, only accompanied by an FTUU representative, should visit the fields again. She now considered activities to be a capacity building exercise, and the way in which it was reported to the World Bank was left to the ILO.

Harri Taliga returned to Estonia, leaving Anton Hausen, who had conducted the 2013 monitoring, responsible for the project supporting the Decent Work Country Programme. The CIUU and the FTUU considered that the programme was working particularly well. The Ministry of Labour was undergoing reorganization and was for a while unable to make use of the expertise that the ILO offered.

Feedback supports monitoring

Shortly before the 2016 harvest, Uzbekistan's President Islam Karimov fell ill and died. Prime Minister Shavkat Mirziyoyev was appointed to be in charge until elections in December 2016.

During Mirziyoyev's acting Presidency, the decision was taken, in October 2016, to ratify the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). With that one ratification, all eight of the ILO fundamental Conventions achieved universal ratification in the Europe and Central Asia Region. That ratification was also of particular concern to the ITUC in developing its relations with the FTUU.

During the harvest, 1,700 interviews were conducted, covering all provinces as well as Tashkent City. Field visits were unannounced except when there had to be prior appointments with some institutions.

Focussing on measures to avoid child and forced labour made the ILO's monitoring smoother than the previous year. The monitors' reporting to their team leader was less a question of "counting heads" in the fields, and more of how well policy instructions were known and implemented. The awareness campaign had produced 863 banners, 44,800 posters, 100,000 leaflets, television and radio spots and text messages announcing that everybody had the right to pick cotton voluntarily in decent working conditions or to refuse to pick cotton. Yet the reality corresponded only partially to the Government's commitments. The risks leading to the use of forced labour that had been established a year earlier were still present, even though monitors did not identify actual cases of coercion.



On the other hand, what was not found in the cotton fields began to show up through the feedback mechanism.

The hotlines of the FTUU and the Ministry were now registering cases. The FTUU's legal clinic received 85 complaints or questions related to the 2016 cotton harvest. The Ministry of Labour hotline registered 30 harvest-related grievances, including two on child labour and three on forced labour. Cases were raised by the civil society activists although they said that it was often difficult to get the hotlines to answer. Nevertheless, a number of cases that they reported were investigated and resolved.

Interim President Mirziyoyev had established a "virtual cabinet" which also received complaints from individual citizens. Some of these concerned working conditions during the cotton harvest, and were successfully dealt with and resolved. Those successes made a big enough splash even to persuade a veteran civil society activist like Elena Urlaeva to pledge her vote to Mirziyoyev in the forthcoming election. During a mid-harvest session with all monitors, Ms Narbaeva stressed that Mirziyoyev was serious about change and should be trusted even though the results would take some time to be felt at field level.

Independent of the hotlines, government labour inspectors identified five cases of child labour and three of forced labour. Labour inspectors had become actively involved with the cotton harvest, and the Government had started to prepare for ratification of the ILO's labour inspection Conventions. As a result, the first concrete proof of forced labour came from the government service in place to ensure observance of labour laws and regulations.

The typology of forced labour

In addition to what the monitoring observed, the 2016 report provided the first results of the ILO's surveys on forced labour.

In line with the Decent Work Country Programme, in 2014 the ILO had begun to examine recruitment practices in agriculture. Michaëlle De Cock, an ILO statistical expert on forced labour, first looked at who all these workers who streamed into the fields once a year were, and how they were sent to the different passes of the harvest. Once the typology was established, the survey could begin to quantify its different components. An Uzbek research institute, Ekspert Fikri, was commissioned to prepare the survey.

The work moved forward, and the findings were examined in Tashkent with the Uzbek partners. Intensive discussions showed the need for further clarification of terminology. While the ILO was still searching for suitable formulations for the forms of recruitment prohibited by the forced labour Conventions, the Uzbek partners started speaking both privately and in public about "forced labour". There was nevertheless an understanding that identifying different potential forced labour situations did not necessarily prove that forced labour actually existed.

Deputy Prime-Minister Tanzila Narbaeva at the stand of the World Bank, ILO Third Party Monitoring Project during the European Day celebrations in Tashkent. She is observing a contest on labour rights.

The surveys described recruitment as part of a detailed plan. The potential for cotton production was calculated by the Ministry of Agriculture and Water Resources and submitted to the Council of Ministers for approval. Instructions on the amount of cotton required were passed down to regional and district *hokims*, who set an all-hands-on-deck effort in motion. Committees called *pakhta shtabs* were organized to provide the extra labour required beyond the farmers' regular workers and household members.

Volunteer brigades of pickers constituted themselves from one harvest to another, but these seasonal workers, who returned to the fields every year, were not sufficiently numerous to meet the production quotas. *Hokims* convened large public meetings, filling sports fields with people who received instructions to go to the cotton fields, or used their local networks to specify how many workers each organization, institution or enterprise should send.

The networks included the *mahalla*, self-governing bodies which found workers among job-seekers, women seeking temporary work and retired persons. Enterprises were instructed to draw up lists of workers, and secondary and higher education institutions prepared to send students and staff to the cotton fields.

The Uzbek partners objected when this was called mobilization. The ILO's Abolition of Forced Labour Convention, 1957 (No. 105) explicitly prohibits the mobilization of labour for purposes of economic development. In Uzbekistan workers were "invited" to participate in a large-scale patriotic effort. Inviting people to do something - to demonstrate, to celebrate, to engage in a joint effort - covers a wide variety of practices, and it is wonderfully indifferent as to the real desires of the invitees. It has a different connotation in an authoritarian system than in a pluralist democracy.



The ILO's qualitative survey identified several categories of cotton pickers. Permanent or seasonal agricultural workers and family members were by definition voluntary; many of them were women for whom the harvest was a welcome source of income. *Mahallas* recruited job-seekers, housewives and retirees. Cotton pickers were sent by schools and medical facilities as well as by enterprises. Students and public sector workers could go to the fields of their own will, but pressure to participate could also be exerted by their superiors and peers. A number of them were looking for extra income. A young man could gather enough cotton during the harvest to be able purchase a washing machine for his family.

The clause in the Labour Code allowing workers to be transferred to other activities for 60 days a year applied to both voluntary and involuntary workers. So-called replacement workers were paid to do the work originally requested from someone else. Thus, a person who was told to pick cotton could pay someone else to do the work, instead of him or her. This was actually "forced labour once removed", as the penalty was not inflicted on the worker. Depending on what could be negotiated with the permanent employer, the arrangement could be quite advantageous for the one who actually did the work.

Another payments issue slipped beneath the radar of surveys and monitoring: local officials asked enterprises to help in financing the harvest, and considerable sums of money were collected from local bazaars.

The survey confirmed that university and college students, medical personnel, staff of educational institutions and employees of public and private entities were at the highest risk of being forced to pick cotton. They were recruited by intermediaries who had power over their regular income or education but often lacked knowledge of the actual work conditions in the cotton fields, including the availability of food, accommodation and transportation. Conditions varied from one field to another.

The intermediaries also faced obvious risks if they did not fulfil their role. School and university rectors and heads of public health clinics did not want to get caught in the cross-hairs of the *hokims*. Enterprise directors who resisted making their workers available were liable to face tax inspections or other unpleasant administrative measures.

The surveys indicated that roughly two thirds of the workforce picking cotton was voluntary, while a minority was clearly coerced. In between voluntary and involuntary workers, there was a category that picked cotton reluctantly, particularly because of low wages and inadequate working and living conditions. They would rather have skipped the exercise but preferred to avoid the social pressure this could provoke.

Even in the absence of explicit threats or announced penalties many people concluded that they had to accept the work. Jobs, incomes or educational prospects could be in danger. The ILO's Committee of Experts has established that implicit or tacit threats of a penalty can constitute "psychological coercion". However, it is difficult to prove the existence of a credible threat when there is no clearly demonstrable penalty.

A diminishing trend of forced labour

In addition to a first quantitative assessment, Michaëlle De Cock's further surveys sought to elucidate trends occurring after the Government had extended its prohibition of child labour to the involuntary recruitment of employees of medical and educational establishments. A household survey covering the 2014 – 2015 harvests was based on interviews of with 3,500 persons, carried out first in August – September 2015 and then repeated with the same respondents in March – April 2016.

