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ILO High Level Mission Report on
the MONITORING OF CHILD
LABOUR
During 2013 Cotton
Harvest in UZBEKISTAN

For submission to the ILO Committee of Experts on the
Application of International Labour Conventions and
Recommendations - 2013

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MONITORING OF CHILD LABOUR
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BACKGROUND AND MANDATE

1. For a number of years the ILO supervisory bodies have been addressing comments and conclusions to the member state of Uzbekistan concerning the application of Convention No. 182 on the Worst Forms of Child Labour. In the application of Convention No. 182 cotton picking has generally been included on the lists of hazardous work prohibited to children under 18 years of age.
2. In its December 2012 session, the ILO Committee of Experts on the Application of Conventions and Recommendations made an Observation on Convention No. 182 in which it urged the Government to take immediate and effective time-bound measures to eradicate the forced labour of, or hazardous work by, children less than 18 years in cotton production, as a matter of urgency. It further requested the Government to provide specific information on the number and nature of violations detected specifically with regard to the mobilization of children less than eighteen years of age to work in the cotton harvest – disaggregating the information where possible by age and sex. The Committee considered it essential that independent monitors be granted unrestricted access to document the situation during the harvest. It further urged the Government to accept an observer mission that would have full freedom of movement and timely access to all situations and relevant parties, including in cotton fields, in order to assess the implementation of Convention No. 182 as called for by the 2012 Conference Committee on the Application of Standards. It strongly encouraged the Government to avail itself of the ILO technical assistance in respect of the situation in question.
3. In June 2013, during the ILO International Labour Conference, the Committee on Standards discussed the case of the application of Convention No. 182 in Uzbekistan with the representative of the Government of Uzbekistan. The conclusions discussed in the Committee

on Standards and adopted by the Plenary of the International Labour Conference on 20 June 2013 provide the specific mandate and framework for the current monitoring. The relevant paragraph reads as follows:

“The Committee noted the Government’s indication that it was willing to engage in broad technical cooperation with the ILO, which would consist of awareness-raising measures and capacity building of the national social partners and various stakeholders, and would also include monitoring of the 2013 cotton harvest with ILO-IPEC technical assistance. In this regard, the Committee requested the Government to accept an ILO high level monitoring mission during the 2013 cotton harvest, that would have full freedom of movement and timely access to all situations and relevant parties, including in the cotton fields, in order to enable the Committee of Experts to assess the implementation of the Convention at its 2013 Session. Noting the Government’s statement that it would be amenable to the terms of reference put forward by the ILO in this respect, the Committee urged the Government to pursue its efforts to undertake, in the very near future, a round table discussion with the ILO, UNDP, UNICEF, the European Commission and the representatives of national and international organizations of workers and employers”.

4. This report is submitted to the ILO Committee of Experts on the Application of Conventions and Recommendations pursuant to the above indicated mandate. The report has been prepared by the High Level Mission whose members were designated by the Director General of the ILO. They consisted of the following ILO senior officials: Kari Tapiola, Special Advisor to the Director General, Dimitrina Dimitrova, Director of the Sub-regional Decent Work Team for Eastern Europe and Central Asia, Constance Thomas, Chief of the Fundamental Principles and Rights Branch, and Deepa Rishikesh, Head of the Child Labour and Forced Labour Unit, International Labour Standards Department. The report is based on the information collected during the monitoring by the joint monitoring units of the Monitoring Team and the discussions and meetings held with the representatives of the government and social partners of Uzbekistan preparing for, during and at the conclusion of the monitoring process.

PREPARATION FOR THE MONITORING

5. On 17 July 2013 a roundtable discussion was held in Tashkent, Uzbekistan as a follow-up to the Conference conclusions. The roundtable was attended by ILO Officials from Headquarters, including the Standards Department and IPEC and ILO Specialists on International Labour Standards, Workers activities, and Employers activities from the Moscow Sub-regional Decent Work Team for Eastern Europe and Central Asia. The roundtable was also attended by representatives of the IOE, ITUC, the European Commission and UNICEF. The Uzbek participants were headed by the Minister of Labour and Social Protection, the President of the Trade Union

Confederation and the President of the Chamber of Commerce and Industries, Officials from various ministries, farmers cooperatives, trade unions, industry groups and NGO's. The roundtable was also observed by a number of representatives of foreign Embassies in Tashkent.

6. Following the roundtable an in-depth discussion on how the monitoring would be conducted took place on 18 July, 2013, between the above-mentioned Uzbek representatives and the, ILO, IOE and ITUC participants.

