



International
Labour
Organization



2020 third-party monitoring of child labour and forced labour during the cotton harvest in Uzbekistan



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra



Implemented by



WORLD BANK GROUP

Copyright © International Labour Organization 2021

First published 2021

Publications of the International Labour Office enjoy copyright under Protocol 2 of the Universal Copyright Convention. Nevertheless, short excerpts from them may be reproduced without authorization, on condition that the source is indicated. For rights of reproduction or translation, application should be made to ILO Publications (Rights and Licensing), International Labour Office, CH-1211 Geneva 22, Switzerland, or by email: rights@ilo.org. The International Labour Office welcomes such applications.

Libraries, institutions and other users registered with a reproduction rights organization may make copies in accordance with the licences issued to them for this purpose. Visit www.ifrro.org to find the reproduction rights organization in your country.

FUNDAMENTALS

Third-party monitoring of child labour and forced labour during the 2020 cotton harvest in Uzbekistan / International Labour Organization, Fundamental Principles and Rights at Work Branch (FUNDAMENTALS), Geneva: ILO, 2021.

ISBN: (print)
(web pdf)

The designations employed in ILO publications, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

The responsibility for opinions expressed in signed articles, studies and other contributions rests solely with their authors, and publication does not constitute an endorsement by the International Labour Office of the opinions expressed in them. Reference to names of firms and commercial products and processes does not imply their endorsement by the International Labour Office, and any failure to mention a particular firm, commercial product or process is not a sign of disapproval.

Information on ILO publications and digital products can be found at: www.ilo.org/publns.

www.ilo.org/childlabour

www.ilo.org/forcedlabour

Photo composed by FUNDAMENTALS, Geneva.

Foreword

This report has been prepared by the International Labour Office pursuant to an agreement between the ILO and the World Bank to carry out third-party monitoring on the incidence of child labour and forced labour in the World Bank-financed projects in agriculture, water and education sectors in Uzbekistan. Third-party monitoring by the ILO was also undertaken and reported on annually since 2015. The ILO is grateful for the cooperation of the tripartite constituents and human rights activists of Uzbekistan in the monitoring and assessment process.

There are three main reasons why the ILO Third-Party Monitoring is important:

- **First**, one in eight of the adult population or around 2 million citizens are engaged at some time during the harvest each year picking cotton by hand. Two thirds of pickers are women. Managing this workforce in full conformity with international labour standards ratified by Uzbekistan is an enormous task.
- **Second**, over 30 per cent of arable land is still used for cotton production, despite government policy to diversify agricultural production. Cotton and related value chains will provide jobs and incomes and contribute to foreign exchange earnings for years to come.
- **Third**, serious allegations on the use of child labour and forced labour during the cotton harvest in Uzbekistan continue to be made. The ILO Third-Party Monitoring provides statistically significant, nation-wide numbers that enable evidence-based conclusions and policy decisions.

The ILO has taken into account all the different comments and inputs it has received throughout the monitoring process from national governmental and non-governmental organizations, including Uzbek civil society representatives. In line with the request of its partners in Uzbekistan, in particular the Government, this report contains concrete suggestions for action. It also points to further opportunities for cooperation between the partners in Uzbekistan and the ILO and the World Bank. The ILO alone is responsible for the conclusions in this report.

The ILO would like to thank contributors to the Multi-Donor Trust Fund, established by the World Bank with support from the European Union, the United States, Switzerland and GIZ. The Fund supports the elimination of child labour and forced labour in the cotton sector of Uzbekistan and capacity building of state and non-state institutions. Other World Bank and ILO projects contribute to this endeavour and help ensure the sustainability of cotton production and agricultural reform in general.

Francesco D'Ovidio

Fundamental Principles and Rights at Work Branch

January 2021

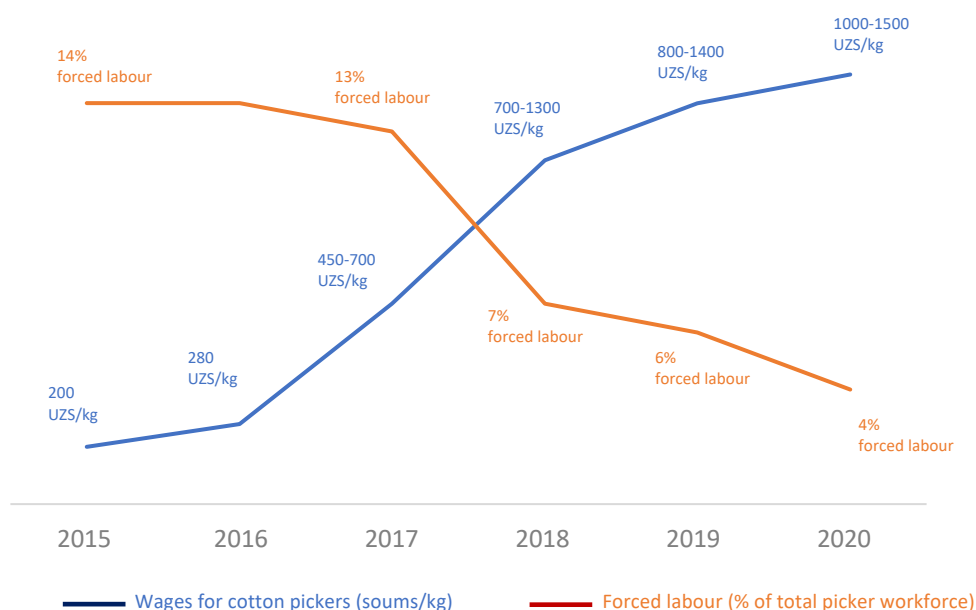
Foreword	3
Executive summary	5
Summary of 2020 observations	10
Summary of 2020 recommendations	11
COVID-19 measures and impact on the 2020 cotton harvest	12
1. Assessment of governance systems, policies and legislation	16
1.1. Governance	16
1.2. Legislation.....	17
1.3. Feedback mechanisms, inspections and enforcement of legislation	19
1.4. Systems conducive to the exaction of forced labour.....	26
1.5. Freedom of association and the role of civil society	29
2. 2020 cotton harvest monitoring	30
2.1. How ILO conducts third-party monitoring	30
2.1. Voices of the independent civil society monitors.....	32
2.3. Ethics considerations	37
2.4. Methodology and sampling.....	41
2.5. Key results of the qualitative phase	48
2.6. Hypotheses generated based on the qualitative phase.....	58
2.7. Key results of the quantitative phase (CATI survey, N = 8000)	59
3. Annexes	64
Annex 1 – Acronyms and abbreviations.....	64
Annex 2 – Glossary	65
Annex 3 – IRB Approval for ILO Third-party Monitoring (qualitative phase).....	66
Annex 4 – IRB Approval for ILO Third-party Monitoring (quantitative phase).....	67
Annex 5 – ILO definitions of forced labour, and systematic and systemic forced labour	68
Notes and references	71

Executive summary

Uzbekistan continued to demonstrate major progress in the eradication of child labour and forced labour in the 2020 cotton harvest. As in previous years, there were only isolated cases of minors below the legal working age picking cotton. The share of people experiencing forced labour during the harvest was reduced by 33 percent compared to 2019.

- The ILO continues to find that systematic **child labour is no longer used during the cotton harvest in Uzbekistan**. Schoolchildren and students were not mobilized for cotton picking; however, isolated cases of child labour still occurred.
- **Systematic forced labour did not occur** during the 2020 cotton harvest. Reforms are implemented step-by-step and continue to have a significant positive impact; yet there are still challenges with uneven implementation in certain provinces and districts. The monitors could **work unhindered and in confidentiality**.
- **The nation-wide share of forced pickers declined by 33 percent in 2020**. The **vast majority of pickers participated in the harvest voluntarily** but about 4 percent were subject to direct or perceived forms of coercion. **Some provinces and districts had very few or no forced labour cases in 2020**.

Chart: Wages and forced labour percentages (2015-2020)

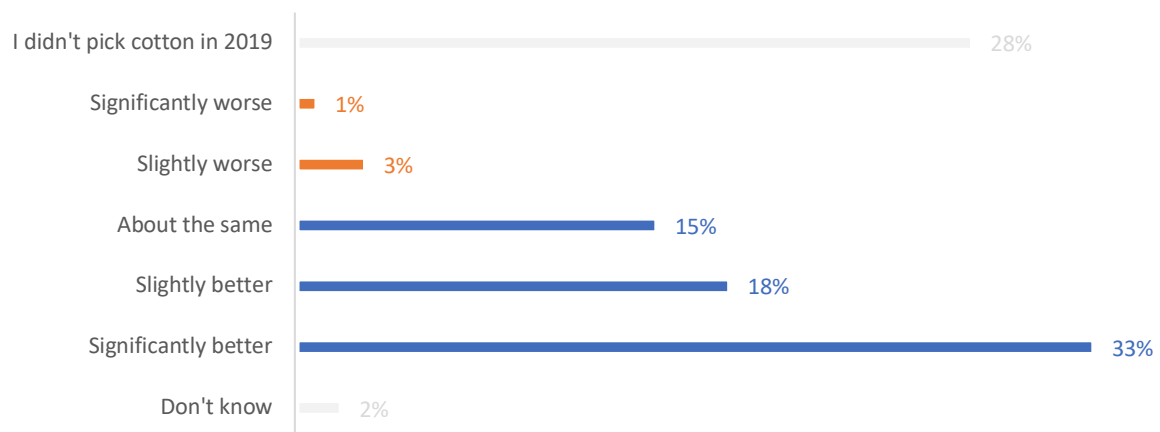


- A significant share of the people who experienced forced labour were not directly threatened by local officials or managers but rather **perceived** possible negative consequences such as loss of rights and privileges if they declined. Such situations are considered to constitute forced labour and must be addressed by promoting **rights-based education and awareness**.
- The data suggests that the reforms continue to have a **positive impact** and that the rate of forced labour reduction even **accelerated**, compared to last year. The remaining use of forced labour in different parts of the country may be associated with resistance to change in local governance structures or be associated with certain practices that are more difficult to change.

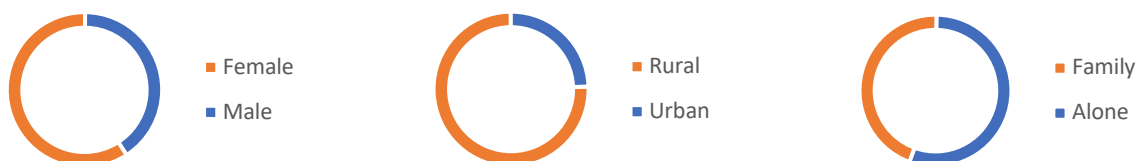
Wages, working conditions and recruitment channels

- ILO monitors confirmed that **wages had increased** compared to the previous harvest. Generally, cotton pickers received their **wages on time and in full**. The average total wages received by a picker in 2020 was 1.54 ml UZS¹.
- **60 percent of pickers said that the 2020 cotton harvest was their only source of cash income** this year. The cotton harvest accounted for a crucial part of most pickers' livelihood.
- **A majority of cotton pickers said that working conditions had improved since 2019**. Only 3 percent said that the conditions were worse than the previous year. This relates to transportation, food, access to water, hygienic and other facilities.

Chart: Perceptions of working conditions among cotton pickers (2020)



- **64.6 percent of pickers were women and 35.4 percent were men**. 81 percent of pickers were from rural areas; 19 per cent were from urban areas. 52.6 percent came to pick cotton with other adult family members.



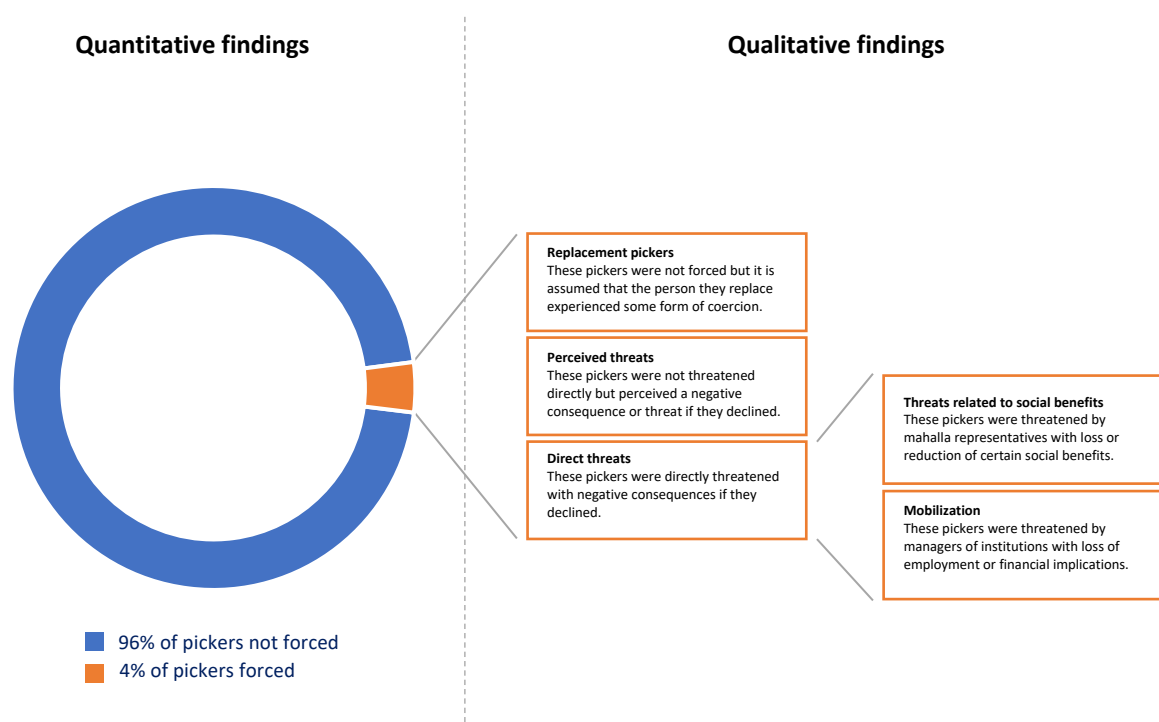
- The **prohibition on recruiting students, teachers, nurses and doctors** was systematically implemented and observed at the local level.
- There were **allegations on social media** about isolated cases of military conscripts and emergency preparedness staff involved in the organization of the 2020 harvest. These allegations were formally investigated but **could not be verified** due to lack of details and evidence. The use of conscripts does not conform with the principles of the ILO's Forced Labour Convention 29.

¹ Including both cash and in kind payments.

Contextualization of forced labour cases

- Only 15 percent of the population aged 18 to 50 years was offered participation in cotton picking. **7.9 percent of the population agreed with the offer**, 7 percent declined the offer. In addition, **5 percent of the population directly approached a farmer** or another recruiter to ask for a job as cotton picker.
- In total, **12.9 percent of the population** aged 18 to 50 years was involved in cotton picking during the 2020 cotton harvest. On average, each picker **participated in the harvest for 21 days**.

Chart: Categorization of forced labour during the 2020 cotton harvest

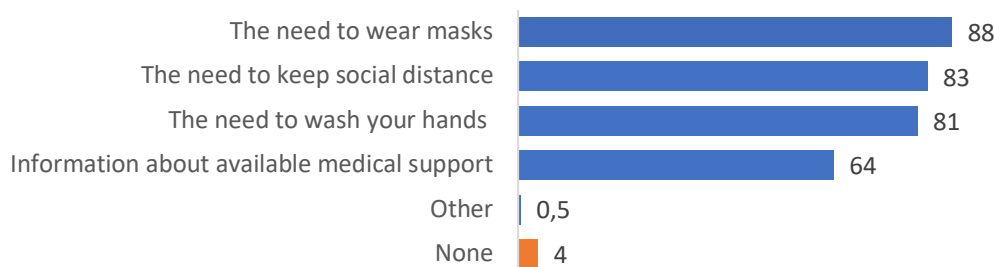


- The **vast majority of pickers participated in the harvest voluntarily** but about 4 percent were subject to direct or perceived forms of coercion. **Three broad categories** of such cases were identified: 1) Pickers who were directly threatened; 2) Pickers who were not directly threatened but perceived a negative consequence if they declined; and 3) Replacement pickers who themselves were not forced but for whom it can be assumed that the person they replace experienced some form of coercion.
- Pickers who were directly threatened fall into **two sub-categories**: 1) People who were threatened by mahalla representatives with loss or reduction of certain social benefits; and 2) Victims of local mobilization efforts who were typically threatened by their managers with loss of employment or financial implications if they declined.
- These distinctions between different categories are important as they **require different interventions to reduce risks further** for the 2021 harvest.

COVID-19 impacts

- **Many Uzbek migrant workers returned to Uzbekistan** as a result of the pandemic which most likely expanded the size of the available domestic workforce for the cotton harvest.
- **Some schools and educational institutions had reduced operations during the harvest.** This meant that in some cases children went with their parents to the cotton fields. Most of these children didn't participate in cotton picking but isolated cases were observed.

Chart: Were you provided with information on the following COVID-19 measures? (Multiple response)



- Many respondents expressed concerns regarding COVID-19 during both the qualitative and quantitative phases of the ILO monitoring. **Respondents had a high level of awareness about coronavirus.** Statements included concerns about health as well as concerns about economic impacts of lockdown measures and travel restrictions.
- A minority of cotton pickers had regular and free access to face masks, hand sanitizers and/or handwashing facilities.

Civil society and journalists

- Independent **civil society activists said that they were free to monitor** the 2020 harvest and conduct their activities against forced labour without interference. There were no reports of cases of harassment or intimidation related to forced labour or the cotton harvest.
- The **dialogue between the Government and civil society continued in 2020.** Activists are members of the new National Commission on Forced Labour and Human Trafficking. However, **activists continue to meet obstacles when they attempt to register their civil society organizations with the Ministry of Justice.** The Ministry of Labour did, however, register civil society activists and provided them with official badges to allow unhindered monitoring.
- There were general reports of attempts to control or limit the expression of independent journalists in 2020. However, these reports were **not linked to forced labour.** The President and other senior officials expressed firm commitment to free speech and independent journalism.

Governance and coordination

- The coordination through the **National Commission on Forced Labour and Human Trafficking was successful**. By combining and coordinating these issues across government agencies involving legislators, enforcement bodies, employers, trade unions and independent civil society, Uzbekistan has enjoyed tremendous results and serves as an inspiration to other countries. The Senate Commission could further enhance its work by strengthening systems for **victim support and redress**.

