



**“We didn’t understand who gave them an order to come to our field.”**

**UZBEK COTTON HARVEST 2022:  
NO SYSTEMATIC FORCED LABOR OF PICKERS BUT  
GOVERNMENT CONTROL OF THE COTTON SECTOR  
PUTS FARMERS AND WORKERS AT RISK**



**UZBEK FORUM**  
FOR HUMAN RIGHTS

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# I. EXECUTIVE SUMMARY

During the 2022 cotton harvest, Uzbek Forum monitors found no evidence of systematic, government-imposed forced labor for the second consecutive year. While this is a strong indication that efforts by the government to eliminate child and adult forced labor have taken hold, isolated incidents of forced labor and extortion to pay for the cotton harvest were identified in some districts with low populations and insufficient numbers of pickers and during the later stages of the harvest when less cotton in the fields makes recruitment of voluntary pickers more challenging. In general however, wages for pickers were sufficient to recruit adequate numbers to the fields, providing important supplementary income to rural communities.

Government officials were responsive to reports of rights violations and, based on interviews with pickers, officials, and farmers, it is clear that the Ministry of Labor has demonstrated its commitment to the prohibition of forced and child labor in the cotton fields.

The monitoring findings of the 2022 harvest are broadly similar to those of the 2021 harvest in terms of both positive aspects and remaining, entrenched risks for coercive labor and exploitation of farmers. Uzbek Forum found that the government maintains strict oversight over the organization of the harvest with de facto quotas, now called district forecasts, still in place. Despite privatization of the agriculture sector, hokimiyats (local administrations) continue to hold regular meetings to exert pressure on employees of mahalla (neighborhood councils) and farmers to recruit sufficient numbers of pickers and meet quotas.

Whereas in previous years, social media channels were overwhelmed with reports of forced labor, these complaints have been replaced by appeals from hundreds of farmers throughout the country in relation to illegal land confiscations and exploitative contractual relations with vertically-integrated cotton companies that are locally known as clusters. The obligation of farmers to deliver their cotton to a particular cluster, usually in their district, deprives them of the necessary bargaining power to negotiate fair prices and conditions. Farmers who attempt to avoid the system by establishing cooperatives are at risk of having their cotton seized by officials for the benefit of clusters, their land leases arbitrarily terminated and have on occasions even been subjected to physical abuse.

The lack of autonomy of farmers is in part due to the absence of independent trade unions and associations that represent their interests. Restrictions on an enabling environment for civil society and workers that embraces the fundamental freedoms of association, assembly, and expression continue to present risks for investors, brands and retailers considering sourcing cotton produced in Uzbekistan. Without independent monitoring and reporting, functioning grievance mechanisms and worker voice channels, companies doing business in Uzbekistan expose themselves to limitations on due diligence that ensure they are complying with ethical codes of conduct and national supply chain laws.

## 2. KEY FINDINGS FROM THE 2022 HARVEST

- Uzbek Forum monitors found no evidence of systematic, government-imposed forced labor for the second consecutive year.
- The government continues to exert strict control over the cotton harvest.
- Authorities were responsive to reports of forced labor.
- Districts where production targets are lagging and there are insufficient pickers present a higher level of risk of forced mobilization by local authorities.
- Local government officials are exposed to pressure under threat of penalty to recruit sufficient numbers of pickers.
- Cotton production quotas, now known as forecasts, persist at district levels.
- Farmers are vulnerable to exploitative practices by clusters, including delayed and failed payments and coercion to sign blank contracts.
- Cotton cooperative farmers are at risk of obstruction to their operations and harassment by local officials.
- Local authorities continue to instigate illegal land confiscations.
- Persistent restrictions on freedom of association and a lack of independent labor rights monitoring groups present challenges to ensuring adequate due diligence for investors.

### 3. METHODOLOGY

Uzbek Forum for Human Rights conducted monitoring of forced labor in the cotton harvest over a three-month period from September to November 2022 in six of Uzbekistan's thirteen regions: Khorezm, Jizzakh, Ferghana, Andijan, Kashkadarya, and the Karakalpakstan Autonomous Republic from September to November 2022. In total, 224 face-to-face, in-depth interviews were conducted by 12 trained labor rights monitors with mahalla residents, local officials, farmers, and employees of state-run organizations. Additional interviews were conducted in December and January 2023.

Uzbek Forum has monitored child and forced labor and labor conditions in the cotton harvest every year since 2009 and has gained deep insight into the social, economic, and political structures that drive the cotton sector. Uzbek Forum's monitors conduct monitoring in districts where they reside and are intimately familiar with the procedures for the recruitment of pickers and organization of the harvest. In addition, they have extensive contacts with farmers and others involved in the production of cotton, including government officials.

Uzbek Forum monitors also followed up on reports of forced labor and rights abuses that were reported in the media and on various social media channels and, where possible, followed up on these reports by speaking directly to those affected.

Monitors also visited various government agencies and departments, as well as banks, gas and electricity companies, hospitals, and markets to gather information and conduct brief interviews. Interviews were conducted in private, away from supervisors or employers, and on the basis of confidentiality and anonymity in an atmosphere of trust.

This report combines an analysis of monitoring findings with reports disseminated in the media and on social media platforms related to the 2022 cotton harvest. The report supplements preliminary findings published by Uzbek Forum in October 2022.<sup>1</sup>

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<sup>1</sup> Uzbek Forum, October 2022, *Cotton Chronicle 2022*: [https://www.uzbekforum.org/wp-content/uploads/2022/10/20221031-UZBEK-FORUM\\_cotton\\_chronicle.pdf](https://www.uzbekforum.org/wp-content/uploads/2022/10/20221031-UZBEK-FORUM_cotton_chronicle.pdf)

## 4. THE SYSTEM OF STATE MANAGEMENT OF AGRICULTURE IN UZBEKISTAN

The state continues to own all agricultural land in Uzbekistan. All producers lease agricultural land from the state. Over the past several years, the state has implemented a series of reforms to modernize agriculture and reduce state control. While some of these reforms have enjoyed success, the government of Uzbekistan continues to exert a heavy hand in agricultural and land management, although in some aspects the form of this control has shifted.

In March 2020, the President of Uzbekistan signed a decree to abolish the state order for cotton and committed to abandon state regulation of the cotton production quota, pricing, and the compulsory purchase of cotton to take effect as of the 2020 harvest.<sup>2</sup>

The Cotton Campaign had long advocated for this reform to eliminate a key driver of forced labor. Ending mandatory state cotton quotas removed one of the final barriers to ending the state-imposed forced labor system. In addition, the Concept of Water Sector Development of the Republic of Uzbekistan for 2020 - 2030<sup>3</sup> was adopted in 2020, which sets out further reforms in the sector.

Despite a series of decrees and legislation, reform of the agriculture sector has stalled due to a number of external factors such as the pandemic as well as internal factors such as resistance from the state apparatus. There remains considerable interference of state bodies in the process of agricultural production, the system of a mandatory state order for agricultural produce de facto still exists<sup>4</sup>, and farmers' land use rights are limited and inadequately protected.

Since privatization of the sector began in 2018, the government introduced a system of so-called agricultural clusters – vertically-integrated private companies – for the processing of agricultural products, primarily those sold under state order. Although the cluster system privatized aspects of state-order crop production, it did not transition Uzbekistan to a complete market economy for agricultural products. Although clusters are private companies, they remain closely aligned with state policy and, in many cases, are owned or controlled by government officials or people connected to the government. The state provides significant subsidies to clusters, giving them a competitive advantage over farmers, and has essentially delegated to the clusters the power to compel farmers to grow state-order crops. These crops, including cotton, wheat, silk cocoons, and horticultural products, form a core part of Uzbekistan's economy. Relationships between clusters and the farmers who produce crops for them are not bound by regular market relationships achieved through fair negotiation and governed by contract. Farmers are often bound to produce crops for a particular cluster, based on geography, limiting farmers' bargaining power to find other buyers or negotiate terms. Farmers' ability to bargain is further limited by restrictions on freedom of association that constrain farmers' ability to form representative organizations that could represent the interests of groups of farmers in negotiations with a cluster. In some cases, clusters impose even stricter conditions on farmers than they faced under the state-controlled system, including by imposing the specific agro-technologies farmers must use.

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2 Presidential decree No. 4633, "On measures to widely introduce market principles in the cotton sector", March 6, 2020: <https://lex.uz/docs/4756992>

3 Available at: <https://lex.uz/ru/docs/4892946>

4 Due to the continued administrative method of so-called "crop allocation", as well as the continued standardized crop yields as a condition for land allocation (Cabinet of Ministers Decree No. 235 of August 18, 2014).

The competitive advantages of clusters derive from non-market factors: the coercion of farmers to grow certain crops, the sale of the grown crops at fixed prices, and access to low prices for electricity, gas, and water in addition to subsidies for technology and logistics. If the state were to abandon compulsory state orders in all forms, the subsidies would be reduced or eliminated, and clusters would lose their competitive advantage over farmers operating on their own.