The survey concluded that a majority of the cotton pickers were attracted by the income from the harvest. Their share increased from 60 per cent in 2014 to 66 per cent in 2015. In the same period the number of reluctant cotton pickers decreased from 29 to 20 per cent.

The figure for involuntary or forced labour grew from 13 to 15 per cent over the two year period. One reason for this was that once children were prevented from participating in the harvest, pressure to recruit from other groups increased. The proportion of involuntary workers was equally divided between students, health and education personnel, and staff of other institutions and enterprises.

From 2014 to 2015 there was a considerable increase in workers who turned down the call to work. This seemed to prove that the message of not forcing people to the fields was getting through. In absolute figures, out of 3.2 million workers, 644,000 refused the work in 2014 while in the following year – with a total of 2.9 million workers – altogether 1.1 million turned down the offer. According to the survey, a majority of these "rejectors" reported that they did not suffer any negative consequences.

The results of the more detailed surveys showed that the voluntary pickers' productivity was high. Conversely, productivity dropped in the reluctant and involuntary groups of workers. It also was significantly higher during the first pass of the harvest, and fell by half during the later passes. Pickers recruited directly by the farmers were more productive than those sent by the *hokims'* networks. The survey concluded that with the provision of better wages and working conditions, workers that had been forced into the cotton fields could easily be replaced by voluntary workers.

The effect of the surveys

Making an explicit link between poor wages and working conditions and reluctance and refusal to pick cotton provided a significant basis for further arguments. The surveys proved that an overwhelming proportion of reluctant workers would be happy to pick cotton if pay and working conditions improved. The Uzbek civil society activists had for some time been saying that if wages were doubled, people would queue up to pick cotton.

The quantitative assessments were presented in detail at the 2016 roundtables. They provided a reality check. Some strongly held “truths” had to be reconsidered. Forced labour was more widespread than the Government had admitted, but the number of workers exposed to conditions covered by the forced labour Conventions was lower than the international campaigners had claimed. With the true causes of forced labour identified, and accurate figures showing its extent established, it was possible to conclude that the problem could be resolved entirely.

By viewing involuntary work against the background of wages, working conditions and also productivity, cotton harvest labour could be seen on a descending scale from voluntary and productive, through reluctant and less productive, down to involuntary and least productive. Those in the involuntary contingent, between 10 and 20 per cent of the labour force, required targeted action to prevent them receiving direct or indirect threats or being required to pay for a replacement.

To move ahead, it was essential that donors, development partners and the diplomatic community in Tashkent shared this assessment, which was emerging already before the policy changes under President Mirziyoyev started taking place. The major conclusion that voluntary workers were productive enough to collect the whole harvest, thus obviating the need to use involuntary workers, was first expressed in three succinct paragraphs in the 2016 monitoring report. It became a cornerstone of the later assessments of the harvest.

Apparently the figures of straightforward coercion were lower than some of the Uzbek partners had feared. The quantitative analyses were not contested and alternative figures were not advanced. After the completed survey was published in 2017, Ms Narbaeva called the ILO’s analysis “objective”.

Satisfaction of the European Parliament

Towards the end of 2016, the European Parliament concluded that there were enough positive developments to approve the Textile Protocol, which had been held in abeyance since 2011.

At the hearing of the Parliament’s Committee for International Trade (INTA), in October, the ILO referred to the surveys which showed that a majority of the cotton pickers were voluntary and low wages and deficient working conditions were a major reason for any reluctance to pick cotton. There was no more large-scale child labour, and more people refused to pick cotton without reprisals. The ILO maintained that there was a distinct increase in the political will to eliminate forced labour, and that the problem was soluble.

The international Cotton Campaign organizations maintained their opposition. However, the Rapporteur Maria Arena, a Belgian socialist, had concluded that many of the Parliament’s conditions had been met. Child labour was no longer present and action to prevent forced labour was ongoing. The interim Presidency of Shavkat Mirziyoyev seemed to offer an opportunity for change. INTA members did not want to upset the dialogue that had been developing between the EU and Uzbekistan.

There was a three fourths majority in the full Parliament for approving the Protocol, which accorded EU exports most favoured nation treatment. As Uzbekistan already enjoyed the EU’s trade benefits, it actually gained little from the Textile Protocol, but the issue had become a point of principle for all sides.

The resolution of the European Parliament in December 2016 recognized Uzbekistan’s efforts to prevent child and forced labour and included several references to the contribution of the ILO. In March 2017, Uzbekistan ratified a Partnership and Cooperation Agreement with the EU which also covered bilateral trade in textiles.



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8. The reforms of President Mirziyoyev

In December 2016 Shavkat Mirziyoyev was elected President of Uzbekistan. His Presidency got underway in 2017 with signs of opening and reform. The President mended fences with neighbouring Central Asian countries and visited Russia and China. Relations with the United States were also announced as a priority. Foreign investment was welcomed and the European Bank for Reconstruction and Development returned to the country. Political detainees were released and travel restrictions eased. In May 2017, the United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, visited Uzbekistan for the first time.

The President announced a development strategy characterized by dialogue with the people. In 2017, a new presidential hotline received over 1.6 million questions and complaints. This was starting to look like the perestroika of Mikhail Gorbachev in the Soviet Union in the 1980s, which began with glasnost – transparency. Matters that had not been discussed or only whispered about before were brought out in the open. The national and local media became more assertive.

Among the first personnel changes that Mirziyoyev made was to appoint Tanzila Narbaeva Deputy Prime Minister. She had worked in his administration when he was Prime Minister and had had his blessing to become Chairperson of the FTUU. The 2012 and 2013 harvests had been preceded by instructions that Mirziyoyev had issued as Prime Minister, and Narbaeva had informed him regularly about the monitoring and discussions on child and forced labour.

As Deputy Prime Minister, Ms Narbaeva remained in charge of relations with the ILO. And indeed, this continued throughout her subsequent rise to the position of Chairperson of the Senate, where she ranks as the second highest official in Uzbekistan. She has addressed meetings in the European Parliament and led delegations to Washington D.C. for meetings with the World Bank and also, eventually, with the Cotton Campaign.

Under Narbaeva's successor at the FTUU, Kudratilla Rafikov, the union reverted to a somewhat more traditional role, but the trade unions' self-effacing approach during the Karimov years was over. They continued their harvest monitoring, occasionally inviting international trade union observers to visit the cotton fields. Ministerial Decrees were issued, recalling that the FTUU shared responsibility for preventing forced labour, together with the Ministry of Labour, the employers and the Farmers' Council.

Aziz Abdulkhakimov, accessorially a skilled photographer of nature and historical sites, moved from the Labour Ministry to head the State Committee on Tourism. The former Labour Minister, Aktam Khaitov, returned, declaring that he was a changed person and enthusiastic to see reforms.

Disagreements with the Cotton Campaign

After the 2016 monitoring report, the ILO found itself in acute disagreement with the Cotton Campaign and, in particular, with Human Rights Watch. They considered that the report painted too rosy a picture of the situation and thus presented both the Government and the World Bank with a clean bill of health.

The campaigners were also concerned that identifying a category of reluctant cotton pickers, as the ILO had done, could undermine the definition of forced labour. Some campaigners again questioned the true independence of the FTUU, which had been accompanying the ILO's monitors. This reignited a discussion about the independence of the ILO's monitoring.

Once the European Parliament had approved the Textile Protocol with Uzbekistan, the one forum left where the Campaign could apply pressure was the World Bank. Human Rights Watch objected to the Bank approving another loan for Uzbekistan, and it suggested that the monitoring by the ILO should be discontinued. With its international visibility and authority, Human Rights Watch was probably the best placed organization to influence members of the Bank's Executive Board. The loan was approved but the Executive Directors representing the United States, the United Kingdom and the Nordic countries abstained, with Australia opposing. Some Board members expressed concern that the ILO's monitoring method did not guarantee impartiality.

