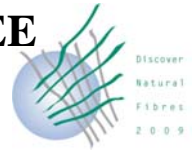




INTERNATIONAL COTTON ADVISORY COMMITTEE

1629 K Street NW, Suite 702, Washington, DC 20006 USA

Telephone (202) 463-6660 • Fax (202) 463-6950 • e-mail secretariat@icac.org



Memorandum No. 854

To: Delegates to the Standing Committee, Coordinating Agencies, and Members of the PSAP, Members of SEEP, and Members of CICCA

From: Executive Director

Subject: National Action Plan on Child Labor by the Government of Uzbekistan

Date: September 18, 2008

Allegations of Forced Child Labor

A group of Civil Society Activists from Uzbekistan distributed a petition in November 2007 to international organizations and governments to boycott cotton from Uzbekistan and products made from cotton grown in Uzbekistan. The ICAC was copied on the petition.

The Government of Uzbekistan vehemently denies the allegations of forced child labor. The Secretariat has noted that children work legitimately in agricultural industries in almost all countries. The Secretariat also noted that there seemed to be some factual errors in the petition circulated in November 2007. Participants in the international cotton trade with practical experience in Uzbekistan have expressed reservations about the validity of the allegations of the worst forms of child labor. Members of the ICAC Private Sector Advisory Panel have noted that calls for a boycott of cotton from Uzbekistan could result in increased costs associated with documentation, and that any boycott in a commodity industry presents opportunities for black-market activity associated with falsification of documents and smuggling of goods, thus tending to put reputable market participants at a commercial disadvantage.

Nevertheless, government officials, representatives of the private sector and the Secretariat acknowledge that the allegations of child labor in the cotton industry are numerous, specific and serious, and all involved are aware that the allegations have risen to a level of public awareness that require a reasoned response.

Interaction Between Uzbekistan and International Organizations

In May of this year, H.E. Minister Ganiev, Ministry of Foreign Economic Relations, Investments and Trade (MFERIT) and H.E. Ambassador Kamilov, Ambassador of Uzbekistan to the United States, visited the office of the ICAC Secretariat in Washington as part of a larger itinerary in the United States and Brazil. Minister Ganiev gave extensive information to the Secretariat about labor conditions in the cotton sector and assurances that child labor was prohibited by law in Uzbekistan. He reiterated his belief that the allegations that the Government of Uzbekistan forces child labor in the cotton sector are untrue. He noted that children work legitimately and safely in agricultural industries around the world, including in Uzbekistan, but he said that there is no conspiracy on the national government level to force children to harvest cotton and that national legislation in Uzbekistan forbids such practices.

Nevertheless, Minister Ganiev also acknowledged that there have been reports to the contrary and that forced child labor, where it occurs, is wrong and that the Government of Uzbekistan has an obligation to ensure that if such practices occur, they are stopped. Minister Ganiev said that he and the Government of Uzbekistan are committed to engage with international organizations in a constructive dialogue on the issue of child labor in the cotton sector, and he said that MFERIT would organize a round table discussion with UNICEF and other international organizations to continue such a dialogue.

The ILO office in Geneva received the instruments of ratification of ILO Convention 138 on Minimum Age and Convention 182 on the Worst Forms of Child Labor from the Government of Uzbekistan on June 24, 2008.

A high-level meeting was held in July 2008 in Tashkent. UNICEF, UNDP and other international organizations were invited. High-level government officials and some national organizations participated, including a farmers' association and a group representing youth. Minister Ganiev chaired the round table. An open discussion took place. The purpose of the meeting was to solicit comments on a draft National Plan of Action prepared by the Ministry of Labour and Social Protection of the Population regarding implementation of the two recently-ratified ILO Conventions 138 and 182.

National Action Plan

The Cabinet of Ministers of the Government of Uzbekistan approved the National Action Plan for the implementation of Convention 138 on minimum age for employment and Convention 182 to prohibit the worst forms of child labor on September 12, 2008. (An English translation of the National Action Plan is attached.) The Plan includes mechanisms for implementation, deadlines for performance, and the ministries responsible for each activity.