Responsible trade, investment and sourcing of Uzbek cotton, textile and garments

- The Government is replacing the quota system with a **market-based model**, with the necessary safeguards in place to minimize risks of forced labour, including fair recruitment practices and adequate wages. This will most likely end the practice of deploying pickers at the very end of the harvest simply to reach targets.
- The reforms undertaken by the government have the potential for addressing the risks of forced labour as well as simultaneously creating much needed **employment opportunities**. Economic growth would enable further reforms in education, health, infrastructure and other areas. **These reforms need to be supported by the international community**.
- **Trade and investment decisions by responsible international investors** are likely to benefit the further abolition of the legacies of the centrally planned economy. They can also have a positive impact on compliance with international labour standards. Furthermore, if the number of full-time decent jobs in **textile and garment manufacturing** and other parts of the economy grow, there could be a reduction of seasonal peaks in labour demand, which often fuel unfair recruitment practices.
- **Some provinces and districts had very few or no forced labour cases in 2020**. This combined with the fact that some textile clusters have switched or are switching to **mechanized harvesting** supports the view that it may be possible for international investors or buyers to manage labour risks in their supply chains when sourcing from Uzbekistan.
- **ILO suggests that responsible sourcing of Uzbek cotton, textiles and garments should be facilitated and encouraged**. ILO stands ready to pilot tools and mechanisms in Uzbekistan to enable international investors, brands and retailers to make informed business decisions.

Summary of 2020 observations

Achievements

Opportunities

	Achievements	Opportunities
Political commitment and leadership	<ul style="list-style-type: none"> Effective coordination of all measures and actors under the National Commission on Forced Labour and Human Trafficking. Consistent clear political commitment from government. Prompt investigations by Labour Inspectorate of all reported cases. 	<ul style="list-style-type: none"> Transparency about government meetings, decisions and implementation. Legislation consistently enforced and fines for forced labour applied. The quota system in cotton sector is gradually being replaced with a market-based model.
Recruitment mechanisms	<ul style="list-style-type: none"> No systematic recruitment of students, teachers, nurses, doctors. Better wages and working conditions used to attract voluntary pickers. Intense awareness raising measures on feedback mechanisms. 	<ul style="list-style-type: none"> Still some examples of uneven local implementation. Absence of the application of criminal legislation. Mismatched supply and demand for pickers in certain provinces. Legislation prevents unhindered access of labour inspectors to work places outside the cotton harvest.
Decent wages and working conditions	<ul style="list-style-type: none"> Mahalla involved in recruitment of pickers in communities. Forced pickers more often perceived threat of penalty, than were subject to direct threat. Increased role of public employment services in recruitment of pickers. Capacities of some farmers and clusters to manage recruitment is low. 	<ul style="list-style-type: none"> Involuntary recruitment through institutions, companies and mahallas still take place. Local cases of recruitment of replacement pickers, collection of fees from companies and individuals. Cases of military conscripts and emergency preparedness staff in the harvest reported in the media.
Engagement with local civil society	<ul style="list-style-type: none"> Textile clusters increased wages beyond minimum rates Consistent and regular payments made to pickers Working and living conditions improved. Especially in textile cluster areas. 	<ul style="list-style-type: none"> Wage setting approach remains centralized. Material rewards used to incentivize performance decreased. Labour agreements not used consistently.
	<ul style="list-style-type: none"> Constructive cooperation with local civil society activists on reporting and investigation. Issuance of badges by the Ministry of Employment to activists to conduct monitoring. Human rights activists freely perform monitoring of harvest. 	<ul style="list-style-type: none"> Individual cases of inadequate living conditions for cotton pickers. COVID 19 measures applied inconsistently. Misunderstandings about deductions from wages of pickers.
	<ul style="list-style-type: none"> Two local NGO entities linked to international NGOs registered by the Ministry of Justice. Press conferences organized by the Ministry of Employment and Labour Relations. Number of civil society activists is increasing. 	<ul style="list-style-type: none"> Activists continue to report problems when attempting to formally register their civil society organizations. Civil society can be involved in governance of feedback mechanisms.

Summary of 2020 recommendations

Keep doing

- Continue successful coordination through the Senate Commission on Forced Labour and Human Trafficking.
- Keep developing Labour Inspectorate to identify, address and prevent labour violations. Continue to operate effective transparent feedback mechanisms.
- Keep increasing minimum wages in line with productivity to ensure cotton picking is an attractive source of income.
- Keep strengthening public employment services to implement fair recruitment of seasonal agricultural workers including cotton pickers.
- Continue to broaden dialogue with local civil society activists. Ensure that nobody is harassed for legal activities.
- Continue awareness raising campaigns to ensure people are aware of their rights and know which feedback mechanisms to use.
- Encourage journalists to raise cover the issues of labour rights and report on violations. Keep using social media
- Promote further private sector investment in cotton production and related value chains
- Facilitate women entrepreneurship opportunities as part of textile cluster development and beyond.

Do more

- Continue market-based reforms in the agricultural sector with the aim to meet multiple goals simultaneously including economic development, Sustainable Development Goals (SDGs) by considering, for example, climate-smart strategies, women's economic empowerment, and biodiversity.
- In awareness raising campaigns, pay special attention to high risk groups:
 - Employees of state institutions and companies such as post offices, departments for water management, landscaping, Neftgaz, electrical providers, etc.
 - Private entities including banks and entrepreneurs in marketplaces.
- Strengthen forced labour prevention measures by trade unions as they can help reduce forced labour in institutions/companies.
- Develop systems for victim support and redress through referral mechanisms under the Commission on Forced Labour and Human Trafficking.
- Broaden focus beyond cotton to fundamental principles and rights at work in agriculture and related value chains.
- Focus on sustainable job creation through manufacturing of products for export.
- Work with international partners to build CSR capacity in Uzbek exporting companies.
- Increase mechanization.
- Allow registration of more civil society organizations at province and national level

Start

- Enforce criminalization of forced labour.
- Amend the current legislation to grant unhindered access for labour inspectors to all workplaces.
- Enhance cooperation between and build capacity of prosecutors, lawyers and inspectors in applying the legislation on forced labour through interactive trainings and events.
- Strengthen the capacity of judges to apply the legislation on forced labour and human trafficking through trainings and explanatory instructions by the Plenum of the Supreme Court of Justice.
- Require that textile clusters produce social plans to maximize benefits to local farmers and communities.
- Develop skills strategy to enable increased garment and textile manufacturing at regional level.
- Increase transparency of how textile clusters are established and operated.
- Pay special attention to the needs of women pickers. Implement programmes to prevent discrimination.

Do less

- Eliminate the role of Government in cotton production and related value chains.
- Continue reducing low-yield cotton production in areas with low population density
- Textile clusters to rely less on external actors in the recruitment process and build their own capacities.

Stop

- Phase out the role of Hokimiats, state institutions, mahallas and enterprises in the recruitment of pickers.
- Stop the mobilization of pickers from institutions, organizations and companies, both public and private.
- Prohibit authorities to approach private companies, banks and entrepreneurs for pickers or other contributions to the cotton harvest.
- Prohibit local / individual initiatives to ask/provide replacement pickers or collection of fees from private companies and/or individuals in relation to cotton harvest.
- Ensure that military conscripts are not used in violation of ILO standards on forced labour.

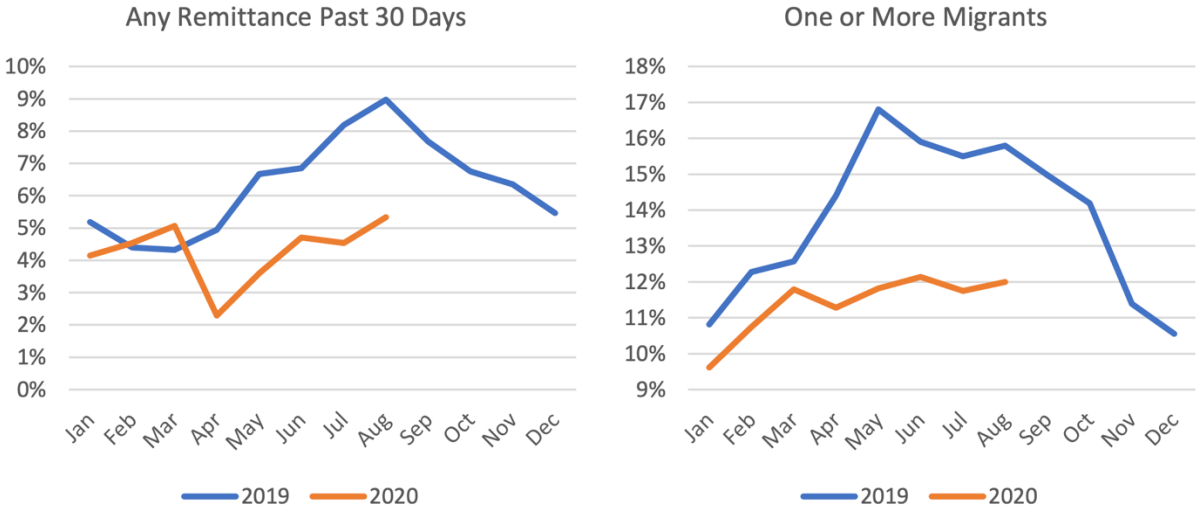
COVID-19 measures and impact on the 2020 cotton harvest

The COVID-19 pandemic presented a series of challenges to individuals, businesses, communities and countries across the world including Uzbekistan. However, despite the various obstacles and hurdles, the 2020 cotton harvest in Uzbekistan was completed within approximately the same timeframe as previous years. The 2020 ILO Third-Party Monitoring included a particular focus on COVID-19 measures and impacts on cotton pickers.

Availability of pickers

Many Uzbek migrant workers returned to Uzbekistan as a result of the pandemic which most likely expanded the size of the available domestic workforce for the cotton harvest. Data from the World Bank’s “Listening to Uzbekistan” shows that in April 2020, the share of households with members currently abroad was 3 percentage points lower than the same time in 2019. Among those still abroad, active employment fell from 88 to about 73 percent, with several rounds of partial recovery and declines through August. From April 2020 through August 2020, the share of households reporting members considering future migration abroad fell nearly to zero.

The share of households receiving remittances in 2020 remained well below 2019 which supports the view that most likely more households were looking for additional sources of income such as cotton picking. In April 2020, the share of households receiving any remittances was cut in half over the same period the previous year. Among those that did receive remittances, the value of the median transfer fell by 21 percent (in inflation-adjusted UZS) in April but recovered lost ground in May as the Russian Ruble strengthened.



Source: World Bank “Listening to Uzbekistan”, 2020.
 For questions, please contact William Seitz: (wseitz@worldbank.org)

While more data would need to be collected and carefully analysed in order to draw firm conclusions it seems likely that the COVID-19 pandemic may have contributed to higher availability of pickers for the 2020 cotton harvest in Uzbekistan.

Efforts to minimize health risks

Many respondents shared their concerns regarding COVID-19 during both the qualitative and quantitative phases of the ILO monitoring.

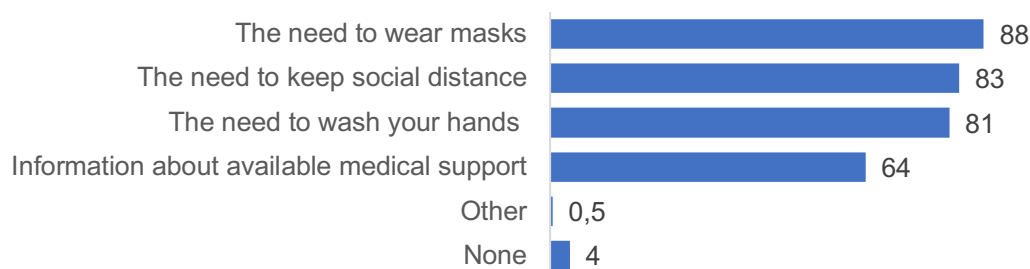
In some cases, farmers were able to provide measures designed to address the risk of spreading coronavirus. These included distributing free masks in sufficient quantities, burning masks at the end of the working day, disinfecting common areas, providing water, soap and/or antiseptics free of charge, measuring the body temperature of pickers at the start of the working day, and preventing pickers with symptoms of illness from working in the fields. However, the qualitative part showed that most of the farmers were either unable or unwilling to provide sufficient COVID-19 measures or faced difficulties in providing these measures. ILO Convention 155 (not ratified by Uzbekistan) requires that OSH/PPE measures must not involve expenditures of workers.

Awareness of COVID-19 measures

Respondents had a high level of awareness about coronavirus. Among the possible preventive measures, cotton pickers mentioned medical masks, antiseptics, social distancing, temperature measurement, and the presence of a medical worker in the field.

Many respondents shared their views regarding the COVID-19 measures. They suggested that farmers should provide free masks and hand sanitizers in sufficient quantity and take the temperature of pickers prior to the working day. Farmers and their workers should monitor social distancing guidelines more strictly, provide transportation that allows proper social distancing, compensate costs for medicine, and provide nurses who can conduct health checks or provide first aid help in the field.

Chart: Were you provided with information on the following COVID-19 measures? (Multiple response)



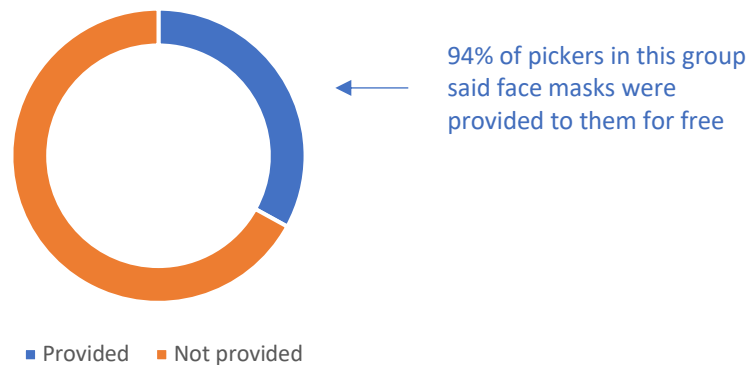
Source: TPM (2020), N=1031

Most pickers said that they were provided with information about the need to wear masks (88%), the need to maintain social distancing (83%), the need to wash hands (81%), and available social support/medical help (64%). Only 4% of pickers received no information at all about COVID-19 measures.

Face masks

The practice of wearing face masks differed significantly from field to field. In some fields, the masks were replaced twice a day and provided by the farmer; in other fields the farmer provided one mask every two weeks; and in other fields masks were not provided at all. Pickers said that they were generally informed about the need to wear a face mask, but that they often had to spend their own money to buy them. The quantitative survey showed that 33% of pickers said that masks were always provided. Of those to whom a mask was provided, 94% said it was provided for free.

Chart: Availability of face masks during the 2020 cotton harvest in Uzbekistan

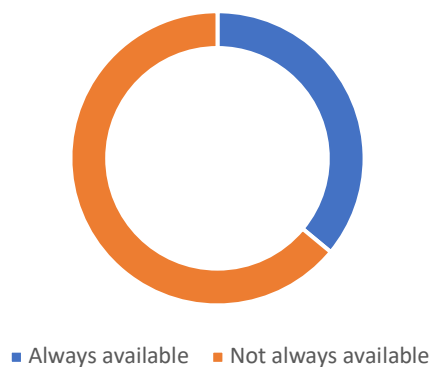


Source: TPM (2020), N=1031

Hand sanitation

In some cases, specialized antiseptics or opportunities to wash hands with soap and water were provided, with a mandatory requirement to wash hands before eating and during the breaks. However, there were cases when there were no hand sanitizers, soap (pickers had to bring soap with them) or even water for washing hands. 36% of pickers said that hand sanitizers or water with soap for washing hands was always available.

Chart: Availability of hand sanitizers or water and soap during the 2020 cotton harvest in Uzbekistan



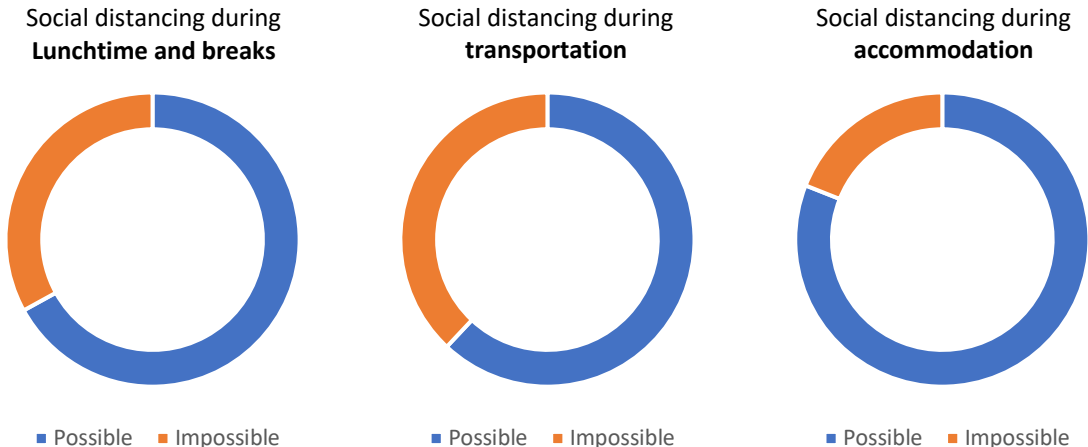
Source: TPM (2020), N=1031

Social distancing

Cotton pickers said during the qualitative phase that the requirement to maintain a safe social distance (as well as wearing a mask) could be controlled in the following situations: during cotton picking, during weighing of the picked cotton, during lunch, and during a transfer to and from the field.

Pickers reported that maintaining a safe distance during picking was relatively easy. Most violations of social distancing occurred during weighing and during transportation. There were reports that pickers might have accumulated in crowds while weighing cotton or not worn masks during transportation. The hardest part was maintaining social distance when being transported to the field. The respondents noted that most often buses which transported 40-60 people were provided.

In terms of social distancing, 67% said that they could always maintain social distancing during lunchtime or breaks; 62% of pickers who used transportation said that they could always maintain social distancing while on the transportation; and 81% of those who stayed overnight in provided accommodation during the cotton harvest could always maintain social distancing.