In early September 2017 a delegation from Human Rights Watch, which had been expelled from Uzbekistan by the Supreme Court in 2011, visited Tashkent for discussions with high-level government officials. The discussions led to the organization resuming its principled engagement with Uzbekistan. Its subsequent assessment of the reform process was cautiously optimistic, and the earlier doubts about the ILO's forced labour monitoring were not repeated. On the ground again, it began to cooperate with the ILO's team in Uzbekistan.

Jonas Astrup, who had been working for the ILO's Better Work programme in Asia, took over the third-party monitoring/feedback mechanism project in Tashkent in the Summer of 2017. He continued to be assisted by Oxana Lipcanu, who had participated in the earlier monitoring and had been taken on to work with the project in 2016.

Civil society activists

The ILO and the World Bank continued to consult with the civil society activists who had been reporting on cases of child and forced labour for several years, and whose harassment by the authorities had been highlighted in international reports. In the summer of 2017 the activists recognized that change was taking place in the country but its extent was still difficult to assess. Children were no longer sent to the fields, but they had been replaced by students. All of the activists wanted the ILO to continue its monitoring.

These civil society activists in Uzbekistan were not a homogenous group and were not organized in the true sense of the word. But for the Cotton Campaign, they were an important source of information. The ILO had also reported information provided by the activists, referring to it as issuing from "other" and "civil society sources" and social media. Indeed, the activists were an indispensable source as they provided the bulk of the information used by the Cotton Campaign. Some of the incidents they reported were fully validated. However, for the Government, they were anything between a nuisance and terrorists.

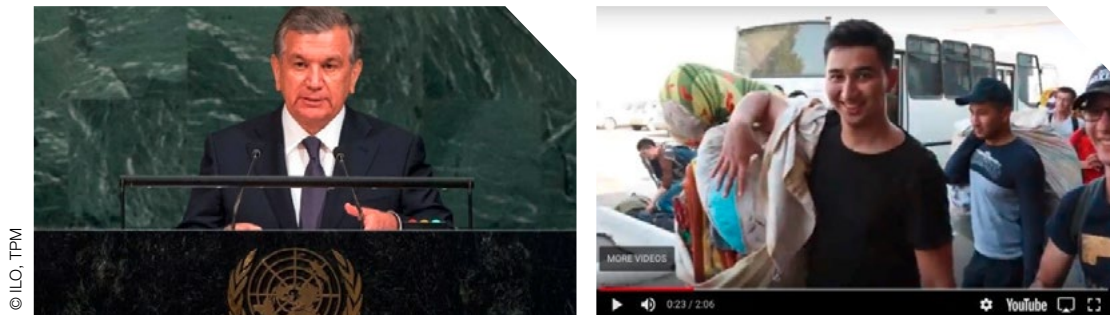
The ILO frequently advised the Government to abstain from action against the activists. Security forces had cracked down on informal training by international NGOs on ILO Conventions, maintaining that only the ILO should be allowed to carry out such activities. The ILO responded that international labour standards were public goods which could only be fully applied when each and every citizen had the right to express concern in their regard. True, international labour Conventions had been confidential documents in the Soviet Union, but that time was now over.

Signalling change

September 2017 provided a watershed moment for the action against child and forced labour in Uzbekistan. President Mirziyoyev spoke at the opening session of the United Nations General Assembly in New York. His speech included the following statement: "In cooperation with the International Labour Organization, we have taken effective measures to eradicate child and forced labour." Mirziyoyev then had a meeting with the President of the World Bank, Jim Yong Kim, who pressed him to promise that the elimination of child and forced labour would be carried through and would involve unhindered monitoring. By all accounts, the discussion was what diplomats call "frank and open".

The day after the President spoke at the United Nations, the Prime Minister of Uzbekistan issued an order immediately recalling all students and medical and education personnel from the harvest. Nearly a fifth of the cotton pickers were woken up in the morning and told to pack their bags. Students and teachers returned to their classes.

The Government's actions resembled some of the methods Mikhail Gorbachev employed in attempting to reform the soviet system. Their purpose was to signal beyond doubt that old habits must change.



Reform through sweeping action to implement centralized orders can be as messy as large-scale mobilization. Preventing the use of underaged cotton pickers had been simple compared with undoing arrangements that sent adult workers to the fields. Instructions were given to stop using coercion and avoid recruiting risk groups, but little was said about how this should be done. The immediate result was a large degree of confusion.

Local officials were scrambling for alternatives, knocking on doors, asking people to agree to come to work and, in some cases, reminding them of their patriotic duties. Promises were made to families: "We'll not forget you if you help now" – which of course implied that they would not be forgotten if they did not get involved either. After a while some students and teachers found themselves picking cotton again.

Ms Narbaeva said on national television in October 2017 that anyone asked to pay for a replacement to pick cotton should report it to the authorities. In discussions with the ILO she pointed out that such practices were corruption and were not the direct result of government action. No established replacement fee existed. The civil society activists explained that such arrangements involved a lot of individual bargaining and quid pro quos.

Results of the 2017 monitoring

During the 2017 harvest, 3,000 interviews were conducted by 11 international monitors during unannounced visits to cotton fields, schools, clinics and enterprises. The FTUU was involved in order to help with access to the sites, but its representatives did not participate in the interviews. Just as before, the ILO's monitors transmitted the data to the team leader in Tashkent.

The ILO's surveys could now be used to complement field monitoring. Jonas Astrup and Oxana Lipcanu suggested conducting a random telephone poll during the harvest, and Ms Narbayeva gave her agreement to this experiment. When it was carried out, the poll of 1,000 persons indicated that 87 per cent of pickers were voluntary while 13 per cent had been forced to engage in the harvest. Of this involuntary group, a fifth said that they had done so under expressed threat of penalty. However, wages had been generally increased, and the pay was higher for the later passes when there was less cotton available.

The feedback mechanisms also provided more concrete information. The FTUU Legal Clinic reported 121 queries or complaints linked to the cotton harvest. None was on child labour; 15 concerned forced recruitment; and the largest amount were queries on labour rights. The hotline of the renamed Ministry of Employment and Labour Relations gave similar results: of the 157 calls related to the harvest one was on forced labour and a third sought legislative information. As a result of investigations 14 local officials and heads of institutions were sanctioned and three *hokims* were dismissed.

President Shavkat Mirziyoyev, stressed the cooperation on child and forced labour with the World Bank and the ILO at his speech at the United Nations General Assembly in September 2017.

Students, returning from the cotton fields after having been recalled by the Prime Minister in September 2017



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9. Civil society dialogue widens

On 15 November 2017, a meeting between the civil society activists and the first Deputy Minister of Labour, Erkin Mukhitdinov, was held in the ILO's project office in Tashkent. It was also attended by the World Bank and Human Rights Watch representatives. Jonas Astrup had informed Mukhitdinov, who had been appointed Deputy Minister of Labour by President Mirziyoyev, that the ILO would be seeing the activists. Mukhitdinov said that he would join the meeting. He arrived well prepared, with files on the incidents raised by the activists and ready to address each of them. At the end of a two-hour discussion Mukhitdinov promised that exchanges between the Government and the activists would continue.

The activists had not been told in advance about the Deputy Minister's participation, and neither had his presence been definitely confirmed to the ILO. Steven Swerdlow of Human Rights Watch called the meeting a "positive shock".

Mukhitdinov emerged as the point person for the Ministry's contacts with the civil society. Later in November he met with the Director of the Uzbek-German Forum for Human Rights, Umida Niazova, at ILO headquarters in Geneva, but she declined his invitation to return to Uzbekistan. Administrative arrangements could not be made in time for Mukhitdinov personally to attend the IV Global Conference on the Sustained Eradication of Child Labour, which was being held at the same time in Argentina. However, the Conference received a pledge from Uzbekistan that the Government would engage with independent civil society groups in pursuing the aim of abolishing child and forced labour in the country.

For a while the Government preferred the ILO to facilitate dialogue with the activists. Until that point, it had seemed more probable that the Government would engage with the international Cotton Campaign rather than change its negative attitude towards its domestic critics. At the 106th Session of the International Labour Conference (2017), the ILO brought the coordinator of the Cotton Campaign together with the tripartite Uzbek delegation (Narbaeva, Abdukhakimov, Shaykhov). Yet towards the end of the year, the Government was reaching out to activists at home, while the Cotton Campaign still hesitated on how to respond to the changing situation. Human Rights Watch returned, but in 2017 there was no Cotton Campaign delegation to Uzbekistan.