Cotton pickers collecting their wages, Ferghana region, September 2022. ©Sherzod Qoraboyev

## 5. COTTON HARVEST MONITORING 2022

Uzbek Forum monitors conducted 55 interviews with villagers/mahalla residents and 55 interviews with employees of state-owned organizations in 24 districts of Uzbekistan who picked cotton for a period of several days for up to two months during the 2022 harvest. Almost all of the pickers interviewed picked cotton during the day and returned home in the evening, suggesting a downward trend in pickers working in the cotton fields far from home for extended periods, requiring overnight stays.

72 interviews were conducted with farmers and 48 interviews with mahalla officials to gain insight into the organization of the harvest itself and the structures on which the cotton sector is built.

While these findings are not statistically representative of over two million pickers and thousands of officials involved in the harvest throughout the country and, in isolation, may not reflect the full picture, they nevertheless identify key trends and provide detailed snapshots of the harvest, reflecting both progress and challenges in the districts where monitoring was conducted. Notably, the monitoring findings are corroborated by additional information gathered through the media and posts on social media channels throughout the country in relation to how the cotton harvest was organized in 2022. The analysis in this report therefore offers insight into the conduct of the harvest overall and not just the districts monitored.



## 5.1 NO EVIDENCE OF SYSTEMATIC GOVERNMENT-IMPOSED FORCED LABOR

According to the Ministry of Agriculture, 21,379 brigades covering nearly two million pickers were formed for the 2022 cotton harvest season.

Uzbek Forum found no evidence of systemic, government-imposed forced labor of pickers during the cotton harvest in Uzbekistan in autumn 2022, although monitors observed some instances of forced labor. Although the Ministry of Labor established an online platform for recruiting labor, and cotton pickers were able to be registered and officially hired for seasonal work during the cotton harvest through state and private employment agencies, the main burden of mobilization of pickers, as in previous years, fell on the hokimiyats and employees of mahalla committees (neighborhood councils). Mahalla committees, an official state structure falling under the Ministry of Mahalla and Family Affairs, continued to play a central role in the organization of the harvest and recruitment of workers although this role is not defined by legislation.

In a number of districts, Uzbek Forum documented cases of coercion of employees of state-owned organizations to pick cotton, usually on weekends. The scale of coercion, intensity, and number of days that employees had to spend picking cotton was similar to what was observed during the cotton harvest of 2021.

## 5.2 GOVERNMENT EFFORTS TO PREVENT FORCED LABOR AND ENSURE WORKING CONDITIONS

During the 2022 cotton harvest, the State Labor Inspectorate carried out an active information campaign informing the population through television, banners, and flyers about the inadmissibility of engaging citizens under the age of 18 in picking cotton and that cotton can be picked by physically healthy people, encouraging the unemployed to register as voluntary pickers through special developed platforms on the web sites and Telegram (most popular social platform in the county).

In many cases when stories of forced labor became known, the hokimiyat, the State Labor Inspectorate or related organizations responded promptly with an inspection and in most cases the coercion stopped. Publicity clearly played a role in stopping coercion, as did the swift inspections by the Labor Inspectorate.

After the publication of reports in social media that employees of a number of large enterprises and factories in Kashkadarya region were required to pick cotton, the national commission on combating human trafficking published a comment reminding of the potential for criminal liability for such actions.<sup>5</sup>

Information videos prepared by the Ministry of Labor explained that seasonal cotton pickers must have contracts, according to which they should be provided with three meals a day, decent living conditions if pickers are spending multiple days away from home, hot water to shower, medical services and timely payment. At the beginning of the cotton harvest, the Farmers' Council, a state-aligned organization of which farmers are obligated to be members, issued a special appeal to cotton farmers asking them to prevent child and forced labor in their cotton fields.

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5 Gazeta.uz, September 27, 2022, Принуждение к сбору хлопка незаконно — Нацкомиссия: <https://www.gazeta.uz/ru/2022/09/27/forced-labor/>

In addition, as reported by the Ministry of Labor, occupational safety and health rules have been developed with which pickers must be familiarized on a mandatory basis before they start picking cotton. For example, pickers may only enter cotton fields ten days after chemical treatments for defoliation have been carried out.

### **5.3 WORKING CONDITIONS FOR PICKERS**

In interviews with Uzbek Forum, many cotton pickers said that although they did not sign contracts, they had no major complaints about working conditions and were satisfied with what they were paid. Most pickers who spoke to Uzbek Forum monitors complained of a lack of access to proper toilets and poor hygiene facilities. This is of particular concern to women, who comprise the vast majority of cotton pickers. Some pickers complained that a lack of clean drinking water forced them to drink from a nearby stream which was also used for washing.

The time pickers spend on the fields can be extended by lengthy waits of up to two hours while harvested cotton is weighed, amounting to de facto unpaid overtime. As pickers are paid only according to the amount of cotton they have gathered, this extra time detracts from their net daily earnings. In addition, some pickers complained that too much cotton was deducted from what they had collected for trash content and moisture. However, for the most part, pickers reported that they received payment promptly and received incentive gifts. Payments also increased during the later stages of the harvest to compensate for lower earning potential after most of the cotton has already been harvested. For the first stage pickers received between 1,500 UZS (approximately \$0.13), for the second stage, 1,800 UZS (approximately \$0.16 US) - and up to 2,500 - 3,000 UZS in the later stages (approximately \$0.22 - \$0.26 US) per kilo.

As seasonal workers, pickers are vulnerable to exploitative practices and arbitrary decisions relating to pay. Despite the fact that they are legally obliged to have contracts, often signed on their behalf by brigade leaders, they are often not in possession of the contracts themselves or are not aware that they have a contract or what rights they have. Nonetheless, it appears pickers are able to take advantage of the pressure on local officials and farmers to deliver quotas and exert a level of informal bargaining. One picker in Zarbdor district in Jizzakh region reported that pickers where he was working staged a protest after they did not receive cottonseed oil that had been promised to them as a bonus. "We said that we will go to another farmer tomorrow. Immediately in the evening, cottonseed oil was delivered."

### **5.4 COERCION**

Instances of coercion to pick cotton intensified in the second half of October, when the amount of cotton in the fields decreased and pickers were therefore able to earn less. Hokims ordered employees of organizations to be sent to the fields in a number of districts that were struggling to fulfill production targets and/or lacked sufficient pickers. As of the second week of October, dozens of reports began appearing on social media about government employees being forced to pick cotton and pressure on mahalla chairmen to find enough pickers to accelerate the harvest.

Almost all pickers interviewed by Uzbek Forum said that they had gone to the fields voluntarily and were glad of the opportunity to earn extra income. However, when asked what would happen if they had refused to pick cotton when requested by a mahalla official or other person, a significant number said that they would experience negative consequences such as problems with the mahalla or with their boss at work. Whether the threat of negative consequences for refusing to pick cotton is explicit or perceived, it constitutes coercion when workers feel they cannot refuse to comply with a request. One picker told Uzbek Forum that she was specifically told by a mahalla official that she would lose her child allowance if she did not go to the fields.

Monitors also reported that many interviewees were reluctant to speak to them, apparently fearing the possibility of reprisals, although all measures were taken to conduct interviews away from supervisors and government officials to protect them from potential retaliation.

## 5.5 EXTORTION

The practice by officials and heads of organizations of demanding money from citizens and employees to pay money for the harvest appears to persist in some districts, albeit at a lower scale than in previous years. These districts are generally where pickers are brought from other parts of the country to make up for a lack of pickers and require extra funds for accommodation and transportation. Although the scale of extortion is far less than in previous years, employers and officials demanded that employees and small business owners make payments to support the harvest under threat of penalty such as reprisals at the workplace or loss of license for a market stall. How this informal subsidy is precisely allocated is not known and is unaccounted for.

Radio Ozodlik, the Uzbek-language service of Radio Free Europe/Radio Liberty, published dozens of appeals from employees of organizations who complained about forced labor or extortion of money to pay the expenses of the cotton harvest. One post read, “Every day the inspectors of the Namangan regional department of road and river transport have to give 50,000 UZS (approximately \$4.40 US), of which 40,000 UZS is used to hire mardikors (day laborers) to pick cotton. Is it right to collect money for cotton from us? And what is the rest of the money spent on?”<sup>6</sup> The Namangan regional department of road and river transport responded the next day, issuing a denial in an official statement.<sup>7</sup>

During the 2022 cotton harvest, Uzbek Forum monitors recorded cases of extortion whereby money was forcibly collected from employees of state organizations as “assistance” for the harvest. For example, a district electric grid company in Jizzakh region collected a total of six million UZS (approximately \$523 US) from its employees, which was given to the district hokimiyat to “contribute to the cotton harvest”. According to sources, this money was spent on travel expenses and accommodation for the volunteer pickers who came to Jizzakh from Surkhandarya and Samarkand.<sup>8</sup>

In another case, employees of a gas supply enterprise in Zafarabod district were forced to contribute 80,000 UZS each (approximately \$7 US) from their salaries. A total of 3,200,000 UZS (approximately \$280 US) was collected, which was given to the district hokimiyat, ostensibly to accelerate the harvest<sup>9</sup>.

