



International Labor Rights Forum

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April 29, 2014

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**before the United States House of Representatives, Committee on Foreign Affairs,
Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations,**

**Hearing “Effective Accountability: Tier Rankings and the Trafficking in Person's Report” and
the government of Uzbekistan**

I want to start by saying that my testimony today is possible only through sacrifices made by hundreds of Uzbekistan citizens who risk their lives year after year to fight against the mass crimes the Government of Uzbekistan is committing against its own people. Equipped only with pen, paper, cameras and specialized training in monitoring and interview methodologies, human rights defenders across Uzbekistan band together in networks to anonymously and effectively gather as much evidence as possible about the Government of Uzbekistan's forced labor system. Then, at great risk to them and their families, they find ways to get the evidence out of the country to their colleagues at the Uzbek-German Forum in Germany, the Association for Human Rights in Central Asia based in France, and others so the information can be shared publicly.

Their sacrifice has begun to bear fruit, and I have some good news to share, Mr. Chairman. Thanks in large part to your commitment and the commitment of the Congress as a whole in fighting against the crime of forced labor in Uzbekistan, the U.S. Department of State made the right decision last year and allowed the automatic down-grade of the Government of Uzbekistan to Tier 3 in its 2013 Trafficking in Persons Report. The decision was vital in convincing the Government of Uzbekistan to drop its long-standing opposition to monitoring of the cotton harvest by the International Labor Organization (ILO). And it was shortly after the State Department's decision was published last June that the Uzbek government finally relented to international pressure and allowed the ILO to send in experts to monitor the cotton harvest.

As a result of this pressure, I am happy to report that the Government of Uzbekistan granted a reprieve to thousands of children under the age of 14 from having to participate as forced laborers in the cotton harvest last fall. Thousands of children were saved from debilitating work harvesting cotton by hand in hazardous, often toxic, working environments. Thousands of young children were saved from the fate of

Amirbek Rakhmatov, a six-year old first-year schoolboy from Vobkent district of Bukhara region, who died while out picking cotton with his mother.

Unfortunately, the bad news still dwarfs the goods news. Despite the presence of ILO monitors, the Uzbek government continued its forced labor system for cotton production. The Government continues to operate a “state order system” or “command economy” for cotton production that is underpinned by an extensive system of state-sponsored forced labor. Use of coercion begins with farmers, increasingly extends to all citizens, and is administered by government officials nationwide. The Government establishes the quota and compels farmers to meet the quota.

Farmers who fail to meet the government-established quota for cotton production face severe consequences, including loss of their land, prosecution on criminal charges and physical punishment. During the cotton harvest, farmers regularly report being scolded, humiliated and even beaten at regular meetings held by *hokims* in which they are supposed to report on their progress in fulfilling their cotton quota.

To harvest the cotton, the Uzbek government continued to systematically mobilized children aged 16 to 17 and adults throughout the country and 15-year old children in many regions. Authorities also mobilized even younger children in some locations. Forced child labor was organized through the state education system, under threat of expulsion from school. The forced mobilization of children for the harvest began on September 10 throughout the nation.¹ In addition to children, the government systematically forced adult farmers, public-sector workers, private-sector workers, unemployed citizens and those in receipt of public welfare benefits. Authorities forced pensioners, mothers receiving social benefits and other citizens to pick cotton under threat of losing the social security support on which they depend. Under pressure from authorities in higher positions, administrators of public institutions and private business owners forced their workers to pick cotton under threat of dismissal from their job. University administrators forced students to pick cotton under threat of expulsion from university. Teachers and other public-sector professionals participated in the cotton harvest to avoid losing their jobs or salary.

Despite the undeniable evidence, the Government of Uzbekistan continues to publicly deny that it operates a forced labor system for cotton production, and is going to great lengths to try to perpetuate this myth – most recently by imposing on the ILO conditions for monitoring that made truly “independent” monitoring of cotton production by the ILO impossible. For example, each ILO monitor was accompanied by a team of Uzbek government officials. Yet, despite these efforts to prevent independent monitoring, the ILO was still able to corroborate civil society reports of the serious and continued use of forced labor by the Government of Uzbekistan. The ILO’s findings were corroborated in

¹ Uzbek human rights monitor, English summary: 10 September, authorities began the nationwide mobilization of students to the cotton fields; “Қашқадарёда 9 сентябрдан оммавий пахта терими бошланади,” *BBC*, 7 September 2013, http://www.bbc.co.uk/uzbek/uzbekistan/2013/09/130907_ey_uzbek_cotton.shtml

2013 by the World Bank Inspection Panel, which warned in its findings that the World Bank was investing in projects that could benefit the Government's forced labor system for cotton production.

While we are confident that the ILO will use whatever diplomatic means it can to seek a path to ending forced labor and to impress upon each and every government official that forced labor is crime in violation of international law, we see no evidence that the Government of Uzbekistan is committed to ending its highly profitable forced labor system and holding those who perpetrated these mass crimes accountable under the law.

We must all remember. Forced labor is a crime. For those investing in the cotton system, like Daewoo International and Indorama Corporation, or those wanting to sell tractors and irrigation equipment to the Government through contracts funded by the World Bank and Asia Development bank, the potential for liability is very clear. 18 USC §1589 prohibits any person from knowingly benefiting from forced labor. Those that do face up to life in prison; and the Tariff Act of 1930 prohibits the cotton product being sold in the US, as happened to Indorama Corporation last October.²

For companies in Uzbekistan operating outside the cotton sector, the risks are just as great that they will get pulled into the forced labor system as well. This is what has happened to General Motors, whose employees were compelled to pick cotton during the harvest for the third consecutive year by the Federation of Trade Unions of Uzbekistan working with managers at the General Motors Uzbekistan plant in Andijan.³

Therefore, based on the evidence by human rights monitors, and reports from the ILO and World Bank, that the Government Uzbekistan Government continued to impose a forced labor system for cotton production while at the same time denying its existence; and in recognition of the sacrifices made by human rights defenders who risked their lives to fighting against the Government's crimes, we adamantly urge the US Department of State maintain Uzbekistan on Tier 3 and to utilize all the tools at its disposal to bring an end to forced labor in Uzbekistan.

We also call on the US Government to exercise the sanctions made available by this Congress through the Tier 3 ranking by exercising its voice and vote at the Asia Development Bank and the World Bank to prevent any investment that would benefit the Government of Uzbekistan's forced labor system for cotton production.

² 19 USC §1307 states "All goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision."

³ Uzbek-German Forum for Human Rights, Personal interview, Andijan region, February 2014.