

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 2000, the Government of the Republic of Uzbekistan and UNICEF signed a cooperative agreement for the 2000–2004 period that aims to promote the protection and development of children and the well-being of youth.⁴⁵⁶⁸ Accordingly, UNICEF’s Young People’s Well-Being Program supports existing government efforts to improve awareness of healthy lifestyles for at-risk children, including homeless, out-of-school, working, and sexually exploited children.⁴⁵⁶⁹ The government also provides benefits, such as shorter work days/weeks, food allowances, and free medical service, to girls who work in harsh conditions.⁴⁵⁷⁰ The 2000 to 2005 State Program on Forming a Healthy Generation focuses on improving childhood development in such areas as health and education.⁴⁵⁷¹ The government also works with *Makhalla* organizations, a pre-Soviet system of community-based management and social service provision, to protect children at the community level through a neighborhood monitoring mechanism.⁴⁵⁷² In 2001, the government created the Family, Mother, and Child Welfare Secretariat and the Committee for Youth Affairs, which coordinate the government’s child welfare efforts.⁴⁵⁷³

Through its education reform program, the government plans to expand the compulsory term of study from 9 to 12 years.⁴⁵⁷⁴ The ADB has awarded a loan to the government for additional education reform efforts to modernize the education system and curricula, encourage community participation, and provide new forms of assistance to vulnerable groups, among other initiatives.⁴⁵⁷⁵ To encourage school attendance, the government provides aid to students from low-income families in the form of scholarships, full or partial boarding, textbooks, and clothing.⁴⁵⁷⁶ In addition, children from low-income households are provided with free medical services.⁴⁵⁷⁷ A youth social protection program offers retraining and skills improvement classes for school dropouts.⁴⁵⁷⁸ USAID is also funding efforts to improve teachers’ skills, enhance school curricula, encourage parental involvement in education, and increase capacity in certain primary schools.⁴⁵⁷⁹

⁴⁵⁶⁸ Government of Uzbekistan, *Executive Summary of the Republic of Uzbekistan on Implementation of the Resolutions of the World Summit for Children*, UNICEF, 2002, 11; available from http://www.unicef.org/specialsession/how_country/edr_uzbekistan_en.PDF.

⁴⁵⁶⁹ UNICEF, *Country Highlights: Uzbekistan*, [previously online] [cited September 9, 2002]; available from http://www.unicef.org/programme/countryprog/cee_cis/uzbekistan/situation.htm [hard copy on file].

⁴⁵⁷⁰ Government of Uzbekistan, *Executive Summary*, 9.

⁴⁵⁷¹ The project also aims to combat drug abuse and trafficking by children. See *Ibid.*, 23.

⁴⁵⁷² The *Makhalla* organizations provide benefits to low-income families with children under the age of 16. See U.S. Embassy–Tashkent, *unclassified telegram no. 3730*, October 15, 2002. See also Government of Uzbekistan, *Executive Summary*, 22–23.

⁴⁵⁷³ UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Uzbekistan*, CRC/C/15/Add.167, November 7, 2001, para. 6. See also Government of Uzbekistan, *Information on Implementation on the Convention on the Rights of the Child*, 2001; available from <http://www.unhcr.ch/html/menu2/6/crc/doc/replies/wr-uzbekistan-1.pdf>.

⁴⁵⁷⁴ For information on current education requirements, see U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Uzbekistan*, Washington, D.C., March 31, 2003, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18400pf.htm>. The 12 years of mandatory schooling will consist of 4 years at the primary level, 5 years at the secondary level, and 3 years of professional or vocational training in special training institutes or colleges. The reforms are expected to be implemented by 2007. See U.S. Embassy–Tashkent, *unclassified telegram no. 3730*.

⁴⁵⁷⁵ ADB, *Modernizing and Reforming Uzbekistan’s Education Sector*, Manila, December 6, 2002; available from <http://www.adb.org/Documents/News/2002/nr2002241.asp>.

⁴⁵⁷⁶ Government of Uzbekistan, *Executive Summary*, 10.

⁴⁵⁷⁷ *Ibid.*, 19.

⁴⁵⁷⁸ *Ibid.*, 11.