Activities 11 and 12 in the Plan ensure that forced labor by school children will not be allowed.

Activities 15, 16, 17 and 18 refer to data gathering, accounting, inspection and permanent monitoring to ensure national compliance with ILO conventions. The Secretariat looks forward to working with the Government of Uzbekistan and other international organizations to ensure fulfillment of these activities. Unfortunately, the period of time for preparation of an objective survey of labor conditions in the cotton sector during the current harvest season has passed. Thus, a study in cooperation with UNICEF and ILO that had been intended for this harvest season will not be conducted. Nevertheless, such a study will eventually be conducted under the auspices of the National Action Plan that has now been approved.

Activities 25, 26 and 27 in the Plan envision international discussion, annual reports and the participation by Uzbek officials in international conferences. ICAC plenary meetings and Standing Committee meetings will be among the international conferences in which Uzbek officials will participate.

ICAC Meetings

The Third Open Session during the 67th Plenary Meeting this year in Ouagadougou will include a report from the ICAC Expert Panel on Social, Environmental and Economic Performance (SEEP) of Cotton Production and a discussion of how best to improve cotton production practices worldwide. This session will provide an opportunity for representatives from Uzbekistan to report on activities in their country.

At its 493rd Meeting, the Standing Committee accepted an invitation from the Government of Uzbekistan to host the 69th Plenary Meeting in 2010, with the understanding that allegations of child labor in the cotton industry will be an explicit agenda item. The Standing Committee also instructed the Secretariat to continue to work with UNICEF, the ILO and other international organizations and members of the civil society to provide objective information about cotton production practices in Uzbekistan and elsewhere. The Standing Committee recommended that the work of the ICAC Expert Panel on SEEP should continue beyond the 67th Plenary Meeting in Burkina Faso this year.

The mission of the ICAC is to assist governments in facilitating a healthy cotton sector by raising awareness of critical issues, providing objective information for decision making and encouraging cooperation on matters of shared concern. The Secretariat appreciates the membership of Uzbekistan in the ICAC and is gratified by the opportunity to work with government officials to improve production and marketing practices. The Secretariat notes that government officials in Uzbekistan are making strenuous efforts to meet the concerns of the international community regarding the allegations of child labor in the cotton sector, and that in fact Uzbekistan is doing much more than many other sovereign governments might be inclined to do in similar circumstances. The Secretariat looks forward to working with government officials and other international organizations, the private sector and civil society to ensure timely implementation of the National Action Plan.

**THE RESOLUTION OF THE CABINET OF MINISTERS OF
THE REPUBLIC OF UZBEKISTAN**

**Measures on implementation of Convention on Minimum Age for
Acceptation for Employment and Convention on Prohibition and Immediate
Actions for the Eradication of the Worst Forms of Child Labor ratified by the
Republic of Uzbekistan**

In connection with the ratification by the Republic of Uzbekistan of Convention on Minimum Age for Acceptation for Employment and Convention on Prohibition and Immediate Actions for the Eradication of the Worst Forms of Child Labor, and in order to coordinate the activities of ministries, agencies and public authorities, increase their interaction with international and public organizations on child labor, the Cabinet of Ministries decrees:

1. To approve National Action Plan On Implementation of Convention on Minimum Age for Acceptation for Employment and Convention on Prohibition and Immediate actions for the Eradication of the Worst Forms of Child Labor (hereinafter, the National Action Plan) in accordance with Annex.

2. To make the Ministry of Labor and Social Protection of the Republic of Uzbekistan responsible for coordination of activities of ministries, agencies and organizations on ensuring implementation of commitments arising from above conventions, as well as National Action Plan.

3. Ministry of Labor and Social Protection, Ministry of Internal Affairs of the Republic of Uzbekistan jointly with the Council of Ministers of the Republic of Qoraqalpoghiston, with Khokimiyats of provinces and the city of Tashkent to maintain effective control of non-admission enterprises, organizations and individuals of forcing children to work and of observing legislative norms and conditions of child labor.