Source: TPM (2020), N=1031

Temperature checks

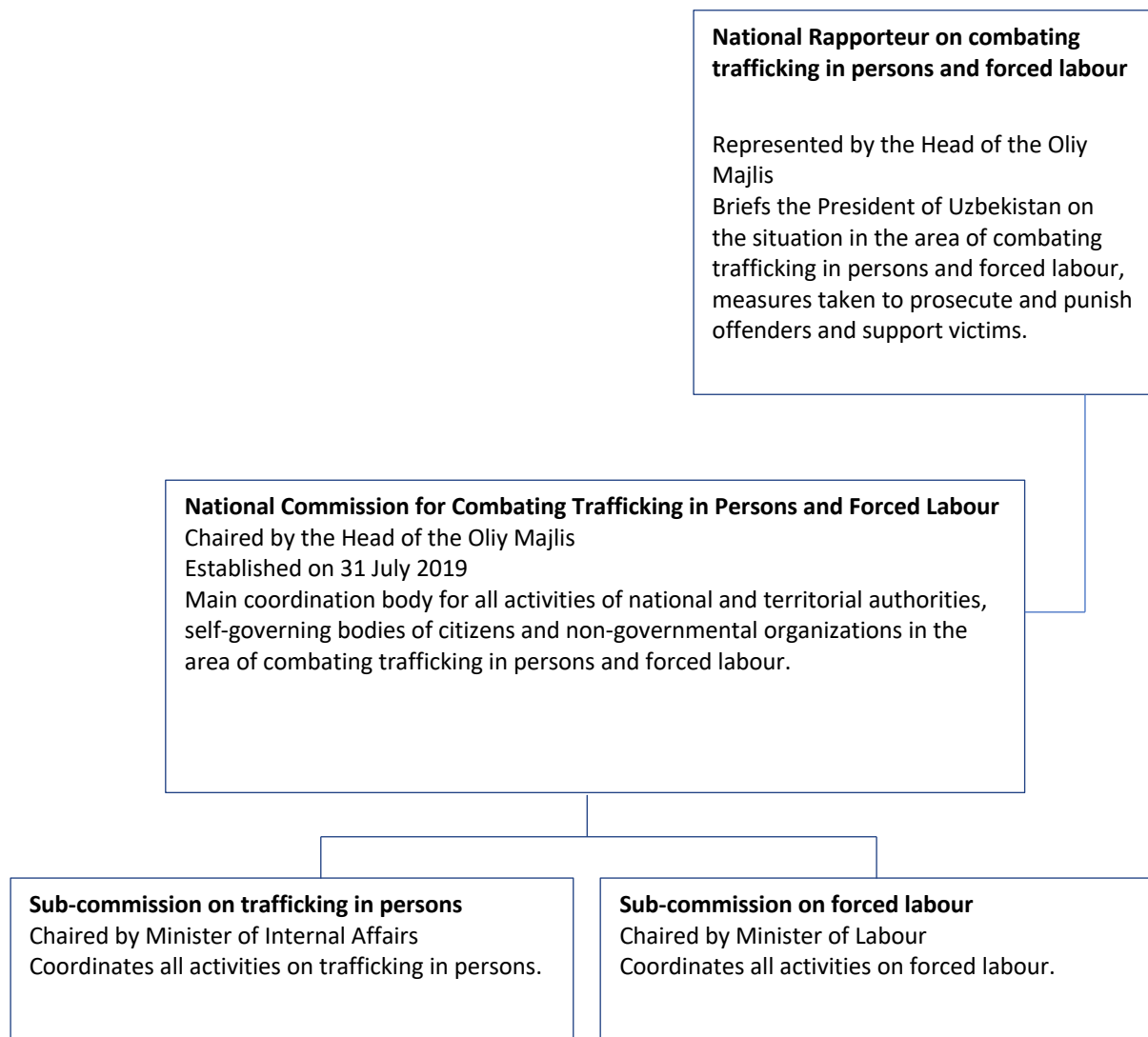
Measuring of body temperature was carried out if a medical worker/nurse was present on the field. It often occurred irregularly. In a number of fields, a medical worker was present who could measure the temperature at the beginning of the working day or at the request of the picker. In some areas, doctors came to the field and checked the health of the pickers and took their temperature every three days. However, there were also cases when there was no medical worker or even first aid kit on the field.

1. Assessment of governance systems, policies and legislation

1.1. Governance

The Government of Uzbekistan has demonstrated strong political commitment to eradicate forced labour. Consistent statements from the President, Senate Chair, Prime Minister, Minister of Employment and Labour Relations and other Ministers underline that the policy of the Government is to eradicate all forms of forced labour in the country.

In 2019, a new structure was established to effectively govern the area of trafficking in persons and forced labour. The main coordination body is the National Commission for Combating Trafficking in Persons and Forced Labour chaired by Tanzila Narbaeva, Senate Chair. The Commission met several times during the 2020 harvest.



Uzbekistan has also established a separate republican tripartite commission on social and labour issues co-chaired by the Minister of Labour, Head of the Federation of Trade Unions and Head of the Confederation of Employers on a rotational basis.

1.2. Legislation

Uzbekistan has ratified all eight fundamental ILO Conventionsⁱ including the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105). It has also ratified the Protocol of 2014 to the Forced Labour Convention, 1930.

Article 37 of the Constitution of the Republic of Uzbekistanⁱⁱ prohibits forced labour. Forced labour is also clearly prohibited by Article 7 of the Labour Codeⁱⁱⁱ.

The national legislation of Uzbekistan has established penalties for the use of forced labour (articles 51 and 491 of the Administrative Code, articles 135, 138, 148 of the Criminal Code). Working conditions at enterprise level are regulated by more than 93,000 collective agreements, which cover 96 per cent of all legal entities employing workers.

Uzbekistan increased the fines for forced labour violations tenfold before the 2019 harvest. Furthermore, in December 2019 the country introduced further changes to the regulatory framework related to child labour and forced labour. Article 51 of the Administrative Code has been updated and two new paragraphs have been added to Article 148 of the Criminal Code as detailed below.

- **Article 148-1. Violation of the requirements on the inadmissibility of the use of labour by underage persons**

The use of an underage person in works that may cause harm to his/her health, safety or morals, committed after the application of an administrative penalty for the same act, shall be punishable by a fine of up to twenty-five basic calculation units or by deprivation of a certain right up to three years or by correctional labour for up to three years.

- **Article 148-2. Administrative Forced Labour**

Administrative coercion to work in any form, with the exception of cases provided for by law, committed after applying administrative penalties for the same act, shall be punishable by a fine from one hundred to one hundred and fifty basic calculated values, or by deprivation of a certain right for up to two years, or correctional labour for up to two years.

The same action committed in respect of an underage person after applying an administrative penalty for the same act, shall be punished by a fine from one hundred and fifty to two hundred basic calculation units or by deprivation of a certain right up to three years or by correctional labour up to three years.

Legislation related to hazardous child labour

Administrative liability with fines
up to 20-30 minimum wages; AND

Criminal liability for repeat offences (12-month time limit) with criminal record and punishments up to:

- 25 minimum wages; or
- Loss of certain rights < 3 years; or
- Correctional labour < 3 years

Legislation related to forced labour

Administrative liability with fines
up to 50-60 minimum wages; AND

Criminal liability for repeat offences (12-month time limit) with criminal record and punishments up to:

- 100-150 minimum wages; or
- Loss of certain rights < 2 years; or
- Correctional labour < 2 years

Legislation related to forced child labour

Administrative liability with fines
up to 70-100 minimum wages; AND

Criminal liability for repeat offences (12-month time limit) with criminal record and punishments up to:

- 150-200 minimum wages; or
- Loss of certain rights < 3 years; or
- Correctional labour < 3 years

Conviction according to the Criminal Code will in all cases lead to a criminal record.

Loss of certain rights (Article 45 of Criminal Code) can include loss of position, demotion or limitations on decision-making.

Correctional labour (Article 46 of Criminal Code) means that the convict has to work at a place designated by the court and 10-30 per cent of his/her salary will go to the state budget.

The law on private employment agencies was amended on 13 August 2020. Private employment agencies are not allowed to charge fees to job seekers for placement into work abroad. These fees must be paid by the employers. In addition, the law enables the Ministry of Employment and Labour Relations to supervise and monitor the activity of private employment agencies.

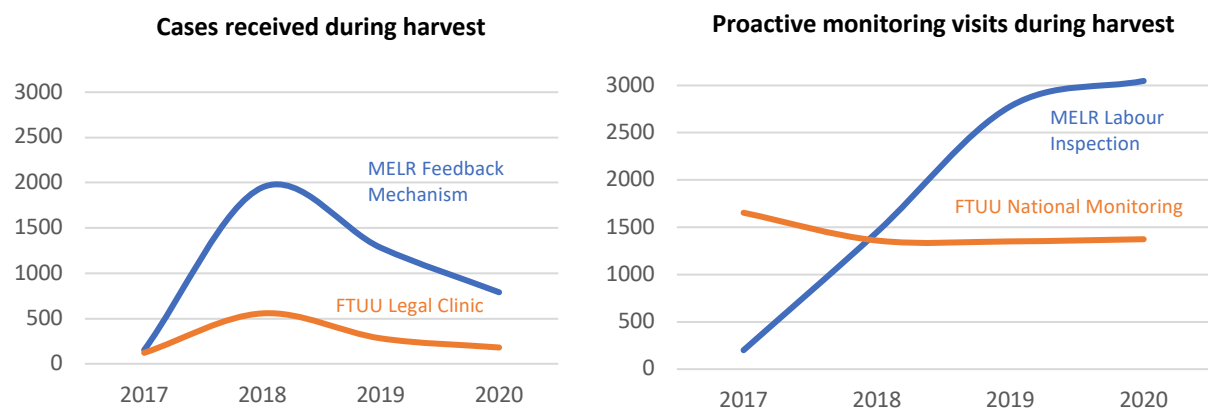
The presence of legislation alone is, however, in itself not a guarantee for the prevention of forced labour, but also requires the presence of a robust enforcement and compliance system.

1.3. Feedback mechanisms, inspections and enforcement of legislation

1.3.1. Feedback mechanisms and monitoring

The feedback mechanisms of the Ministry of Employment and Labour Relations (MELR) and the Federation of Trade Unions (FTUU) continued operations in 2020. Overall, the two mechanisms received 970 complaints during the 2020 cotton harvest. These complaints covered multiple issues including delays of payments to pickers, deductions from wages, inadequate working conditions, occupational safety and health, contracts and forced labour.

There has been a decreasing trend in the number of complaints and queries submitted to the mechanisms which in part could be explained by the overall reduction in the number of pickers (down from approx. 3.4 million in 2015 to less than 2 million in 2020) and better managed recruitment processes.



There has been an overall increase, however, in the number of regular monitoring visits by the state labour inspectors and trade unions. This suggests a trend of increased proactive activity to prevent and identify violations.

The two feedback mechanisms take a somewhat different approach to investigations and how cases are resolved. This difference stems from the fact that the MELR Feedback Mechanism through its government labour inspectors has the authority to punish offenders with fines or other administrative penalties. The Trade Unions are conducting more preventive work and seek to provide legal advice to their members.

There were examples where the FTUU Legal Clinic submitted alleged forced labour cases to the MELR labour inspection for investigation and supported, where possible, the investigation process. Both mechanisms play important and complementary roles in preventing and addressing forced labour in the cotton harvest.

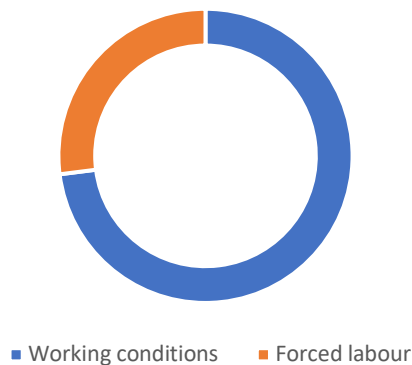
As in previous years, the ILO Third-Party Monitoring Project had unrestricted access to the feedback mechanism data and was able to follow investigations and take results into account during the third-party monitoring of the cotton harvest. The ILO is grateful for the transparency and cooperation of both organizations in this regard.

1.3.2. MELR feedback mechanism

The MELR Feedback Mechanism is accessible through the telephone helpline (1176), the website www.dmi.mehnat.uz and through the “Telegram” app on [mehnathuquqbot](https://t.me/mehnathuquqbot). During the 2020 harvest, The MELR Feedback Mechanism received 790 complaints and queries. In addition, the ministry operated six mobile teams of national inspectors who together with local labour inspectors monitored 3,048 farms, clusters and enterprises during the 2020 cotton harvest.

As a result, the labour inspection investigated and confirmed 127 cases of labour violations including 46 cases related to forced labour which led to 41 persons being punished for forced labour during the 2020 cotton harvest. The list of offenders includes district hokims, heads of institutions, directors, farmers, and others. An anonymized version of the list has been included below. The identities of all offenders are known to the ILO Third-Party Monitoring Project but will not be published for ethical reasons.

Chart: Distribution of cases handled by the MELR Feedback Mechanism during the 2020 cotton harvest in Uzbekistan



The geographical distribution of forced labour cases supports the conclusion that some provinces and districts had very few or no forced labour cases in 2020. Namangan, Jizzakh, Tashkent and Surkhandarya provinces had the most cases in the MELR Feedback Mechanism. It must be noted, however, that this is not necessarily a reliable indicator of prevalence of cases or performance of the system. It could, for instance, be because people in certain regions are more aware of the possibilities for submitting complaints.

There were also forced labour cases outside the cotton harvest. In total, 106 forced labour cases were recorded in 2020 across the country covering primarily landscaping, cleaning and construction works. The trend of identifying forced labour cases outside the cotton harvest is positive and speaks to increased awareness and attention to the issue. 22 representatives of private employment agencies were brought to justice for violations of legislation on recruitment of people for work abroad in line with the articles 168 and 228 of the Penal Code.

Criminal liability for repeat forced labour violations was introduced in January 2020. Successfully investigating and prosecuting a case of criminal liability proved to be challenging during the cotton harvest. There were difficulties collecting sufficient evidence and the ILO

Third-Party Monitoring Project observed several cases where alleged victims and witnesses would change testimonies, thereby making it impossible to prosecute.

There can be many reasons why a victim or a witness might change his/her testimony. There may be cases of fear of reprisal, intimidation, and bribery, but factors such as social pressure and community relations may also play a role.

The ILO Third-Party Monitoring Project observed two specific cases which captures some of the challenges that need to be overcome.

Case study 1.

On 30 September 2020, a complaint was submitted to the MELR Feedback Mechanism regarding alleged forced labour in the cotton harvest in his district. According to the complaint, the staff of an electric networks company were forced to pick cotton. The labour inspectors followed up within 24 hours and were able to investigate and confirm the case of forced labour. The head of the company received a fine of 11,150,000 UZS (approx. US\$1,115) in accordance with article 51 of the Code of Administrative Liability.

Later in the harvest, on 7 November 2020, the same person submitted another complaint against the same head of the electric networks company. This time the allegation was that the staff of the company were subjected to unlawful salary deductions to cover the fine that the head of the company had incurred in September. Again, the Labour Inspection reacted within 24 hours and sent a mobile team to investigate the case.

However, during the investigation process, the complainant suddenly withdrew his complaint. In confidential discussions with him, it became clear that he had not received or perceived any threat or fear for withdrawing the case. He decided to withdraw the allegation after he had a discussion with the head of the company who happened to be his neighbour.

The person who made (and withdrew) the complaint is well known to the ILO TPM Project. The ILO project staff spoke with him confidentially to understand the situation better. He was very open about the fact that the head of the electric networks company was his neighbour. While he appreciated the willingness of the government to prosecute, upon reflection, he found it morally difficult to trigger a criminal prosecution. He had not received any threats but simply felt that the possible punishment would be disproportionate.

The labour inspection tried to pursue the case after the complaint was withdrawn. Inspectors interviewed workers and inspected payroll and other financial documents but were unable to establish sufficient evidence to proceed with criminal prosecution.

Case study 2.

In May 2020, a district deputy hokim was fined for forcibly involving principals of all schools in the district and more than 80 teachers in landscaping and agricultural works during their normal working hours. During the case investigation, the inspectors were provided with photo and video evidence, and explanatory notes written by teachers. Later, the deputy hokim contested the case in the local court, which annulled the decision of the Labour Inspection for lack of evidence. In the examination of the case, the judge did not take into account the previous evidence provided by labour inspectors, but only the testimony of teachers in the court which had changed their testimonies and now denied any involuntary involvement in landscaping or agricultural works. This case was covered in Uzbek media and it was not clear what caused the teachers to change their testimonies.

The Ministry of Employment and Labour Relations proactively monitored social media and regularly communicated with local human rights activists to identify possible cases of forced labour and other labour rights violations during the cotton harvest.

One notable example was from Namangan. In late September 2020 a document, dated 21 September was circulated widely on social media. It presented a list of banks in Namangan region with assigned targets of cotton to be picked, dates, and number of pickers to be provided to specific farms.

Наманган вилоят тижорат банк ҳодимларидан 2020 йилда Учқургон туманига пахта хосилини териб олишга жалб этилган банк									
МА Ё Л У М О Т									
21.09.2020									
№	Банклар номи	Шағал бўйича	Банклар томонидан жидо қилинган режислатсиянинг тартиб-регламлари сони	21 сентябрь куни етказилган ва теримда қатъий қилинган кодимиалар сони	Фарқи (+/-)	Маъсум бўлишдан урилган пахта кг	Жами 21 сентябрь куни терилган пахта қом-лашқон кг	Етоқ жойлашган маъноси	Пахта терилган ф/х номи
а	б	1	2	3	4	5	6	7	8
1	Кўгай ҚСЙдаги Кўгай коллежда	92	100	100	0	5890	5890	Кўгай ҚСЙдаги Кўгай коллежда	"Журекон Жураев" ф/х
2	Янгиобод МФЙ, Собик масжид бениосида	87	120	100	-20	0	0	Янгиобод МФЙ, Собик масжид бениосида	Фронт йуқ, тушишга фермер хужалиги руқсат бермади.
3	Янгиобод ММТП бениосида	68	100	100	0	3152	3152	Янгиобод ММТП бениосида	"Мансурбек олтин толаси" ф/ли
4	Катта Мугол МФЙ бениосида	142	110	70	-40	0	0	Катта Мугол МФЙ бениосида	Кўгай ММТП худди, "Нуриддин Ибдуллаев Сарвенот" ф/х
5	Исматиллаев ММТП худдида	159	110	70	-40	2267	2267	Исматиллаев ММТП худдида	"Тулқумор" ф/х
6	Кўгай МФЙ 1 - бўлими, "Механизаторлар уи" да	84	80	80	0	4200	4200	Кўгай МФЙ 1 - бўлими, "Механизаторлар уи" да	"Хамидулло Дилшодбек" ф/х
7	Ўзбекистон ММТП Назаров Алишер командони	77	100	80	-20	3120	3120	Ўзбекистон ММТП Назаров Алишер командони	Фронт йуқ, болан фермер хужалиқлари сув куйиб юборган.
8	М.Исматиллаев ММТП Учечон МФЙ, ақоли командони	40	40	40	0	0	0	М.Исматиллаев ММТП Учечон МФЙ, ақоли командони	"Бободехон" ф/ли
9	Кўгай Бирлик МФЙ, 26-мактаб эски бениоси	77	100	87	-13	4374	4374	Кўгай Бирлик МФЙ, 26-мактаб эски бениоси	"Дехонбоб" ф/ли
10	Кўгай ҚСЙ, Бирлик МФЙ, А.Ясавий куча 5 уйда 45 та, Чамандо куча 25 уйда 35 та	67	80	80	0	5100	5100	Кўгай ҚСЙ, Бирлик МФЙ, А.Ясавий куча 5 уйда 45 та, Чамандо куча 25 уйда 35 та	
11	Янги ер МФЙ, Эски каммоки бениоси	106	100	0	-100	0	0	Янги ер МФЙ, Эски каммоки бениоси	"Хўшнудбек Тоҳиржон" ф/ли
12	Шанрикочнек ММТП худди коттеджига	64	80	52	-28	3200	3200	Шанрикочнек ММТП худди коттеджига	Теримга эргага тушади.
13	Кўгай ҚСЙдаги Кўгай коллежда	91	80	60	-20	0	0	Кўгай ҚСЙдаги Кўгай коллежда	
14	Гулистон МФЙ, Тинчлик кучасида ақоли командони	41	50	45	-5	2190	2190	Гулистон МФЙ, Тинчлик кучасида ақоли командони	Олтин водий ММТП, "Янги ер келажак жавокири" ф/лида
15	28-сонли мактаб спорт заллида ва Гулистон МФЙ бениосида	77	80	70	-10	3350	3350	28-сонли мактаб спорт заллида ва Гулистон МФЙ бениосида	Олтин водий ММТП, "Янги ер келажак жавокири" ф/лида
16	Олтинводий ММТП Вустон МФЙ, ақоли командони	88	80	70	-10	1612	1612	Олтинводий ММТП Вустон МФЙ, ақоли командони	"Тулқумор" ф/х
17	"Торлоқ Юлдузи" ММТП, М.Қозимжон ф/х дала шайлони	62	60	60	0	3167	3167	"Торлоқ Юлдузи" ММТП, М.Қозимжон ф/х дала шайлони	"Хамиджон Дилшод Умриқон" фермер хужалигида
18	Жами	1422	1470	1164	-306	41622	41622		

Note: this table was circulated widely online and in the Uzbek media with company names. The ILO has decided to remove those names in this report for ethical reasons.

