

**FINAL DOCUMENT
FIFTH COORDINATION MEETING
INTERNATIONAL LABOUR RIGHTS
MONITORING MISSION FOR CENTRAL ASIA**

Bishkek, 7 December 2021

The participants of the **Fifth Coordination Meeting of the International Labour Rights Monitoring Mission for Central Asia** who gathered in Bishkek (Kyrgyzstan) or joined it online on December 07, 2021, representing independent unions and human rights organisations from Kazakhstan, Russia, Germany, France, USA, Tajikistan, Turkmenistan, Uzbekistan, and Ukraine note that despite a certain progress achieved in ensuring the respect of fundamental labour rights in the Central Asian countries, particularly, the restriction of child and forced labour by the Government of Uzbekistan, the cessation of overt repressions against union activists in the Republic of Kazakhstan, and the veto of the proposed anti-worker *Law on Trade Unions* by the President of the Kyrgyz Republic, the general situation vis-à-vis the observance of labour rights in the region remain alarming.

The situation is further exacerbated by the COVID-19 crisis which has led to increased poverty, disproportionately affecting labour migrants and informal workers, primarily, women among them. Poverty, in its turn, leads to greater use of child labour, growing inequality, and discrimination against women.

In **Kazakhstan**, the independent union's activists remain under considerable pressure continue, the legal restrictions hampering their activity are still in force, as are the unlawful court decisions against participants of peaceful actions. Threatened with criminal prosecution, workers of Kazakhstan express their frustration, with larger numbers of them taking part in strike actions and staunchly demanding recognition of independent trade unions. Yet these demands are ignored by the authorities who have de-registered the **Independent Fuel and Energy Workers' Union**, putting it under the threat of dissolution.

We note that 10 years after the Zhanaozen tragedy, the State has still failed to produce an adequate assessment of those events and rehabilitate its victims. The State refuses to acknowledge its responsibility for failing to create conditions for a fair social dialogue and collective bargaining at the time, as well for using fire arms against the participants of the peaceful strike.

Conditions for the creation and registration of independent unions in **Uzbekistan** are still absent. Organized workers are forced to affiliate with the State-controlled unions headed by governmental officials and employers. The restricted right to freedom of associations discredits the attempted political reforms, making any positive changes precarious and reversible.

In **Tajikistan**, we observe insufficient activity of trade unions as organisations that are independent in their operations from the State and the employers and capable of freely organizing workers and representing and protecting them without impediment.

The political regime in **Turkmenistan** characterized by extreme absolutism leaves no room for the emergence of independent unions, human rights organisations, and mass media. Also, the use of forced labour in cotton harvesting involving workers from various other sectors remains a common and systematic phenomenon.

A special role in maintaining this archaic system of labour relations in Central Asia is played by the State-controlled unions used as a tool for worker control and repression.

The situation in **Kyrgyzstan** where the authorities' actions and a property dispute among affiliated unions has provoked an ongoing division inside the Trade Union Federation remains alarming.

We note the distressful situation of labour migrants working in the **Russian Federation** where they face human rights violations, forced labour, and slavery.

On the eve of the tenth anniversary of the tragic events in Zhanaozen the **International Labour Rights Monitoring Mission for Central Asia** expresses its support for the call of human rights organisations in **Kazakhstan** who demand and international independent investigation of the Zhanaozen massacre. We call upon

— **the President and the Government of the Republic of Kazakhstan to:**

1. Overturn without delay all sentences passed against **Erlan Baltabai, Larisa Kharkova, Amin Eleusinov, Nurbek Kushakbayev**, cancelling all restrictions concerning their engagement in trade union activities imposed on them.
2. Cancel decisions on the dissolution of the Confederation of Independent Trade Unions of the Republic of Kazakhstan (KNPRK) and its sectoral affiliates, the Fuel and Energy Workers' Union, the Social and Domestic Workers' Union "Justice", and the Healthcare and Social Development Workers' Union.
3. Re-examine the cases and fully rehabilitate **Roza Tuletayeva, Maksat Dosmagambetov** (posthumously), and other activists of the peaceful strike in Zhanaozen in 2011.
4. Undertake a comprehensive examination of all received complaints of torture used against persons under investigation in the Zhanaozen and punish all those who tortured them, as well as those who gave orders to use fire arms and took part in the shooting of peaceful citizens in Zhanaozen.
5. Undertake an impartial re-examination of the criminal case against **Erzhan Elshimbayev**, a worker activist and organizer of the movement of the unemployed who was arrested in connection with his public activities.
6. Implement the ILO recommendations concerning the amendment of the Law "On Trade Unions", introducing enforceable and meaningful amendments to the legislation regulating the area of labour relations, and create opportunities for independent trade unions to operate openly and freely.
7. Align the criminal and administrative legislation related to prosecution for exercising freedom of expression, freedom of association, the right to organize, the right to trade union activity, and freedom of peaceful assembly with the international standards.