New monitoring arrangements

The dialogue between the Government and the activists was gradually institutionalized, with the latter being invited to attend the National Coordination Council against Child and Forced Labour, chaired by Ms Narbaeva, as observers. Once dialogue had become the accepted approach, it was logical to involve the civil society activists in the monitoring. This had been one of the original demands of the Cotton Campaign, and the ILO's monitoring offered a unique opportunity to do so.

Thus, for the 2018 cotton harvest the ILO's eight international experts were accompanied by local activists and experts. Some activists were on the monitoring teams while others served as consultants to the ILO's team leadership.



Prior to the harvest, the to-do list discussed with the Government included prosecuting persons who had been found coercing people to work through threats or requesting payments. The Government admitted that reported recourse to inappropriate language and verbal and physical abuse of cotton pickers called for sustained work on management culture. In fact, a number of the incidents that the international media highlighted had been more about abusive treatment of workers by their superiors than outright forced labour. A Deputy Prime Minister who publicly humiliated farmers was duly and publicly dismissed from his functions, just as the case was gaining international attention.

The Labour Code was clarified to exclude cotton picking from temporary work to which the 60-day transfer rule applied. This action had been recommended by the ILO's Committee of Experts.

The process was supported by the dynamic approach adopted by the new Minister of Labour, Sherzod Kudbiev, who indicated that the ILO should conduct monitoring in the way it saw best. "We are not going to interfere with the process or the results", he said. This position, together with the changed attitude to the civil society activists, meant that detailed to-and-fro negotiations on how the monitoring was to be carried out were no longer needed.

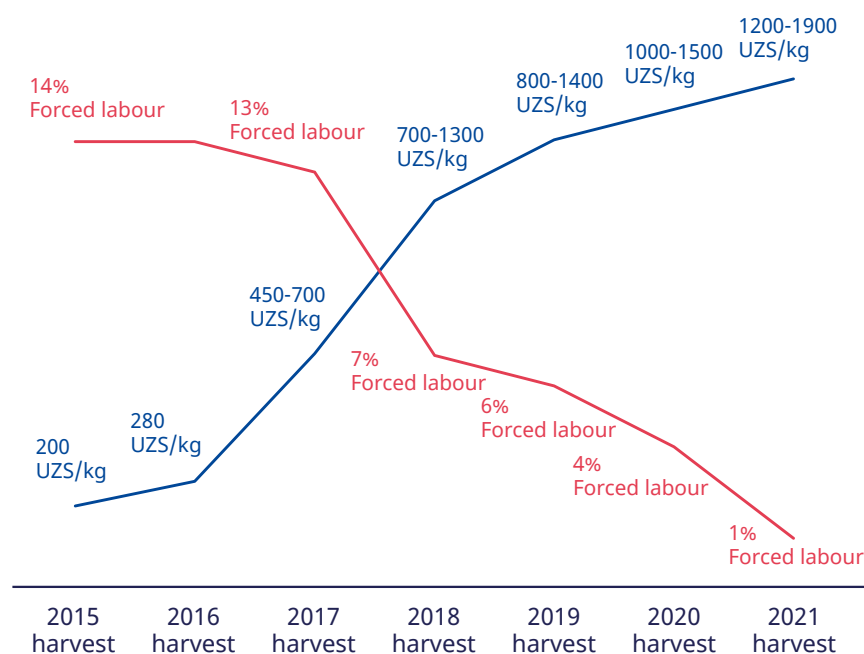
Kudbiev had previously headed the Ministry's scientific centre. As Minister, he invested in the opportunities that the Decent Work Country Programme and cooperation with the ILO's experts from the subregional office in Moscow provided. This extended from strengthening labour inspection to employment policy, skills training, occupational safety and health and fair recruitment practises. Since 2018 Deputy Minister Nodirbek Yakubov has been in charge of labour inspection. First Deputy Minister Erkin Mukhitdinov has continued to assist with the potentially sensitive issues to which monitoring with the civil society activists could give rise.

Alisher Shaykhov returned to diplomatic service and was replaced by a knowledgeable former Deputy Prime Minister and Minister of Health, Adkham Ikramov. A new Employers' Confederation was set up in order to remove a linkage which the CCIU still had with state structures.

Measuring the impact of reforms

The 2018 monitoring report maintained the earlier finding that reforms were having an impact: child labour remained sporadic and forced labour was not systematically exacted by the authorities. Wages had been increased and their upward trend contrasted with a reduction of the number of involuntary workers. The report estimated that forced labour had been cut to almost half from the previous year. The share of involuntary workers was established at 6.8 per cent which, however, still amounted to some 170,000 people.

► THE TRENDS OF WAGES AND FORCED LABOUR 2015 – 2021.



The ILO's monitoring project followed annually the relationship between the increase in wages (paid per kg. of picked cotton in Uzbek soums) and the decrease in forced labour. The chart covers the whole period of monitoring for the World Bank up to 2021.

By 2018, the feedback mechanism of the Ministry of Employment and Labour Relations had become the foremost channel for complaints. Labour inspection had been significantly strengthened, with 200 labour inspectors now surveying the harvest. The Ministry had overcome the lingering effects of having earlier been a junior partner to trade unions, which had held the ruling hand over government labour authorities in soviet times.

The 28 lawyers in the FTUU Legal Clinic received 557 complaints. A natural division of labour between the two feedback mechanisms was emerging. Labour inspection dealt with violations of law, and forced labour was criminalized the following year. The FTUU transmitted complaints to the authorities and engaged in solving disputes over unpaid or inadequate wages and other workplace complaints.

The post-harvest roundtable in November 2018 was very different from the earlier ones. It was no longer a deliberation around a ballroom-size table – it had become a Davos-style public information event, moderated by a journalist, Navbahor Imamova of the Uzbek service of the Voice of America. Speakers, who rotated in groups on the podium, included high government officials, ambassadors and representatives of the ILO, the World Bank and other international organizations in Tashkent. For the first time, both civil society activists and the Cotton Campaign expressed their views at the roundtable. Many of the activists present had earlier experienced both harassment and imprisonment.

The President and trust

In December 2018, the Director-General of the ILO, Guy Ryder, visited Uzbekistan. A meeting with President Shavkat Mirziyoyev was sandwiched in between his travels in the country. At the outset it was to be a 20-minute discussion in the airport VIP area, but in the end, the discussion took well over an hour. Mirziyoyev expressed his gratitude to the Director-General that the ILO had trusted in its partners in Uzbekistan at a time when others did not.

He described the aim of his national strategy as opening up the country by turning to the people and stressed the importance he assigned to the social aspects of reforms. The last two years had been difficult and there were more challenges ahead. Guy Ryder replied that the ILO had also been criticized for its engagement; it was important that Uzbekistan had allowed those with critical views to participate in the cooperation that had developed out of the initial monitoring of the cotton harvests.



The Director-General of the ILO visited Uzbekistan in December 2018. On his left is Ms. Narbaeva, on his right Minister Kudbiyev, and standing the ILO's Regional Director for Europe and Central Asia, Heinz Koller.

High-level tripartite panel in Tashkent. From the left President of the Chamber of Commerce and Industry, Adkham Ikramov; ILO Director-General Guy Ryder; Prime Minister Abdulla Aripov; Minister of Employment and Labour Relations Sherzod Kudbiyev; and Chairperson of the Federation of Trade Unions, Kudratilla Rafikov.



▶ 10

10. Restructuring of farming

At this stage of the narrative, it is necessary to look at the evolution of farming since the transition from the soviet period began. Independence in 1992 theoretically undid the collective farm system, but in practice little changed as the use of land remained under state control. A dual system developed, where production at large farm units was regulated by state instructions, while small *dekhans* of around 1 hectare could make free use of their land. By 2019 the larger farms were technically bankrupt, but the *dekhans* produced some 90 per cent of the available meat and vegetables. In the Soviet Union, a similar share of food products had come from the private plots that the collective system allowed.