To recommend to the General Prosecutor's Office of Uzbekistan to tighten control over unconditional observance of Convention on Minimum Age for Acceptation for Employment and Convention on Prohibition and Immediate Actions for the Eradication of the Worst Forms of Child Labor in the territory of the Republic of Uzbekistan.

4. Commission on the Issues of Under-Age Under the Cabinet of Ministers of the Republic of Uzbekistan to maintain regular review of the implementation of the National Action Plan.

5. To make the First Deputy Prime Minister of the Republic Uzbekistan to Azimov R.S responsible for monitoring of the implementation of this Resolution.

**Prime Minister
of the Republic Uzbekistan**

Sh.Mirziyeev

NATIONAL ACTION PLAN

on the implementation of Convention on Minimum Age for Acceptation for Employment and Convention on Prohibition and Immediate Actions for the Eradication of the Worst Forms of Child Labor

№	The name of activities	The mechanism of implementation*	Time of performance	Responsible executors
I. Improving a legal base in the framework of implementation of monitoring to prevent illegal use of child labor				
1	Developing and sending to the International Labor Organization (hereinafter - ILO) statement attached to the document about ratification of Convention on the Minimum Age for Acceptance for Employment that provides an indication of minimum age for employment, established in the Republic of Uzbekistan.	Statement attached to the document about ratification of convention on the minimum age for acceptance for employment	III quarter of 2008	Ministry of Foreign Affairs Ministry of Labor and Social Protection Council of the Federation of Trade Unions Chamber of Commerce and Industry
2	Conducting an inventory of legislation and preparing proposals for setting and strengthening responsibility of business entities and individuals, including parents for involving children in the worst forms of child labor, as defined in the Convention on the Prohibition and Immediate Action for the Eradication of the Worst Forms of Child Labor, as well as violation of Labor Code in relation to persons under 18.	Drafts of legal acts	II quarter of 2009	Ministry of Labor and Social Protection Ministry of Economy Council of the Federation of Trade Unions Ministry of Justice
3	Revising of Schedule of unfavorable working conditions, which prohibits the employment of persons under 18	Introducing amendments in legal acts of agencies	II quarter of 2009	Ministry of Labor and Social Protection Ministry of Health Council of the Federation of Trade Unions Chamber of Commerce and Industry Ministry of Justice

4	Considering the matters of non-admission of use of child labor as well as prohibition and eradication of its worst forms at the meetings of Commissions on the issues of under-age.	The decisions of Commissions on the issues of under-age	Annually	Commissions on the Issues of Under-Age Under the Cabinet of Ministers of the Republic of Uzbekistan Council of Ministers of the Republic of Qoraqalpoghiston Khokimmiyat of provinces, districts and cities
5	Drafting and adopting the procedure of employment of children under 16.	Agency legal document	IV quarter of 2008	Ministry of Labor and Social Protection Council of Trade Union of Federation of Uzbekistan
6	Considering, according to the requirements of Convention on minimum age for acceptance for employment and Convention on prohibition and eradication of worst forms of child labor, current regulations on lifting and moving heavy objects by persons under 18, and introducing amendments where necessary.	Agency legal document	IV quarter of 2008	Ministry of Labor and Social Protection Ministry of Health Council of Trade Union of Federation of Uzbekistan
7	Developing a Regulation on procedure of practical work (in production) of pupils in Uzbekistan and submitting for approval.	The draft of Government Resolution	IV quarter of 2008	Ministry of Higher and Secondary Special Education Ministry of Public Education Ministry of Labor and Social Protection Ministry of Economy
8	The development and approval a Regulation on family business and hack-working activity, encouraging engagement of persons under 18.	The draft of Government Resolution	II quarter of 2009	Ministry of Labor and Social Protection Ministry of economy Ministry of Justice Chamber of Commerce and Industry

II. Controlling and monitoring of the realization Convention on minimum age for acceptance for employment and Convention on prohibition and eradication of worst forms of child labor