7. During the roundtable as well as the subsequent monitoring meeting, presentations on Decent Work, international labour standards, child labour, and international practices on the monitoring of child labour were made and discussed. The meetings were productive and reached the following agreements.

a. Joint ILO/Uzbek monitoring of the cotton harvest in 2013 would be carried out on the basis of a proposed document by the ILO on child labour monitoring regarding cotton picking in Uzbekistan. The ILO proposal for this action specifically set out the principles for monitoring: credibility, transparency, objectivity, reliability, validity, acting in the best interests of the child, and enhancing local observation. A description of these principles is contained in the monitoring manual attached to this report. The ILO would be responsible for conducting the monitoring teams which would be comprised of national and international members. At the end of the harvest, a high-level ILO mission should be available to examine the information from the monitoring teams and prepare a report to be submitted to the ILO Committee of Experts on the Application of Conventions and Recommendations.

b. IPEC activities in the country would be resumed. The monitoring could be considered to be the first activity to take place within the framework of a potential ILO IPEC country programme, which would support capacity building, advocacy, the development and enforcement of law and practice, and ensure the delivery of technical advisory services. This was to commence as soon as possible.

c. Subsequently, a comprehensive national cooperation programme could be developed in collaboration with the Sub-Regional Office and Decent Work Team covering Eastern Europe and Central Asia. Such a country programme would respond to the various elements put forward by the Uzbekistan tripartite delegation during the Roundtable.

PREPARATION FOR THE MONITORING

8. The ILO prepared a specific Child Labour Monitoring Manual, based on international practice adapted to cotton picking in Uzbekistan, prepared 9 forms and questionnaires to be administered during the monitoring, and set up a new software programme for the monitoring database. The relevant questionnaires are attached as Annexes A and B.

9. ILO IPEC engaged 10 international experts as international monitors to work with one international team leader. The international monitors were placed under ILO contracts and held UNLPs throughout the duration of the monitoring. These monitors were all experienced international officials having a range of expertise in areas of international labour standards, forced labour, child labour, child labour monitoring, occupational safety and health, statistics, trafficking, agriculture and labour inspection. All but two spoke Russian.

10. ILO IPEC set up a Monitoring Office in Tashkent in the premises of WHOM through the assistance of UNDP. The UN Country Team provided valuable support, advice and assistance ranging from security measures to the procurement of equipment. A local administrative assistant was hired to assist the Team Leader and the monitoring teams. UNICEF provided information on their past experience of spot checking for child labour in the two previous years. All relevant materials from laws to monitoring materials were translated into English, Russian and Uzbek languages. Telephones, laptops, cameras and GPS systems were provided for each international monitor. The ILO Sub Regional Office for Eastern and Central Europe and ILO IPEC at Headquarters worked together to provide essential administrative, technical and strategic guidance and support to the Monitoring Team, and in particular to the international monitors.

11. Throughout the preparation phase, the tripartite constituents in Uzbekistan provided assistance and good cooperation. A national Coordination (or Steering depending on the translation) Council was established to deal with child labour in general and it had the specific mandate to cooperate with and provide support to the monitoring. The Coordination Council was led by the Chairperson of the Federation of Trade Unions, and supported by the Deputy Minister of Labour and Social Protection, and the Chairperson of the Chamber of Commerce and Industries. The Coordination Council consists of representatives from the Ministries of Labour and Social Protection, Education, Foreign Affairs, Internal Affairs, the Women's Committee, the Center on Human Rights, the Board of Secondary and Vocational Education, the Makhalla Foundation and the ODM Kamelot. The Head and the two Deputies together with the ILO Team Leader and the Director of IPEC established a high level coordination group to trouble shoot and ensure smooth monitoring operations. To support the monitoring the Trade Union Confederation engaged an administrative assistant to provide logistical and administrative support to the Team Leader. The Coordination Council appointed 40 local monitors from the Ministry of Labour and Social Protection, the Trade Union Federation including the Women's

committees of the trade union, the Chamber of Commerce and Industries, and the Farmers' Association.

12. A training workshop was conducted by the ILO IPEC for all international and national monitors from 8 - 9 September 2013. A verification of the monitoring manual, forms and questionnaires was conducted in a cotton farm near Tashkent to ensure that that all questions were relevant, understandable and time appropriate. The country was divided into 8 zones with a joint monitoring unit assigned to each zone to ensure coverage of all the cotton producing areas in the country. (A copy of the map is attached in the Monitoring Manual, Annex A.).