⁴⁵⁷⁹ USAID, *Country Profile: Uzbekistan*, Washington, D.C., March 2003; available from http://www.usaid.gov/locations/europe_eurasia/pdfs/uzbprofile.pdf.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 23.4 percent of children ages 5 to 15 years in Uzbekistan were working.⁴⁵⁸⁰ Children work in agriculture in rural areas, where the large-scale, compulsory mobilization of children to help with cotton harvests has been reported.⁴⁵⁸¹ Schools close in some rural areas to allow children to work during the cotton harvest.⁴⁵⁸² Popular media report that children help cultivate rice and raise silk worms in rural areas,⁴⁵⁸³ and work in street vending,⁴⁵⁸⁴ construction, building materials manufacturing, and transportation.⁴⁵⁸⁵ Children frequently work as temporary hired workers, or *mardikors*, without access to the social insurance system.⁴⁵⁸⁶ Children are engaged in prostitution in Uzbekistan.⁴⁵⁸⁷ Young women and girls are reportedly trafficked to destinations in the Persian Gulf and Asia for the purposes of commercial sexual exploitation.⁴⁵⁸⁸

Education is compulsory in Uzbekistan.⁴⁵⁸⁹ In 1998, the gross primary enrollment rate was 99.6 percent, and the net primary enrollment rate was 87.8 percent.⁴⁵⁹⁰ In 2000, approximately 73.4 percent of primary school age children attended school regularly.⁴⁵⁹¹ That same year, 88.7 percent of children who attended the first grade reached the fifth grade.⁴⁵⁹²

The state is implementing policies that shift the burden of financing education to the family. In addition, funding for school maintenance has been cut and school supplies are scarce.⁴⁵⁹³ Due to low salaries, teachers often demand additional payments from students and their families, and parents are often asked to cover the costs of school re-

⁴⁵⁸⁰ Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of Uzbekistan, *Multiple Indicator Cluster Survey (MICS)*, UNICEF, December 5, 2000, Table 42; available from <http://www.childinfo.org/MICS2/newreports/uzbekistan/uzbekistan.PDF>.

⁴⁵⁸¹ U.S. Department of State, *Country Reports- 2002: Uzbekistan*, Sections 6c and 6d. See also Parents of Almalyk city secondary school students, letter to Ministry of Public Education regarding forced cotton-picking practices, August 30, 2000.

⁴⁵⁸² U.S. Department of State, *Country Reports- 2002: Uzbekistan*, Section 6c.

⁴⁵⁸³ Cango.net, *Initiative Newsletter: The Situation with Child Labour is Unlikely to Change in the Foreseeable Future*, cango.net, [online] 2002 [cited July 9, 2003]; available from <http://www.cango.net/news/archive/spring-2002/a0002.asp>.

⁴⁵⁸⁴ Farangis Najibullah, "Central Asia: For Many Young Uzbeks and Tajiks, Working is a Way of Life," *Radio Free Europe/Radio Liberty* (Prague), 2003; available from <http://www.rferl.org/nca/features/2003/05/27052003154228.asp>.

⁴⁵⁸⁵ See Cango.net, *The Situation with Child Labour is Unlikely to Change in the Foreseeable Future*, [cited December 19, 2002].

⁴⁵⁸⁶ *Ibid.*

⁴⁵⁸⁷ U.S. Department of State, *Country Reports- 2002: Uzbekistan*, Section 5. See UN Committee on the Rights of the Child, *Concluding Observations*, para. 68.

⁴⁵⁸⁸ U.S. Department of State, *Country Reports- 2002: Uzbekistan*, Section 6f. Available information does not distinguish between destination countries for the trafficking of girls and destination countries for the trafficking of women. But Uzbek women and girls are known to be trafficked to Israel, Kazakhstan, Kosovo, Malaysia, South Korea, Thailand, and the United Arab Emirates (UAE). See U.S. Department of State, *Trafficking in Persons Report- 2003: Uzbekistan*, Washington, D.C., June 11, 2003. In the past, there have been reports that children have fought with opposition groups in the country. See Coalition to Stop the Use of Child Soldiers, *Global Report: Uzbekistan*, London, May 2001; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf/Report/Global%20Report%202001%20GLOBAL%20REPORT%20CONTENTS?OpenDocument>.