9	Ensuring effective control of non-admission by enterprises, organizations and individuals of compulsion of children to work and observance of legislative norm, and working conditions of the minors, and also requirements of the Convention on minimum age for acceptance for employment and Convention on prohibition and eradication of worst forms of child labor	Plan of activities	Approval-september, 2008. Realization-permanently	Ministry of Labor and Social Protection, Ministry of Internal Affairs, General Prosecutor's Office of the Republic of Uzbekistan, Council of Ministers of Qoraqalpoghiston Khokimiyat of provinces and city of Tashkent
10	Ensuring of observance of the labor legislation concerning the minimum age for employment and working conditions of youth under 18	Scheduled and Off-schedule inspections according to the legislation	In the terms set by the legislation	Ministry of labor and social protection
11	Ensuring control of attendance by the pupils of lessons in every educational institution, with subject hearing of every case of systematical non-attendance. Establishing personal responsibility of principals of educational institutions for safety of contingent of the pupils and their attendance	Joint decision of executors	Decision-making - September 2008 Realization-permanently	Ministry of Public Education, Ministry of Higher and Secondary Special Education, The Centre for Secondary Special and Professional Education, Social Movement of Youth «Kamolot»
12	Monitoring and control of non-admission of use of forced labor of pupils of schools of general education, vocational colleges and academic lyceums.	Joint decision of Ministry of Public Education, Ministry of Higher and Secondary Special Education	Decision-making - September 2008 Realization-permanently	Ministry of Public Education Fund «Makhalya» Council of Ministers of Qoraqalpoghiston khokimiyats of provinces and city of Tashkent Social Movement of Youth «Kamolot»
13	Strengthening the work of self-governing bodies	Joint decision of	Decision-making -	Ministry of Public

	with children not attending educational institutions, with the purpose of public influence on the parents of these children and return of children school	executors	September 2008 Realization-permanently	Education The Centre for secondary special and professional education Fund «Makhalya»
14	Public control of non-admission of use of forced child labor in territories self-governing bodies of the citizens (in the sphere of individual hack-working and other kinds of business activities).	The decision of local public authorities	Decision-making - September 2008 Realization-permanently	Council of Ministers of Qoraqalpoghiston Khokimiyats of regions and city of Tashkent Fund «Makhalya»
15	Ensuring getting the data about number of the occupied persons under 18 within the framework of regular inspection of employment of the population carried out according to the decision of the Cabinet of 24.05.2007 №106	Activities plan	Decision-making - September 2008 Realization-fixed terms	The Ministry of Labor and Social Protection of Population
16	Accounting number of workers under age 18 within the operating state statistical accountability	The Resolution of the State Committee of the Republic of Uzbekistan on Statistics	IV quarter 2008	State Committee of the Republic of Uzbekistan on Statistics Ministry of Labor and Social Protection of Population
17	Developing a methodic of carrying out inspection of informal sector of employment concerning child labor. Carrying out of inspection of informal sector of employment concerning child labor.	Methodic Carrying out inspections		The Ministry of Labor and Social Protection of Population
18	Implementing permanent monitoring of the situation of children in unfavorable families	Activities' plan	Approval – on September 2008 Realization – permanently	Commission on the Issues of Under-Age Under the Cabinet of Ministers of the Republic of Uzbekistan, Council of Ministries of the Republic of Qoraqalpoghiston

