

Cotton Campaign Roadmap of Reforms for Uzbekistan:
End Systemic Forced Labor, Enact Structural Reforms,
and Empower Civil Society

June 2019

This roadmap sets forth the Cotton Campaign’s recommendations to the Government of Uzbekistan at a pivotal point for efforts to end forced labor in the cotton harvest. It reflects significant consultations among Cotton Campaign partners and other parties—including governments, international institutions, and industry associations—with an interest and stake in a successful conclusion of this complex process of reform that is underway but incomplete.

The Cotton Campaign commends the historic commitment to reform made by President Mirziyoyev in September 2017 and acknowledges the subsequent significant progress in the 2017 and 2018 harvests towards ending mass, state-sponsored adult forced labor, which followed the elimination of systemic child labor in the cotton harvest. However, we observed that systemic forced labor persisted in the 2018 harvest due to the structural causes that remain in place. At the same time, the Cotton Campaign has been encouraged by the willingness of the Uzbek Government to engage, and its openness to consider our perspectives and recommendations since early 2018.

This roadmap sets forth a comprehensive vision to end forced labor in the cotton industry and ensure that reforms are lasting and sustainable. To achieve this overarching goal, it lays out three core objectives as set forth in the Cotton Campaign’s Definition of Success, presented in February 2019: end systemic forced labor; enact structural reforms; and empower civil society. It highlights eight key actions across the three core objectives and outlines specific outcomes for each action. The three core objectives are complementary and mutually reinforcing: systemic forced labor cannot be eliminated without the enactment of structural reforms; neither can be achieved without the empowerment of civil society to ensure transparency and accountability across every aspect of the reform process.¹

While some of the reforms outlined here require time to implement in full, the Cotton Campaign expects that further substantial, tangible, and measurable progress can and should be made towards each of the three core objectives in the 2019 harvest and beyond on a continuing and accelerating basis. Together with supporting apparel brands and industry associations, we will use this roadmap as the

¹ This roadmap draws on and intends to be consistent with the ILO Decent Work Agenda, which includes ILO fundamental conventions (all ratified by Uzbekistan), plus additional labor conventions ratified by Uzbekistan. The fundamental conventions are: C029 (forced labour), C087 (freedom of association), C098 (right to organise and collective bargaining), C100 (equal remuneration), C105 (abolition of forced labour), C111 (discrimination in employment and occupation), C138 (minimum age), and C182 (worst forms of child labour). Additional ratified conventions include: C047 (40-hour work week), C103 (maternity protection), C122 (employment policy), C135 (workers representatives), and C154 (collective bargaining).

basis for our further engagement with the Government of Uzbekistan and future consideration of the Uzbek Cotton Pledge. We will carefully evaluate progress towards the three core objectives, key actions, and the specific outcomes for each in our deliberations and decisions. For the 2019 harvest in particular, we will look for essential interim steps: good faith progress on the reform process; no mobilization of employees of public sector or private enterprises, agencies, or organizations to pick cotton; investigations into forced labor that go up the chain of command to hold officials to account; an end to punitive penalties on farmers for failure to meet quotas; and transparency around recruitment practices.

We look forward to comprehensive implementation of these important and urgent reforms. Success will not only end forced labor in the Uzbek cotton sector, but also benefit Uzbek farmers and workers as well as the economic and social development of the entire country. That will indeed be an historic accomplishment, toward which we hope this roadmap is a positive and constructive contribution.

I. CORE OBJECTIVE: END SYSTEMIC FORCED LABOR

Ending systemic forced labor in the cotton sector requires eliminating coercive mobilization practices to ensure that work is performed voluntarily without threat of penalty. Achieving this objective requires implementing measures to ensure that officials and/or enterprises, at every level cease compelling public and private sector employees, including those who receive public benefits, to pick cotton involuntarily or pay money to support the harvest. The government must ensure prompt, thorough, and impartial investigations into alleged violations; protect complainants against reprisals; strengthen accountability measures for forced labor violations; and ensure access to effective remedies for those affected. The government must also develop a fair, transparent recruitment system for temporary agriculture work that protects the rights of farmers and pickers. Additional measures must be implemented to help prevent forced labor when the risk is highest.

