

Uzbekistan

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

In 2000, the Republic of Uzbekistan and UNICEF signed a cooperation agreement for the 2000-2004 period which incorporates the protection, development and well-being of children and youth into its approach.³⁷⁵³ Another government initiative, the State Program on Forming a Healthy Generation (2000 – 2005), focuses on improving childhood development in such areas as health and education.³⁷⁵⁴ The government works with community-based *Makhalla* organizations, a pre-Soviet system of community-based management and social service provision, to protect children at the community level through a neighborhood monitoring mechanism. The *Makhalla* benefits low-income families with children under the age of 16.³⁷⁵⁵ In 2001, the government created the Family, Mother and Child Welfare Secretariat and the Committee for Youth Affairs.³⁷⁵⁶

The government's education reform program has expanded the compulsory term of study from 9 to 12 years and has increased the level of pre-professional training.³⁷⁵⁷ To encourage attendance, the state provides aid to students from low-income families in the form of scholarships, full or partial boarding, textbooks, and warm clothing.³⁷⁵⁸ In addition, children from underprivileged households are provided with free medical services.³⁷⁵⁹ A youth social protection program offers retraining and skills improvement classes for school dropouts.³⁷⁶⁰ Girls who work in unfavorable conditions are provided with compensation, such as shorter work days/weeks, food allowances and free medical service.³⁷⁶¹

³⁷⁵³ UNICEF, *UNICEF in Action- Country Highlights: Uzbekistan*, [online] [cited September 9, 2002], 11; available from http://www.unicef.org/programme/countryprog/cee_cis/uzbekistan/situation.htm.

³⁷⁵⁴ UNICEF, *Executive Summary of the Republic of Uzbekistan on Implementation of the Resolutions of the World Summit for Children*, D, "The Further Activity", 23 [cited September 3, 2002]; available from http://www.unicef.org/specialsession/how_country/edr_uzbekistan_en.PDF.

³⁷⁵⁵ U.S. Embassy- Tashkent, *unclassified telegram no. 3730*, October 15, 2002. See also UNICEF, *Executive Summary*, D, "Poverty Problem Solution", 22-23.

³⁷⁵⁶ UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Uzbekistan*, CRC/C/15/Add.167, November 7, 2001, B, "Positive Aspects" 6, 3.

³⁷⁵⁷ The twelve years of mandatory schooling consist of 4 years at the primary level, 5 years at the secondary level, and 3 years of professional or vocation training in special training centers and colleges. U.S. Embassy- Tashkent, *unclassified telegram no. 3730*. See also Government of Uzbekistan, *Multiple Indicator Cluster Survey (MICS)*, Understanding Children's Work, December 5, 2000, [cited September 9, 2002]; available from http://www.childinfo.org/MICS2/natlMICSrepz/Uzbekistan/UZBA_MICS_REPORT_Final%20%20.pdf.

³⁷⁵⁸ UNICEF, *Executive Summary*, C, "Domestic and International Community", 10.

³⁷⁵⁹ *Ibid.*, D, "Attention to Children, Who live Under Especially Difficult Conditions", 19.

³⁷⁶⁰ *Ibid.*, 11.

³⁷⁶¹ *Ibid.*, C, "Domestic and International Community", 9.

In collaboration with the Government of Uzbekistan, UNICEF's Young People's Well-Being Program supports existing efforts to improve awareness of healthy lifestyles for children. Beneficiaries of the program include working children and sexually exploited children.³⁷⁶²

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 23.4 percent of children ages 5 to 15 years in Uzbekistan were working.³⁷⁶³ Children work in agriculture in rural areas, where the large-scale, compulsory mobilization of children to help with cotton harvests has been reported.³⁷⁶⁴ Schools allegedly close in rural areas to allow children to work during the cotton harvest.³⁷⁶⁵ Popular media report that children help cultivate rice and raise silk worms in rural areas, and work as shop assistants, transport conductors, waiters, couriers and as home and office cleaners in cities.³⁷⁶⁶ Children frequently work as temporary hired workers, or *Mardikors*, without access to the social insurance system.³⁷⁶⁷ Various NGOs have reported that incidents of sexual exploitation of young women are increasing, although exact numbers are not available.³⁷⁶⁸ Women and girls are reportedly trafficked to destinations including the Persian Gulf, South Korea, Thailand, and Turkey for the purposes of commercial sexual exploitation.³⁷⁶⁹

Education is compulsory for twelve years.³⁷⁷⁰ In 1998, the gross primary enrollment rate was 99.6 percent, and the net primary enrollment rate was 87.8 percent.³⁷⁷¹ Approximately 73.4 percent of primary school age children attend school regularly, and at the national level, attendance rates for boys and girls are the same.³⁷⁷² In 2000, 88.7 percent of children who attended the first grade

³⁷⁶² UNICEF, *UNICEF in Action- Country Highlights*.

³⁷⁶³ Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of Uzbekistan, *Multiple Indicator Cluster Survey*.

³⁷⁶⁴ U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Uzbekistan*, Washington, D.C., March 4, 2002, 1941-43, Section 6c [cited December 19, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/eur/8366.htm>. See also Ministry of Public Education, letter to USDOL official regarding forced cotton-picking practices, August 30, 2000.

³⁷⁶⁵ U.S. Department of State, *Country Reports- 2001: Uzbekistan*, 1941-43, Section 6c.