Interviews with employees of a bank branch in Jizzakh region revealed that most of the 20 - 30 employees also had to hand over 100,000 UZS each (approximately \$9 US) to help with the cotton harvest. One bank employee in Jizzakh city told Uzbek Forum that he did not see a problem in handing over a small amount of money to buy pickers extra food, finding low-level extortion preferable to being forcibly mobilized to the cotton fields. “This year, unlike previous years, we are not asked to go to pick cotton on weekends, they only asked to contribute money.”<sup>10</sup>

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6 Sizdan Telegram channel, October 10, 2022: <https://t.me/sizdantelegram/40809>

7 Sizdan Telegram channel, October 11, 2022: <https://web.telegram.org/z/#-1186268029>

8 Interview with the head of the district electricity company, October 5, 2022, available at Uzbek Forum. The interviewee requested not to disclose the name of the district to avoid identification.

9 Interview with a gas company employee, October 9, 2022, available at Uzbek Forum.

10 Interview with a bank employee in Jizzakh city, October 10, 2022, available at Uzbek Forum.

## 5.6 ROLE OF MAHALLAS AND RISK OF COERCION

Most cotton clusters are not involved in mobilizing cotton pickers, relying instead on the state through the hokimiyat and mahallas to recruit pickers. As in previous years, employees of mahallas were tasked with recruiting residents to pick cotton and organize buses to bring pickers to the fields. If the number of pickers was insufficient, especially if the district was behind in fulfilling quotas, mahalla workers were subjected by government officials to intimidation and threats up to and including dismissal.

Uzbek Forum monitors interviewed 48 mahalla employees from six of Uzbekistan's cotton-growing regions. 43 mahalla employees (90%) responded that they were obliged to prepare lists of cotton pickers from among unemployed residents, organize pickers during the entire period of the cotton harvest, and recruit cotton pickers when needed. One third of the interviewed mahalla employees said that they had to supervise the process of cotton picking while 50% of those interviewed responded that they were required to accompany pickers to the fields.

More than half of the interviewed mahalla employees experienced difficulties in finding voluntary cotton pickers at various stages of the harvest and said that they were under pressure from the hokimiyat or their immediate supervisor (mahalla chairmen) because they were unable to recruit the required number of pickers. When asked what kind of pressure they experienced, mahalla employees said that they were afraid of deductions from their wages or of being fired and that they may also be subjected to psychological pressure in the form of intimidation and insults.

Among the reasons why mahalla employees had difficulties in finding sufficient numbers of pickers, mahalla employees identified low payment of pickers, an insufficient amount of cotton in the fields, and insufficient numbers of residents willing to pick cotton.

Cotton harvest meeting, September 30, 2022. The deputy hokim of Pakhtaobod district meets farmers and mahalla staff and issues tasks for the rapid collection of cotton in the district. ©Pakhtaobod district hokimiyat press service.



77% of interviewed mahalla employees said that they had to report periodically to the hokimiyat or chairman of the mahalla on the number of pickers they had recruited and had to participate regularly in meetings dedicated to the cotton harvest, sometimes daily.

Radio Ozodlik published several appeals from mahalla employees. One said, “We are writing from the Shavat district of Khorezm region. The district hokim holds meetings dedicated to the cotton harvest every evening at 7.30 p.m. The hokim says that if mahalla chairmen do not find enough pickers, he/she will be disciplined and 30% of their salary will be deducted. Police officers forcefully bring mahalla chairmen who do not come to the meetings.”<sup>11</sup>

In an interview with Uzbek Forum, one of the mahalla chairmen in Pakhtakor district in Jizzakh region said that he had to find 80 residents of his mahalla to send to the neighboring Dustlik district to pick cotton. When the number of volunteer pickers started to decrease and the hokim demanded that more pickers should be found, he began issuing threats to stop paying social benefits or children’s allowances.<sup>12</sup>

A similar story was told to Uzbek Forum monitors by the chairman of a mahalla in Forish district, where cotton is not grown. He had difficulties finding enough pickers to send to the neighboring Sharaf Rashid district and was consequently reprimanded by the hokim.

Alongside mahalla officials, the assistants of hokims, a new position created in every town and village as of January 1, 2022, as well as quasi-state organizations including the Women’s Committee and the Youth Committee, were also responsible for finding pickers. In some cases, the hokimiyat organized buses for employees of various state organizations for the daily cotton harvest.

### Excerpt from an interview with an employee of the hokimiyat in Khorezm region:<sup>13</sup>

Meetings dedicated to the cotton harvest are held at the hokimiyat every day at 8:00 a.m. They are attended by chairmen of mahallas, hokim’s assistants, youth leaders, activists of women’s organizations, heads of district departments and organizations. The meeting discusses the daily cotton harvest figures and how well they meet the targets, and whether there are enough cotton pickers going out to the fields. Mahalla chairmen are constantly required to recruit pickers. They have to go from house to house and persuade residents to go out to pick cotton. The daily quantitative indicators of the cotton harvest in each district are analyzed and the work of those lagging behind is criticized. Assistant hokims, youth leaders, and activists of women’s organizations are required to recruit ten pickers each. Hokims of districts where cotton picking is behind schedule are reprimanded and must take immediate action to improve performance.

Meetings dedicated to the cotton harvest are held every day by Deputy Prime Minister Shukhrat Ganiev, at 13:00 or 14:00 on Zoom. During the meetings, the deputy hokims for agriculture in each region provide Ganiev with reports from their region. The main problem for deputy hokims is that they are behind schedule in the cotton harvest and are publicly criticized. Some hokims are given warnings and reprimanded.

11 Sizdan Telegram channel, September 25, 2022: <https://t.me/sizdantelegram/40734>

12 Interview with mahalla chairman, October 10, 2022, Pakhtakor district, Jizzakh region, available at Uzbek Forum.

13 Interview available at Uzbek Forum.

## 5.7 EMPLOYEES OF ORGANIZATIONS RECRUITED TO PICK COTTON

Employees of state organizations in general were not forcibly sent to pick cotton during the 2022 harvest. Uzbek Forum monitors conducted interviews with 34 state employees who picked cotton in 13 districts of the country from 4-15 days during the cotton season. Among those interviewed were employees of hokimiyats, schools, kindergartens, hospitals, and mahalla employees, of whom 14 reported that they were forced to pick cotton. When asked why they picked cotton against their will, approximately half responded that they were ordered by their direct supervisor, while others said that they wanted to avoid problems at work and did not want to spoil relations with their superiors.

Uzbek Forum monitors in the Ferghana region observed buses organized by officials that were taking cleaners from local schools to the fields. However, the cleaners said that they were picking cotton voluntarily because they could earn extra money on top of their school salaries.

## 5.8 CONTINUED GOVERNMENT INVOLVEMENT IN THE ORGANIZATION OF THE HARVEST

Despite the abolition of the state order for cotton production and the transition to the privatized “cluster” system, the procedure and organization of the cotton harvest remain practically unchanged. As before, the heads of four divisions – the prosecutor, the head of police, the head of tax inspection, and district and regional hokims – are responsible for the quality and timely delivery of cotton.

The implementation of the tasks for the timely harvest of cotton in 2022 was supervised by Shukhrat Ganiev, the former Deputy Prime Minister for Agrarian and Food Sector Development<sup>14</sup>, who personally participated in daily online meetings with district and regional hokims who reported on the progress of the cotton harvest.

The organization of the cotton harvest is centrally supervised all along the chain of command. Mahalla chairmen and hokims report daily to the government on the amount of cotton harvested and the performance of farms, which are required to deliver a predetermined amount of cotton according to their contracts with clusters.

Uzbek Forum reviewed a 48-page protocol<sup>15</sup> of a government meeting that took place on August 20, 2022, which meticulously lays out the details for organizing and overseeing the harvest. The protocol, which was approved by the Prime Minister of Uzbekistan, Abdulla Aripov, and sent to 17 government agencies, reveals the depth and scale of continued government involvement in a sector which has at least nominally been privatized and is unprecedented in any other sectors of the economy. The details of the document call into question the independence of cotton clusters from government interference, and the motivation of the government to dedicate such significant resources to a sector they no longer overtly beneficially own.

According to the document, the meeting was attended by the heads of various ministries and departments and hokims of districts and regions. The protocol details coordinated actions among various government agencies, banks, mahallas, clusters, and farmers and describes how picker brigades are to be formed, how pickers and leaders of picker brigades are to be paid, how clusters and farmers must report on their cotton production, and how pickers and leaders of picker brigades should be contracted.

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14 In January 2023, Shukhrat Ganiev was appointed Deputy Adviser to the President of Uzbekistan on economic development, investment and implementation of foreign trade policy.

15 Protocol of August 19, 2022, “On the urgent tasks for the quality and timely collection of the cotton harvest”, <https://check.ijro.uz/d/UB24811752>



September 2022, Buvayda district, Fergana region. Poster at the entrance of the district water distribution organization: "Forced labor is prohibited". ©Uzbek Forum

The protocol reveals that comprehensive control over the cotton harvest is strictly centralized. For this purpose, "the Republican Information Center" (and its district and regional departments) was established "to coordinate, record, and analyze the ongoing work on the organization of the 2022 cotton harvest, as well as to promptly solve any problems that may arise."