- 1. Key Actions: Cease the use of public or private sector employees to fulfill state cotton production mandates unrelated to those employees' jobs. Cease collecting money from employees or organizations to pay for labor, food, transportation, housing, or other costs for pickers.**

Specific Outcomes:

- 1.1. Public organizations, enterprises, and private companies or entrepreneurs are not involved in recruitment, mobilization, organization, or contribution of resources for cotton pickers.
- 1.2. No public or private employees are mobilized, recruited, or required to pick cotton by their employers or required to hire or pay for replacement pickers.
- 1.3. Mahallas and other organizations, with discretion over the distribution of material benefits, are not involved in the mobilization, recruitment, or organization of cotton pickers.

- 1.4. Government officials, including tax inspectors, and employers do not require, request, or collect payment for replacement pickers or expenses related to cotton picking.
 - 1.5. No reprisals or penalties, including loss of job, material benefits, deduction in salary, work hours, or disciplinary action, are imposed on anyone for refusing to pick cotton or reporting forced labor or other violations related to decent working conditions in the cotton sector.
 - 1.6. Government officials, representatives of labor unions, mahalla councils, labor brokers, farmers, brigade leaders, and anyone involved in the recruitment of cotton pickers are instructed not to induce people to pick cotton on the basis of national traditions, such as *khashar*, religion, patriotism, or community obligations.
 - 1.7. All government decisions, decrees, directives, and protocols from Cabinet of Ministers' meetings concerning the organization of the cotton harvest (including production quotas, picking rates, and directives for labor mobilization) developed at any level of government are made publicly available and easily accessible. Information about how to access information (including via a website) about the government's harvest-related decisions should be widely disseminated. Key provisions should be summarized in a single document that is posted publicly and distributed to farmers, mahalla councils, local officials, heads of organizations, employment agencies and others involved, or potentially involved, in recruiting cotton pickers or preventing forced mobilization of cotton pickers.
 - 1.8. Officials are not incentivized to mobilize labor or pressure farmers to pick cotton when risks of forced labor are highest.
 - 1.9. Protocol of 2014 to the Forced Labor Convention, 1930 is ratified and effectively implemented.²
2. **Key Actions: Enforce accountability measures for forced labor, compulsory payments, or extortion related to cotton production, including against any officials who instruct their subordinates to mobilize labor. These measures should be enacted through transparent, fair proceedings with penalties proportionate to the offenses and sufficient to deter future abuses, including confiscation of profits and other assets. Ensure access to effective remedies to those affected.**

Specific Outcomes:

- 2.1. The labor inspectorate is strong, independent, sufficiently resourced, and empowered with the authority to initiate investigations. When warranted, those investigations lead to perpetrators of forced labor and decision makers being held to account and effective

² https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:P029

remedies provided to those affected. To alignment with international best practices, ratify and implement ILO Labour Inspection Convention (81) and Labour Inspection (Agriculture) Convention (129).

- 2.2. An effective, impartial, and confidential grievance mechanism³ is established and made accessible to anyone affected by forced labor, including employers and others required to forcibly recruit pickers, and provides effective remedies. Remedies may include restitution, compensation, and punitive sanctions as well as prevention of future harms. Complaints can be made anonymously, and complainants are protected from reprisals. Public reports provide transparent information about complaints investigated; identifies persons held responsible, including officials and all persons affected.
- 2.3. When the labor inspectorate or grievance mechanism identifies those responsible for forced labor, the chain of command is investigated, and a determination is made as to why and under what authority an order to pick cotton was issued. Investigation is also required into all persons affected, not just the individual making the complaint, and remedy is provided to all affected victims.
- 2.4. The labor inspectorate and/or grievance mechanism is required to investigate complaints, including anonymous complaints about forced labor, poor working conditions, delayed or non-payment of money for cotton picking, and effective remedy is provided to all victims affected by issues identified, not just to the individual making the complaint.
- 2.5. Information about complaints received, investigation results, and measures taken to promote deterrence are made publicly available and easily accessible (via a website and other means).
- 2.6. State officials who mobilize or require the mobilization of forced labor are sanctioned with penalties imposed that reflect the seriousness of the conduct and can serve as a deterrent.
- 2.7. State officials who are dismissed or demoted for forced labor violations do not supervise any aspect of cotton production or harvest activities in any new position.
- 2.8. The government acknowledges publicly the harm forced labor has inflicted on individuals and institutions, remediates harms including through investments in affected sectors such as health and education, and compensates those who suffered reprisals for monitoring or reporting on forced labor.