³⁷⁶⁶ *Ibid.* See also Cango.net, *Initiative Newsletter: The Situation with Child Labour is Unlikely to Change in the Foreseeable Future*, cango.net, [online] 2002, [cited December 19, 2002]; available from <http://www.cango.net/news/archive/spring-2002/a0002.asp>.

³⁷⁶⁷ Cango.net, *The Situation with Child Labour is Unlikely to Change in the Foreseeable Future*.

³⁷⁶⁸ International Helsinki Federation for Human Rights, *Women 2000: An Investigation into the Status of Women's Rights: Uzbekistan*, Vienna, 2000, 505-06. See also U.S. Department of State, *Country Reports- 2001: Uzbekistan*, 1939-41, Section 5.

³⁷⁶⁹ U.S. Department of State, *Country Reports- 2001: Uzbekistan*, Section 6f.

³⁷⁷⁰ U.S. Embassy- Tashkent, *unclassified telegram no. 3730*.

³⁷⁷¹ UNESCO, *Education for All: Year 2000 Assessment* [CD-ROM], Paris, 2000.

³⁷⁷² Government of Uzbekistan, *Multiple Indicator Cluster Survey*, 5 and Annex, Table 11

reached the fifth grade,³⁷⁷³ and the percentage for children in urban areas is higher than that of children in rural areas.³⁷⁷⁴

The state is implementing policies that shift the burden of financing education to the family. In addition, maintenance of school buildings has been cut and school supplies are scarce.³⁷⁷⁵ Due to low salaries, teachers often demand additional payments from students and their families, and parents are often asked to cover the costs of school repairs.³⁷⁷⁶ Declining enrollment and high dropout, repetition, and absenteeism rates in both primary and secondary schools have been reported.³⁷⁷⁷

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years.³⁷⁷⁸ All working children between the ages of 14 and 18 are required to obtain written permission from a parent or guardian and work cannot interfere with their studies.³⁷⁷⁹ The Labor Code prohibits children less than 18 years of age from working in unfavorable labor conditions and establishes limited work hours for minors.³⁷⁸⁰ The Constitution prohibits forced labor except when fulfilling a court sentence.³⁷⁸¹ The Criminal Code prohibits the abduction and recruitment of children for the purposes of exploitation.³⁷⁸² The Code also provides punishments for people who profit from prostitution and maintain brothels.³⁷⁸³

³⁷⁷³ Ibid., Annex, Table 10

³⁷⁷⁴ UNICEF, *Executive Summary*, Annex, Table 11.

³⁷⁷⁵ UNICEF, *UNICEF in Action- Country Highlights*.

³⁷⁷⁶ U.S. Embassy- Tashkent, *unclassified telegram no. 3730*.

³⁷⁷⁷ UN Committee on the Rights of the Child, *Concluding Observations*, para. 57.

³⁷⁷⁸ Fourteen year-olds can only work in light labor that does not negatively affect their health and/or development. U.S. Embassy- Tashkent, *unclassified telegram no. 3730*.

³⁷⁷⁹ Children between the ages of 14 and 16 may only work 10 hours per week while school is in session and 20 hours per week during school vacation. Children between 16 and 18 years may only work 15 hours per week when school is in session and 30 hours per week during school vacations. Ibid.

³⁷⁸⁰ UN Committee on the Rights of the Child, *Initial Reports of States Parties Due in 1996*, CRC/C/41/Add.8, prepared by Government of Uzbekistan, pursuant to Article 44 of the Convention on the Rights of the Child, February 19, 2001, para. 315, 18 and 24. The government issued a list of jobs that fall into the category of “unfavorable labor conditions,” which include subway and tunnel construction, metallurgy, drilling and exploration for oil and gas, chemical/microbiological production, and aircraft repair and construction. See U.S. Embassy- Tashkent, *unclassified telegram no. 3730*.

³⁷⁸¹ *Constitution of the Republic of Uzbekistan, 1992*, (December 8, 1992), [cited October 24, 2001]; available from <http://www.ecostan.org/Laws/uzb/uzbekistancon.html>. See also U.S. Department of State, *Country Reports- 2001: Uzbekistan*, 1941-43, Section 6c.

³⁷⁸² UN Committee on the Rights of the Child, *Initial Reports of States Parties: Uzbekistan*, para 150. Penalties vary depending on the crime, ranging from fines to imprisonment of up to 5 years. See Articles 135 and 137 of the Criminal Code, as cited in International Helsinki Federation for Human Rights, *Women 2000*, 505-06.

³⁷⁸³ International Helsinki Federation for Human Rights, *Women 2000*, 505.

The Ministry of Labor and Social Protection, the Prosecutor's Office and the trade unions are the bodies responsible for labor issues. Punishments and enforcements seem to be sufficient in the formal economic sector, but less so in the family-based and agricultural sectors.³⁷⁸⁴

The Government of Uzbekistan is not an ILO-IPEC member³⁷⁸⁵ and as such has not ratified either ILO Convention 138 or ILO Convention 182.³⁷⁸⁶

³⁷⁸⁴ U.S. Embassy- Tashkent, *unclassified telegram no. 3730*.

³⁷⁸⁵ ILO-IPEC, *All About IPEC: Programme Countries*, [online] [cited October 10, 2002]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

³⁷⁸⁶ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited October 24, 2001]; available from <http://ilolex.ilo.ch:1567/english/newratframeE.htm>.