For the 2022 harvest, the state set the payment for cotton pickers at a rate of 1,500 UZS per kilo of cotton during the first phase of the harvest (usually until October 10) and at least 1,800 UZS during the second half of the harvest. The state recommended that the cotton-textile clusters base payments on this minimum amount to financially motivate pickers to accelerate the pace of the harvest.

The Ministry of Labor together with the district and regional hokimiyats were required to create "cotton harvest points" by September 1, 2022 to attract volunteers from among unemployed residents who are interested in picking cotton, form lists of picking brigades and lists of brigade leaders and conclude "civil-law" contracts with them by September 1.

Cotton-growing clusters, farmers, employment agencies, and local neighborhood councils (mahallas) must be involved in the formation of lists of pickers. Each cotton-picking brigade should consist of a maximum of 100 pickers and its leader should receive specific tasks from the district information centers.

The protocol regulates in detail the tasks for providing pickers' accommodation, meals, and cultural recreation.<sup>16</sup> "Each picker brigade is assigned a minimum of one tractor, two trailers, and buses to transport the pickers. Payment to the pickers should be made every five days.

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16 Since the Soviet era, it has been a common practice to provide entertainment such as musical concerts organized by the Ministry of Culture for cotton pickers.

To attract pickers to remote districts, the state budget will pay an extra 250 UZS (approximately \$0,20 US) per kilo of cotton”.

According to the document, clusters are required to hire brigade leaders, submit a list of their names to the Ministry of Labor and provide payment of two million UZS (approximately \$176 US) per month to the brigade leaders from the Public Works Fund of the Ministry of Labor for payment of pickers.

In addition, the protocol explains how mass mobilization of pickers to the cotton fields is to be carried out, where banners with advertisements for the cotton harvest are to be purchased and flyers are to be printed to attract pickers to the cotton harvest.

According to the protocol, regional and district hokims are obliged to create information centers (usually called “cotton headquarters”) to monitor the progress of the cotton harvest. This involves developing the schedule for the cotton harvest, quantitative indicators of the cotton harvest based on the amount of available labor and daily reports from the cotton fields on the pace of the harvest. All information on the 2022 cotton harvest gathered at the information centers is then forwarded to the national information center established under the Ministry of Agriculture.

The protocol states that the cluster association is required to ensure fair deductions<sup>17</sup> when accepting cotton from farmers, create systematic control in the laboratories, and establish arbitration groups of specialists to address farmers’ complaints. However, Uzbek Forum has not been able to verify whether these arbitration panels have in fact been established and unfair deductions remain one of the most common complaints from farmers.

The protocol highlights in several instances the inadmissibility of forced labor during the cotton harvest. In particular, it states:

**“** *It is categorically forbidden to involve citizens under the age of 18, students of higher education institutions, employees of budget and extra-budgetary (or economic) organizations, military personnel, as well as any form of forced labor during the 2022 cotton harvest. The Ministry of Labor must take legal action against officials who violate the above requirements.*

The protocol also provides for labor protection for pickers. For example, the Ministry of Interior is required to monitor and address cases of cotton pickers who are transported in vehicles not designed for human transportation, such as tractor trailers. Gas and electricity supply organizations are required to provide pickers living in temporary housing with gas cylinders for cooking and to ensure their safe use.

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17 At cotton reception points, laboratory workers assess how much cotton should be deducted for moisture, contamination, or trash.



## 6. THE SITUATION OF FARMERS

Under the state-controlled system of cotton production, farmers were vulnerable to arbitrary decisions by local officials relating to their land leases and production quotas. This has not changed under privatization.

### 6.1 VULNERABILITY OF FARMERS TO EXPLOITATION

The creation of private cotton clusters emerged as an alternative to the state's inefficient management of the agricultural sector whereby farmers were obliged to grow produce in accordance with state-set quotas, regardless of whether it was profitable for the farms. All farmland in Uzbekistan remains in state ownership and farmers generally lease their land for a period of up to 49 years.

Despite the formal abolition of the state order for cotton in March 2020, farmers today are still required to grow cotton, the key difference being that they are now obliged to grow it for the benefit of cotton-textile clusters to which they are effectively attached. Although by law, they can produce for a cluster of their choice within the same region, in reality local authorities decide which cluster farmers should work with. It is practically impossible for farmers to contract with another cluster without permission and they are often penalized, through harassment and other punitive measures, when they attempt to produce and sell cotton outside of the cluster system.<sup>18</sup>

Every cotton-textile cluster was created by government decree.<sup>19</sup> Clusters are created voluntarily on the understanding that it is mutually beneficial for cotton producers to cooperate with enterprises. However, farmers have become a very vulnerable part of the cotton production chain in Uzbekistan and have few means of defending themselves from exploitative practices. Hokimiyats, which continue to oversee the organization of the harvest, strictly ensure that farmers meet cotton quotas stipulated in their contracts and often act in the interests of clusters.<sup>20</sup>

A farmer in Khorezm region who grows cotton and grain for a cluster described the situation:

““ The future contract for the supply of next year's cotton crop is made at the beginning of each year when the farmer needs to prepare the land for sowing cotton. Farmers have no time for long negotiations with clusters and are very vulnerable at this time. This is the time when farmers urgently need funds to buy diesel and fertilizers. To avoid wasting time, farmers sign blank contracts to grow cotton for the cluster. The price of cotton is not made known until the end of the year when the cotton has already been handed over to the cluster and it could well be that the farmer has spent more than the cluster is going to pay him. Farmers could grow their own cotton without the cluster in between but farmers do not have access to the low-interest government credit that is only available to clusters.<sup>21</sup>

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18 Uzbek Forum, February 10, 2023, *No place for independent cotton cooperatives in New Uzbekistan*: <https://www.uzbekforum.org/no-place-for-independent-cotton-cooperatives-in-new-uzbekistan/>

19 Cotton-textile clusters are created by decree of the Cabinet of Ministers on the basis of the conclusion of the Republican Commission. Presidential order, November, 16, 2021: [https://www.norma.uz/novoe\\_v\\_zakonodatelstve/kak\\_sozdayutsya\\_hlopkovo-tekstilnye\\_klastery](https://www.norma.uz/novoe_v_zakonodatelstve/kak_sozdayutsya_hlopkovo-tekstilnye_klastery)

20 Ozodlik, February 23, 2023, “Шартномага имзо қўймасанг бурнинг қонайди” ёки нега ҳокимлар ҳануз фермерлар ишига аралашмоқда?: <https://www.ozodlik.org/a/32284878.html>

21 Interview with farmer, September 27, 2022, available at Uzbek Forum.



Cotton worker, Ferghana, 2022. ©Sherzod Qoraboyev

The absence of independent representative farmers' organizations leaves farmers particularly exposed to abusive practices. The Farmers' Council, although somewhat responsive to farmers' concerns in 2022, does not have the influence to effect changes to policy. This is best illustrated by the proposed recommended price for cotton in 2022 which cotton clusters were then able to ignore following appeals by the clusters to government officials. Given the unequal balance of power between farmers and cotton clusters, an independent farmers' association is urgently needed to protect the rights of farmers from illegal land confiscations and exploitative contracts.

## **6.2 COTTON PRICES AND PAYMENT TO FARMERS FOR THE 2022 HARVEST**

The price of raw cotton produced by farms in Uzbekistan is set by the state in coordination with the Farmers' Council, Ministry of Economy and Uztekstilprom (Association of textile industry enterprises of Uzbekistan), based on world prices for cotton and fiber.

On August 4, 2022, a letter was published, signed by the Deputy Minister for Agriculture stating that the relevant departments had analyzed world prices and established a minimum price for Uzbek raw cotton grown in 2022 of 10,025 UZS. "Producers and buyers of Uzbek cotton should be guided by this minimum price in their mutual settlements," the official letter said. By law, the price for cotton should be specified in the contracts signed between clusters and farmers prior to the growing season. In practice, farmers often sign blank contracts under coercion, obliging them to produce a crop without knowing the price they will be paid.

In interviews with Uzbek Forum, dozens of cotton farmers, particularly those with insufficient access to water and poor soil fertility, said that even the recommended minimum price of

10,025 UZS was not enough to cover their production costs. A significant increase in the price of fuel also contributed to the economic hardship of farmers.

In August 2022, farmers growing cotton for the cluster Indorama Agro in the Kasbi district of Kashkadarya region sent Uzbek Forum a video message saying that although dry weather had made it very difficult to grow the crop, they had managed to fulfill their production targets and deliver high quality cotton. “One kilo of cotton cost us about 10,500 UZS (approximately \$0.93), so we ask the government and the company not to lower the price of cotton.”

In November 2022, farmers sent a letter to the management of Indorama Agro requesting payment for their cotton at the minimum recommended price calculated by the Ministry of Agriculture. The company responded that although they accepted the recommended price of the Ministry of Agriculture, they would only pay their farmers 8,000 UZS (approximately \$0.70 US) because the price of cotton on the world market had decreased. By the end of the year, the company agreed to pay 8,524 UZS per kilo, an increase of approximately \$0.05 US.