				<p>Khokimiyat of provinces districts and cities Ministry of Public Education</p> <p>Committee of Women "Mahalla" Fund</p> <p>Social Movement of Youth "Kamolot"</p>
19	<p>Establishing in the Ministry of Labor and Social Protection of Population, as well as in its structural and territorial divisions constant functioning a hot line on the issues of child labor, for the purpose of ensuring timely response on messages about infringement of the rights of children within the legislation</p>	The order of the minister	September 2008	The Ministry of Labor and Social Protection of Population
20	<p>Establishing working group to monitor locally of non-admission of the use of forced labor of pupils in schools of general education in cotton picking.</p> <p>Monitoring locally of non-admission of use of forced labor of pupils in schools of general education public schools in cotton picking.</p> <p>Submitting analytical information to the Cabinet of Ministers on results of monitoring, with corresponding proposals.</p>	Composition of working group and action plan	<p>September, 2008, further annually – August</p> <p>Annually – August- November</p> <p>Annually– September 10 October 10, November 10, December 10</p>	<p>Ministry of Public Education</p> <p>Ministry of Labor and Social Protection of Population</p> <p>Ministry for Foreign Economic Relations, Investments and Trade</p> <p>Council of Ministries of the Republic of Qoraqalpoghiston</p> <p>Khokimiyat of provinces and Tashkent city</p>
21	<p>Revising collective agreements taking into account introduction of special provisions which guarantee observance of the rights and additional guarantees, provided by the labor</p>	Recommendations about the collective agreement conclusion	IV quarter 2008	<p>The Federation of Council of Trade Unions of Uzbekistan</p> <p>Ministry of Labor and</p>

	legislation and the legislation on a labor safety in resection to youth, in particular persons under 18, as well as ensuring of their social security in production			Social Protection of Population Chamber of Commerce and Industry
III. Broad information-clarification work on realization of the Convention on the minimum age for employment and the Convention prohibition and immediate measures on eradication of the worst forms of child labor.				
22	Publishing in mass media of information materials with clarification of the contents of Convention on the Minimum Age for Employment and the Convention on Prohibition and Immediate Measures on eradication of the Worst Forms of Child Labor ratified by the Republic of Uzbekistan	The program of reports in mass media for 2008-2009	Approval – September 2008 Realization – 2008-2009	Ministry of Labor and Social Protection of Population The Federation of Council of Trade Unions of Uzbekistan Chamber of Commerce and industry Social Movement of Youth "Kamolot"
23	Dissemination among employers and self-government institutions of citizens of information materials (the brochure, booklets), describing the content of Convention on Minimum Age for Employment and Convention on Prohibition and Immediate Measures on Eradication the Worst Forms of Child Labor ratified by the Republic of Uzbekistan	The joint plan of working out and the edition of information materials	Approval – September 2008 Realization – 2008-2009	Ministry of Labor and Social Protection of Population The Federation Council of Trade Unions of Uzbekistan Chamber of Commerce and industry
24	Developing and realizing a complex of measures directed to informing of parents about consequences of the worst forms of child labor	Complex of measures	Approval - October, 2008 Realization- Constantly	The Ministry of Public Education Centre for Secondary, Special and Professional Education International Labor Organization**

				UNICEF**
25	Holding round table, devoted to the World Day of fight against child labor, with the participation of representatives of the international organizations.	Broad discussion of problems of child labor	Annually by July, 12, from 2009 onwards	The Ministry of Labor and Social Protection of the Population, Ministries and Agencies
26	Preparation of annual reports for the international organizations concerned on the issues of measures undertaken by Uzbekistan on non-admission of eradication of the worst forms of child labor.	Informing international community on measures on eradication of the worst forms of child labor	Annually February, 1	The Ministry of Labor and Social Protection of the Population Ministry for Foreign Affairs Ministry of Public Education Ministry for Foreign Economic Relations, Investments and Trade Council of Federation of Trade Unions of Uzbekistan National Center on Human Rights UNICEF** International Labor Organization** UNDP**
27	Ensuring participation of delegations of Uzbekistan in the international conferences on issues of child labor and informing the international community of view point of Uzbekistan on the given circle of questions.	Informing international community on measures on eradication of the worst forms of child labor	On fixed terms	The Ministry of labor and Social Protection of Population Ministry for Foreign Affairs Ministry for Foreign Economic Relations, Investments and Trade Ministry of Public Education