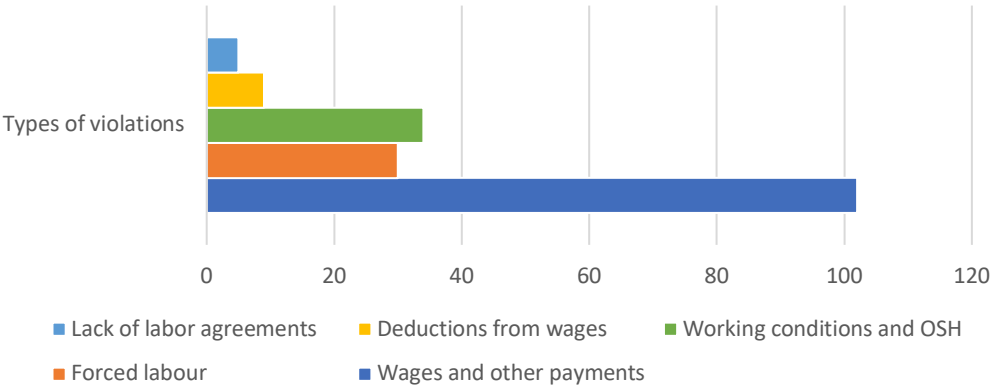
The MELR reacted swiftly and thoroughly investigated the cases. The banks denied any involvement of their staff in cotton picking. The managers denied having received any instructions to provide pickers. However, the labour inspectors were able to document that numerous cotton pickers in the fields listed in the table had in fact been recruited and paid by the banks to pick cotton. This allowed the inspectors to apply fines to one district hokim along with several heads of finance branches and other officials of local hokimiyats. The heads of the banks were fined according to Article 51 on administrative forced labour.

During the 5 December 2020 meeting of the National Commission on Combating Forced Labour and Human Trafficking, it was announced that the hokims of 5 districts in Namangan, Tashkent and Khoresm regions were reprimanded and officially warned that they would be dismissed without further notice for any repeated forced labour offense in the future.

1.3.3. FTUU Legal Clinic

The feedback mechanism of the Federation of Trade Unions (FTUU) is operated through a helpline (1092) and through email. During the 2020 cotton harvest, it received 180 complaints, of which 30 were forced labour cases, and 102 cases were linked to delays in payment or non-payment of wages for cotton picking. The FTUU lawyers followed up on all cases. As a result of FTUU interventions, 780 cotton pickers received their wages.

Chart: Distribution of cases handled by the MELR Feedback Mechanism during the 2020 cotton harvest in Uzbekistan



Like in previous years, the FTUU conducted national monitoring of the 2020 cotton harvest. The monitoring teams included members of FTUU along with the Chamber of Commerce of Uzbekistan, and NGOs. They monitored 1374 entities, of which 953 were farms, 231 educational institutions, 79 health care facilities, 55 companies, 25 hokimiyats and 25 mahalla committees. The monitoring covered the entire country and was conducted during September 23 – October 31, 2020. The findings of the national monitoring will be available on the FTUU webpage www.kasaba.uz.

1.3.4. List of individuals punished for forced labour during the 2020 cotton harvest

1. D.B., Head of Healthcare department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
2. B.R., Head of Heating entity in X city, was penalized according to article 51 of the Code of Administrative Responsibility.
3. B.I., Head of Electricity department of X district, was penalized according to article 51 of the Code of Administrative Responsibility.
4. M.S., Head of Roads Transport department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
5. M.D., Head of Forestry department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
6. S.X., Head of Pump station of Irrigation department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
7. B.O., Head of District Gas department in X province, was penalized according to article 51 of the Code of Administrative Responsibility.
8. S.A., Head of Seeds development center in X province, was penalized according to article 51 of the Code of Administrative Responsibility.
9. M.T., Chief engineer at X Company in X province, was penalized according to article 51 of the Code of Administrative Responsibility.
10. K.K., Head of silk LLC in X province, was penalized according to article 51 of the Code of Administrative Responsibility.
11. B.X., Head of Water Supply department in X city, was penalized according to article 51 of the Code of Administrative Responsibility.
12. B.R., Director of Bridges department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
13. G.P., Head of Finance department in X province, was penalized according to article 51 of the Code of Administrative Responsibility.
14. Sh.M., Director of Vocational school in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
15. F.E., Head of Irrigation department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
16. M.B., Director of Kindergarten in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
17. M.M., Head of controlling group of district hokimiyat in X province, was penalized according to article 51 of the Code of Administrative Responsibility.
18. A.S., Hokim of X district, was penalized according to article 51 of the Code of Administrative Responsibility.
19. M.F., Director of Kindergarten in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
20. A.D., Head of Beautification department of X district, was penalized according to article 51 of the Code of Administrative Responsibility.

21. U.Yu., Head of Pension fund in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
22. F.H., Head of Kindergartens' department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
23. R.H., Head of Gas department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
24. O.M., Director of school in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
25. G.I., Head of Beautification department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
26. S.I., Head of Beautification department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
27. N.M., Head of Beautification department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
28. B.T., Head of Department of Veterinary and Livestock Development in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
29. A.B., Head of Public Education in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
30. X.M., Head of X Bank in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
31. T.E., Head of Gas department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
32. I.E., Head of Beautification department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
33. S.N., Head of Water supply department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
34. A.B., Director of X policlinics in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
35. N.U., Head of Beautification department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
36. A.K., Head of Wheat SC Head of Beautification department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
37. M.I., N.U., Head of Beautification department in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
38. U.R., Head of Public Education in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
39. J.R., Head of Farm in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
40. J.S., Head of textile LLC in X district, was penalized according to article 51 of the Code of Administrative Responsibility.
41. K.R., Head of Farm in X district, was penalized according to article 51 of the Code of Administrative Responsibility.

1.4. Systems conducive to the exaction of forced labour

The state order system in Uzbekistan was conducive to the exaction of forced labour. Cotton sector reforms enacted in March 2020 ended the key elements of that system, i.e. state-mandated production and procurement targets. The reforms removed formal links between the state's financing of agriculture and agricultural production. State farm-gate prices were replaced by new minimum farm-gate prices, which set the floor that all buyers must adhere. The reforms are intended to increase freedom of choice and decisions by farmers and cotton-textile clusters.

Commercial production contracts

Hokimiyats are no longer permitted to impose production targets on farmers and clusters. State production contracts were replaced by commercial production contracts between farmers and cluster organizers. The reforms place more responsibilities on cluster organizers. They are expected to provide technical support to farmers and promote more sustainable, climate-smart cotton production. They are also expected to ensure that cotton is harvested free of forced labour.

In 2020, the Government monitored the fulfilment of the commercial contracts, amounting to a total market supply of 3.1 million tons of raw cotton. Although the Government has claimed that neither local nor central government were involved in contract negotiations or the enforcement of commercial contracts, and that the Government's role was restricted to the monitoring of cotton production for sector and macroeconomic policy purposes, the quality and terms of commercial production contracts were, however, among the most contentious issues of the 2020 cotton season.

In some instances, the commercial production contracts seemed to differ little from old state-farmer contracts in how they were prepared and executed. The public announcements of several regional *hokims* about the "achievement" of their regions' (commercially contracted) cotton production targets created considerable additional confusion. Although the announcements only reflected the Government's ongoing monitoring of commercial cotton production (a common practice in other countries), the announcements created considerable concern with stakeholders and was reminiscent of past practices where local officials would announce the achievement of state cotton procurement targets.

The current commercial contracting process seems unbalanced and should be reviewed/rectified before the next season. Several farmers have noted that commercial contracts were signed in the presence of the representatives of local *hokimiyats* and that the copies of contracts were kept by the *hokimiyats*. Some farmers appear to have been required to agree to production targets that were recommended

by *hokimiyats* and subject to penalties such as the potential loss of their assets and/or land user rights, upon failure to deliver the contracted quantity and quality of cotton. The contract terms often appear to favour cluster organizers over farmers.

A redesign of the commercial contracting process is urgently needed ahead of the 2021 season. Contracts need to reflect the new approach, freedoms, and shifts in responsibility and obligations, under the new cluster system and not the old system of mandatory production and financing.

Cotton Harvesting

Under the state order system, farmers were obliged to pick all raw cotton in the field irrespective of cost. Cotton picked during the first and second pickings are considered profitable as it yields the highest quality of cotton (1-2 grade) at the lowest cost. While subsequent pickings can be profitable in some areas, they can also be financially unprofitable in many locations because picking costs exceed revenues from these lower-quality yields.

Poor quality yields are priced lower because of the higher cost of processing (it is more resource-intensive to process, using more energy, and wearing out equipment faster). Picking costs are also higher because it is more labour-intensive. Conversely, under uncompetitive or forced labour market conditions, picking lower-quality cotton requires workers to exert considerably more effort to earn sufficient daily income (which is based on the volume picked). This is why, historically, there was more forced labour during the later phase of cotton harvesting. In addition, excessive cotton picking can also prevent farmers from preparing land for the winter wheat planting season, which, in turn, adversely affects wheat production and food security.

With the removal of the state production and procurement targets, farmers can better optimize their harvesting strategies and choose to leave lower-grade cotton unpicked. These freedoms emphasize the importance of delinking production targets with commercial contracts: farmers should be free to decide their cotton harvesting strategy based on their individual costs and benefits, just as clusters make similar determinations in their textile and apparel businesses.

The Government has taken several measures in recent years to accelerate the mechanization of cotton harvesting, but the pace of mechanization may be constrained by structural factors. The aim of these measures is to eliminate the use of forced labour. In addition to providing cotton-textile clusters with greater economies of scale (which improves incentives for a switch to mechanization), the Government also introduced a 15 percent subsidy in 2020 for the purchase of locally manufactured cotton harvesters (resulting in about 6.4 billion Soums of public expenditures in 2020), and subsidized the mechanized cotton harvesting in selected regions with labour deficit (resulting in public expenditure of about 58 billion Soums in 2020). Last year,

only 5 percent of cotton was mechanically harvested. This rate is expected to increase in 2020 and upcoming years, but mechanization is likely to be constrained by certain structural impediments.

Cotton planting techniques for manual picking is different than that for mechanized harvesting. At present, mechanized harvesting is increasingly occurring on “direct farming” fields that are under the direct control of cotton clusters, while mechanization on “contract farming” fields (which are leased by farmers from the state) is still rare as it requires a pro-active coordination of cotton production among farmers. For mechanization to accelerate, farmers need to have access to affordable services of planters, sprayers, and harvesters.

Conclusions

The reforms represent a strong start of the cotton reform process, but outcomes can be significantly improved ahead of the 2021 season. There are several critical weaknesses in reform implementation, especially in the area of commercial production contracts, which requires the proactive attention of the Ministry of Agriculture and other government institutions for addressing them before the start of 2021 cotton planting, production, and harvesting season.

1.5. Freedom of association and the role of civil society

The right of citizens, workers and employers to form and join organizations of their own choosing is an integral part of a free and open society. In many cases, these organizations have played a significant role in their countries' democratic transformation. From advising governments on labour legislation to providing education and training for trade unions and employer groups, the ILO is regularly engaged in promoting freedom of association.

Freedom of association is a major tool to achieve good labour market governance and to address fundamental labour issues in a sustainable manner. The exercise of the right to freedom of association requires a conducive and enabling environment. The role of governments in providing for an enabling environment is of paramount importance.

The framework for the realization of Sustainable Development Goal target 8.7 concerning the eradication of forced labour and child labour, is helpful to contextualize principles and goals for governments, employers, trade unions and civil society.

I. Governments

Governments must lead in the effort to eradicate forced labour, while appropriately engaging the full array of concerned stakeholders to yield the greatest impact with the most efficient use of available resources. Governments also have the clear responsibility to effectively enforce national legislation.

II. Employers

Businesses must comply with national legislation prohibiting forced labour. However, businesses should also adopt policies and practices aimed at eradicating forced labour in their operations and supply chains they may not directly control.

III. Trade Unions

Trade unions are a bulwark against forced labour and child labour by protecting and advancing core labour rights and promote decent work as defined by the ILO. The full realization of the right of workers to organize, join unions, and represent themselves in their workplaces is among the best ways to eliminate forced labour. Trade unions can organize and educate vulnerable workers.

IV. Civil Society

Civil society is critical to the development and implementation of any national plan for reducing forced labour. Governments must ensure respect for the protections for civil society embedded in international law, including freedom of association, assembly, expression, communication, and cooperation, as well as the rights to seek and secure resources and operate without unwarranted state interference. CSOs, on the other hand, have a clear responsibility to abide by the highest standards of ethical conduct.

In Uzbekistan, the dialogue between the Government and civil society continued in 2020. Activists are members of the new National Commission on Forced Labour and Human Trafficking. Two independent CSOs were registered after the 2020 harvest. However, activists continue to meet obstacles when they attempt to register their civil society organizations with the Ministry of Justice. The Ministry of Labour did register civil society activists and provided them with official badges to allow unhindered monitoring.

2. 2020 cotton harvest monitoring

2.1. How ILO conducts third-party monitoring

The ILO uses qualitative data to gain an understanding of underlying reasons, opinions, and motivations. This involves focus groups and field interviews conducted by local Uzbek human rights activists. Quantitative data is used to present the problem through usable statistics. In 2020, the ILO TPM conducted over 9,000 interviews across all provinces and districts of Uzbekistan. The ILO TPM follows international standards on sampling sizes and methodology.

Independent, unannounced, unaccompanied and ethical

At no stage were government officials involved in the monitoring or had access to data. All field interviews were randomly selected and conducted unannounced and unaccompanied. The TPM methodology has been reviewed and approved by an **Independent Review Board (IRB)** to ensure the rights and welfare of people who participate in our monitoring.

Utilizing both international and local expertise

ILO uses local experts to conduct interviews according to ILO methodology. The international ILO project staff are coaching and advising the local independent Uzbek human rights activists. The same number of interviews were conducted as in previous years. The pattern of interviews and replies was unchanged compared to previous years. Local Uzbek experts, activists and service providers were all trained directly by ILO to ensure legal and methodical consistency in data collection.

Duration of the monitoring

In 2020, the ILO Third-Party Monitoring took place throughout the entire cotton cycle, including the last stage of the harvest. Interviews were conducted and data were collected from **September to December 2020**. The findings were presented at online events on 27 and 28 January 2021, and the data collection continued until the end of December 2020. This report contains the full set of data and analysis.

Working with independent local civil society activists

Civil society activists were actively involved in the Third-Party Monitoring as well as activities beyond the cotton harvest.

1. **Dialogue with the Government.** The ILO continued to facilitate a dialogue process between human rights activists and the Government. The process mainly concentrated on labour rights with a particular focus on forced labour. Regular meetings were arranged with the Ministry of Employment and Labour Relations and there were frequent and regular exchanges on measures to prevent forced labour.

The activists and the Government officials also discussed effective implementation at the local level.

2. **Pre-harvest capacity building.** The independent activists actively contributed in 2020 pre-harvest trainings on labour standards, Fair Recruitment and investigation techniques for labour inspectors and territorial commissions on human trafficking and forced labour organized by the ILO TPM Project.
3. **Cotton harvest monitoring.** The activists participated in the cotton harvest monitoring in the following way:
 - Monitoring the functioning of the feedback mechanisms under the MELR and FTUU, including intake mechanisms, governance, decision-making processes and communication of results; and
 - Conducting interviews with pickers, brigade leaders and farmers.

A specific feature of the work with civil society in 2020 was a continued broadening of the group in terms of number, age, geographical distribution, occupation, etc. In 2018, the ILO engaged with 8 activists, while in 2019 their number increased to 15. In 2020, the group was expanded to 16 activists.

All activists were trained by the ILO on child labour and forced labour and third-party monitoring methodology. In addition, the monitors of the cotton fields benefitted from coaching by international experts on how to conduct interviews and how to ensure confidentiality of data. They also improved their understanding of the recruitment process, working conditions, and occupational safety and health in the cotton picking.

All 16 activists received badges from the MELR, which legitimized their work during the cotton harvest as national experts. The activists are:

- | | |
|----------------------|-----------------------|
| ▪ Azamjon Farmonov | ▪ Sharifa Madrahimova |
| ▪ Botirbek Adizov | ▪ Nazifa Kamalova |
| ▪ Abbos Parmonov | ▪ Marxabo Shodmonova |
| ▪ Jahongir Kulijanov | ▪ Hafiza Akramova |
| ▪ Uktam Pardaev | ▪ Dilshoda Shodmonova |
| ▪ Zulfiya Fattaeva | ▪ Mansurbek Yakubov |
| ▪ Zohidjon Zokirov | ▪ Aziza Normurodova |
| ▪ Hayotxon Oripova | ▪ Shukhrat Ganiev |

Equal gender balance: 8 female / 8 male

Languages covered: Uzbek, Karakalpak, Russian

2.1. Voices of the independent civil society monitors



Shukhrat Ganiev

” 2020 was a difficult year where the COVID-19 pandemic left many of our compatriots without income from abroad. For me and my fellow civil society activists in Uzbekistan, the role as ILO monitors during the cotton harvest provided us with a unique opportunity to help unemployed rural women receive decent pay and feel protected in front of the employer. I believe our work helped to inspire people with hope and faith in this very difficult time. The monitoring during harvest was one of the main motivations for civil society activists in Uzbekistan in 2020.