During the fall of 2022, the price of cotton became the most discussed topic on Telegram groups, the most popular social network in Uzbekistan, subscribed to by thousands of farmers. On September 13, 2022, in a poll conducted by the Telegram channel Fermerga Madad<sup>22</sup> which offers advice and information to farmers, 48% of 1,400 surveyed participants responded that the most pressing issue for them at this time was negotiating the price of cotton.

At the time of writing, most clusters have not fully paid farmers for the cotton they supplied in 2022. Settlement deadlines have been extended to mid-2023, with some clusters partially paying farmers at the state recommended price of 10,025 UZS (approximately \$0.88 US), while other clusters, including Indorama Agro, have paid farmers below the state recommended price.

On February 28, 2023, the Fermerga Madad Telegram group conducted a survey to determine whether clusters had fully paid farmers for the 2022 cotton harvest. Out of over 3,000 farmers who participated in the survey, 56% said they had received partial payment, 16% said they had not received any payment, 12% said they had received full payment, and 7% said they had gone to court to claim payment.

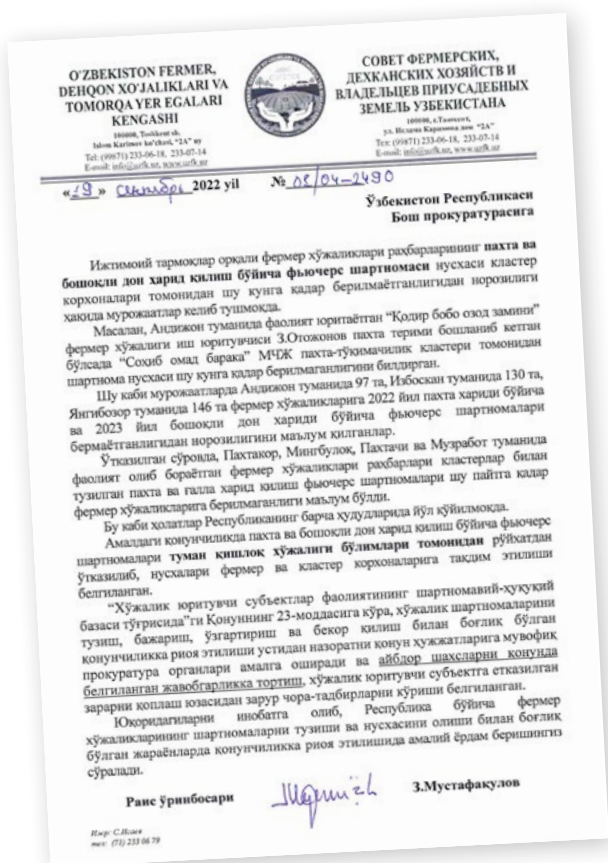
### **6.3 DISPROPORTIONATE INFLUENCE OF COTTON CLUSTERS OVER PRICING**

Due to the fall in the world prices for cotton and cotton fiber, Uzbek clusters have claimed that they were unable to pay the government’s recommended price. On December 3, 2022, a meeting of the heads of the relevant agencies was held to discuss cotton pricing and a transcript of the meeting was distributed in farmers’ Telegram groups. According to the transcript, if the price recommended by the state was not changed, clusters would suffer losses amounting to six trillion UZS (approximately \$525 million US). For this reason, the clusters asked the state to provide them with subsidies at the rate of 4,000 UZS (approximately \$0,35 US) per 1 kilo of cotton.

According to the law, clusters are obliged to pay farmers for the cotton supplied to them by the end of each year, but because of a significant drop in world prices, clusters found themselves in a difficult financial situation and were unable to pay in full by the end of the year. The government responded by extending the deadline for final payment for cotton until

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22 Telegram channel Fermerga Madad, September 13, 2022: [https://t.me/fermerga\\_madad/864](https://t.me/fermerga_madad/864)



Letter from the Farmers' Council to the General Prosecutor, September 19, 2022.

mid-2023, leaving farmers without full payment for a crop they had already produced and from which the clusters benefitted,

The situation of farmers has been exacerbated by the fact that most of them did not have a futures contract with the cluster for the supply of cotton, and therefore did not have a guaranteed minimum price. The lack or absence of cotton supply contracts is a long-standing problem that existed when farmers entered into contractual obligations under state orders for cotton. Farmers would sign blank contracts which they had to give to the agriculture department for registration. The contracts were never returned and farmers had no written confirmation of the terms and conditions of their contracts. This problem persists under the privatized system of cotton production, in violation of Uzbek law

Although most farmers grew cotton for clusters under futures contracts in 2022, in reality, they did not have copies of the contracts. In September 2022, the Farmers' Council even made an appeal to the general prosecutor of Uzbekistan informing the prosecutor's office that the Farmers' Council was receiving complaints from farmers that clusters had not

given them copies of the futures contracts they had signed earlier in the year. The Farmers' Council claimed that 97 farmers in Andijan district, 130 farmers in Izbaskan district, and 146 farmers in Yangibazar district said they did not have copies of cotton supply contracts with the clusters. In a letter, the Deputy Chairman of the Farmers' Council, Zafar Mustafakulov, wrote that, "In view of the situation, I ask that you ensure that farmers have copies of futures cotton contracts".<sup>23</sup>

In late December 2022, Shukhrat Ganiev, then Deputy Prime Minister for the agrarian sector, spoke out in favor of reducing the recommended minimum purchase price of cotton, stating that 10,025 UZS per kilo of cotton was only a recommended price which clusters were under no obligation to pay.<sup>24</sup>

Uzbek farmers in turn came under considerable financial pressure because of the delay in payment for their cotton and as a consequence were unable to pay their workers, taxes and cover other expenses.

In January 2023, the Farmers' Council made an appeal to the head of the state tax office requesting a tax deferral for farmers under the circumstances. In its appeal, the Council stated that of the 30,045 farms under contract with clusters, almost all of the existing grain and cotton farms in the country had not received full payment for their cotton and did not have the funds to pay their taxes.

23 Letter from the Deputy Chairman of the Farmers' Council, Zafar Mustafakulov, September 19, 2022, available at Uzbek Forum.

24 Kun.uz, December 3, 2022, Шуҳрат Ғаниев кооперативга бирлашган хоразмлик фермерларни "ўйинчи"га чиқарди: <https://kun.uz/news/2022/12/03/shuhrat-ganiyev-kooperativga-birlashgan-xorazmlik-fermerlarni-oyinchiga-chiqardi>

## 6.4 FARMERS' PROTESTS

The financial plight of farmers caused by delayed payments resulted in numerous protests throughout the country.

In early January 2023, farmers from Izboskan district in Andijan region gathered in front of a cotton ginnery owned by the Sohob Omad Barakasi cluster to tell local blogger Fatima Juraeva that the cluster was constantly delaying payment for their cotton and report other problems they had with this cluster.

In response to these claims, in late January 2022, the director of the Sohob Omad Barakasi cluster, filed a complaint with the police against Fatima Juraeva who had published an interview with the farmers, alleging that the blogger had spread unsubstantiated information about the farmers' situation. In his complaint, the director of Sohob Omad Barakasi, Erkin Naraliev stated, "The contract between our company and the farmer states that the parties settle their differences in court. At the moment there is a trial and while there is no court decision, we believe that Fatima Juraeva has caused serious damage to our company by her interference. We classify the blogger's actions as denigration of the policy of the President of Uzbekistan and that she calls for the overthrow of the government. With her statement that one of the founders of the cluster is a relative of the president, she denigrates the existing constitutional regime." According to the state registry of companies, one of the founders of the LLC Sohob Omad Barakasi is a relative of President Mirziyoyev who owns a 23% of the share in the company.<sup>25</sup>



Farmers gather in front of cotton ginnery to demand payment, Ulugnor district, February 30, 2023. ©Vodiy1.uz

On 17 January 2023, farmers who grew cotton for the Vodiy Sanoat Faxri cluster in Andijan region held a protest and temporarily blocked the road to the cotton reception point belonging to Vodiy Sanoat Faxri cluster in Mingbulok district of Namangan region. According to the farmers, the cluster has delayed payment for their cotton for the last four years, but at the beginning of each year the hokimiyat forces the farmers to conclude contracts with this same cluster.<sup>26</sup>

25 Orginfo: <https://orginfo.uz/organization/150a960fc141>

26 Vodiy1.UZ, February 7, 2023, "Haqqimizni so'rayapmiz!" - Ulug'nor fermerlari nega "paxta punkt"ni to'sishdi?: <https://www.youtube.com/watch?v=SFLd5Zc0j28>

On March 9, dozens of farmers gathered at the entrance to a cotton ginnery belonging to the APK-Buka cluster in Buka district of Tashkent region, demanding payment for cotton they had delivered in 2022. “I handed over 130 tons of cotton. The payment is still not there. I owed loans to Agrobank which sent an injunction to the enforcement bureau that forced me to sell all my cattle and pay off the loans. Now I have nothing left,” the farmer said.