⁴⁵⁸⁹ The length of compulsory education is unclear; it has been reported to be 9 years and 12 years. See U.S. Department of State, *Country Reports- 2002: Uzbekistan*, Section 5. See also U.S. Embassy-Tashkent, *unclassified telegram no. 3730*. See also K. Tomasevski, *Free and Compulsory Education for all Children: The Gap between Promise and Performance*, Primer 2, Right to Education, 2001, 26; available from <http://www.right-to-education.org/>.

⁴⁵⁹⁰ UNESCO, *Education for All: Year 2000 Assessment* [CD-ROM], Paris, 2000.

⁴⁵⁹¹ Government of Uzbekistan, *Multiple Indicator Cluster Survey*, 5 and Annex, Table 11

⁴⁵⁹² *Ibid.*, Annex, Table 10

⁴⁵⁹³ UNICEF, *Country Highlights*.

pairs.⁴⁵⁹⁴ Declining enrollment and high dropout, repetition, and absenteeism rates in both primary and secondary schools have been reported.⁴⁵⁹⁵

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years.⁴⁵⁹⁶ All working children ages 14 to 18 years are required to obtain written permission from a parent or guardian, and work may not interfere with their studies.⁴⁵⁹⁷ The Labor Code prohibits children less than 18 years of age from working in unfavorable labor conditions and establishes limited work hours for minors.⁴⁵⁹⁸ The Constitution prohibits forced labor except when fulfilling a court sentence.⁴⁵⁹⁹ The Criminal Code prohibits the abduction and recruitment of children for the purposes of sexual exploitation, with higher penalties for taking such persons out of the country.⁴⁶⁰⁰ The Code also establishes punishments for people who profit from prostitution or maintain brothels.⁴⁶⁰¹

The Ministry of Labor and Social Protection, the Prosecutor's Office, and official trade unions are the bodies responsible for labor issues. Punishments and enforcements appear to be effective deterrents to child labor in the formal sector, but less so in the family-based and agricultural sectors.⁴⁶⁰² The government has investigated numerous trafficking-related crimes, but as of June 2003, there had been no final convictions of traffickers.⁴⁶⁰³

The Government of Uzbekistan has not ratified either ILO Convention 138 or ILO Convention 182.⁴⁶⁰⁴

⁴⁵⁹⁴ U.S. Embassy–Tashkent, *unclassified telegram no. 3730*.

⁴⁵⁹⁵ UN Committee on the Rights of the Child, *Concluding Observations*, para. 57.

⁴⁵⁹⁶ Fourteen year-olds may only work in light labor that does not negatively affect their health and/or development. See U.S. Embassy–Tashkent, *unclassified telegram no. 3730*.

⁴⁵⁹⁷ Children between the ages of 14 and 16 may only work 10 hours per week while school is in session and 20 hours per week during school vacation. Children between 16 and 18 years may only work 15 hours per week when school is in session and 30 hours per week during school vacations. See *Ibid*.

⁴⁵⁹⁸ UN Committee on the Rights of the Child, *Initial Reports of States Parties Due in 1996*, CRC/C/41/Add.8, prepared by Government of Uzbekistan, pursuant to Article 44 of the Convention on the Rights of the Child, February 19, 2001, para 315 and 18; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/aacfcf7e3feabf2c1256a4d00391fbc/\\$FILE/G0140749.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/aacfcf7e3feabf2c1256a4d00391fbc/$FILE/G0140749.pdf).

⁴⁵⁹⁹ *Constitution of the Republic of Uzbekistan, 1992*, (December 8, 1992), Article 37; available from http://www.ecostan.org/laws/uzb/uzbekistancon_eng.html.

⁴⁶⁰⁰ UN Committee on the Rights of the Child, *Initial Reports of States Parties: Uzbekistan*, para 150. See also Government of Uzbekistan, *Crimes Against Sexual Freedom*, as cited in The Protection Project Legal Library, [database online], Article 135; available from <http://209.190.246.239/protectionproject/statutesPDF/UzbekistanFpdf>.

⁴⁶⁰¹ Government of Uzbekistan, *Crimes Against Sexual Freedom*, Article 131.

⁴⁶⁰² U.S. Embassy–Tashkent, *unclassified telegram no. 3730*.

⁴⁶⁰³ U.S. Embassy–Tashkent, electronic communication to USDOL official, February 20, 2004. See also U.S. Department of State, *Trafficking in Persons Report- 2003: Uzbekistan*.

⁴⁶⁰⁴ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited October 20, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.