Dilshoda Shodmonova

” When I was a child and went to school, we unfortunately missed a lot of classes because of the cotton harvest. Today, thanks to the reforms and the absence of child labour and forced labour, my own daughter can go to school uninterrupted and get her education. This shows the tremendous progress we have achieved, and it encourages me to continue my work as a labour rights activist. We talked to many pickers during the monitoring this year. When we gave them the feedback mechanism numbers, I heard the confidence in their voices. This is another aspect of the monitoring that motivates me.



Azam Farmonov

” For many years, there was little space for open talk about human rights and freedoms in Uzbekistan. Several human rights activists and free-thinking people were punished. I personally spent 11 years of my life in Jaslyk prison. At that time, there was a cold relationship between the government agencies and civil society representatives. There was no dialogue. The ILO third-party monitoring project served as a bridge of trust between the government and civil society. Today, Uzbekistan has a mechanism for solving problems on the basis of dialogue between civil society and government agencies, rather than only being hostile to each other as before. Today, government officials are beginning to hear our voices. Various human rights partnerships are being established and a new generation of young human rights defenders are emerging as a result of the ILO TPM project. This makes me optimistic about the future.



Sharifa Madrahimova

” *In previous years, I monitored the cotton harvest as an independent journalist, and I faced obstacles and challenges. However, for the 2020 cotton harvest I monitored as part of the ILO Third-Party Monitoring project. I interviewed many pickers and recorded their opinions. Some people expressed frustrations and others expressed concerns about speaking openly. I managed to convince some people that they would not face difficulties for raising concerns. Sometimes what I learned made me happy, and sometimes it made me sad. I would personally be delighted to continue the collaboration with the ILO, and I will continue my work until decent working conditions and a system of fair remuneration are in place for everybody.*



Botirbek Adizov

” *I have been collaborating with the ILO Third-Party Monitoring Project for several years now. If I think back at where we started and where we are today, there are significant improvements in the way the cotton harvest is organized in rural areas. Pickers were paid on time and the cotton was weighed correctly. Working conditions improved and proper food was organized. I feel proud of these improvements. There are still shortcomings, but I can say that we no longer see systemic child labour or forced labour. I learned a lot from collaborating with ILO in terms of gathering data and studying people's opinions. We worked as a team and openly shared experiences – it was motivating.*



Zulfiya Fattaeva

” *Participating in the ILO Third-Party Monitoring has inspired me made me realize that working as a team is more effective than working individually on forced labour and human rights issues. It is well known that the opinion of group of people is better than the opinion of one. I believe we have achieved good results based on the ILO TPM methodology. Forced labour is now a criminal offense in Uzbekistan and addressing the root causes and systems have yielded good results. However, we must not stop, even if we see relatively low rates of forced labour and child labour. Child labour and forced labour is never acceptable and we must aim to reach zero cases in the future. I made a decision to continue my work on human rights because of what I learned and experienced working with the ILO Third-Party Monitoring project.*



Uktam Pardaev

” When I provided independent monitoring myself 3-4 years ago, local police officers in civilian clothes regularly monitored me. In 2012 and 2015, I was even detained for 15 days and fined as a result of my activities. However, I have seen many positive developments over the last three years. The Ministry of Employment and Labour Relations provided us with official badges, so we could easily collect data and conduct monitoring of the harvest. I experienced how the Ministry officials in Tashkent worked hard to investigate cases of forced labour, secure evidence and address problems. During the online interviews, I felt that some people still don't feel comfortable speaking completely openly. It would be good if the government, the Ministry of Labour, civil society and the ILO continue to work together to completely eliminate these concerns and reluctance. At the same time, I would like to see more actors doing independent monitoring.



Hayotxon Oripova

” I participated in the ILO Third-Party Monitoring for the last two years and I noticed a sharp decline in how many cases of forced labour we came across. The 2020 monitoring took place during the COVID-19 pandemic. I gained knowledge and experience on how to engage people online and over the phone. As an NGO representative, I learned about the importance of continue advocating for the prevention of forced labour to government agencies, private businesses and the general population. I've also come to realize the importance of establishing manufacturing enterprises in Uzbekistan to create full-time decent jobs for the population, especially unemployed women, in rural areas. This is an important part of the solution to the problem of forced labour.



Abbos Parmonov

” I support ILO's efforts to eliminate child and forced labour. So far, I have seen significant changes and improvements in these areas in my country. This makes me happy and gives me confidence that we can overcome this problem. For the 2020 monitoring, we communicated directly with cotton pickers over the phone. My general impression is that people have a high level of awareness of child labour and forced labour. I noticed a shift in terms of confidence among the population. People are beginning to know their rights. I believe this is important.



Zohidjon Zokirov

” My main motivation is to prevent forced labour. The 2020 cotton harvest monitoring went well despite the pandemic. It was a new experience for me to conduct interviews over the phone, but it worked well, and I had a good experience. The conversations were productive and open. I didn't experience any problems with doing it this way. I urge the ILO to continue the project because we still have work to do. Forced labour can take many forms and it is not limited to the cotton harvest. I suggest broadening our perspectives and to study problems and difficulties of labour in other sectors including state budget institutions, schools and factories. It would be helpful if more people would join our movement and monitor labour issues in their local areas.



Nazifa Kamalova

” I was pleased to note that the Uzbek legislation on combating human trafficking and forced labour was improved including criminal liability for repeated cases of forced labour. I was part of the ILO monitoring for the 2020 cotton season. I believe that the data obtained from the monitoring is accurate and that all the rules of protecting the respondents' right to confidentiality were observed. In fact, by doing the interviews by phone we helped to ensure an even higher level of independence from the local officials. It was a pleasure for me to observe the interest of the Ministry of Labour in the eradication of forced labour. The Ministry immediately reacted to all information we passed on to them and we observed how local officials were brought to administrative responsibility. However, more work needs to be done to ensure good working conditions. The pandemic also meant that some schools were closed this year and as a result some children accompanied their parents to the cotton fields. We have come a long way but still have important work to do.



Marxabo
Shodmonova

” It was a new experience for me to conduct interviews over the phone. Being able to build trust with another person over the phone and get their consent for an interview is a skill that I hope I can put to good use in other areas. Participating in the ILO Third-Party Monitoring gave me confidence and motivated me to continue working on these issues. I am pleased to see a decrease in forced labour and eradication of systemic child labour.



Hafiza Akramova

” *Participating in the ILO monitoring gave me a sense of pride and dignity. I witnessed how unemployed women and men returning from Russia had high hopes for the money they would receive from the cotton harvest. I talked with people from all walks of life. Some told me that the daily food for a family of thirteen depended on the amount of cotton they collected. Under such circumstances even the men volunteered to go to the cotton harvest. I think monitoring will remain important until all cotton pickers know their labour rights and working conditions improve.*



Mansurbek Yakubov

” *By participating in the monitoring with ILO, I increased my knowledge of labour standards and labour rights. I hope this will allow me to provide solutions to people in the future. I also hope that through the conversations we were able to instill higher levels of self-confidence in the cotton pickers.*



Азиза Normurodova

” *Participation in the ILO monitoring helped me develop my communication and analytical skills. I also learned about monitoring methodologies and data collection which I believe can be put to good use in other areas related to human rights. This can contribute to the further development of civil society and to identify problems and find solutions to help people whose rights are violated.*



Jahongir Kulijanov

” *This year, Uzbek civil society activists carried out the monitoring independently by using the skills and methodologies we were taught by ILO. I found it an interesting experience to carry out the monitoring over the phone given the pandemic. It was a very valuable experience for me. I hope to be able to apply my skills in continued cooperation with the ILO.*

2.3. Ethics considerations

The ILO Third-Party Monitoring (TPM) methodology respects the principles of independence, confidentiality and informed consent. The TPM methodology has been carefully designed to protect vulnerable persons and groups. In order to avoid or minimize any risk to respondents, a substantial number of mitigation measures were implemented both at the qualitative and quantitative stages.

The 2020 ILO TPM methodology achieved approval from an international Independent Review Board (IRB) also known as an Independent Ethics Committee.

- Annex 3 - IRB Approval for ILO Third-party Monitoring (qualitative phase)
- Annex 4 – IRB Approval for ILO Third-party Monitoring (quantitative phase)

As described below, informed consent is a key requirement for all parts of the ILO TPM. Informed consent provides people with adequate information to allow for an informed decision about their voluntary participation in the monitoring. This was achieved through a consent form that was provided and explained in detail.

2.1.1 Item count technique

The ILO study design (sampling and questionnaires) used the so-called Item Count Technique when asking sensitive questions from potential victims of forced labour. ICT protects the anonymity of respondents.

Respondents are randomly split into two groups. The Control Group will be presented with 4 statements. The Treatment Group will be presented with the same 4 statements + 1 sensitive statement (in this case about forced labour). Respondents are then asked to indicate **how many** statements (not which statements) apply to them. By comparing the results from the two groups, an accurate estimate of how many people are in forced labour during the cotton harvest can be calculated.



The advantage of ICT is that respondents are not revealing directly to the interviewer whether or not they were threatened or perceived threats in relation to participating in the harvest. ICT improves, through anonymity, the number of true answers to possibly awkward, embarrassing or self-incriminating questions, and it is used in many kinds of research.

2.1.2 Ethics considerations for qualitative data collection

The ethics measures implemented during the field visits are described below:

- After arrival at the field, lists were distributed among all the pickers with key information about the monitoring. Pickers were invited to approach the ILO monitors on the field (monitors were instructed to spend up to three/four hours at each field site) or to contact the ILO TPM office in Tashkent to submit information regarding the monitoring objective or to arrange an interview at a convenient time and place. This allowed people who are afraid to share sensitive information in public to do so in a convenient and safe way. This measure also protected pickers present in the field (up to 50–100 pickers) as the farmer could not know who provided information to ILO via personal interview or through other channels.
- Once a picker contacted the ILO monitor, all details related to consent were discussed and clarified. The consent form with the contact information of the ILO was provided to respondents. Informed consent was received from all respondents who took part in the monitoring, including pickers, farmers, brigade leaders, and state officials.
- Informed consent and the interview were conducted in the presence of only the monitor and the translator.
- All respondents had the right to choose the time and place of interview for safer conditions.
- The field monitoring team included no representatives of the state or state-affiliated institutions. The teams consisted of the ILO monitor, an independently recruited interpreter and an independent Uzbek human rights activist.
- Respondents were told that they could use a pseudonym and they were not asked to share any names or personal information of other individuals during the interview.
- Monitors used secure electronic devices (such as tablets) to record interviews, fill in check lists, and develop write-ups. All data collected were submitted to the ILO TPM project through a protected cloud server and were physically deleted from all field devices within 24 hours. The devices were protected by a fingerprint or cyber code access so that physical theft of the device could not allow access to the data.
- A confidentiality agreement, specifying that no information received during the course of the study can be shared with any third-party, was signed by all monitors and supporting staff (e.g. drivers, interpreters and civil society representatives).
- Monitors were strictly prohibited from taking any pictures or videos of human subjects. They could only take pictures of objects (uploaded on the secure cloud server) related to the working conditions.
- Monitors and translators were provided with a two-day training sequence with detailed instruction and clarification of ethics issues. Specific attention was paid to the notion of informed consent, privacy, confidentiality of the respondents, the right to withdraw from

the study at any moment, practices of conducting interviews with members of vulnerable groups, etc.

- The monitors did not collect any contact information during the study. No follow-up data collection procedures were conducted with the pickers.
- The only identification information about the data collection sites were the GPS coordinates. The GPS coordinates were collected to check the quality of work conducted by the monitors. The data was deleted after the quality control procedures were completed, and it was not used in any output materials for the study.
- Additional measures were applied to protect risk groups that might have been present in the field during the monitoring (individuals under the age of 18 and persons involved in forced labour). To minimize the risks, no one under 18 was recruited for an interview. In the case someone below 18 was identified working in the field, he/she would have been removed from the workplace. According to Uzbek legislation, manual cotton picking is classified as hazardous work, which children under 18 years old are not allowed to undertake. The monitor was instructed to inform an adult accompanying the child, such as the farmer/brigade leader, about the prohibition of employing children in cotton picking and the hazards associated with cotton picking. If the child's parents or legal guardians were not present in the field, the monitor was instructed to inform representatives of the local mahalla fund (i.e. the local community association) to contact the parents or legal guardians of the child. The monitor was asked to be present in the field until the child was withdrawn and united with his/her parents or legal guardians.
- People who had been involved in forced labour were recruited to participate in an interview. Monitors all have significant experience in collecting data from vulnerable groups, including people in forced labour situations. In addition, the monitors and interpreters were trained on methodology, including refresher sessions on data collection with this specific group of respondents in mind.
- Respondents might have become visibly and emotionally distressed by certain questions or modules (e.g. on the experience of being involved in forced labour). This issue was addressed during the training with the monitors and interpreters. Respondents were reminded that they are free to leave the interview at any time and have the right not to respond to any questions that made them uncomfortable. The respondents were told that they are free to withdraw from participation in the study at any time, even after oral consent had been given.
- In addition to the measures stated above, all ILO monitors were practicing independent experts on forced and child labour with over 10 years of work experience each. After the interview was completed, they were in a position to provide advice on labour rights and explain protection mechanisms in the country. The contact information of hotlines and telegram bots of the MELR and FTUU was provided to respondents if they wished to have more information or if they wanted to make a complaint or needed support.
- The ILO team nominated a complaints focal point to address any issues and respond to requests from respondents. Information was provided to participants regarding the contact details of the focal points for them to register their concerns or complaints.

2.1.3 Ethics considerations for quantitative data collection

A number of measures were applied at the quantitative stage to avoid or minimize the risks to respondents, including the following.

- Particular attention was paid to the privacy of respondents. The questionnaire did not include personal information about the respondents. The phone number for the effective interview was deleted immediately after the interview was conducted.
- No individuals younger than 18 years old were interviewed for the survey.
- No direct questions on the experience of being involved in forced labour were asked. The ICT technique related to the respondent's experience with picking cotton was applied, to identify the proportion of population that was involved in the practice in 2019.
- Informed consent was obtained from all respondents prior the interview. The consent script included the contact information of the ILO team so respondents could contact the ILO with any questions or complaints.
- Interviewers informed respondents that they could use a pseudonym and not share their or any other individuals' names or personal information during the interview.
- The ILO team conducted training for all interviewers and field managers and provided detailed instructions and clarification of ethics issues. Specific attention was paid to informed consent, privacy, confidentiality of the respondents, the right to withdraw from the study at any moment, and practices of conducting interviews with members of vulnerable groups.
- Respondents might become emotionally distressed by certain questions or modules. This issue was addressed during the training with the interviewers. Respondents were reminded that they were free to leave the interview at any time and had the right to not respond to any questions that make them uncomfortable. The respondents were told that they were free to withdraw from participation in the study at any time, even after verbal consent had been given.
- No follow-up contacts were made with the respondents.

If a respondent required more information about his/her labour rights, the contact information of hotlines and telegram bots of the MELR and FTUU was provided to the respondent. They could contact them for more information about labour issues in general, the issue of child labour and forced labour, or if they wanted to make a complaint or needed support to protect their rights.

2.4. Methodology and sampling

2.4.1. Sampling and data collection in the qualitative phase

The key objective of the qualitative monitoring in 2020 was to collect real-time observations of the effects of recent policy initiatives on recruitment practices, working conditions, and the risk of using forced labour and child labour for the 2020 cotton harvest.

2.4.1.1. Qualitative data collection method adjustment to COVID 19

In previous years, ILO monitors (international and local) visited cotton fields in all regions of Uzbekistan to conduct field monitoring during the different passes of the harvest. They conducted interviews with cotton pickers, farmers and officials, and also observed and recorded information about working conditions.

The field monitoring methodology for 2020 was revised to anticipate and minimize the impact of COVID-19, with a particular focus on the health and safety of project staff, monitors, consultants, partners, interviewers and interviewees. The ILO team aimed to ensure high ethical standards of data collection and ensure the health and safety of all respondents and people involved in data collection.

The following key measures were included in the data collection methodology:

- Monitors did not travel to cotton fields to recruit respondents.
- Monitors worked from home and conducted qualitative interviews using a phone and computer/tablet with an internet connection.
- The contents of the consent form were verbally communicated to potential respondents, and verbal consent was requested. A copy of the consent form was sent to the respondent via a selected channel of communication (e.g., postal service, telegram, or SMS), if requested.
- To increase the response rate and cover potential expenses of respondents, a small token of appreciation was provided to respondents (cell phone credit).
- Trainings for interviewers/monitors was delivered through online channels.

The data collection process was organized as follows:

- Monitors collected data from their homes. Monitors were provided with special software, mobile phones, and SIM cards.
- The software randomly selected a number from a database of all mobile numbers in a particular region of the country and shown to an interviewer on the screen.
- The interviewer called the number. If the person that picked up the phone was older than 18 years of age and had participated in cotton picking in the last 30 days, he/she could be recruited for an interview.
- Informed consent details were communicated to the respondent. If requested, a copy of the consent form was sent to the respondent by SMS, Messenger, or email.

- Respondents who provided informed consent could proceed with the interview immediately. Alternatively, they could select a day and a time for the interview that was convenient for them.
- After completing the interview, a cell phone credit (a small token of appreciation) approximately equal in value to one hour of work in the cotton field was credited to the phone of the respondent. The phone credit and its value were selected as an appropriate gift after consultations with civil society activists in June 2020.
- The interviewers did not make an audio recording of the interviews. They made notes, and after completing the interview, they typed a brief report in a particular software application. After they entered the report and hit “send”, the report was transferred through a secured connection to the cloud for storage. The report was not saved on the computer of the monitor.