Another farmer said that cotton farms were not able to carry out preparations for the cotton harvest because they had not yet concluded contracts with the cluster, and no one had started planting because of a lack of funds. “We were at a standstill,” said a Buka district farmer. As a result, a representative of the enforcement office sealed the gates of the factory, promising the farmers that the cluster would pay its debts even if it had to sell its property.<sup>27</sup>

## 6.5 OBSTACLES TO THE ACTIVITY OF COTTON-TEXTILE COOPERATIVES

Uzbek Forum has documented several cases of obstacles to the activity of cooperatives by local authorities. A recent striking example is the liquidation of the Khonka Gold Fiber cooperative in Khonka district of Khorezm region, which was established in January 2022 to produce and process cotton.

During 2022, members of this cooperative grew cotton at their own expense, without government subsidies, and entered into a contract to process cotton at a cotton-processing plant in the neighboring Turtkul district. In November 2022, 3.5 metric tons of cotton was seized by traffic police en route to the cotton ginnery for no apparent reason. Although an administrative court ruled two weeks later that the cotton should be returned to the cooperative and even fined the agro-inspectorate official who had ordered the cotton to be seized, the labor inspectorate simultaneously filed a formal complaint with the economic court to terminate the cooperative’s operations.



Shokir Hujaniyazov, founder of Khonka Gold Fiber cooperative. @Uzbek Forum

In January 2023, the economic court of Khonka district ordered the termination of the Khonka Gold Fiber cooperative on the grounds that the Khorezm Tex cluster was already operating in the district. The court accepted the argument of the Agro-Inspectorate (the inspection body for the control of the agro-industrial complex under the Ministry of Agriculture) and the Khonka hokimiyat that the existence of a cotton cooperative and a cotton-textile cluster in the same district contradicted presidential decree No. 4633, “On measures to widely introduce market principles in the cotton sector.”<sup>28</sup> The decree states in one paragraph that “in regions without cotton-textile clusters, voluntary cooperatives of farms shall be established on the basis of cotton-processing

enterprises (ginneries).” The decree does not state that it is prohibited for cooperatives to operate in the same region where clusters operate. In fact, in a number of other regions of Uzbekistan, farmers’ cooperatives successfully operate alongside cotton clusters in the same region, and although many of them are subjected to administrative pressure, nevertheless, the legitimacy of their activities has not been questioned.

27 Effect.Uz, March 11, 2023, БЎКАДА КЛАСТЕР ФЕРМЕРЛАРНИ 70 МИЛЛИАРД СЎМГА «ОТИБ» КЕТДИ. ВАЗИЯТГА ПРЕЗИДЕНТ ЭЪТИБОР ҚАРАТДИ: <https://www.youtube.com/watch?v=A35a7GLqfQU>

28 Available at: <https://lex.uz/docs/4756992>

Shukhrat Ganiev, who was in charge of the agrarian sector during the 2022 cotton harvest, is one of the main opponents of cooperatives and, at one government meeting, accused farmers trying to work in cooperatives in Khorezm region of “playing games”.

Despite the fact that farmers trying to grow cotton outside the cluster system use their own money to produce cotton and have no access to low interest government loans as clusters do, they are subjected to unprecedented administrative pressure from local officials who demand they dissolve the cooperative and conclude contracts with local clusters. These actions contradict statements made by the president, who in September 2022 at a government meeting, publicly criticized the Minister of Agriculture and the chairman of the Farmers’ Council for the inefficient spending of funds allocated for agricultural development. “Agriculture needs funds, but they should not be embezzled,” the president said.

In Buston district of Andijan region, farmer Bakhodir Arabov grew cotton as part of the cooperative President Orzusi (President’s Dream). In an interview with the popular Uzbek online media outlet Kun.uz,<sup>29</sup> he said that on September 24, 2022, armed police officers wearing masks came to his cotton field. “We were picking cotton to send it to the cooperative reception point. About ten policemen came to seize our cotton, threatened us, and interrogated us as if we were criminals. They didn’t even explain their actions. They didn’t introduce themselves and prevented us from filming what was happening, although we were on our own property. The police demanded that we hand over the cotton to the cluster, saying ‘this is government policy’. We didn’t even understand who gave them an order to come to our field. I think that they acted illegally and we haven’t broken any laws.”

According to farmer Oripjon Tojiboyev from Uchkuprik district of Ferghana region, 20 farmers from the same district united in a cooperative and grew 830 tons of cotton at their own expense at the beginning of the year and signed a contract with a local cotton ginnery to store the cotton. However, at the end of September 2022, hokimiyat officials and the prosecutor of Ferghana region demanded that the farmers surrender the cotton to the Fergana Global Textile cluster and began to illegally remove some of the cotton from the ginnery where it was stored. According to the farmers, seven of them who had signed cooperative agreements in May 2022 were forced under pressure to withdraw from the cooperative and sign an agreement to supply cotton to the cluster “because they were told that the activities of the cooperative were illegal.”

In an interview with kun.uz,<sup>30</sup> Muzaffar Razakov, the owner of Fergana Global Textile cluster, said that the farmers who claimed to be in the cooperative had already concluded contracts with the cluster and therefore had an obligation to deliver their cotton to the cluster. He denied any involvement of the cluster in pressuring farmers to deliver cotton, stating that the cluster has no authority to do this. This raises concerns that local officials, whether requested to or not, perceive an obligation to act on behalf of clusters to protect their interests without regard for the interests and rights of farmers.

Farmers from Sherabad and Jarkurgan districts of Surkhandarya region, who grew cotton as part of a cooperative, made an appeal on September 29, 2022 stating that the local authorities had demanded that they surrender their cotton at their own expense to the local cluster. “We are forced to store the harvested cotton for the time being on the cotton field since the hokimiyat forced the cotton storage facility to cancel the lease agreement. The

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29 Kun.uz, September 29, 2022, “Маска-шоу” — кооперативлардан пахтани тортиб олиш учун тезкор гуруҳларгача ишга солинди: <https://kun.uz/news/2022/09/29/maska-shou-kooperativlardan-paxtani-tortib-olish-uchun-tezkor-guruhlargacha-ishga-solindi>

30 Kun.uz, November 14, 2022, “Бу мен учун – утопия” — Йирик кластер раҳбари фермерлар бирлашиши имконияти ҳақида: <https://kun.uz/news/2022/11/14/bu-men-uchun-utopiya-yirik-klaster-rahbari-fermerlar-birlashishi-imkonsizligi-haqida>

hokim threatens to take away our land and open criminal cases because we are violating the law because our cotton is not included in the statistics of cultivated cotton in the region”, said the farmers.<sup>31</sup>

## 6.6 LAND CONFISCATIONS

The tenancy rights of cotton and wheat farmers, who typically lease their land from the state for a period of 49 years, are extremely poorly protected, and land can be arbitrarily taken away from them at any time. Despite legislation prohibiting district hokims from taking land from farmers, district hokims use administrative pressure and intimidation to force farmers to give up their own land leases.

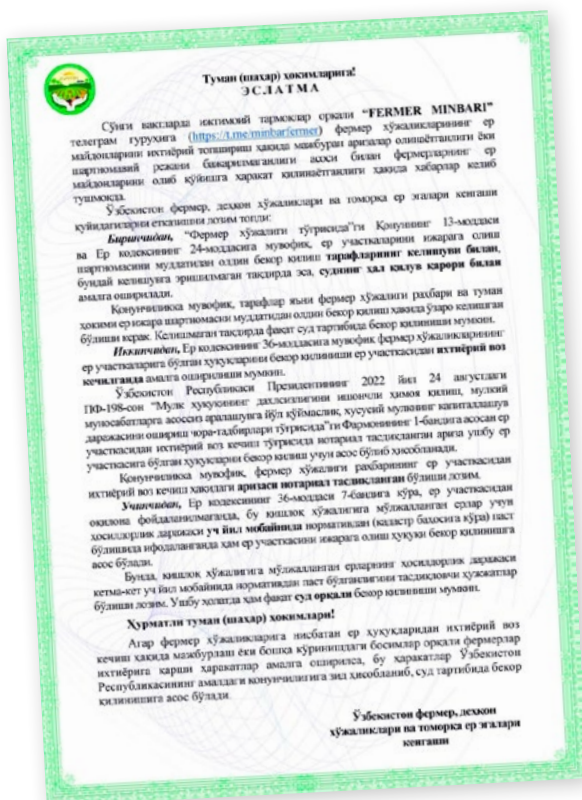
The most common practice of taking land from farmers is for local officials to pressure them into writing a statement of so-called “voluntary” termination of the land lease agreement. In this case, the hokimiyat exempts itself from collecting documents which are normally required to be presented to the economic court and does not have to pay compensation to the farmers.

Land can also be transferred to clusters via a government decree, even if it is already being used by farmers. In such cases too, local authorities employ various methods of pressure to get farmers to give up the land “voluntarily”, losing their crops and the value of any investments they have made.

Farmers do not usually have written copies of land lease agreements, which allows hokims to terminate their agreements on the grounds that they were not registered with the cadaster authorities.<sup>32</sup>

In June 2021, Presidential Decree No. 6243, “On measures to ensure equality and transparency in land relations and reliable protection of land rights” was adopted.<sup>33</sup> According to the decree, hokims of cities and districts no longer have the right to revoke the allocation or cancellation of land lease agreements as of August 1, 2021. Nevertheless, there are numerous cases where farmers who have not fulfilled their cotton quotas have been pressured into submitting a voluntary application to terminate their land lease.