13. During the week before the monitoring, logistical arrangements were finalized including engagement of local translators and drivers for each unit, two cars for each unit including four-wheel drive vehicles, identification badges for each monitor, and local accommodation arrangements were secured.

14. Soon after the outset of the monitoring activity, a further training and experience sharing workshop was conducted by the ILO IPEC for all international and national monitors in Uzbekistan on 14 and 15 September 2013.

15. Throughout the preparation process discussions were held with Uzbek authorities and the Coordination Council to facilitate the arrangements for the monitoring. The tripartite constituents provided useful assistance and good cooperation. An approach of capacity building, open communication, problem-solving and mutual respect resulted in good preparation and cooperation throughout the actual monitoring process.

MONITORING

16. On 11 September 2013 the monitoring commenced in all 8 established zones. Each monitoring team consisted of one international coordinator, one national responsible and four national members, an interpreter and two drivers. The monitoring process continued until 31 October 2013. The Prime Minister of Uzbekistan declared the harvest over on 25 October when the quotas for the cotton harvest were met.

17. An innovative monitoring method based on GPS coordinates was used by all units. The daily monitoring schedule consisting of several GPS locations was communicated to the coordinators each morning and throughout the day by the international Team Leader who selected these coordinates on a random basis. The medium of communication of the coordinates varied among telephone calls, SMS messaging and paper delivery. The unit coordinators were instructed to head out to the GPS coordinate locations and undertake site visits in the

surrounding areas. They also were instructed to stop along the way to undertake site visits. In order to reach certain sites, the monitors drove on highways, back roads, and dirt roads as well as sometimes even walked for several kilometers. The monitoring took place during the week throughout the day during daylight hours as well as on most week-ends. The purpose of this monitoring schedule was to ensure that visits were unannounced and as unplanned for as possible.

18. The monitors stopped at farms, schools, colleges, lyceums, and buildings within communities in the vicinity of the farms. They interviewed employers, farmers, adult farm workers, children found in or around cotton farms, teachers, school administrators, students, parents, community members. They took photographs of the various sites visited including the fields. The monitor units had unfettered access and were on no occasion hindered in their access to any cotton farm, school or community in any zone. The units where international borders were located in their zones faced some restriction in the immediate vicinity of the international borders. No report of non-cooperation was filed by any of the monitors.

19. The monitoring units covered approximately 40,000 kilometers across the country and they made 806 documented site visits across the 8 zones. The site visits were comprised of 406 farms, 206 households, and 395 places offering education to children and young people of which 275 were colleges and lyceums and 120 were secondary schools. They conducted 1,592 documented interviews.

20. During the site visits the monitoring units requested written documentation including identification papers, work lists, contracts of employment, payment slips, school attendance records, practical work experience placements, and course lists. When such documents were available they were used to verify observations and interview responses. Lists of students, practical work experience arrangements and work lists were followed up on for double-checking and verification. The monitors noted that in some districts, improvements would be needed in school record keeping. This concerns in particular school attendance; the work study programmes; and class schedules. It was also noted that in many districts lists of cotton pickers, including information on their age, were established at the local administrative level prior to the harvest; however, they may not have been kept up to date throughout the harvest season.

21. The monitors completed the forms and questionnaires for each observation, site visit and interview conducted. The international monitor of each unit entered the information into the database and sent it to the International Team Leader for review and entering into the collective database, which remained located in the ILO Monitoring Office. Each form and questionnaire was handed out in the morning and collected in the evening upon completion by the international coordinators of each unit. The forms and questionnaires did not contain information detailing the identity of any person interviewed or documented. The completed

written forms and questionnaires were kept only by the international unit coordinator until delivery to the international Team Leader, and they will remain in the safekeeping of the ILO. All were signed off by at least one national monitor and one international monitor. Results of the monitoring registered in the data base were shared periodically with the Head of the Coordination Council and with the ILO High Level Team.

22. The Team leader followed up numerous allegations, complaints and information in the social media concerning children picking cotton. Sometimes the monitoring units were unable to verify the social media information. On other occasions this information proved to be useful, relevant and verifiable. The results of these follow up visits are included in the overall monitoring results.

23. In addition to undertaking monitoring, the international monitors engaged regularly in local awareness raising and knowledge building activities in each of the zones. Over twenty seminars and trainings were held on decent work, international labour standards and child labour. They were carried out in farms, schools, colleges, trade union offices and a cultural centre. Participants included farmers, trade unionists, employer organization representatives, education administrators, teachers, local government officials as well as the local Mahalla council officials.