³ Two feedback mechanisms currently exist to receive labor complaints, however in addition to having low usage rates and lacking transparency, these fall short of grievance mechanisms, do not investigate up the chain of command, provide remedy to all persons affected, or take actions to prevent future harm.

- 3. Key Actions: Establish independent, fair, and transparent recruitment mechanisms so that cotton pickers are not recruited against their will; nor recruited or assigned by anyone who exerts authority, including discretion over benefits, over them. Ensure that all workers, including temporary harvest workers, can negotiate terms of contracts that ensure transparency of work, decent working and living conditions, and fair payment.**

Specific Outcomes:

- 3.1. Fair and transparent recruitment practices, decent work conditions, and fair remuneration for cotton pickers are developed and implemented, consistent with the ILO Principles, Operational Guidelines on Fair Recruitment, and informed by international best practices on programs to mobilize seasonal temporary workers in the agricultural sector.
- 3.2. All rules, regulations, and roles related to the recruitment and hiring of temporary seasonal agricultural workers are clearly defined and collected in a single resource guide. This resource is made publicly available online and disseminated widely to farmers, public and private labor agencies, brigade leaders, others responsible for recruiting and hiring cotton pickers, government officials at all levels, clusters, and private enterprises.
- 3.3. All rules and regulations necessary to ensure decent working and living conditions for cotton pickers (including those related to payment, deductions, working hours, health, safety, medical care, food, access to water, hygiene facilities, rest time, and security) are collected in a single resource, made publicly available online, and widely disseminated to farmers, brigade leaders, local officials, union officials, independent workers' associations, and producers' organizations. Training is provided to recruiters, farmers, brigade leaders, full-time and seasonal farm workers, and temporary harvest pickers on their rights and responsibilities related to these conditions.
- 3.4. Rates paid to cotton pickers are at least in line with national minimum wage for all stages of harvest based on normal working day and average amount of cotton picked per day. Minimum picking rates are maintained, and no maximum rate is imposed.
- 3.5. Reforms are enacted to ensure a practical system to provide contracts to temporary harvest workers in accordance with the law. Contracts provide transparency around wages, benefits, working conditions, accident protection, and grievance procedures. Contracting procedures are not burdensome for farmers or pickers and allow pickers/picking groups to move between farms. Pickers can negotiate contract conditions including through brigade leaders or other independently selected representatives.
- 3.6. Establish mechanisms for medium- and long-term monitoring of forced labor and working conditions that includes representatives of independent workers' organizations and civil society groups.

II. CORE OBJECTIVE: ENACT STRUCTURAL REFORMS

Structural reforms to the cotton production system are necessary to eliminate incentives to use forced labor and reduce the role of state officials and law enforcement in cotton production. These reforms should remove coercive or punitive practices against farmers and increase farmers' autonomy as the quota system is eliminated. In addition, full transparency around cotton sector reforms and revenues is an essential element to counter the potential for corruption in the sector and ensure that forced labor does not re-emerge as privatization proceeds.