— **the President, the Zhogorku Kenesh, and the Government of the Kyrgyz Republic to:**

1. Create conditions for a rational settlement of the conflict and overcoming the division in the Trade Union Federation of Kyrgyzstan. Make any changes in the labour and trade union legislation only after negotiations with trade unions and on the basis of ILO expert conclusions.

— **the President and the Government of the Republic of Tajikistan to:**

1. Make the registration process for trade unions, NGOs, and non-commercial organisations simpler and more rational and abandon the practice of passing duplicating laws which complicate the registration process. Give up the practice of registering such associations at the level of a single region which makes the subsequent expansion of their activities beyond their region of registration more difficult.
2. Review the legislation governing the carrying out of public actions to align it with the international standards of the freedom of assembly, simplify the authorization procedure for public actions.
3. Develop a mechanism for implementing the provisions of the fundamental ILO Conventions related to the freedom of association in the national legislation.

— **the President of Turkmenistan to:**

Reform the political system, ensuring access to the country for independent mass media and human rights organisations; rehabilitate the repressed civil activists.

— **the President and the Government of the Republic of Uzbekistan to:**

1. Reform the national agriculture to give economic freedom to farmsteads, particularly, freedom to use their land as they see fit and independently determine their crop mix and the selling price for their grown and produced output.
2. Introduce a simplified registration procedure for non-governmental associations and non-commercial organisations. Ensure the citizens' right to create and enter professional organisations of their choice.
3. Lift the administrative and criminal sanctions imposed on participants of labour relations monitoring in cotton-growing, representatives of the rights defenders' community **Elena Uralayeva, Dmitrii Tikhonov, Malakhat Eshankulova, Nafosat Ollashukurova, Makhmud Rajabov, Davlatnazar Ruzmetov** (posthumously). Guarantee freedom and safe return to civil activists forced to leave the country.
4. Initiate independent and diligent investigations of forced labour reports. Start fair trials, in accordance with international standards, of officials who force or coerce others to force citizens to participate in cotton-picking or other "socially beneficial" work. Hold accountable those who are found guilty proportionately to the gravity of their wrongdoings.

The Coordination Meeting participants reviewing the situation in the area of labour relations in the region of Central Asia,

state their intention to:

- 1) continue with the gathering and processing information on the situation of workers in Central Asia, coordinate their activities protecting worker and trade union organisations' activists, facilitate the exchange of experiences and promote networking among them;

- 2) defend the principle of the trade union movement's independence as the only way to ensure worker participation in democratic labour relations and social and economic processes;
- 3) provide support to workers' organizing initiatives, particularly, those related to organizing migrant workers and women employed in the informal economy;
- 4) work jointly to organize labour migrants in order to collectively defend their labour rights;

and call upon:

- 1) the Governments of all Central Asian countries to carry out, with the involvement of civil society independent trade unions' representatives, an evaluation of the implementation of their commitments under the fundamental ILO Conventions, primarily, workers' right to create independent unions and bargain collectively; ratify the ILO Conventions Nos. 97 and 143 on the rights of labour migrants;
- 2) the UN and the multilateral organisations in its structure OOH to provide support and ensure that the Central Asian governments comply with the international standards and commitments under the ILO Conventions they have ratified;
- 3) the European Union and its member-states to build international co-operation, also in the area of trade and investments, with the countries of Central Asia bearing in mind the situation concerning the observance of workers' rights in these countries;
- 4) the International Trade Union Confederation (ITUC), Global Union Federations, and other international organisations with an influence in the area of labour relations to promote the holding of an international forum on freedom of association in Central Asia under the aegis of the International Labour Organization (ILO) and support the development of the Labour Rights Monitoring Mission and its member organisations;
- 5) the rights defending community in the countries of Central Asia to promote the creation of independent organisations by workers with the view of defending collectively their rights and interests, stand for defending repressed union activists, take part in the activities of the Labour Rights Monitoring Mission (www.LabourCentralAsia.org), and assist it in carrying out international solidarity campaigns.