MONITORING RESULTS

24. Overall, the monitors reported 62 observations of children in the cotton fields. Of these, 57 were confirmed cases of children working in the cotton fields. Of them, 53 were engaged in picking cotton, which is an activity contained in the national hazardous work list and thus prohibited, in accordance with Convention No. 182. The confirmed cases were found in two zones, with 45 being found in one zone (Zone 4). Of the confirmed cases of children engaged in picking cotton, 21 were girls and 32 were boys. They were either 16 or 17 years of age. The children who were younger than 14 were not observed to be working. The summary charts containing the monitor reports on site visits, cotton fields and children interviewed are attached as an Annex C.

25. Where child labour was found and could be documented, follow up action was taken by the local authorities to ensure that the child was assisted and sent back to the educational institution, and in some cases reprimands, warnings or fines were issued against farmers and the responsible persons in the educational institutions. Such action involved the Chinaz Agro Industry and Entrepreneurship Vocational College, farmers in the Chinaz District, the Almayk Mining Vocational College, the Yangiyu Vocational College of Construction and National Handicraft, the Agro Industries and Transport Vocational College, Khavast Railway and

Transport Vocational College, Academic Lyceum at Jizak Polytechnical Institute, Zafarbad Agricultural Vocational College, a farmer in Khavast District and Khavast Vocational College. In all cases discussions took place with the labour inspector. In some of these areas, awareness raising seminars were also conducted with farmers and parents on the importance of not using or allowing the use of child labour.

26. The monitors followed up on four fatal cases of children that occurred during the cotton harvest period, as these cases received much attention in the social media. The information provided indicated that none of the deaths were directly related to picking cotton. The following information was obtained: On 9 September a 16 year old girl suffered an accident by stepping on electric wire while hanging out clothes to dry. On 15 September a six year old boy died from suffocation while asleep in a trolley full of cotton. A case of neglect is reported to have been filed. One death on 19 September involved a stabbing in the evening of one college student by another student. An investigation and criminal case is underway. On 20 October, a 16 year old college student died of natural causes listed in the medical examination report as something similar to choking. This incident is said to have occurred while he was visiting his uncle. The case has been closed. In speaking to those members of the family who would speak to the ILO, the international monitor could not confirm that there was a connection between the death and the cotton harvesting.

27. The monitors reported no closed schools or marked absenteeism in the secondary schools visited across all the zones. However, the monitors reported that there were 6 closed colleges in two zones and significant absenteeism in grades one and two of colleges in four zones. The reasons provided in interviews of school staff for the closure and high absenteeism in colleges was that they were closed for the cotton harvest but that students under 18 years of age had been reassigned to other classes or activities, or that they were closed due to an epidemic; high absenteeism was said to be due to students being on practical work experience programmes. These work/study programmes require students to be on work sites during school sessions at regular intervals. It was noted that the one zone where a relatively large number of children were found picking cotton corresponds to a higher level of absenteeism in the colleges in that same zone. The summary charts containing the monitor reports on places where children receive education are attached as an Annex D.

28. The monitors across the 8 zones reported a wide spread awareness of national instructions transmitted to and through the Mahalla, the local administrations, to not allow the use of children under 18 years of age in the cotton harvest. The monitoring units found that in some districts lists of those who would pick the cotton had been drawn up with indications of the age of each person. It was also noted that such lists often were not kept up to date and thus did

not include replacements of those on the original list or were not complete and did not include all individuals who actually were picking cotton.

29. In cases where children were found picking cotton, the response they gave to the question, “Who decided that you should be picking cotton this year?” was the following: “I did” by the vast majority. Other answers were “according to a joint decision taken by college students to pick cotton”; “helping the farmer by own wish and signing the Kafolat letter for school (college) director”; “duty or habit”; “I wanted to help my mother”; “relatives, friends”; or “teacher or college official”. In a number of cases the children gave their ages but did not agree to be interviewed, and thus no information could be recorded regarding the reason for their presence.

30. It needs to put on record that in a number of cases, the exact age of an individual found working on a cotton farm or picking cotton could not be ascertained or verified - for example whether the individual was 17, 18 or 19. While this was only a small percentage of those whose age was able to be verified it is important to mention. Consequently, only cases where the age under 18 years of age was clearly indicated, verified, or where its accuracy was agreed upon by all monitors, were counted as children verifiably working or children picking cotton. Only these confirmed results are reported in paragraph 24. The ILO Mission also recalls that a few colleges were reported to be closed or had high absenteeism. In this connection, however, there were no reports of visits to cotton field sites where large numbers of children together would have been found picking cotton. It is noteworthy from the monitoring that there were distinctions found among the zones, regions, districts and local administrations on levels of awareness of child labour and on the way in which the cotton harvest was organized.