Mechanization was not the silver bullet hoped for at the time when the complaints on child and forced labour started. Ambitious targets for mechanization were announced, and in 2015 the World Bank provided Uzbekistan with nearly 200 cotton harvesting machines. However, over the next two years only a percentage or two of cotton was harvested by machines. There were several reasons for this. It was unclear who owned the machinery, and available equipment was used for other purposes. Moreover, the quality of machine-picked cotton was not satisfactory, and workers had to collect cotton left behind in the fields by machine harvesting by hand. The planting of cotton should have been configured differently to make better use of machines. Mechanization was not reaching distant and lower yield fields, where involuntary pickers were more frequent at the end of the harvesting season. And, of course, labour continued to be available.

The Government began to experiment with a new way to organize cotton farming. Ms Narbaeva referred increasingly to “textile clusters” where the Government allocated land to a private investor who committed to producing cotton, either directly or through contracts with farmers. The Government also established processing plants and manufacturing facilities. It was logical to aim at exporting textiles and garments instead of raw cotton. In 1992, cotton had amounted to 90 per cent of Uzbekistan’s exports. In 2016, it was down to 3.4 per cent.

The first cluster was set up on an experimental basis in the Navoi region in 2017. The results were encouraging: farms increased their profits, investments were made and textile and garment export products grew fourfold. A pilot cluster was established in each region in 2018.

By 2019 in the Tashkent and Navoi regions all cotton was produced by the clusters. Yet as long as the Government established production quotas, the clusters could not decide when to start and stop harvesting and labour was still allocated to them by *hokims*.

The clusters also boosted mechanization. Machines only started making a difference when the conditions for production evolved, including removing the government quota system. By 2020 machines harvested 5 – 10 per cent of the cotton. The machines finally began to show that they were more effective at harvesting than workers who were obliged to work. This widened the scope for cotton harvesting which is demonstrably free from labour abuse. With a delay of nearly a decade, the expectations placed on mechanization started looking realistic.

Centennial of the ILO

The International Labour Organization, founded in 1919, celebrated its centenary in 2019. At the International Labour Conference in June that year, a thematic forum on child labour was held. It featured Ms Narbaeva as a keynote speaker. Two weeks after the Conference Ms Narbaeva was elected Chairperson of the Senate, the Oliy Majlis, making her the second highest official in Uzbekistan. Despite taking up this new role, she indicated that she would continue to oversee relations with the ILO.

In November 2019, Uzbekistan ratified the ILO Labour Inspection Convention, 1947 (No. 81), and Labour Inspection (Agriculture) Convention, 1969 (No. 129). Earlier in the year, the country had ratified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and the Protocol of 2014 to the Forced Labour Convention, 1930.

Monitoring during the 2019 harvest was mentored by four international ILO experts. Local monitors recruited from the civil society activists were given a crash course on how to interview cotton pickers and deal with local authorities with whom some had earlier had trouble. Occasionally men had to be told to be more polite and women encouraged to be less humble.

During the harvest no large scale forced engagement of adult students, their teachers and medical personnel was observed. Voluntary recruitment was driven by higher wages and material incentives. Textile clusters had raised wages above the general level and working and living conditions had improved, especially in the clusters.

The 2019 telephone poll put the percentage of those who could definitely be categorized as being in a situation of forced labour at an estimated 6 per cent - altogether some 100,000 persons.

When progress is recognized, problems that persist inevitably come into a sharper focus. Local implementation of the Government's instructions remained uneven. Involuntary recruitment through educational and other institutions, enterprises and the *mahalla* had still taken place. Payments for replacement workers continued to be exacted. Military conscripts were seen picking cotton, a clear violation of the ILO's forced labour Conventions.

In some provinces there were mismatches between supply and demand of workers. As production quotas still remained in force, problems arose, especially towards the end of the harvest. Inadequate living conditions and medical care as well as misunderstandings about wages, bonuses and transport costs were observed. Drinking water – which remained a primary concern – was not always provided in sufficient quantity, and sometimes the cost of food was deducted from the wages. Cases of gender-based violence were also reported.

The number of labour inspectors had been doubled from the previous year to 400. They pursued a growing number of cases, and fines had been increased tenfold. A total of 259 local officials and managers, including *hokims*, received sanctions in the form of fines, demotion or dismissal.



▶ 11

11. The COVID-19 stress test

The roundtable in Tashkent to examine the 2019 monitoring results was held in February 2020. All participants voiced satisfaction at the progress although the Cotton Campaign was still uncertain as to the true depth of the reforms. The pledge by companies not to source cotton from Uzbekistan remained in force.

A few weeks after the roundtable the world started closing down because of the COVID-19 pandemic.

National administrations and international organizations resorted to distance work and meetings. The annual International Labour Conference could not be convened, but the ILO held a virtual Summit in early July. In his remarks to the Summit, President Mirziyoyev referred to the development of social dialogue in Uzbekistan and the recent ratification of the Tripartite Cooperation (International Labour Standards) Convention, 1976 (No. 144). He underlined that measures against the COVID-19 pandemic should be undertaken in a “tripartite plus” manner, involving business, trade unions, non-governmental organizations, civil society and its institutions.

The harvest of 2020 was the first one following abolition of the cotton production quotas set by the Government. There was less need to send workers to pick the low-yield cotton towards the end of the harvest, which is when there was the most regular recourse to forced labour. More and more of the harvesting was carried out by the clusters that had been put in place progressively and now numbered 95.

The harvest still remained a huge effort with 15 per cent of the population between 18 and 50 years of age “invited” to participate in it. For 60 per cent of them, this was the only annual source of income, the equivalent of US\$150, which is more than the average monthly salary of a teacher in Uzbekistan. The pandemic had forced migrant workers to return, and more people were willing to pick cotton.

Most national and international missions, meetings and conferences had ground to a halt. Even the staff of international institutions, including the World Bank and the ILO, resorted to distance working. Sending a team of international monitors to carry out spot visits during the cotton harvest would have been out of the question. But even before the COVID-19 restrictions, the ILO had determined that it was time to transit to monitoring by nationally recruited experts.

Telephone surveys had become an integral part of the monitoring in 2017. Under the direction of the ILO team leaders 17 civil society activists conducted telephone interviews with 1,000 randomly chosen persons while a research company conducted a poll of 8,000 persons. The telephone interview responders received a one-month credit for their telephones while those who were interviewed by the research company were compensated for lost working time. The compensation was a requirement of the international independent review board which validated the survey methods. Earlier, in line with Uzbek traditions, ILO monitors had handed out token gifts, such as cooking oil, to interviewees.

Civil society activists were participating in the work of a new National Commission on Forced Labour and Commission on Forced Labour and Human Trafficking. Their organizations still faced problems with official recognition, but the Ministry of Employment and Labour Relations issued them official badges for the 2020 monitoring exercise. Some non-governmental organizations had received formal registration from the Ministry of Justice. For instance an activist, Azam Farmonov, represented his organization "Legal Base" at international ILO events in 2019 and 2020. In 2017 Farmonov, who had been designated a prisoner of conscience by Amnesty International, was released after 11 years of harsh imprisonment.

Remnants of forced labour

No systematic child or forced labour was detected by the monitors in 2020. In some provinces no evidence at all of forced labour was found that year. The scope for reasonably verifiable "forced labour-free" production had thus been further extended. In its own report on the harvest, the Uzbek-German Forum – and through it the Cotton Campaign – came to virtually the same conclusions.

There were isolated cases of child labour, and some signs of forced labour remained. Overall, however, forced labour had declined by a third and was now estimated at 4 per cent of the workforce.

The breakdown showed three distinct situations which each corresponded to a third of the total of the identified forced labour. One group had obeyed direct orders from local officials or managers; another had concluded that there was a credible threat of negative consequences; and a third had paid for a replacement worker.

No deterioration due to the pandemic

The system passed the stress-test of COVID-19. The pandemic had not caused sufficient disruption to provide cover for relaxing standards. Social distancing was generally observed. Protective equipment, disinfectants, food and drinking water were mostly available. The majority of those surveyed said that working and living conditions had improved from the previous year.