In November 2022, the Farmers’ Council even issued a statement addressed specifically to hokims, relating to reports it had been receiving about pressure on the coercion of farmers to voluntarily terminate their land leases or who had had their land seized under the pretext of failure to fulfill contractual obligations. In its statement, the Farmers’ Council said, “Any kind of pressure on farmers to give up their rights to use the land is considered illegal and is grounds for the court to overturn the decision.”<sup>34</sup>



Statement to hokims issued by the Farmers’ Council, November 2022.

31 Kun.uz, September 29, 2022, “Маска-шоу” — кооперативлардан пахтани тортиб олиш учун тезкор гуруҳларга ишга солинди: <https://kun.uz/news/2022/09/29/maska-shou-kooperativlardan-paxtani-tortib-olish-uchun-tezkor-guruhlargacha-ishga-solindi>

32 Statement by Chorikhon Kodirov, lawyer of the Farmers Council, Minbar, November 22, 2022 Фермерлар фаолияти ислоҳотга муҳтожми?: <https://www.youtube.com/watch?v=IB3uNPu0aPU>

33 Available at: <https://lex.uz/ru/docs/5450181>

34 Statement issued by the Farmers’ Council, November 2022, available at Uzbek Forum.



### Excerpt from statement addressed to hokims by the Farmers' Council:

1. According to the law on farming (Article 13) and the law on land (Article 24), the land lease contract is terminated if both parties agree to it. If the parties do not agree, the contract is terminated only by court decision.
2. According to Article 36 of the Land Code, a land lease agreement can be terminated only if the farmer voluntarily refuses to use the land. According to the presidential decree No. 198 of August 24, 2022 “On measures to protect the inviolability of property rights to prevent unwarranted interference in property relations, to increase the level of capitalization of private property,” the statement of voluntary refusal to use land must be notarized.
3. According to Article 36 of the Land Code, in case of irrational use of land expressed in the low level of productivity (below the normative) within three years, documents proving the low yields for three years in a row shall be submitted. Even in this case, the court makes the decision.



October 2022, Uchkuprik district hokimiyat where farmers were forced to “voluntarily” give up their land. Poster: “The new Uzbekistan values the nation and its people”. © Uzbek Forum

Uzbek media has covered dozens of cases of illegal land confiscations, sometimes with positive outcomes after prompting interventions by the authorities.

In Uchkuprik district of Ferghana region, in the middle of the harvest in October 2022, 16 farmers who were behind with their quotas were summoned to the district administration and forced to “voluntarily” terminate their land lease agreements.

An official press release by the Ferghana regional hokimiyat claimed that 135 farmers out of 187 had fulfilled their contracts to deliver cotton to the Global Textile Solutions cluster.<sup>35</sup>

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35 Official statement of Ferghana regional hokimiyat, October 18, 2022: <https://fergana.uz/site/view/news/11382707>

According to the hokimiyat, the lagging farmers were informed of the negative consequences for failing to meet their quotas, but no one forced them to sign agreements to give up their land. The hokimiyat alleged that 16 farmers subsequently decided to voluntarily terminate their land lease agreements, and these were formalized by a notary. The press release then went on to say, “The next day, realizing the haste of their actions, the farmers asked for the cancellation of their application and as a result none of the contracts were terminated.”

In fact, the hokimiyat was forced to return the land to the farmers after the case received widespread attention following media reports.<sup>36</sup> After an intervention by the Uzbek Ministry of Justice, it issued a statement pointing to a number of procedural irregularities in the applications and rejecting the notary’s formalization of the land lease terminations.<sup>37</sup>

Another common method used by hokimiyats to seize land is to demand that farmers sign an advance statement to voluntarily terminate the land lease with an open date, in case of failure to meet quotas for cotton or wheat. A Buvayda district farmer told Uzbek Forum in November 2022 that the hokimiyat official explained to him when he received his land lease in 2019 that it was his responsibility to fulfill the cotton quota, and as confirmation that the farmer was aware of his responsibilities, was asked to write an open-dated statement agreeing to terminate the land lease agreement for failure to fulfill quotas.

On March 7, 2023, a farmer from Namangan published a video appeal on the official Telegram channel of the Farmer’s Council, “Fermer Minbari” (Farmer’s Tribune).<sup>38</sup> In his statement, the farmer said that the hokim had withdrawn land leased to his farm without any warning. In the video, the farmer says,

“ I am Akhmedov Yakubjon, a farmer from Kosonsoy district in Namangan region. Our farm has been operating since 2016. It is registered in my wife’s name, Samieva Mahmuda. At one of the meetings at the beginning of 2022, the new hokim of Kosonsoy district said that the land leases of farms that did not fulfill the cotton quota would be terminated and the land confiscated. The hokim forced my son to write an application for the voluntary surrender of land.<sup>39</sup> At the end of 2022, we fulfilled our contractual obligations for grain and silkworm cocoons by 100% and fulfilled our obligations for cotton by 92%. Our farm has no debts. As of February 3, 2023, the cluster owes us 108 million UZS (approximately \$9,455 US) for cotton. Despite this, the hokim, without any warning, confiscated the land and put it up for auction, where our land was obtained by another person. I complained to various bodies in the region, but there was no reaction. I ask the leaders of the republic to help us.

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36 Kun.uz, October 16, 2022, “Ариза ёзасан, бўлмаса мол-мулкингни мусодара қиламиз”. Учкўприк фермерлари ўтган асрнинг 30-йилларига тушиб қолди: <https://kun.uz/news/2022/10/16/ariza-yozasan-bolmasa-mol-mulkingni-musodara-qilamiz-uchkoprik-fermerlari-otgan-asrning-30-yillarga-tushib-qoldi>

37 Official statement by the Public Relations Department of the Ministry of Justice of Uzbekistan, October 15, 2022: <https://t.me/SevaraJournalist/7803>

38 Telegram channel Fermer Minbari, March 7, 2023: <https://t.me/minbarfermer/57394>

39 The farmer’s son had no authority to sign the application as the farm was registered in his wife’s name.



September 2022, Mirishkor district, Kashkadarya region. Cotton pickers going to the fields. ©Uzbek Forum

## 7. ONGOING RISKS: THE ENABLING ENVIRONMENT AND OBSTACLES TO FREEDOM OF ASSOCIATION

The rights violations documented during the 2022 harvest are symptomatic of the broader context in Uzbekistan in which barriers to freedom of association, freedom of speech, and civil society activism persist which undermine the sustainability of the reforms to eliminate forced labor and uphold workers' and farmers' rights.

With only a tiny handful of independent rights groups that are formally registered by the Uzbek Ministry of Justice, the capacity of Uzbek civil society to monitor and report on rights violations is seriously curtailed. This has significant implications for investors, brands and retailers who have little means of verification that their supply chains are not tainted by forced labor or other rights abuses. Corporate ethical codes of conduct as well as binding legal obligations governing supply chains, such as the recently adopted German supply chain law,<sup>40</sup> demand that companies take all measures to ensure that there are no rights violations in their supply chains. In the absence of civil society groups to independently monitor and freely report on rights violations, Uzbekistan will remain a high-risk environment for the responsible sourcing of cotton and other products. Despite repeated commitments, the government has to date restricted the ability of independent civil society groups to operate by imposing complex registration processes and burdensome government oversight requirements for NGOs.<sup>41</sup>

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40 German Federal Ministry of Labor and Social Affairs, July 2022: [https://www.bmas.de/SharedDocs/Downloads/DE/Publikationen/a432e-act-on-corporate-due-diligence-obligations-in-supply-chains.pdf?\\_\\_blob=publicationFile&v=4](https://www.bmas.de/SharedDocs/Downloads/DE/Publikationen/a432e-act-on-corporate-due-diligence-obligations-in-supply-chains.pdf?__blob=publicationFile&v=4)

41 Uzbek Forum, April 27, 2021, *The time for words has passed. Uzbekistan should simplify the rules for registration of NGOs and legitimize civil society voices*: <https://www.uzbekforum.org/the-time-for-words-has-passed-uzbekistan-should-simplify-the-rules-for-registration-of-ngos-and-legitimize-civil-society-voices/>

In addition, legislation introduced in June 2022<sup>42</sup> puts additional burdens on NGOs in receipt of funding from foreign donors that effectively imposes the involvement of government officials to oversee and even make amendments to their work.<sup>43</sup>

Freedom of association is also highly restricted. Although many workers are formally represented by trade unions, all trade unions in the country are affiliated with the Federation of Trade Unions of Uzbekistan (FTUU), which is government-aligned. The International Trade Union Confederation (ITUC) has refused to allow full membership to the FTUU because of its lack of independence from the government; the head of the FTUU, although formally elected, is actually appointed by the President. There is only one democratically elected trade union in the country at Indorama Agro, a cotton producing company in Syrdarya. However, this union has repeatedly come under attempts by company management to hollow out its membership, retaliate against union members, and interfere with members' rights to collectively bargain.<sup>44</sup>

Licensing schemes such as Better Cotton are also faced with serious challenges to verify that their licensing criteria are fulfilled and are compatible with their decent work principles.<sup>45</sup>

Finally, there has been an increasing encroachment on freedom of speech and the ability to report freely on rights violations. In 2022, numerous bloggers and journalists were silenced, harassed, and detained for their reporting.<sup>46</sup>

The positive changes that have taken place in Uzbekistan's cotton sector happened largely because of civil society reporting and advocacy, which, combined with political will, led to the eradication of the world's largest state-orchestrated mobilization of child and forced labor. Without further reforms that empower civil society and allow space for workers to exercise their rights to freedom of association and collective bargaining, the sustainability of this remarkable progress is at risk of being undermined.