				Council of Federation of Public Trade Unions of Uzbekistan General Prosecutor's Office International Labor Organization ** UNICEF ** UNDP **
28	Introducing, from 2010 in curricula and programs of training in vocational colleges, academic lyceums and institutions teaching modules of «Introduction to Business» and «Labor law».	Complex of measures	Approval - October, 2008 Realization-2008-2009 years	The Centre for Secondary Special and Professional Education Chamber of Commerce and Industry International Labor Organization**
29	Acceptance of the joint statement on inadmissibility of use of forced labor of children in agricultural works.	The joint statement of executors	III quarter 2008	Association of farm entities Council of Federation of trade unions of Uzbekistan Ministry of Labor and Social Protection of the Population
IV. Implementation of projects of the international cooperation aimed at non-admission use of worst forms of child labor				

30	Developing and introducing proposals on the accession of Uzbekistan to the ILO Program on eradication of child labor	Activity plan Draft Memorandum of understanding	2 quarter 2009	Ministry of Labor and Social Protection of the Population Ministry for Foreign Affairs Ministry of Public Education Ministry of Economy
31	Organizing series of trainings and seminars on issues of protection of the rights of children and non-admission the worst forms of child labor for: -employees of the institutions of labor and social protection of the population, -institution of national education -law enforcement authorities -journalists and editors of mass-media, who make reports on problems of ensuring rights of children; -leaders of the trade-union organizations.	The program of trainings and seminars with financial assistance of UNICEF The International Labor Organization UNDP and ADB	Approval October, 2008 Realization-2008-2009	The Ministry of Labor and Social Protection of the Population Ministry of Public Education Centre for Secondary Special and Professional Education General Prosecutor's Office Ministry of Internal Affairs Ministry of Justice Council of Federation of Trade Unions of Uzbekistan UNICEF ** The International Labor Organization ** UNDP ** ADB **
32	Carrying out in province of the country of trainings for Deputy Khokims of provinces and cities on matters of ensuring rights of children and their protection from the worst forms of work	The program of trainings Financed by UNICEF	2008-2009	Academy of State and Social Construction UNICEF **
33	Information – clarification work among farmers	The schedule, the	Approval September,	Association of farms

	on matters on non-admission of violation of legislation engaging children in agricultural works	Program of the Information of clarification work	2008 Realization-2009	entities Council of Federation of Trade Unions of Uzbekistan Ministry of Labor and Social Protection of the Population UNICEF**
34	Developing and disseminating in educational institutions of information materials (posters) on issues of ensuring children's rights, including in labor field, and non-admission the worst forms of child labor.	Prospect of publications and schedule development with the financial participation of UNICEF	2009	Ministry of Public Education Centre for Secondary Special and Professional Education UNICEF **
35	Ensuring the development and implementation of the project « Promoting the Environment which ensures protection of children», providing: - Additional measures for the social protection of low-income families; - Improving the infrastructure and methods of support of children in difficult life situations. The introduction of project into regional strategies for raising the welfare of the population	Program of project implementation financial records	Development period up to January 1, 2009 Realization period– 2009-2010	Ministry of Labor and Social Protection of the Population Ministry of Public Education UNICEF ** ADB UNDP
36	Developing international program «Children of the Aral Sea» for 2009-2010 which envisages establishment of favorable environment for raising the welfare of children living in Aral Sea region with attraction of donor funds to the region	The Government, decision on approval of the program	Development period II quarter 2009 Realization period– 2009-2010	Charity Fund for Aral Gene-pool protection UNICEF ** UNDP Ministerial Council of the Republic of Qoraqalpoghiston Khokimiyat of Khorazm and Bukhoro provinces

37	Developing and implementation of innovative programs on creation of jobs and raising the efficiency of existing jobs, particularly in remote rural and mountainous areas, as economic alternatives to child labor to low-income families, including the promotion of self employment	Programs approved by executives	2009-2010	The Ministry of Labor and Social Protection the Population Ministry of Economy Chamber of Commerce and Industry Khokimiyat of provinces and Tashkent city ADB UNDP International donor organizations
----	--	---------------------------------	-----------	---

Note:

*) Financing activities of the National Action Plan shall be implemented at the expense of executors and attracted funds from international organizations

**) Financial assistance, consultation, implementation of additional agreed programs