- 4. Key Action: Eliminate compulsory cotton quotas and compulsory cotton procurement contracts. Remove coercive administrative and other pressure on regional and district officials and farmers to fulfill compulsory cotton quota and procurement contracts.**

Specific Outcomes:

- 4.1. The central government no longer sets compulsory cotton production plans in the form of regional and district cotton quotas.
- 4.2. The roles of hokims, law enforcement, tax authorities, various state-controlled agencies, and non-governmental organizations (like farmers councils) in supervising cotton production quotas and production contracts are eliminated.
- 4.3. Farmers are not punished, and their lands are not confiscated on the grounds of not fulfilling cotton quotas.
- 4.4. Cotton production and procurement contracts for farmers are optional. Refusal by farmers to enter into contracts cannot be used as a pretext for punishing them including through (but not limited to) administrative sanctions, land confiscation, refusal by banks to allocate loans, limiting access to irrigation water, or other means. Cotton contracts with farmers are based only on volume and market price, not on a volume and area basis.
- 4.5. Farmers are empowered to negotiate terms of cotton production contracts, including through collective bargaining, and negotiations occur in good faith, with appropriate channels to resolve disputes.
- 4.6. Farmers are able to enter into a contract with any entity of their choosing. Farmers also have the right to buy inputs from anyone of their choice. To empower these rights, the government takes steps to eliminate its managerial role in the cotton industry, its involvement with the purchasing of cotton, and its monopolies for cotton inputs and procurement.

- 5. Key Actions: Grant farmers autonomy, including: the right to choose what crops to grow and how to grow them; the ability to negotiate for fair market prices; secure land tenure; access to irrigation water (without hidden costs or restrictive conditions); and protection from arbitrary seizure of land and property (allowing farmers to organize independently is addressed by Key Action 8).**

Specific Outcomes:

- 5.1. Government officials do not interfere to control farming practices—including when to plant, how to plant, and what inputs, technology, and mechanization to use—or commercial activities. The role of the government is limited to regulating the relationships among actors involved in the cotton production and procurement in accordance with the rule of law and offering training and support.
- 5.2. Land leases with farmers allocated on long-term conditions are respected by the state and not severed arbitrarily or punitively; leases do not dictate what crops and when farmers must grow them. Land lease conditions on farmers are limited to using the land for agricultural purposes in accordance with environmental regulations and other laws; and paying land taxes.
- 5.3. Farmers can recruit and hire labor, including temporary seasonal labor, without interference from central or local government officials, except appropriate oversight from labor inspectors.

- 6. Key Action: Transparency of cotton governance: Establish full transparency around ownership and employment practices related to cotton/textile clusters, including recruitment of temporary harvest workers.**

Specific Outcomes:

- 6.1. Farmers can decide if they want to work in the cluster system and with which cluster they want to work on the basis of transparency and competition.
- 6.2. Contracts to own and operate textile clusters are awarded on the basis of an open and transparent tender process, where selection is through the impartial application of objective criteria. All relevant documentation relating to this process should be made available publicly (including online).
- 6.3. A list is made publicly available (including online) of all cotton clusters, with data on the entities selected to operate the cluster, the ownership structures of these legal

entities (including beneficial ownership), the amount of land allocated to the cluster (including terms and conditions), the location of where they are sourcing their cotton, and information on the state aid being provided to the cluster operator including for instance tax concessions, subsidized loans, and zero-cost assets. When cluster operators are removed or replaced, the rationale should be made public with supporting documentation.

- 6.4. Cluster operators agree with the government to disclose publicly, online information regarding shareholders, directors and senior management; and submit publicly, online, annual accounts, which disclose assets, liabilities, and breakdown of labor costs.
- 6.5. Full transparent accounts should be made to the public at the end of each cotton harvest.
- 6.6. All government decrees, criteria, and procedures are disclosed and made publicly available online when the government support program for cotton clusters is approved. The government should then provide regular updates and information sharing about the recipients of government aid.

III. CORE OBJECTIVE: EMPOWER CIVIL SOCIETY:

An independent, vibrant, and diverse civil society has a critical and essential role in ending forced labor and ensuring the success of the reform process through promoting transparency. Free access to information and the unimpeded operation of independent activists and groups provide critical accountability and help protect rights. Workers and farmers must be able to represent themselves democratically and independently and to address workplace grievances, without fear of reprisal with appropriate legal protections in place. Empowering civil society, including workers and farmers, in these ways is essential to all the key actions necessary to achieve the core objectives set forth in this roadmap.