During the harvest the Ministry of Employment and Labour Relations received 790 complaints or queries. Labour inspectors confirmed 46 cases involving forced labour. A total of 46 persons were punished, and 5 *hokims* were given a reprimand which could be considered a final warning.

At the roundtable in January 2021, when the experiences of the harvest of the pandemic year were examined, the Ministry provided a breakdown of the cases that had been prosecuted. This conformed to the chain of command which had been identified by the ILO's surveys.

► **Enforcement of Labour Laws and Regulations**

Administrative fines (1 billion 142 million UZS) were imposed on 231 officials (in 2019-259) who allowed forced labor in 2020 and did not create decent working conditions in accordance with Articles 49 and 51 of the Code on Administrative Responsibility.

► The annual report of the Ministry of Employment and Labour Relations for 2020 published a detailed breakdown of the cases of forced labour, identifying the positions of the persons responsible for the violations.



Of the 180 complaints received by the FTUU legal clinic, 30 were allegations of forced labour. Most of the complaints were about wages being paid late or not in full, and the cases were resolved after the FTUU intervened.

The roundtable highlighted the extent to which the Ministry was pursuing the employment and labour market reforms that had been introduced over the past few years. In line with the logic of the 2013 roundtable, technical cooperation with the ILO had now been extended to include a variety of issues, in particular labour inspection, occupational safety and health, employment policy and tripartite cooperation. Consequently, the roundtables went well beyond the issues of child and forced labour.

One particularly important development has been the strengthening of labour inspection. In 2015 a modest group of labour inspectors provided the first indications of forced labour. In 2017, some 200 visits were undertaken by the inspectors during the harvest period, while in 2020 the total number of inspections was over 3,000. As of 2021, monitoring is to expand to silk, construction and public catering. Outside the cotton harvest labour inspectors have uncovered forced labour in these areas.

A tripartite Commission for Labour Affairs had been established after the ratification of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), with the chair rotating between FTUU, the Confederation of Employers' Organizations and the Ministry. One of its tasks is to examine the working conditions of cotton pickers and sample forms of temporary seasonal work contracts. Monitoring continues to show that there are differences in conditions of work, such as covering costs of food and housing, availability of water, etc., and the need remains to establish decent minimum conditions and clarify them in the recruitment process.

Back in 2016, the monitoring report had already noted that when recruitment is primarily done by superiors, they are generally not aware of working conditions. Recruitment should be done by professionally trained personnel in sufficiently regulated public employment services or private agencies.

Further developments

The pandemic did not disrupt cooperation between Uzbekistan and the ILO. Positive developments concerning the country continued to occur. An analysis was published on the impact of the ILO's strategy against COVID-19 in Uzbekistan. On the initiative of Ms Narbaeva, another report outlined a roadmap for tripartite constituents towards gender equality, education, employment and entrepreneurship.

Uzbekistan was elected to the UN Human Rights Council for the first time. At the Council's virtual high-level segment on 22 February 2021, President Mirziyoyev said: "Together with the International Labour Organization and the World Bank, we have worked hard to eliminate forced and child labour. This is one of the main achievements of our reforms."

In October 2020 the United States Trade Representative's Office closed the review of Uzbekistan's eligibility for trade preferences under workers' rights, which had been opened in 2008. It referred to the ILO's monitoring, the criminalization of forced labour and the abolition of cotton production quotas.

In April 2021, the European Union announced that Uzbekistan would join its system of trade preferences (Generalised Scheme of Preferences (GSP plus)). The decision was motivated by the conclusions on child and forced labour in the 2019 and 2020 monitoring reports of the ILO.

In a meeting in early September 2021 President Mirziyoyev he said that "it is no secret that in the past, when we say autumn, we first think of the cotton campaign". He noted that until recently, millions of people, "especially children, were mobilized 'voluntarily-compulsorily' every year to pick cotton. For three or four years now, teachers and students at school, doctors in the hospitals, scientists in the laboratory, students in the auditorium are busy with their work. - - In a historically short period of time, a completely new political, legal, socio-economic, scientific, educational and cultural environment has been created in Uzbekistan." In October 2021 Mirziyoyev was elected for a second term as President.



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12. Lessons learned

The process of eliminating child and forced labour in Uzbekistan can be seen from several angles. Since the onset of the monitoring of the cotton harvest by the ILO, the main story was actually no longer about child labour. The monitoring had confirmed that measures to prevent children from picking cotton were already well under way.

The more complicated issue was how to tackle forced labour. For a certain period, from 2014 to 2016, the success with child labour provided cover for the more time-consuming work of analysing forced labour. This was then combined with monitoring through telephone polls, which in turn showed a continuous improvement. However, the main factor since 2017 has been President Shavkat Mirziyoyev's policy change. Sometimes work on the ground and government policies clash with one another, but in this case they became progressively aligned.

As this narrative has shown, Mirziyoyev was already involved in crafting the decisions on child and forced labour before acceding to the Presidency. He signed the 2012 instructions which banned children under 18 years old from the cotton fields. He told the Secretary-General of the United Nations that the Government would prohibit the forced recruitment of medical and education personnel. As interim President, he intervened in cases of abuse during the 2016 cotton harvest. Ms Narbaeva had been a member of Mirziyoyev's cabinet when she was designated to revive the FTUU. She, in turn, kept Mirziyoyev closely informed about the negotiations with the ILO.

The necessity of entry points

Authoritarian regimes generally resist changing long-standing practices when the change can be seen as a result of external pressure. Trade boycotts tend to be written off as something driven by competitors' interests. Allegations of human rights violations are often denied or answered by pointing to abuses in the backyards of the most vocal critics. Any engagement has to get beyond these arguments and find entry points where international claims and national interests meet in a such a way as to produce tangible benefits.

In Uzbekistan, child labour monitoring became the entry point for a broader action on fundamental principles and rights at work and technical cooperation. The ILO engagement could bear fruit because it coincided with a period of change and an opening up of society.

At first sight, the problems of child and forced labour appeared to be massive. Yet monitoring and surveys showed that both were entirely soluble. Even more: solutions were both available and advantageous in terms of health, education and the productivity of the economy. The Chief of the Fundamental Principles and Rights Branch of the ILO, Beate Andrees, continually underlined this in both public debates and publications.

Recognizing that the more unattractive the work was, the less productive it would be, was thus linked to the occurrence of coercion. This showed that what was identifiably and undeniably forced labour had been the extreme end of decent work deficits in general.

When Ms Narbaeva was still chairing the trade unions, she occasionally noted that they were obliged to do much of the heavy lifting. This was yet another legacy of the communist hierarchy which placed trade unions above government ministries. In virtually all countries in transition, one of the challenges has been to strengthen the Ministries for Employment and Labour Relations which, under the former system, generally had a passive and reactive role. With the weakness of social institutions the trade unions had been agents of social protection, and by default this role continued long after transition had begun.

Strengths of the ILO approach

The ILO's methods and tripartite structure were successful in assisting the decision that Uzbekistan had made to eliminate child labour. They also opened the way to dealing with forced labour through surveys and tripartite dialogue.

The standards supervisory mechanism of the ILO defined the problem at hand on the basis of allegations from international employers' and workers' organizations. At the next stage, the engagement of these organizations with the constituents in Uzbekistan facilitated the way to technical cooperation for implementing the relevant ILO Conventions. It also boosted the ratification of the Conventions on freedom of association and tripartite cooperation.

The adoption of the 1998 Declaration on Fundamental Principles and Rights at Work and its Follow-up had enabled the ILO to accumulate greater experience of such cooperation. Tools for dealing with both child and forced labour were available, and there was potential for donor financing. Outside the ILO such tools, for instance social auditing, are used by private agents who are unlikely to partner with government.

Child labour monitoring and the Government's commitment to cooperation on forced labour were duly welcomed by the Committee of Experts. When things kept on moving in the right direction on the ground, the international employers' and workers' organizations saw no urgent need to bring the issues back to the International Labour Conference.

The contribution of the World Bank

It is tempting to consider to what extent the efforts of the ILO would have produced results without the partnership with the World Bank.