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42 Resolution of the Cabinet of Ministers of the Republic of Uzbekistan, No. 328 of June 13, 2022: <https://lex.uz/docs/6063166>

43 Uzbek Forum, August 26, 2022, *New Regulations in Uzbekistan Effectively Impose Government Control on NGOs*: <https://www.uzbekforum.org/new-regulations-in-uzbekistan-effectively-impose-government-control-on-ngos/>

44 Uzbek Forum, January 17, 2023, *Will Uzbekistan's first democratically elected trade union survive?*: <https://www.uzbekforum.org/will-uzbekistans-first-democratically-elected-trade-union-survive/>

45 Sourcing Journal, February 14, 2023, *Controversy Rocks Better Cotton's Uzbek Program*: <https://sourcingjournal.com/topics/labor/better-cotton-uzbekistan-indorama-agro-labor-rights-farmers-union-collective-bargaining-417230/>

46 Uzbek Forum, February 9, 2022, *Insults, Slander and Human Rights: Uzbek Bloggers Pay a Heavy Price for Exercising Freedom of Speech*: <https://www.uzbekforum.org/insults-slander-and-human-rights-uzbek-bloggers-pay-a-heavy-price-for-exercising-freedom-of-speech/>

## 8. RECOMMENDATIONS

The recommendations listed below almost entirely mirror the recommendations made by Uzbek Forum in its report on the 2021 cotton harvest. This underscores the lack of progress in implementing measures to ensure the sustainability of the reform process.

### **To the Government of Uzbekistan:**

- Introduce broader reforms to empower civil society and develop effective institutions to provide transparency and accountability across all aspects of the cotton sector.
- Take steps to ensure that textile clusters uphold international labor standards across all stages of production.
- Uphold commitments to implement ILO Convention 87 on Freedom of Association and Protection of the Right to Organize and Convention 98 on the Right to Organize and Collective Bargaining. Do not obstruct workers or employers, including farmers, from creating independent representative organizations and unions.
- Ratify the ILO Minimum Wage Fixing Convention 131 and take steps to set a minimum wage that reflects the minimum income necessary for a cotton worker at all stages of production to meet the basic needs of herself and her family, including some discretionary income.
- Develop and enact human rights due diligence (HRDD) legislation.

### **In particular, to the Ministry of Justice:**

- Permit the timely and straightforward registration of independent human and labor rights NGOs in the country. Desist from rejecting registration applications on non-substantive errors and permit immediate correction of such errors without the need to resubmit.

### **In particular, to the Ministry of Labor and Employment:**

- Engage constructively with international and domestic independent human and labor rights NGOs, the Cotton Campaign, and the ILO, to implement ILO Convention 87 on Freedom of Association and the Protection of the Right to Organize and ILO Convention 98 on Right to Organize and Collective Bargaining.
- Train labor inspectors on international labor standards and best practices for implementation.
- Continue and strengthen its engagement with the Cotton Campaign in the areas of labor inspection investigations, capacity building on international labor standards, monitoring the implementation of international labor standards at cotton farms and clusters, and worker empowerment, to ensure decent work in the cotton sector.

### **In particular, to the Ministry of Agriculture:**

- Take steps to ensure transparency and fairness in land allocation and prevent arbitrary land confiscation.
- Take steps to ensure meaningful consultation with farmers in the process of setting the price that cotton clusters pay for raw cotton.
- Publicly support farmers' efforts to create an independent association to represent and protect their interests.
- Ensure that all farmers have access to and copies of their land lease contracts.

### **To Uzbek Cotton Producers and Cotton-Textile Clusters:**

- Commit to fair recruitment practices for workers at all levels of the supply chain - including cotton pickers and workers in production facilities - in accordance with the ILO General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs. This means ensuring that prospective workers receive correct information on their working and living conditions; that workers are not asked to make advance payments; and that workers are formally registered at the relevant administrative authorities.
- Provide all workers with written employment contracts and monthly payslips in a format that workers can understand.
- Pay all categories of workers, from apprentices to skilled workers, a wage that enables them to cover their basic needs and have a discretionary income.
- Facilitate the establishment and functioning of democratically elected, independent, farm-level and factory-level trade unions and worker organizations. Engage in good faith dialogue with these unions and organizations with a view to producing collective bargaining agreements that are respected and implemented, and regularly renegotiated as per the law.
- Ensure that international labor standards are upheld across all stages of production. To this end, allow labor rights organizations to conduct labor rights training with employees and management.
- Engage in good faith with the Cotton Campaign and the international brands and retailers who wish to source from Uzbekistan in order to align workplace practices with international labor standards.

### **To International Brands/Retailers that Use Cotton:**

- Assess whether sourcing Uzbek cotton goods meets their human and labor rights commitments and legal obligations to not use forced and exploitative labor in their supply chains. Each company looking to source from Uzbekistan must evaluate whether it has the means and capacity to effectively implement human rights due diligence and mitigate human rights risks in its Uzbek supply chain.
- Exercise human rights due diligence in all aspects of their interactions with the Uzbek textile industry.
- Actively commit to furthering freedom of association and collective bargaining. Facilitate the establishment and functioning of democratically elected, independent, farm and factory-level trade unions and worker organizations.
- Supply chain to offer decent work, including offering employment contracts, and paying a living wage to their workers.
- Ensure that the clusters they work with (suppliers) do not directly, or through the involvement of local officials, exploit farmers by requesting them to sign blank contracts, delay payments, or renege on contractually agreed terms.
- Publicly support the farmers' efforts to create an independent association that promotes and protects their interests.
- Engage in good faith with the Cotton Campaign and explore the possibility of sourcing through the Cotton Campaign Framework for Responsible Sourcing. The Framework was designed to ensure that brands can begin sourcing from Uzbekistan in a manner consistent with their human rights due diligence requirements and legal obligations.

## **To Key International Governments and Institutions Engaged with Uzbekistan:**

- In the context of political and trade relations with Uzbekistan, both bilateral and in EU/ international settings - for example, as part of the European Commission's ongoing engagement with Uzbekistan under the GSP+ Arrangement - urge the Government of Uzbekistan to implement the recommendations outlined in the section above.
- As Uzbekistan seeks to establish itself in the global textile market, it is crucial that all governments join responsible brands, investors, and civil society organizations in conveying to the Uzbek Government that:
  - Under corporate due diligence and liability laws in Europe and the U.S. and in accordance with international standards for responsible sourcing including the UN Guiding Principles on Business and Human Rights and the OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector, the brands and retailers that are interested in sourcing from Uzbekistan must be able to identify, prevent, and mitigate the risks of forced labor and exploitative working conditions in their Uzbek supply chain.
  - Independent human and labor rights NGOs, independent trade unions, workers' organizations, and independent farmers' associations are essential to ensure these risks are minimized and can be addressed through meaningful consultation with affected stakeholders, which is a key requirement of brands within the mandatory human rights due diligence framework.

## **To Licensing, Auditing, and Certification Programs:**

All licensing and certification schemes, covering in scope either the farm or production level of the Uzbek supply chain, should:

- Consult with the Cotton Campaign and independent civil society organizations in decision-making about the development and/or implementation of programs and projects in Uzbekistan.
- Prior to starting a program/project in Uzbekistan, conduct comprehensive due diligence, including a risk analysis and assessment of the enabling environment for labor rights. This exercise should take into account the implementation of reforms to end forced labor in practice, a gap analysis, and mitigation strategies.
- Use their influence to advocate for broader reforms to empower civil society and achieve an enabling environment for labor rights.

## **To International Institutions:**

- Promote freedom of association and freedom of speech as essential components of an enabling environment.
- Urge Uzbekistan to register independent NGOs as part of its binding international legal obligations.

## **To Multinational Development Banks:**

- Conduct meaningful due diligence in any project or investment connected to the cotton sector to ensure that labor rights and the rights of farmers are protected.
- Ensure all projects are in full compliance with performance standards regarding stakeholder engagement, freedom of association, mitigation requirements, and access to grievance mechanisms.
- Conduct meaningful stakeholder engagement prior to lending and ensure all project information is readily accessible in Russian and Uzbek.

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Cover Photo: Ginnery, Fergana region, September 2022. ©Sherzod Qoraboyev





Uzbek Forum for Human Rights is a Berlin-based NGO dedicated to defending and promoting human rights and strengthening civil society in Uzbekistan.

**“We didn’t understand who gave them an order to come to our field.”**

**UZBEK COTTON HARVEST 2022: NO SYSTEMATIC FORCED LABOR OF PICKERS BUT GOVERNMENT CONTROL OF THE COTTON SECTOR PUTS FARMERS AND WORKERS AT RISK**

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