- 7. Key Action: Empower civil society activists to monitor human rights issues related to cotton production independently and to report their findings freely without interference, harassment, intimidation, or punishment.**

Specific Outcomes:

- 7.1. The registration process for independent organizations (local and international) no longer blocks these organizations from officially being registered in Uzbekistan and is simplified to a formality. Government oversight of NGOs and independent workers' and employers' organizations is limited, ending requirements that organizations notify the government in advance of their plans and restrictions on interactions with foreigners are ended.
- 7.2. All undue restrictions on freely accessing, receiving, and disseminating information and expressing critical views, including online, regarding forced labor in the cotton sector are

removed. The practice of arbitrarily blocking access is ended to independent information sources, including key sources, such as Ozodlik and El Tuz, as well as the website of the Cotton Campaign and its member organizations, including the Responsible Sourcing Network, The Central Asia Labor Monitoring Mission, and the Uzbek German Forum.

7.3. Harassment of and arbitrary interference in the work of civil society activists and journalists, including by the police and security services, is ended. Any such acts are promptly, thoroughly, and independently investigated, prosecuted, and sanctioned. Victims are provided with effective remedies.

7.4. Access is granted to local and foreign journalists and independent monitors, and the government does not arbitrarily restrict access for reporting or monitoring.

7.5. All current criminal and administrative charges and penalties or other legal restrictions against human rights activists are dropped. Past convictions against human rights activists and journalist in retaliation for their work in monitoring forced labor and child labor, or as a result of their peaceful human rights work, are quashed.

7.6. Effective remedies for harms suffered are provided. Criminal and administrative records from civil society activists and journalists charged for their work in monitoring forced labor and child labor or as a result of their peaceful human rights work are expunged. Effective remedies are provided for harms suffered, including physical and psychological abuse, arbitrary detention, wrongful conviction, and loss of property and income.

7.7. Those who have passed away, with standing convictions, are exonerated posthumously and compensation is provided to surviving family members.

8. Key Actions: Implement freedom of association that enables farmers to form independent representative organizations and workers to form independent trade unions. Independence of workers' and employers' organizations is reflected in submissions by these organizations to the ILO supervisory system and other forums that monitor international labor standards.

Specific Outcomes:

8.1. Membership in the Farmers' Council is made voluntary, not mandatory. Farmers, farm workers, and temporary seasonal agricultural workers can decide voluntarily, and without any form of coercion or intimidation, whether they want to be members of any public organizations and can decide whether to establish or join new, independent organizations of their own choosing. Further, the Farmer's Council does not make determinations regarding farmers' fulfillment of contract obligations or effectiveness of land use. No decisions or findings issued by the Farmer's Council are used to initiate termination of land leases.

- 8.2. Farm-level and/or cluster-level grievance mechanisms are established for workers (including cotton pickers) and employers to resolve workplace disputes quickly and effectively while maintaining the availability of national grievance mechanisms.
- 8.3. Workers' and employers' organizations shall have the right to draw up their constitutions and rules to elect their representatives in full freedom, to organize their administration and activities and to formulate their programs. Workers and employers shall have the right to elect representatives within their organizations at all levels, whether local, regional, or national, without involvement, influence, or coercion by the government or political parties in the selection, nomination, or election of candidates.
- 8.4. Workers' and employers' organizations shall have the right to establish and join federations and confederations of their own choosing and will not be required or coerced to join existing national federations or confederations, or their regional bodies.
- 8.5. The government takes appropriate measures to encourage and promote the use of voluntary negotiation between employers or employers' organizations and workers' organizations representing workers in the cultivation of cotton, with a view to the regulation of terms and conditions of employment by means of collective agreements.
- 8.6. The government shall protect the right of workers and their unions to undertake activities for the purpose of furthering their rights and interests and those of workers generally, including to strike, subject only to the limitations identified by the ILO supervisory system.