Cooperation between the ILO and the World Bank in Uzbekistan can be seen as validating the "Singapore Consensus", which the Ministerial Meeting of the World Trade Organization adopted in 1996. The objective was to ensure that labour standards would remain in the domain of the ILO and not enter trade policies. But the Consensus also instructed international organizations, when confronted with allegations of serious labour rights violations, to cooperate with the ILO.

Occasionally, since the 1990s, it has been said that the ILO "lacks teeth". Its standards supervisory mechanism produces detailed prescriptions for remedying violations of international labour standards but lacks enforcement power. This has created an image of a "paper tiger", and seriously underestimates the ILO's potential. The "Singapore Consensus" implies that while labour standards belong to the competence of the ILO, other organizations have a role in using the "teeth" which it provides.

The World Bank was a willing partner. Confronted with an issue within the ILO's competence, it opted to deal with it through a partnership with the ILO. Its knowledge on agriculture and the economy was valuable and its millions of dollars of project funding could not be ignored. The World Bank had access to high-level policy makers, and true to the habit of bankers, it was used to arguing more directly than labour experts normally do.

What was crucial was that the Bank remained involved when its arrangements with the ILO were singled out for criticism by the international Cotton Campaign in 2017. The World Bank retained its position that the ILO was the internationally recognized "gold standard" on labour issues. Had the Bank then withdrawn from Uzbekistan, there is little to indicate that the changes which have since been rendering forced labour obsolete in the country would have taken place in anything resembling the current time scale.

The two Organizations could have a high impact together when both built on their experiences and reached out to their respective partners in government and society. Both the World Bank and the ILO held pieces of the puzzle to be completed before moving forward.

It was a learning process for the World Bank, too. Its management entered the exercise expecting that it, and the Government, could generate pressure for a zero-tolerance situation where no child or forced labour would be found in the cotton fields. As this proved to be unrealistic, the Bank transitioned to the longer-term developmental position which the ILO had held all along. In turn, the Bank's expertise regarding economic, financial and agricultural issues provided a context in which the ILO could successfully shape its recommendations to the Government.

Neither the ILO nor the World Bank operated in an international vacuum. The United Nations system played a role, and diplomatic representations in Tashkent took place throughout the process. The outcome has been a case study of the benefits of cooperation within the multilateral system. At the same time it has been a concrete example of how to promote the United Nations Sustainable Development Goals, and in particular that of decent work. As this monograph has explained, once Uzbekistan made the political decision to engage, it very quickly invited all the partners to the regular roundtables to examine the evolving situation.

Dialogue around the table

In addition to the fundamental role of labour rights, the reform process in Uzbekistan validated the ILO method of social dialogue. The process went from a dialogue between Uzbekistan and international organizations to a national dialogue between economic, political and social actors.

When Uzbekistan ratified the Worst Forms of Child Labour Convention, 1999 (No. 182), the Government's implementation programme included arranging roundtables. Thereafter, they became a standard working method. The method involved advancing by stages, starting with a joint examination of issues on which there did not always appear to be shared thinking. At a roundtable the participants are not required to reach a negotiated outcome on the spot. The roundtables became aligned with the annual harvest cycle, and improvements could be regularly measured. They also kept up momentum as there was an expectation that each roundtable would be able to document new improvements.

The Government used the roundtables to issue important announcements. In 2015, there was the prohibition of forced recruitment of medical and education personnel. At the February 2020 roundtable, the Minister of Agriculture announced the abolition of the cotton production quotas.

The roundtables were preceded by bilateral discussions and joint informal meetings, where conclusions were examined in their raw and tentative form. The findings were adjusted or qualified, paying attention to everyone's red lines and the need to adjust to new facts. The red lines were drawn on flip charts or were projected onto screens; but after the conclusions were rewritten they still remained indelibly printed in everyone's minds. When more polished and nuanced conclusions were offered, the key participants knew what was behind them. At times, the ILO team was adjusting its latest presentation on the eve of the main roundtable, while Ms Narbaeva was pacing around the hotel lobby, somewhat nervously.

When the surveys started defining the practice of forced labour and producing figures, conclusions were first viewed in an "inner circle" of the tripartite constituents and then with international partners and the donors. However, it was not necessary to have them explicitly validated.

Dialogue was subsequently extended outside this circle, in particular to the civil society activists and the international NGOs that had been the first to raise the problems. The method was compatible with the emphasis placed on dialogue under the reforms introduced by President Mirziyoyev, but it was pursued between the Uzbek partners and the ILO well before political change took place.

Messaging to guide action

The reports on either monitoring or survey findings did not dwell extensively on negative aspects. The main focus was on what could be done to prevent labour rights violations. Throughout the process, Ms Narbaeva asked the ILO to concentrate on proposing solutions. This called for a transition away from the semi-judicial approach of the ILO's standards supervisory mechanism, but it fitted well with the technical cooperation approach.

The original assessment was based on the claims of an international campaign which relied on domestic sources. As this implied criticism of the policy and practices of the State, it is not surprising that the State wanted to find a way of remedying the situation with as little repetition of the criticism as possible. States accused of using forced labour usually resist calls for publicly acknowledging it. However, they can at the same time be perfectly willing to discuss how to avoid it. Having explicit agreement on the findings that were presented was not a precondition for working further on them.

The ILO's internal report on the August 2014 roundtable, at which the surveys of forced labour were launched, noted that "the issue of trust by our Uzbek partners is of the highest importance. While as in all cases like this, we should regularly be testing its limits [...], trust and collaboration need to be maintained in this complex environment. The ILO needs to be seen as an honest broker who also has the responsibility of explaining different positions and expectations to all concerned."

Strategies and their implementation

There has been no shortage of plans and strategies in the former soviet republics. The tendency to issue detailed instructions is one of the legacies of the soviet system, which was heavy on planning but light on outcomes. Uzbekistan issued comprehensive action plans for the application of the ILO's forced and child labour Conventions Nos. 29, 105, 138 and 182. However, implementation of the stated intentions was much more hesitant.

The experience of child labour showed that centrally issued instructions to correct a phenomenon could be rapidly carried out when there was a clear objective and purpose. Orders regarding forced labour were more difficult to give, let alone implement. The actual degree and form of coercion had to be established before there could be workable instructions on how to avoid it. Once it could be argued that the harvest could be successfully gathered with a voluntary labour force, it was easier to work backwards to establish what impeded this.

The major part of the remaining forced labour is due to orders or potential penalties. It will most likely fade away as wages and working conditions make the work more attractive. The practice of making workers pay for a replacement, or asking employers to finance cotton pickers, seems to arise partly from local quid-pro-quo arrangements, but it should become unnecessary when volunteers are available.

Third-party monitoring and the feedback mechanism in retrospect

Monitoring proved to be successful in dealing with the issue to which it was originally applied: the elimination of child labour. What helped was that it was not a new concept for Uzbek society (except for the “third-party” designation introduced by the World Bank).

Applying monitoring to forced labour was a pre-determined choice which arose from the World Bank's commitments. On-site monitoring could be stretched to identify risks of forced labour but it could not produce concrete cases. The Government banned the forced recruitment of medical and education personnel in 2015, because it was public knowledge that they were risk groups. This was subsequently confirmed by the surveys, which revealed the precise nature of forced labour in Uzbekistan.

When surveys showed the profile and the tentative extent of compulsion, field monitoring could be complemented by random telephone surveys at the time of the cotton harvest. What started as an experiment in 2017 became part of the monitoring exercise.

Another significant side-product of monitoring on the ground was the outreach through awareness-raising sessions and seminars. Those were arranged during the harvest for target groups, from hokims down to virtually everyone involved. Literally thousands of people attended these events, and were thus exposed to the problems of child and forced labour. There was a logical sequence of action, starting with monitoring, which became guided by surveys, followed by involving civil society in the process.

Somewhat unexpectedly, the feedback mechanism turned out to be the channel which identified concrete violations of fundamental rights and enabled their prosecution. In the process the labour inspection system was significantly strengthened.