31. It is necessary to emphasize that the monitoring carried out during the cotton harvest of 2013 concentrated on the scope of Convention No. 182. Consequently, the monitoring results cannot either establish or deny reported practices of forced labour of adults.

32. The ILO Mission wishes to put on record that there was good and productive collaboration and cooperation on the part of the national and local authorities in Uzbekistan in the preparation process and throughout the monitoring period. The monitoring process was robust and able to produce data upon which relevant results could be identified. The monitoring served to raise awareness on the issues related to child labour and decent work and build the capacity of local authorities and the tripartite constituents. The laws and instructions on child labour, and in particular the hazardous work list prohibiting any child under 18 from harvesting cotton, was generally being propagated in all the zones. It is obvious that the monitoring has helped to reinforce the importance of the application of the child labour laws and regulations in compliance with Convention No. 182. While the application of the law to not engage children under 18 years of age in the cotton harvest seems to be strengthening, there remain gaps in

practice. Some child labour still takes place during the cotton harvest but to a limited extent. It appears to the Mission that forced child labour has not been used on a systematic basis in Uzbekistan to harvest cotton in 2013. The Mission wishes to draw attention to the broader issue of how the over-all management of the recruitment and use of the labour force in the cotton harvest is conducted.

DISCUSSION OF THE MONITORING RESULTS

33. On 4 November 2013, a final consultation was held between the ILO High Level Team and the Uzbekistan Coordination Council. The results of the monitoring were presented to the Uzbekistan authorities and social partners for information, discussion and follow-up action. During the discussion the ILO Mission presented its understanding of the results and how they would be reported to the Committee of Experts. The ILO Mission expressed its gratitude and congratulations to the tripartite participants for their excellent collaboration and willingness to accept the monitoring mission, including the proposed working methods. It was made clear that while the ILO Mission would provide their assessment of the monitoring results, it would be up to the Committee of Experts to make its conclusions in its observation on the application of Convention No. 182 on the Worst Forms of Child Labour.

34. An active and engaged discussion took place between various members of the Coordination Council and the members of the ILO Mission. This allowed for comments and questions and also for concerns to be raised by all participants. It provided a good basis from which to begin discussions of follow up action in particular related to the establishment of an IPEC programme in the country which would include the further promotion of the implementation of Convention No. 182 and other related conventions. The Coordination Council expressed concern that any number of children was found picking cotton and gave assurance they would continue to work towards the elimination of all children under 18 years of age in the cotton harvest. They also expressed their willingness to continue to collaborate with the ILO to address child labour and the other related issues set out in the below paragraph. It was agreed that the Coordination Council would submit a statement of their views of the monitoring to the Committee of Experts.

OTHER RELATED ISSUES AND FOLLOW-UP

35. The monitoring during the cotton harvest was limited to the scope of Convention No. 182 as set out in paragraph No. 3 and reinforced in paragraph No. 31 above. Nevertheless the monitors were in a position to note other issues relevant to the mandate of the ILO. Importantly, among these issues are the framework and various practices under which the entire cotton production is conducted. This pertains to the campaign and recruitment of the labour force to harvest the cotton, the potential and consequences of mechanization on the labour market, and the realization of fundamental rights of the workers, including the respect for the effective implementation of Convention No. 105. It is understood that this will require comprehensive inter-ministerial support and action to fully address all relevant issues related to the cotton production and harvest.

36. Other areas identified for follow up include the awareness-raising on the ILO, international labour standards, the Declaration on Fundamental Principles and Rights at Work, and occupational safety and health. Technical advisory assistance and cooperation is needed to support tripartite mechanisms to promote social dialogue, and to improve the transition of school to work and promote youth employment in decent work.

37. The Mission wishes to put on record its gratitude for the cooperation with the representatives of Uzbekistan. In particular we highlight the significant contribution made by the Coordination Council under the leadership of Ms. Narbayeva, the Chairperson of the Federation of Trade Union Council, and the two deputies of the Coordination Council, Mr. Alimukhammedov, the Deputy Minister of Labour and Social Protection, and Mr. Alishershaykov, the Chairperson of the Chamber of Commerce and Industries.