2.4.1.2. Sampling for the qualitative data collection phase

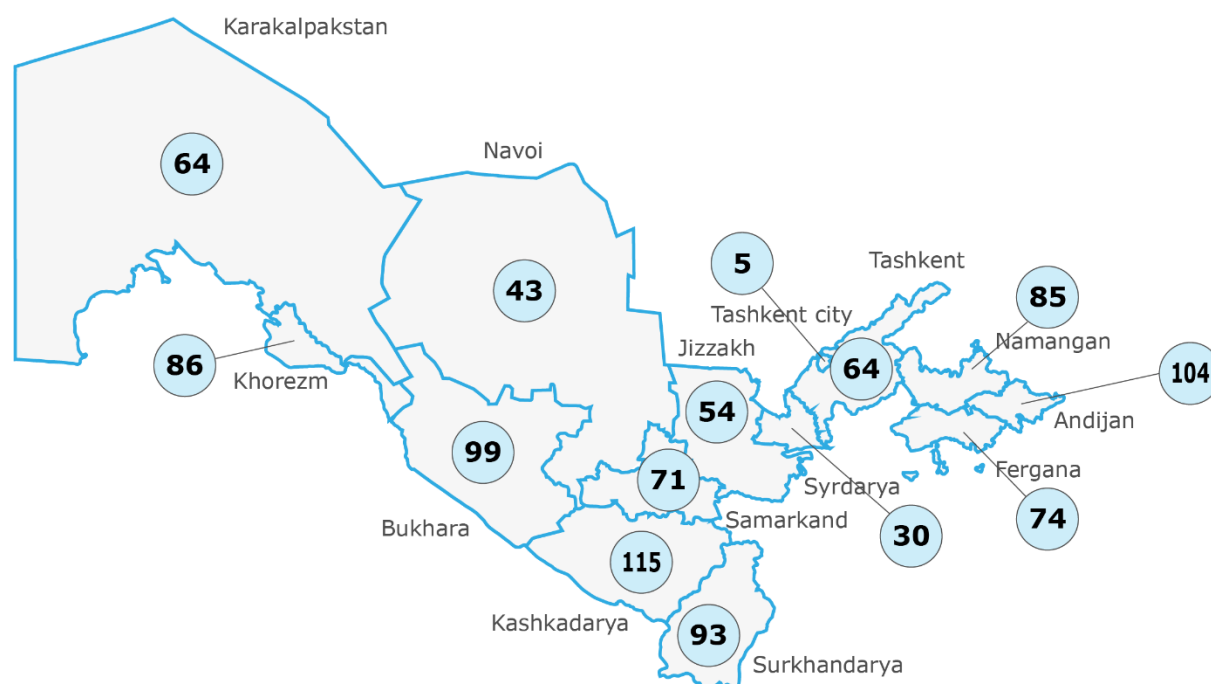
The sampling for the qualitative phase was based on telephone numbers in the DEF diapasons (mobile numbers). Information about the ranges (first digits) of all mobile telephone numbers is in the public domain on the official website of the State Unitary Enterprise "Republican Center for Telecommunication Networks Management". The range includes "(90) 997 – XXXX". For a qualitative study in 2019, data were downloaded from the site. All possible combinations of numbers in those ranges were generated by the computer – a total of 60.58 million numbers.

- The owner of any particular phone number was not identified.
- The respondents were asked questions only after the informed consent procedure had been completed.
- The respondent numbers were removed from the database after the interview and were not included in the analysis and database with respondents' answers.
- From these ranges of phone numbers, a computer program randomly selected phone numbers to call.
- Each phone number had an equal probability of being included in the sample.

There were screening questions to select respondents who participated in the 2020 cotton harvest pickers from the population. To those interested in taking part in survey, a consent form was explained in detail. Interviews were conducted only with those respondents who provided the informed consent. No individual younger than 18 years of age were included in the study.

In total, a team of 17 national monitors conducted 987 interviews in 13 regions, including 931 interviews with cotton pickers, 37 farmers and 19 respondents who did not pick cotton, but were involved in the cotton harvest as brigade leaders, drivers, weighers, etc.

Map 1. Qualitative interviews by region, 2020



The interview guide for the qualitative stage included questions to determine the socio-demographic portrait of the respondents (gender, age, region and type of settlement in which the respondent lives, education, family size). This information allowed the ILO Third-Party Monitoring project to analyse the respondents' answers about recruitment, the risks of being involved in forced labour practices, awareness of their labour rights in the context/in the context of various socio-economic groups.

In addition, the collected responses made it possible to compare the responses of representatives of various socio-economic groups in the qualitative component of the study with the responses of representatives of similar groups in the quantitative component of the research. This comparison helped the team assess the quality of the data collection at the quantitative stage and interpret in more detail the results of the quantitative stage.

3.1.2. Sampling and data collection in the quantitative phase

The target population for the quantitative survey was working age citizens of Uzbekistan (18–50 years old). The data collection method was a CATI survey. The sampling method was a random systematic stratified sample (RDD) of mobile phone users in the country.

The quantitative study was focused on the recruitment and working conditions of cotton pickers. It was important to ensure a sufficient response rate from people involved in the cotton harvest in 2020. According to the 2019 ILO TPM quantitative phone survey, about 12,5% of the working age population of Uzbekistan were involved in the 2019 cotton harvest. Therefore, based on the requirements for accuracy and reliability of the results, it

was decided to interview 8000 respondents during the 2020 survey. This allowed for about 900-1100 responses from the target group of cotton pickers.

The sampling frame was mobile phone numbers in Uzbekistan (N = 60 580 000 cell phone numbers²). The sampling design was based on a random systematic sampling of mobile telephone numbers, which enabled an equal probability of selecting each mobile phone number. This method of selection was Random Digit Dial (RDD).

The 95% confidence interval for the sample of 8000 respondents will be 1.3 p.p. And for the cotton pickers (900-1100 respondents) it will be 3.6-4.0 p.p. Due to the formula for simple random sample:

$$\Delta = t_d \sqrt{1-f} \sqrt{\frac{p(1-p)}{n-1}}$$

where p – percentage of attribute in sample (we used 50% for maximum variance), n – sample size, Δ - confidence interval, t_d – constant depending on the level of confidence (1,96 for 95%), f – percentage of sample in population (n/N) and assessing the effect of weighting factors on sampling error.

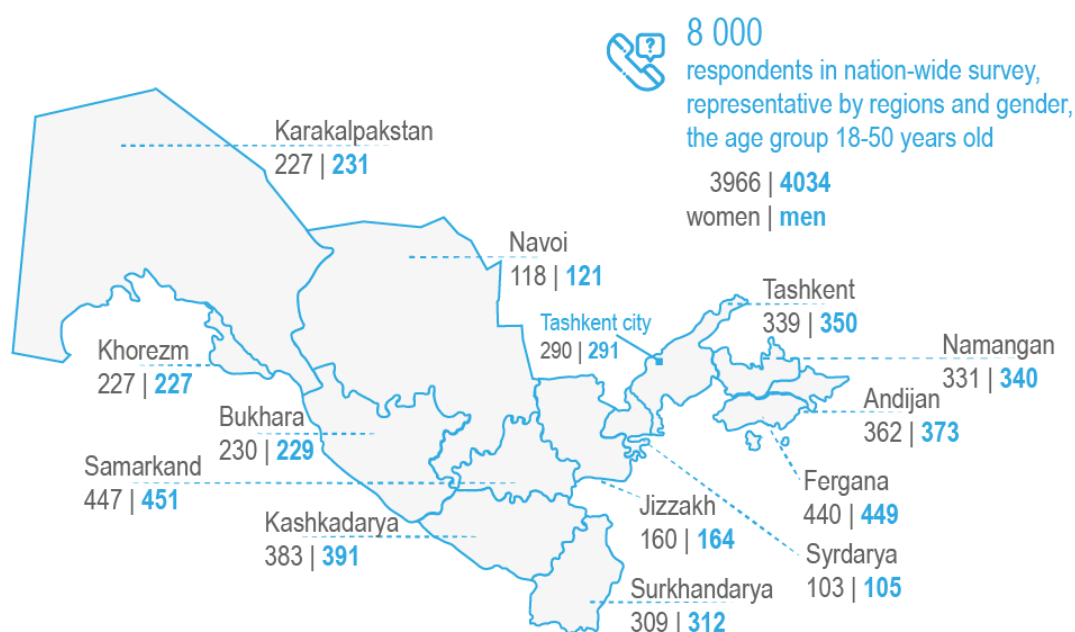
The regions of Uzbekistan vary quite significantly in terms of several socio-economic indicators, which suggests there may be a different level of mobile phone usage among the populations in different regions. Therefore, regions were treated as strata in the construction of the sample, otherwise there may be a risk the sample could shift (be biased) toward regions with a higher coverage/usage of mobile phones.

The number of respondents in each region should be proportional to the percentage of the working age population of the region among all working age citizens of Uzbekistan.

A strong gender imbalance was observed in the sampling conducted for the CATI survey in 2017. Therefore, to fix this bias, it was suggested to add gender distribution as a target stratum in the sampling. The CATI survey fulfilled the following strata by region and gender:

² The sampling frame was generated based on DEF diapasons of all cell phones of Uzbekistan, A list of DEF diapasons of all cell phone numbers in the country (a list of all first 2 digits in 9 digit cell phone numbers) is publicly available on the website: www.rmc.uz. Based on the diapasons, the computer will generate 60 580 000 cell phone numbers that correspond to the diapasons. The list of 60 580 000 is the sampling frame for the study.

Map 2. Quantitative interviews by region and gender, 2020



To estimate the proportion of the population involved in forced labour, the Item Count Technique (ICT) was used in the sampling and questionnaire design. The ICT is an indirect questioning technique that is used to estimate the proportion of people who have engaged in stigmatizing behaviour. This technique is expected to yield a more appropriate estimate than the ordinary direct questioning technique because it requests respondents to indicate, based on a list of several items, simply the number of items that are applicable to them, including the target key item.

In order to estimate the proportion θ of people belonging to the stigmatizing category Two lists are used:

1. a long item list which includes $G + 1$ items (G are non-sensitive, and one is sensitive); and
2. a short item list which includes the G non-sensitive items.

In both samples, the respondents should report the total number of items that apply to them without disclosing which ones

Let X_i be the number reported by person i from the first sample ($i = 1, \dots, n_1$) and let Y_j be the number reported by person j from the second sample ($j = 1, \dots, n_2$). Then $\hat{\theta} = X^- - Y^-$ is an estimator of θ

In order to further improve the statistical accuracy, the CATI software was programmed to take advantage of a double set of ICT question sets as illustrated below.

8,000 interviews in total

4,000 interviews



ICT Question set 1

Here is a list of four things that some people have done, and some people have not. Please listen to them and then tell me **how many** of them you have done in 2020. Do not tell me which you have or have not done. Just tell me how many. Here are the four things:

1. Watched soap operas on television
2. Asked neighbours for help
3. Visited a doctor in a hospital / clinic
4. Travelled outside your city / village

4,000 interviews



Here is a list of five things that some people have done, and some people have not. Please listen to them and then tell me **how many** of them you have done in 2020. Do not tell me which you have or have not done. Just tell me how many. Here are the five things:

1. Watched soap operas on television
2. Asked neighbours for help
3. Visited a doctor in a hospital / clinic
4. Travelled outside your city / village
5. Picked cotton because you were afraid or threatened that you would lose your job, salary, benefits etc., if you declined



ICT Question set 2

Here is another list of five things that some people have done, and some people have not. Please listen to them and then tell me **how many** of them you have done in 2020. Do not tell me which you have or have not done. Just tell me how many. Here are the five things:

1. Bought large household appliance
2. Grew vegetables in my tamorka
3. Went to mahalla office with a request
4. Attended a wedding
5. Picked cotton because you were afraid or threatened that you would lose your job, salary, benefits etc., if you declined



Here is another list of four things that some people have done, and some people have not. Please listen to them and then tell me **how many** of them you have done in 2020. Do not tell me which you have or have not done. Just tell me how many. Here are the four things:

1. Bought large household appliance
2. Grew vegetables in my tamorka
3. Went to mahalla office with a request
4. Attended a wedding

The CATI software was programmed so that 4000 randomly selected respondents were provided with the shorter list of the first ICT question (4 items, no question about forced

labour), and another randomly selected 4000 were provided with the longer list of 5 items in the first ICT question (4 neutral items and 1 item on the involvement in forced labour). Then for ICT question 2 the group of 4000 respondents that got the short list in ICT question 1 would get the longer version in ICT question 2 and vice versa. No direct questions on a forced labour experience were asked to respondents.

Statistical weightings by age, gender, and probability were developed and applied at the data analysis stage to ensure the sample represents the composition of the working age population.

The quantitative part of the monitoring was conducted by a local consultancy firm recruited via tender. The data was collected between 12 November and 28 November 2020, after most or all of the cotton had been harvested. The methodology of the phone survey was assessed and approved by the International Review Board to ensure that there was no potential for harm to the human subjects taking part.

2.5. Key results of the qualitative phase

2.5.1. Recruitment channels

Based on the qualitative component of the study, cotton-picking workers could be recruited in several different ways for the 2020 cotton harvest. For example:

- Some people went directly to farms within walking distance of their house and asked if they could harvest cotton for the farmer.
- Some farmers directly offered residents from the local community an opportunity to take part in the harvest.
- At the request of farmers, some local mahalla leaders disseminated information on payment terms, and talked with (sometimes informing, sometimes motivating) local residents about the possibility of working in the cotton harvest.
- At the request of farms/clusters, some brigade leaders recruited people to harvest cotton under their brigade leadership.
- Some pickers were recruited through their place of work.

In some cases, the public employment service collaborated with mahalla representatives for recruitment and it is possible that some respondents perceived that they were being approached by mahalla representatives and not the public employment service. In other cases, the mahalla representatives were recruiting pickers without involvement of the public employment service.

There were reports of brigade leaders being recruited by mahalla representatives and also in some cases the brigade leaders were mahalla representatives.

Brigade leaders were paid from the Public Works Fund under the Ministry of Employment and Labour Relations³.

2.5.2. Gender dimension

The qualitative interviews indicated that women still make up the majority of those directly involved in the manual picking of cotton while men are more frequently involved in the weighing and transporting of the harvested cotton. However, some respondents said that due to the pandemic, many men were willing to participate in the cotton harvest due to a decrease in income from other sources, or not being able to migrate abroad for work. There were more cases of several family members coming together to pick cotton to collectively earn more money for the family budget.

2.5.3. Contracts and pensions

As in previous years, most pickers worked without formal contracts. In most cases pickers and farmers instead relied on verbal agreements. Some pickers gave the impression that there were promises of written contracts but that these promises not always materialized. Many

³ Resolution of the Cabinet of Ministers of the Republic of Uzbekistan Nr 545, of 8 September 2020 "On Measures to Ensure Organized Cotton Harvest in 2020".

pickers who had a written contract said that they signed it without reading it. Some pickers said that they read the contract but not very carefully. Most farm employees took up their duties as pickers on the basis of verbal agreements. Where a written contract was in place it was often supplemented by verbal agreements on details around working conditions and payment.

Respondents said that pension contributions were not deducted from their wages from cotton picking and the work in the harvest was not included in the calculations for their pension payments.

Many pickers reported that they were asked to provide passport data as part of the recruitment process, but they did not know why.

2.5.4. Wages, bonuses and deductions

According to the qualitative monitoring data, payment for one kilogram of cotton increased across passes, as it has done since the 2017 harvest. In 2020, the salary during the first pass was 1,000 UZS/kg. For the second and third passes, the fee varied from 1,200 to 1,400 UZS/kg. There were rare cases when, for the third pass, pickers received from 1,500 and up to 1,800 UZS/kg. Respondents consistently said that the increased fees for the second pass significantly increased their motivation to pick cotton.

Payments were usually made every 3–5 days. The maximum payment period was 8 days or more while there were also reports of daily payments made immediately after the cotton was weighed. Respondents noted that the wages were paid more frequently (3–5 days) for the first pass and less frequently for the second or third pass (8 days or more). The payments were either made by a local bank representative directly, or through a farmer or brigade leader. There were isolated reports of cases where payments to pickers and brigade leaders were delayed.

A significant number of respondents (336 out of 987) confirmed the practice of deducting between 3% and 20% of the weight from each hand-picked kilogram of cotton to account for waste (stones, earth, cotton stalks). There are different views between pickers, farmers and brigade leaders on this practice and how the deduction is implemented. Pickers tend to complain about deductions while farmers and brigade leaders tend to defend the deduction as a necessary mechanism to compensate for dishonest individuals who deliberately add rubbish, dirt, and stones to the cotton in order to add weight.

Most pickers need to cover the costs of gloves and aprons for cotton picking. In 2020, many pickers experienced additional costs for personal protective equipment such as respiratory masks and hand sanitizers in relation to the pandemic. Usually, the farmer does not provide personal protective equipment (PPE) at all or in some cases provides PPE for an additional fee. ILO Convention 155 (not ratified by Uzbekistan) requires that OSH/PPE measures must not involve expenditures of workers.

Many respondents noted that they organized their own food in the fields, as farmers often only provide hot tea. The pandemic influenced the process of providing lunch to pickers. In

some cases, farmers decided not to provide lunch to prevent people gathering in one place. Or, instead of having a centralized lunch space, the pickers themselves, for fear of becoming infected, ate lunch at a distance from each other or went home to eat lunch.

The system of rewarding pickers who pick a certain amount of cotton was also observed during the 2020 harvest. However, this year, the bonuses were less common, and in some areas/districts they were not provided at all. Most often pickers received cooking oil (242 out of 987 respondents); less often, utensils; very rarely, household appliances or money. Some pickers said they received one litre of cooking oil for every 50 kg of cotton.

59 respondents (out of 987) mentioned that the mahala (or in some cases the ministry of labour) had promised lump sum of 500,000 UZS as an incentive to pick cotton. Some respondents complained that there was a significant delay in this payment, or in some cases the promised amount was paid partially or not at all.

This year, a higher number of respondents said that the money earned from the cotton harvest was a critical source of income for their family to pay for food, medicine, and winter preparations for the household (food storage, firewood, warm clothing, etc.).

Many respondents brought up the topic of employment, the insufficient income level of their families and uncertainty regarding the future. People experienced fear and uncertainty due to the lockdown. They were afraid that a potential second wave of COVID might occur and that lockdown measures might be implemented again. As a consequence, many said they were trying to earn as much money as possible during the cotton season to store enough food for the future.

2.5.5. COVID-19 measures

Respondents actively expressed their views and concerns about the working conditions associated with COVID-19. In some cases, farmers have been able to provide measures to adequately address the risk of spreading the disease. These included distributing free masks in sufficient quantities, burning masks at the end of the day after use, disinfecting common areas, providing antiseptics free of charge, measuring body temperature of pickers at the start of the day, and preventing pickers with symptoms of illness from working in the fields. However, the qualitative part showed that most of the farmers were either unable or unwilling to provide sufficient COVID-19 measures or faced difficulties in providing these measures.

Among the preventive measures provided, respondents mentioned medical masks (9 out of 10 respondents), antiseptics (5 out of 10 respondents), social distancing (5 out of 10 respondents), temperature measurement (2 out of 10 respondents), the presence of a medical worker (1 out of 10 respondents), and the availability of a first aid kit (1 out of 10 respondents).

The practice of wearing masks differs from field to field. Sometimes, the masks are changed twice a day and provided by the farmer; sometimes the farmer provided one mask for two weeks; and in some fields, masks were not provided at all. Pickers are widely

informed about the need to wear a mask, but they often had to spend their own money to buy them.