Monitoring by trade unions has continued; there is no duplication with labour inspection as it is natural for the FTUU legal clinic to intervene in cases of late or deficient payment of wages, abusive working conditions and local conflicts. The active role of trade unions is a reminder that in the soviet times, they were responsible for labour inspection. Recent government instructions have continued to emphasize that the FTUU shares responsibility for the social conditions of cotton pickers.

When it was said that the feedback mechanism was to benefit from “ILO facilitation”, no-one really knew what that actually meant in concrete terms. However, the facilitation turned out to be more than supporting the hotlines and helping to spread knowledge about them. It served to integrate civil society activists into the process.

The weight of history

The establishment of the cluster system has quickly resulted in the creation of a new framework for cotton production and processing. The clusters offer the benefits of integrated production from growing cotton to manufacturing it into finished textiles and garments for the world market. Clusters can significantly advance the way in which market mechanisms replace state direction and control over cotton production.

They have the potential to attract international investment. For example, foreign investors in Uzbek cotton production include an American family from Mississippi, which had been involved in cotton in the country since the early soviet years. A joint venture was launched in 2018 in Jizzakh province, with a production chain from the fields to exported textiles.

There is much potential for other reforms, too. In early 2021, the workers of the Indorama company set up an independent trade union, which was recognized by the management. Subsequently the union joined the FTUU, primarily because its members could then obtain social benefits which were still within the competence of the trade unions. In countries in transition, the social security role played by trade unions explains their continued prominence on the industrial relations scene.

These signs of promise have to be read against the pattern of the past which has weighed particularly heavily on agriculture in Uzbekistan. Reform can become a Scylla and Charybdis exercise of navigation between lingering old systems of control and the desire to force change through oligarchic market methods. In transition, cadres have to adapt to the new rules of the game which presuppose empowering all actors involved, in this case, also including the farmers.

Since the state-imposed quotas were abolished, Uzbek cotton has been produced under commercial production contracts. Yet apparently in 2020 the terms of the contracts – including penalties – differed little from earlier arrangements, and the farmers could only sell their production to the clusters. In the next stage of the reform the farmers must be given higher priority. Without a new contracts policy and practice, the latest stage of agricultural reform in Uzbekistan could again be weighed down by vested interests hanging over from an earlier period. Once the blight of involuntary labour has been removed, it would be a great pity if limitations placed on the farmers should become a major impediment to sustainable reform.

The track record of agricultural reform since 1992 is somewhat discouraging. It is to be hoped that the new structures will not duplicate negative features of a centralized system and instead give enough space for all actors concerned to apply market methods. It is also important that the outside world – players who are capable of influencing development – will support it and, for their part, finally undo the restrictions applied at the beginning of a largely successful campaign linked to cotton. Retaining those restrictions will give comfort only to those who rely on old and unworkable methods.

The ILO's forced labour surveys showed that successful initiatives have been launched in Uzbekistan, making it possible to profit from opportunities. For over ten years, brigades voluntarily constituted by women have taken part in the cotton harvest, with good results in terms both of wages and productivity. This provided an example showing how voluntary workers should be preferred to those reluctant to carry out tasks imposed on them.

At a relatively early stage in their establishment, clusters could be compared with the development of Export Processing Zones, which some decades ago were set up all over the world as engines of renewal. Some of them fulfilled their promise while others failed. Among the failures were those which became enclaves used by international "carpetbaggers" for short-term profits from tax incentives and low wages of unorganized workers. The successful ones integrated themselves with the local and national economy, providing expanded opportunities for work and production.

Campaigns and technical cooperation

I have made frequent reference to the Cotton Campaign, because it was the catalyst behind action to end child and forced labour in the cotton harvest in Uzbekistan. Its members were human and labour rights groups, apparel companies which boycotted Uzbek cotton, some trade unions and Uzbek activists in exile. One of the Campaign's main demands was involvement by the ILO, and it furnished the content of allegations submitted by the IOE and ITUC to the Committee of Experts. The ILO's supervisory mechanism regularly comes into play whenever a campaign is about labour rights and conditions of work.

The Cotton Campaign made a certain number of demands to the Government of Uzbekistan: involving the civil society activists in monitoring, suppressing practices of forced recruitment, punishing guilty parties, abolishing production quotas and removing administrative constraints on the farmers. To a significant extent these goals have been met.

Both the Government and the civil society activists made this point to the Campaign. In February 2019 Jonas Astrup and Oxana Lipcanu accompanied a delegation from Uzbekistan to Washington D.C. to meet with representatives of the World Bank, the United States Government, business and trade unions and also of the Cotton Campaign. Deputy Prime Minister Narbaeva headed the delegation, which also included Labour Minister Kudbiyev and prominent civil society activist Shukrat Ganiev.

Progress in human rights usually results from a civil society campaign. Each labour standard has started with a campaign, and standard-setting basically means transforming claims into law and practice. Universal voting rights, the eight-hour working day and the demise of apartheid have all transited from declarations, banners and posters to the process of making and implementing laws.

The nature of campaigns is different from technical cooperation. Campaigns are absolute - cooperation for development is incremental. The fundamental aim of both is to achieve change. But as the Director-General of the ILO, Guy Ryder, said in a discussion with the Cotton Campaign, work on the ground is messy, it is not done in laboratory conditions.

The role of campaigns becomes delicate when change starts to happen. A campaign has to maintain a healthy scepticism towards promises of change, in line with Lenin's dictum that trust is good but control better. A campaign must not allow mere process to be viewed as true change. But when change cannot be denied, campaigns face an existential question. Their ultimate success is that they are needed no longer. Determining when that point has been reached is anything but simple.

It is more than the question of whether the glass is half empty or half full – the question is how certain one can be that liquid will continue to flow into the glass.

This poses a dilemma when attempts are made to apply technical cooperation to solving problems which arise when fundamental labour standards clash with international trade and investment and result in such negative measures as trade restrictions and boycotts. When there are formal decisions, like on the Textile Protocol of the European Union, there is a way of determining when campaign mode should end. But there is no mechanism to adjudicate civil society and private corporate boycott action.

Arguing – as any negotiator would do – that cooperation provides benefits is difficult if the government concerned can retort that whatever it undertakes does not seem to be enough. The result can be political frustration which in turn affects assistance measures. Some reform processes have failed because mistrust has continued beyond the point where external support (including, importantly, political support) would have been essential for sustainability.

In such cases as South Africa in the early 1990s and the democratization of Myanmar (later unfortunately aborted), undoing international sanctions was an integral part of the negotiations. There were formal decisions by governments and international organizations on such sanctions. It is tempting – though probably unrealistic – to argue that when the standards supervisory mechanism of the ILO is used in a process where sanctions or boycotts by non-state actors are a decisive factor, there should be some provision for reviewing such sanctions or boycotts.

Epilogue

The results of the monitoring carried out during the 2021 harvest confirmed that cotton in Uzbekistan now is not produced by systemic or systematic child or forced labour. The wages were increased again, and a new system of minimum wages was established through tripartite consultations at the national level. Further bargaining took place in the clusters between cotton pickers and brigade leaders, who negotiated on behalf of the clusters. The result was that many clusters paid the pickers well above the minimum wages.

It was difficult to establish a percentage for forced labour in the 2021, as the occurrence had become rare. It did not register on any significant scale in the responses to the 11,000 interviews conducted by the ILO's third-party monitoring project. While it has been reduced to individual and exceptional cases, the national mechanism for detecting fundamental labour rights violations has been strengthened to a point where it can be reasonably expected to tackle them and bring those responsible to answer for their transgressions.

Uzbekistan has not only become as any other cotton producing and processing country. It has achieved significant results through its reform process and also the cooperation with the World Bank and the ILO. This is a good basis for reaping the benefits of this success while moving up the value chain, as a sourcing destination for textiles and garments. This has the potential of creating a huge amount of decent full-time jobs in this sector. The lessons from this transformation have already assisted modernization of agriculture in general. An engagement which in the beginning focused quite narrowly on monitoring became one of the drivers of change. Having played a role in assisting this renewal process, the ILO, the World Bank and other international organizations continue to have the responsibility of supporting in various ways Uzbekistan and its workers and entrepreneurs at the next stages of reform.



Annexes

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