In some cases, specialized antiseptics or opportunities to wash hands with soap and water were provided, with a mandatory requirement to wash hands before eating and during the breaks. However, there were cases when there were no hand sanitizers, soap (pickers had to bring soap with them) or even water for washing hands.

The requirement to maintain social distance (as well as wear a mask) could be controlled in the following situations: during cotton picking, during weighing of the picked cotton, during lunch, and during a transfer to and from the field. Maintaining a distance during picking was relatively easy, as respondents reported. Most violations of social distancing occurred during weighing and during the transfer. There were reports that pickers might have accumulated in crowds while weighing cotton or not worn masks when in the transport. The hardest part was maintaining social distance when being transported to the field. The respondents noted that most often buses which transported 40-60 people simultaneously were provided.

Measuring of body temperature was carried out if a medical worker/nurse was present on the field. It often occurred irregularly. In a number of fields, a medical worker was present who could measure the temperature at the beginning of the working day or at the request of the picker. In some areas, doctors came to the field and checked the health of the pickers and took their temperature every three days. However, there were also cases when there was no medical worker or even first aid kit on the field.

2.5.6. Forced labour risks

The majority of respondents said that they neither experienced nor observed forced labour risks in the field during the yearly harvest. The respondents commonly expressed the view that risks of forced labour were much lower this year.

Respondents highlighted two key factors for the lower risk:

(1) the increased wages for cotton picking; and

(2) the COVID-19 pandemic which caused many production facilities and businesses to stop working or decrease production levels. People losing their source of income in Uzbekistan, and labour migrants returning home or unable to go abroad for work meant that more pickers joined the cotton harvest this year.

Additional observations included the following:

- Respondents noticed that this year the mahalla leaders and local officials were not insisting/forcing people to participate in the cotton harvest under the threat of losing social benefits, or it occurred less frequently. While there were still isolated cases, many respondents said that it was less common for mahalla leaders to visit households in order to recruit cotton pickers for the 2020 harvest.

- Some regions and districts which in the past had relied on receiving pickers from other districts were this year able to meet their demand by using local pickers. In many cases pickers were not invited to pick cotton in other districts than their own.
- Some respondents reported that they were more aware of their labour rights and FL risks due to frequent TV advertising, programs and posters. More people were aware of their rights and how to protect them.
- Some respondents noticed that the labour inspection worked better this year and the inspectors proactively came to their fields to check the labour conditions.
- Some farmers showed more respect to pickers and tried to provide good working conditions, while others – especially where there was a large supply of potential pickers – seemed less willing to provide decent working conditions, regardless of legal requirements.
- There were no reports of organized groups of teachers, medical workers or students who had to pick cotton.
- One of the respondents said that there were cases where people from Uzbekistan had travelled to neighbouring Kyrgyzstan to pick cotton.

29 respondents (out of 987) said that they personally, or that some of their family members, experienced risks of forced labour during the 2020 harvest. These 29 respondents could be divided into three categories:

- In 14 out of these 29 cases, respondents said that they or their close relatives were recruited in their place of full-time employment or were asked to pay for a replacement picker. Some of the respondents said that they were told directly that they could lose their job; others feared that they might lose their jobs if they did not provide a replacement or agree to pick cotton.
- In another 14 out of these 29 cases, the respondents said that they were personally, or their close relatives were, recruited by mahalla members and directly threatened that they would otherwise not receive a particular social benefit or support from the mahalla, or that they might experience other negative consequences.
- In a single case, the respondent said that his wife worked at the local market and the local government bodies asked entrepreneurs to participate in cotton harvest and threatened with stricter control from the local government organizations if they did not agree to participate.

22 respondents (out of 987) said they had potentially observed replacement pickers or full-time workers of organizations in the cotton fields.

5 respondents (out of 987) said they had heard of mahalla leaders threatening people to participate in the cotton harvest.

A single respondent (out of 987) observed prisoners picking cotton.

Other observations included:

- Full-time employees were in some cases recruited at their place of work. Some of these workers were allegedly recruited under threat or were asked to pay money or

to cover the cost of a replacement picker. Some respondents shared personal experiences of direct or perceived threats of being fired if they declined.

- In several cases, the respondents who were recruited at their place of employment said that the employer instructed them that if anyone asked who they were, they had to say that they were local pickers. One respondent added that this instruction was communicated to him with the threat of losing his job if he didn't comply. Some of these respondents were asked to take leave from their regular job to pick cotton.
- Those employees who agreed to participate in the cotton harvest continued to receive their normal salary in addition to wages earned from cotton picking. As observed in previous years, such pickers were often brought to the districts in organized buses and had to live in provided accommodation and pick cotton for at least 10 days.
- Respondents named the sectors with the highest risk of being recruited for the cotton harvest at their place of employment as: banks, energy/utility companies (electricity, gas, heating, water), post offices, factories (furniture and metal in particular) and local staff of the ministry of emergency situations.

- According to some respondents, the going rate for a replacement picker was 30,000–40,000 UZS per day. The replacement worker would in most cases receive the wages for cotton picking fees as well as the replacement fees.
- The respondents who were recruited at their place of the employment claimed that due to COVID-19, they felt increased fear of losing their full-time job and for this reason they were more reluctant to decline the offer or to complain.
- There were some reports of mahalla leaders recruiting pickers under the threat of not paying certain social benefits including child benefits.
- In one case, someone recently released from prison was forced by the mahalla leaders to participate in picking cotton. In another case, the respondent reported that the mahalla leader said to his family that if no one from the family participated in the cotton harvest, they would need to pay some fees to help other pickers financially.

2.5.7. Child labour risks

There were no cases of systematic child labour reported or observed by respondents during the 2020 harvest.

According to the respondents, controls against child labour became stricter this year. Some farmers informed the pickers about the fines and legal consequences for farmers and parents if the children were observed in the field at the beginning of the cotton harvest or anytime throughout the season.

Some farmers and farm workers checked the age of everybody prior to letting people on the bus in the morning; any potentially underage pickers would not be allowed to board the bus. If parents brought their children to the field or underage pickers came to the field, some farmers/farm workers would ask them to leave and inform them of their responsibilities. The labour inspection as well as local authority often came to the field to check no child labour was being used.

Despite these measures, respondents reported that they sometimes observed children with their parents in the field, either helping their parents to pick cotton or simply playing in the fields. Some respondents said that they brought their 15 to 17-year-old children with them to help the family generate extra income. In these cases, monitors informed the respondents that the practice was prohibited by law and explained why the job could be harmful for the health and well-being of the child.

In general, the respondents were better informed about the child labour risks than previous years. They cited the consultations with farmers, mahalla leaders, tv advertising, and posters as key sources of information. Additional talks were sometimes conducted by schoolteachers and administration. Some parents were asked to sign a document to affirm that they were aware of the risks and their responsibilities to prevent child labour.

Last year, there were cases of parents bringing their children to the fields during weekends and on public holidays. This year, many respondents were informed via posters in local schools and posters by the cotton fields that it was strictly prohibited to let children in the field. However, with the increase in unemployment and declining income of households due to COVID-19, many households had an increased dependency on cotton-picking income and were therefore motivated (especially in low-income households) to bring their children with them to generate extra income for the household.

The cases were supposedly more frequent during the early days of the cotton harvest, but then farmers informed the parents about the legal responsibilities and tighter controls. As a consequence, the incidents quickly reduced. The respondents reported that some parents bringing their children in the afternoon when farmers left the field or trying to convince a farmer to let their children pick the cotton, referring to their low incomes as a reason.

2.5.8. Recommendations from cotton pickers

The respondents were asked to provide recommendations for the 2021 harvest. 483 respondents (out of 987) said that they were satisfied with the working conditions or had no recommendations. Some of the respondents shared their observations of what the farmers they worked for did well this year and which practices they believed should be continued. These measures included:

- good, warm food provided for pickers,
- warm tea provided for pickers,
- a good resting area and decent toilet facilities for pickers,
- help with delivering cotton to the submission area or weighing area inside the field, so that pickers did not need to carry heavy picking aprons a long way,
- respect from farmers towards pickers and their work,
- installation of speakers that played music for pickers in the resting area.

504 respondents said that some things could be improved. The most common recommendations were related to:

- productivity bonuses,

- higher wages,
- frequency of payment,
- hiring of additional help with delivering heavy aprons to the weighing area,
- providing additional scales so people do not stay in long lines to submit cotton,
- providing or improving food to pickers,
- providing or improving a resting area for pickers,
- providing decent toilet facilities on the field,
- implementing better COVID-19 protection measures,
- providing a uniform,
- providing formal contracts and including cotton picking in pension calculations,
- providing childcare facilities for working mothers with children.

2.5.8.1. Specific recommendations from pickers on wages

One of the most common suggestions was to increase the fees for cotton harvest next year and increase the frequency of payments to daily or every 2–3 days. In this context, many pickers highlighted the importance of the income from cotton picking to their family budget. This was particularly important in light of the pandemic and increased unemployment.

Pickers expressed an expectation of 1,500–2,000 USZ per kg of picked cotton for next year's harvest.

Some families said that they were heavily dependent on the income from cotton picking just for their daily food expenses, and this is the reason why they believe it is critically important to receive payment more frequently. In addition, several pickers shared the observation that when fees are paid once every 5 days (as has been done traditionally), the payment amounts are lower in some cases as a small percentage of the amount of cotton they picked seemed to “gets lost” in the payment process. The pickers suggested to either draw attention to such cases or simply provide payment daily.

Many pickers suggested that the method of weight deductions for waste be eliminated or at least explained clearly and monitored.

2.5.8.2. Specific recommendations from pickers on bonuses

Many respondents said that in previous years it was common for pickers that met certain productivity targets to receive bonuses. A common bonus for pickers that met certain quota was cooking oil. People were motivated to earn enough oil for the winter months and thereby save on household expenditures.

This year, pickers said the bonuses were less common. In some areas/districts, they were not provided at all. Pickers suggested that the practice should be reintroduced next year. Some pickers suggested providing bonuses for people who met certain quota; others for particular people/households in need. The most appreciated form of bonus is food items that can be stored for the winter season (cooking oil, sugar, wheat flour).

2.5.8.3. Specific recommendations from pickers on food

According to the respondents, it was less common this year for food to be provided to pickers. The respondents suggested that farmers should be compelled to always provide warm food in a sufficient amount as well as provide access to hot water and tea. Pickers said that the food is very motivating for them. A free lunch is especially important on the more remote fields where pickers cannot travel home for lunch or where they spend longer hours. To have access to hot tea is especially important during the second and third passes, when the weather gets colder.

2.5.8.4. Specific recommendations from pickers on ergonomics

Many pickers, especially women, said that at the end of the working day they have to carry heavy picking aprons to the weighing area. Sometimes the weighing station is located outside of the field. The pickers suggested that farmers hire additional workers to carry the aprons to the weighing area. This would mean women and older pickers would avoid the negative health impacts of carrying heavy aprons. This year, some farmers hired additional workers to lift and carry the cotton for pickers or located the weighing area in the middle of the field. This practice was greatly appreciated by the pickers.

2.5.8.5. Specific recommendations from pickers on weighing of cotton

The respondents commonly said that at the end of the day they had to stay in long lines to submit picked cotton. They suggested that farmers provide 2–3 weighing areas to avoid long lines. This would mean pickers could return home earlier and have a proper rest and spend more time with their families at the end of the working day.

2.5.8.6. Specific recommendations from pickers on resting and dining areas

Resting and dining areas are important for pickers - especially on remote fields – as they allow for rest and lunch in a warm, comfortable environment. The pickers suggested farmers provide a comfortable and clean place to consume lunch on the field, with access to toilet facilities, clean water, and hot tea.

2.5.8.7. Specific recommendations from pickers on uniforms

Some pickers recommended that farmers and clusters provide free gloves and picking aprons for pickers. This year was colder than the previous year, especially during the second and third passes. Pickers recommended farmers and clusters provide pickers with a proper warm uniform and warm shoes, especially during the cold weather.

2.5.8.8. Specific recommendations from pickers on toilet facilities

Pickers shared the suggestion that farmers organize toilets by the field. Separate toilets for men and women should be available.

2.5.8.9. Specific recommendations from pickers on COVID-19 measures

Many respondents shared their concerns regarding the COVID-19 measures. They suggested that farmers should provide free masks and hand sanitizers in sufficient quantity and take the temperature of pickers prior to the working day. Farmers and their workers should monitor social distancing guidelines more strictly, provide transportation that allows proper social distancing, compensate costs for medicine, and provide nurses who can conduct health checks or provide first aid help in the field.

2.5.8.10. Specific recommendations from pickers on contracts

Pickers expressed concerns regarding the time they spent on the cotton harvest as well as weeding and other cotton production work which was not accounted for in their work records and, consequently, not reflected in their pension calculations. Pickers expressed interest in formal contracts for cotton-related duties so that the time spent was reflected in their work record and pension.

2.5.8.11. Specific recommendations from pickers on childcare facilities

Some women, especially single mothers with young kids for whom cotton harvest is an important source of income, could not participate in the harvest this year because they had nobody with whom to leave their young children. The pickers suggested farmers/clusters should provide childcare facilities for women with children during the cotton season.

2.5.8.12. Specific recommendations from pickers on care and respect

Some respondents expressed appreciation when farmers showed them respect for their work. Pickers said that they are motivated to do a better job for farmers that show them respect. Some said that farmers in some cases, especially where labour is readily available, can be rude or disrespectful to pickers.

2.6. Hypotheses generated based on the qualitative phase

The key objective of the quantitative phase of the monitoring was to collect real-time observations of the effects of recent policy initiatives on recruitment practices, work conditions, and the risk of using forced labour for the cotton harvest.

Based on the qualitative monitoring of cotton fields (conducted via distance methodology in 2020 due to COVID-19 risks), some hypotheses need to be tested in the national quantitative data collection. The eight hypotheses to be tested are:

No	Description
Hypothesis 1.	The proportion of the population involved in FL stayed at the same level or declined between 2019 and 2020.
Hypothesis 2.	The proportion of pickers with formal contracts is not increased between 2019 and 2020.
Hypothesis 3.	Not all farmers managed to provide a safe working environment for pickers during the COVID-19 (free masks, sanitizers/soap, and ability to keep social distance)
Hypothesis 4.	The quality of working conditions for pickers decreased between 2019 and 2020.
Hypothesis 5.	The practice of providing bonuses for cotton picking became less common in 2020.
Hypothesis 6.	The recruitment of pickers at the place of employment or asking to pay replacement fees continued in 2020.
Hypothesis 7.	Pickers' wages in 2020 represented a higher proportion of their annual income than in 2019.
Hypothesis 8.	The ability of farmers and brigade leaders to prevent child labour cases increased in 2020.

2.7. Key results of the quantitative phase (CATI survey, N = 8000)

Testing of the hypothesis

Hypothesis 1.	The proportion of the population involved in forced labor stayed at the same level or declined between 2019 and 2020.	Hypothesis is confirmed
---------------	---	-------------------------

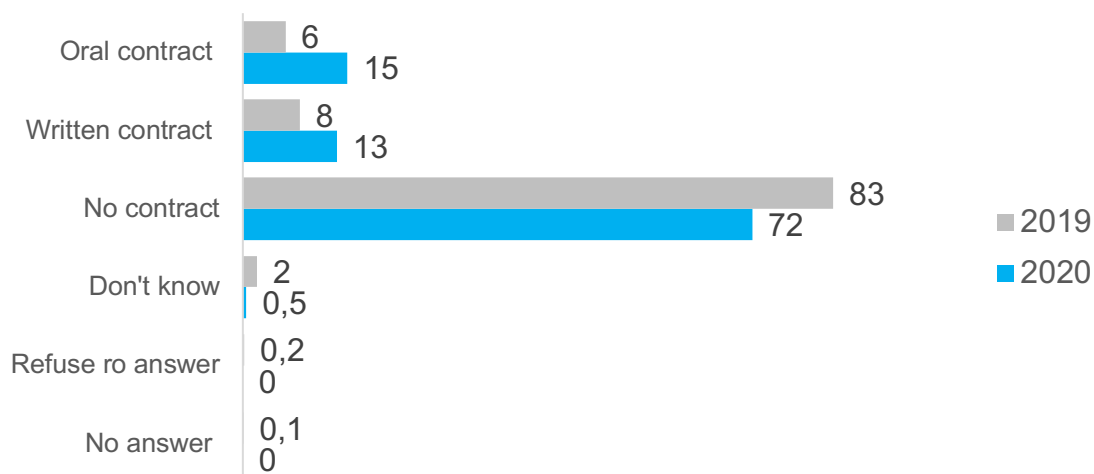
In 2020, the proportion of the working age population involved in the cotton harvest increased from 12.5% to 12.9%. The number of involuntary cotton pickers declined from 5.8% to 4.1%⁴. Qualitative monitoring revealed the presence of forced labor among groups such as workers of larger and medium enterprises and people mobilized by mahalla leaders.

Hypothesis 2.	The proportion of pickers with formal contracts is not increased between 2019 and 2020.	Hypothesis is rejected
---------------	---	------------------------

Most pickers (72%) did not have any contract, whereas 28% of pickers had some form of contract. 13% had a written contract and 15% had some form of verbal contract in 2020. The proportion of pickers with contracts increased in comparison with 2019, when only 14% of pickers had some form of written (8%) or verbal contract (6%).

Despite the increase, it is important to highlight that only a minority of pickers had written contracts in 2020.

Chart 1. Did you have a contract for the work as cotton picker? One response, %



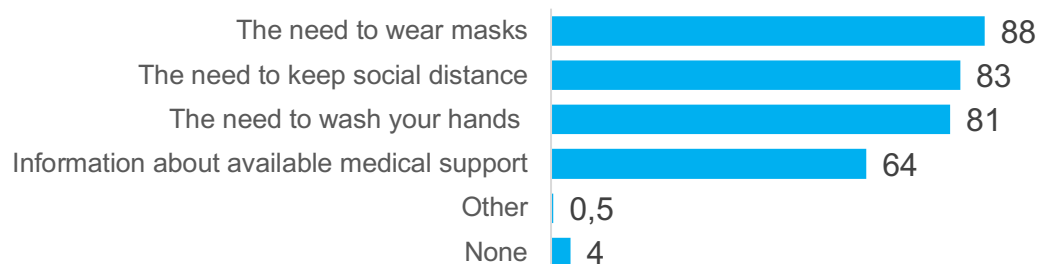
Source: TPM (2019), N=722; TPM (2020), N=1031.

⁴ For the detailed estimations of the ICT number and key assumption that should be taken into account see Timur's write-up/analysis.

Hypothesis 3.	Not all farmers managed to provide a safe working environment for pickers during the COVID-19 (free masks, sanitizers/soap, and ability to keep social distance)	Hypothesis is confirmed
---------------	--	-------------------------

Most pickers said that they were provided with information about the need to wear masks (88%), the need to maintain social distancing (83%), the need to wash hands (81%), and available social support/medical help (64%). Only 4% of pickers received no information at all about COVID-19 measures.

Chart 2. Were you provided with information on the following COVID-19 measures? (Multiple response)



Source: TPM (2020), N=1031

Only 33% of pickers said that masks were always provided. Of those to whom a mask was provided, 94% said it was provided for free.

Only 36% of pickers said that hand sanitizers or water with soap for washing hands was always available.

In terms of social distancing, 67% said that they could always maintain social distancing during lunchtime or breaks; 62% of pickers who used transportation said that they could always maintain social distancing while on the transportation; and 81% of those who stayed overnight in provided accommodation during the cotton harvest could always maintain social distancing.

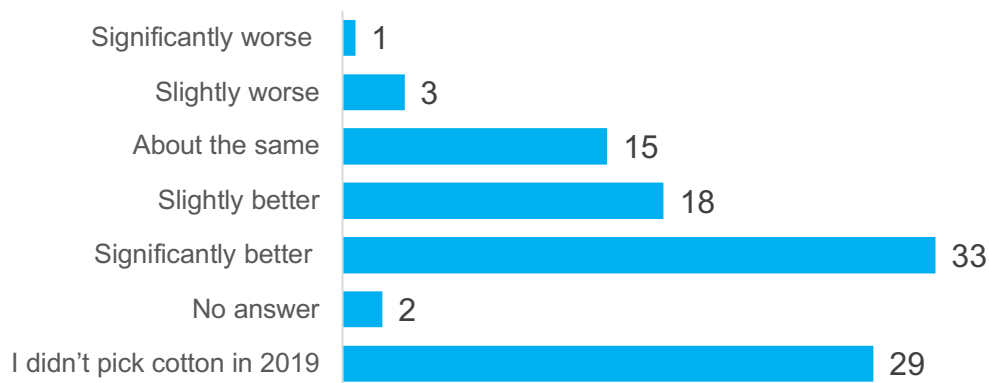
It may be concluded that the information on COVID-19 preventive measures reached the majority of the pickers; however, not all farmers managed to provide a safe working environment during the harvest.

Hypothesis 4.	The quality of working conditions for pickers decreased between 2019 and 2020.	Hypothesis is rejected
---------------	--	------------------------

Among all respondents who answered questions about the harvest in 2020:

- 29% said that they did not participate in the cotton harvest in 2020 and could not compare working conditions between this and last year.
- 51% of cotton pickers said that working conditions improved slightly or significantly.
- About 4% noticed that working conditions deteriorated, and 15% said that the working conditions were about the same as the last year.

Chart 3. Answers to the question “Can you assess the working conditions (payment, working hours, rest time, food/water, transportation, etc.) in 2020 in comparison with 2019?”



Source: TPM (2020), N=1031.

Water was always available, said 82% of pickers. Lunch was always available, as reported by 79% of pickers. Among the pickers that required transportation to get to the field, 74% said that transportation was always available. However, 15% reported that transportation was never available.

The pickers were asked to assess the working conditions on a scale from 1 to 5, where 1 was very bad and 5 was very good. The mean value for the quality of drinking water in 2020 was 4.26 (4.17 in 2019); for lunch, 4.21 (4.15 in 2019); and transportation, 4.16 (4.07 in 2019).

Working conditions (means)

drinking water



4.26
out of 5

transportation



4.16
out of 5

lunch



4.21
out of 5

This year, the respondents were asked whether money was deducted from their wages to cover the costs for lunch or transportation.

- 4% of pickers said that at least some portion of their wages was deducted to cover the cost of lunch.
- 4.5% of pickers on fields where the transportation was provided said that some portion of their wages was deducted to cover the costs of transportation.

84% of pickers said that they would agree to participate in the cotton-picking next season under the same fees and working conditions. Among those respondents who would refuse, 53% said that they would participate if the working conditions were improved, and 58% said that they would change their mind if the wages were higher. The mean fair expected wages for 1kg of cotton suggested by respondents who picked cotton in 2020 for the next year is UZS 1915.

Most pickers noticed some improvement in the working conditions. However, a minority noticed that the working conditions deteriorated in 2020.

Hypothesis 5.	The practice of providing bonuses for cotton picking became less common in 2020.	Hypothesis is confirmed
---------------	--	-------------------------

In 2020, 27% of cotton pickers said that they received some bonuses or extra prizes for participating in cotton picking, compared with 31% in 2019. The proportion of pickers who received bonuses and prizes declined. The average monetary value of bonuses in 2019 was 0.26 million UZS, while the mean monetary value of bonuses in 2020 was 0.16 million UZS. The proportion of pickers who received bonuses/prizes and the mean monetary value of the bonuses declined in 2020.

Hypothesis 6.	The recruitment of pickers at the place of employment or asking to pay replacement fees continued in 2020.	Hypothesis is confirmed
---------------	--	-------------------------

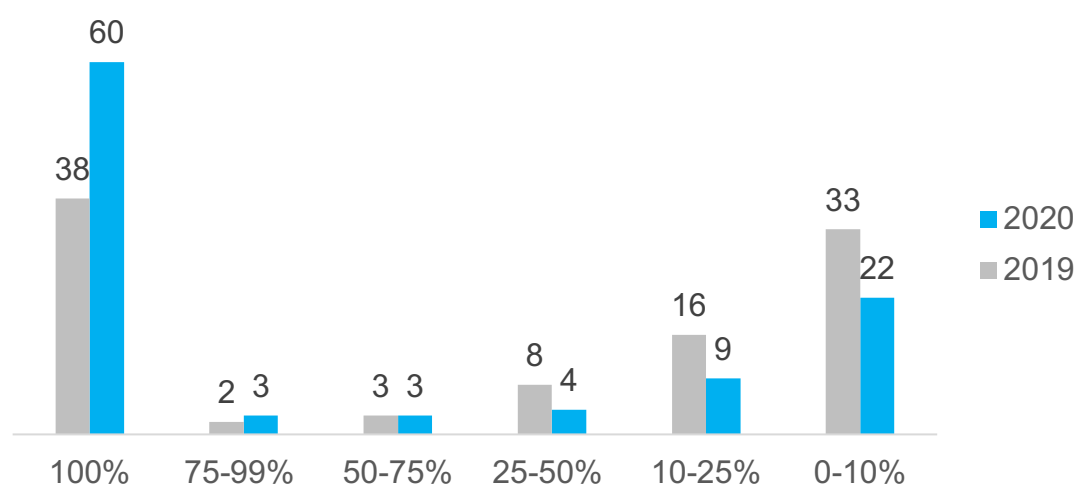
According to the 2020 data, 3.5% of all cotton pickers said they picked cotton for someone else: 0.5% for replacement fees, and 3.0% with no replacement fees. On average, those who picked cotton for someone else did it for ten days.

Hypothesis 7.	Pickers' wages in 2020 represented a higher proportion of their annual income than in 2019.	Hypothesis is confirmed
---------------	---	-------------------------

In 2019, the wages for 50% of the cotton pickers represented up to 25% of their annual income. The same year, the wages for 38% of the cotton pickers represented 100% of their annual income.

In 2020, the wages for only 31% of the cotton pickers represented up to 25% of their annual income. The proportion of pickers for whom the cotton harvest is the only income source increased to 60%. For most pickers in 2020, the cotton harvest accounted for a crucial part of their livelihood.

Chart 4. Answers to the question "What percentage of your personal annual earning does the income in cotton picking represented?" by year



Source: TPM (2019), N=624; TPM (2020), N=911.

Hypothesis 8.	The ability of farmers and brigade leaders to prevent child labour cases increased in 2020.	Hypothesis is confirmed
---------------	---	-------------------------

The pickers were asked about the farmers' and brigade leaders' ability to prevent children picking cotton in the fields. Two percent of pickers said that control was worse or significantly worse, while 68% of pickers said that the control was better or significantly better.

It is important to note, 1.3% of respondents said that some household members younger than 18 years old participated in the cotton harvest of 2020. The proportion in 2019 was 1.2%. In the COVID-19 context, despite the increased measures imposed by farmers and brigade leaders, some families were more dependent on the cotton income and tended to bring their underage household members to pick cotton and make extra income.

3. Annexes

Annex 1 – Acronyms and abbreviations

CATI	Computer-Assisted Telephone Interviewing
GoU	Government of Uzbekistan
MELR	Ministry of Employment and Labour Relations
ICT	Item Count Technique (ICT)
ILO	International Labour Organization / Office
IRB	Institutional Review Board
RDD	Random Digit Dial
TPM	Third-party Monitoring
WB	World Bank

Annex 2 – Glossary

Khokimiyat	Territorial public and administrative authority (Uzbek)
Hokim	Head of khokimiyat (Uzbek)
Mahalla	Informal self-governance body, neighbourhood community (Uzbek)
Pahta shtab	District cotton-picking committee: working groups of local officials who ensure coordination and the proper organization of the cotton harvest.
UZS	Currency of Uzbekistan

Annex 3 – IRB Approval for ILO Third-party Monitoring (qualitative phase)



11 September 2020

Jonas Astrup, LL.B.
Chief Technical Advisor
ILO
107A, Amir Timur str., 14 floor
Tashkent, Uzbekistan

RE: Expedited research ethics review findings for: *Third party monitoring of child and forced labour during the cotton harvest in Uzbekistan (qualitative monitoring phase)* (Review 771ILO20#)

Dear Mr. Astrup,

Protocols for the protection of human subjects in the above study were assessed through an expedited research ethics review by HML Institutional Review Board on 10 – 11 September 2020.

This study's human subjects' protection protocols, as stated in the materials submitted, received **research ethics review approval** in accordance with the requirements of the US Code of Federal Regulations for the Protection of Human Subjects (45 CFR 46 & [45 CFR 46.110](#)). You may rely on this IRB for review and continuing ethical oversight of this study.

You and your project staff remain responsible for ensuring compliance with HML IRB's determinations. Those responsibilities include, but are not limited to: 1) ensuring prompt reporting to HML IRB of proposed changes in this study's design, risks, consent, or other human protection protocols; 2) investigators will conduct the research activity in accordance with the terms of the IRB approval until any proposed changes have been reviewed and approved by the IRB, except when necessary to mitigate hazards to subjects; 3) and to promptly report any unanticipated problems involving risks to subjects or others in the course of this study.

HML IRB is authorized by the U.S. Department of Health and Human Services, Office of Human Research Protections (IRB #1211, IORG #850), and has DHHS Federal-Wide Assurance approval (FWA #1102).

Sincerely,

A handwritten signature in black ink, appearing to read "D. Anderson", is positioned above the typed name.

D. Michael Anderson, Ph.D., MPH
HML IRB Chair & Human Subjects Protections Director
dma@hmlirb.com

cc: Oxana Lipcanu, Sayyora Iskandarova, Penelope A. Lantz, JD

HML IRB
1101 Connecticut Avenue, NW Suite 450
Washington, DC 20036 USA
+1 202.246.8504
info@hmlirb.com www.HMLIRB.com

Annex 4 – IRB Approval for ILO Third-party Monitoring (quantitative phase)



9 November 2020

Jonas Astrup, LL.B.
Chief Technical Advisor
107A, Amir Timur str., 14 floor
Tashkent, Uzbekistan

RE: Expedited research ethics review findings for: *Third party monitoring of child and forced labour during the cotton harvest in Uzbekistan (Nationwide representative phone survey)*
(HML IRB Review #794ILO20)

Dear Mr. Astrup,

Protocols for the protection of human subjects in the above study were assessed through an expedited research ethics review by HML Institutional Review Board on 06 – 09 November 2020.

This study's human subjects' protection protocols, as stated in the materials submitted, received **research ethics review approval** in accordance with the requirements of the US Code of Federal Regulations for the Protection of Human Subjects (45 CFR 46 & [45 CFR 46.110](#)). You may rely on this IRB for review and continuing ethical oversight of this study.

You and your project staff remain responsible for ensuring compliance with HML IRB's determinations. Those responsibilities include, but are not limited to: 1) ensuring prompt reporting to HML IRB of proposed changes in this study's design, risks, consent, or other human protection protocols; 2) investigators will conduct the research activity in accordance with the terms of the IRB approval until any proposed changes have been reviewed and approved by the IRB, except when necessary to mitigate hazards to subjects; 3) and to promptly report any unanticipated problems involving risks to subjects or others in the course of this study.

HML IRB is authorized by the U.S. Department of Health and Human Services, Office of Human Research Protections (IRB #1211, IORG #850), and has DHHS Federal-Wide Assurance approval (FWA #1102).

Sincerely,

A handwritten signature in black ink, appearing to read "D. Anderson", is positioned above the typed name.

D. Michael Anderson, Ph.D., MPH
HML IRB Chair & Human Subjects Protections Director
dma@hmlirb.com

cc: Oxana Lipcanu, Penelope A. Lantz, JD

HML IRB
1101 Connecticut Avenue, NW Suite 450
Washington, DC 20036 USA
+1 202.246.8504
info@hmlirb.com www.HMLIRB.com

Annex 5 – ILO definitions of forced labour, and systematic and systemic forced labour

Forced labour

The term “*forced labour*” is defined by the ILO Forced Labour Convention, 1930 (No. 29) as all work or service:

- which is not voluntary; and
- which is exacted under the menace of a penalty.

For research purposes, a person is classified as being in forced labour if engaged during a specified reference period in any work that is both *under the threat of menace of a penalty and involuntary*. **Both conditions have to exist for this to be statistically regarded as forced labour.**

- A. The *reference period* may be short such as last week, last month or last season, or long such as the past year, the past two years, the past five years or lifetime. A short reference period may be appropriate where the concern is the measurement of forced labour among a particular category of workers. A long reference period may be appropriate where the objective is to measure the occurrence of forced labour among a general population group.
- B. *Work* is defined in line with the international standards concerning statistics of work, employment and labour underutilization adopted by the 19th International Conference of Labour Statisticians, 2013. It comprises any activity performed by persons of any sex and age to produce goods or to provide services for use by others or for own use. In certain circumstances, the scope of work for the measurement of forced labour may be broadened to include activities such as child begging for third parties that go beyond the scope of production of goods and services covered by the general production boundary of the System of National Accounts (SNA).
- C. *Threat and menace of any penalty* are the **means of coercion used to impose work on a worker against his or her will**. Workers can be actually subjected to coercion, or verbally threatened by these elements of coercion, or be witness to coercion imposed on other co-workers in relation to involuntary work. Elements of coercion may include, inter alia, threats or violence against workers or workers’ families and relatives, or close associates; restrictions on workers’ movement; debt bondage or manipulation of debt; withholding of wages or other promised benefits; withholding of valuable documents (such as identity documents or residence permits); and abuse of workers’ vulnerability through the denial of rights or privileges, threats of dismissal or deportation.
- D. *Involuntary work* refers to any work taking place **without the free and informed consent of the worker**. Circumstances that may give rise to involuntary work, when undertaken under deception or uninformed, include, inter alia, unfree recruitment at birth or through transaction such as slavery or bonded labour; situations in which the worker must perform a job of a different nature from that specified during recruitment without his or her consent; abusive requirements for overtime or on-call work that were not previously agreed with the employer; work in hazardous conditions to which the worker has not

consented, with or without compensation; the lack of protective equipment; work with very low or no wages; in degrading living conditions imposed by the employer; work for another employer than agreed; work for longer period of time than agreed; work with no or limited freedom to terminate work contract.

Schematic representation of the statistical definition of forced labour of adults

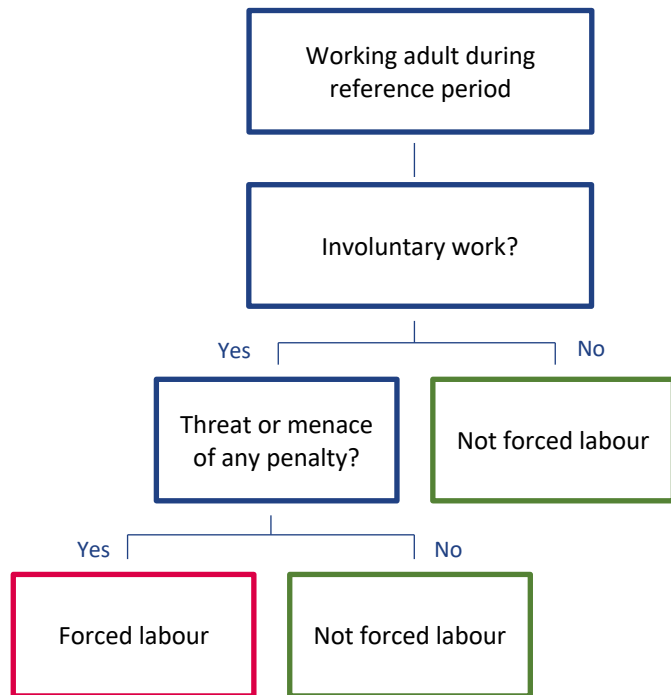
DEFINITIONS:

Work: Any activity performed by persons of any sex and age to produce goods or to provide services for use by other or for own use

Involuntary work: Any work taking place without the free and informed consent of the worker

Threat or menace of any penalty: Any means of coercion used to impose work on a worker against his or her will

Reference period: Short such as last week, last month or last season, or long such as past year, past five years or lifetime



Systemic forced labour

A systemic problem affects the entire system and not only parts of it. It is due to issues inherent to the overall system rather than to a specific, individual, isolated factor.

One of the biggest challenges is to distinguish between individual and systemic cases of coercion. In the former, it should be possible to identify and sanction one offender or group of offenders; and similarly, to identify and provide appropriate assistance to one victim or group of victims.

EXAMPLE OF SYSTEMIC VS INDIVIDUAL CASES

If all pupils in all schools in a country are normally made to harvest potatoes, it would not be meaningful to identify and punish the head of one individual school or the heads of all schools. Likewise, it is also not possible to identify one victim or a group of victims since in this case all children are victims.

This is an example of ***systemic child labour***.

On the other hand, if school children are normally *not* participating in the potato harvest but the head of one school decides to send 50 pupils to the fields, then it would be meaningful to sanction the head of the school and it is possible to identify the group of victims.

This is an example of an ***individual case of child labour***.

In all cases identified by ILO monitors and local human rights activists, it has been possible to identify an offender and a victim or group of victims. This also applies for cases submitted to the feedback mechanism.

Notes and references

ⁱ Complete list of ratifications for Uzbekistan can be accessed from the ILO website:
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:103538

ⁱⁱ Official English version of the Constitution of the Republic of Uzbekistan is available online at this address:
<http://constitution.uz/en/clause/index#item37>

ⁱⁱⁱ Unofficial English text of the Labour Code of the Republic of Uzbekistan can be found at this address: <http://cis-legislation.com/document.fwx?rgn=974>