

**Initiative Group of
Independent Human Rights Defenders
of Uzbekistan**

**International
Partnership
for Human Rights**

**Repression and Exploitation of
Farmers and Rural Communities in Uzbekistan**

*Briefing Note to the 12th EU-NGO Forum on Human Rights,
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This briefing note discusses repressive and exploitative policies against farmers and rural communities in Uzbekistan, as well as violations of fundamental human rights of these groups, including violations of economic and social rights and violations of civil rights and liberties. It is primarily based on information obtained through research and monitoring undertaken by the Group of Independent Human Rights Defenders in Uzbekistan. It makes recommendations to the EU, and the rest of the international community, for how to address the problems described in interactions with the authorities of Uzbekistan.

The Initiative Group of Independent Human Rights Defenders of Uzbekistan is an independent non-governmental organization that defends and promotes human rights in Uzbekistan. It is based in Tashkent and has nine regional branches and 156 members across Uzbekistan.

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International Partnership for Human Rights (IPHR) is an NGO based in Brussels that is committed to empowering local civil society groups and assisting them in making their concerns about human rights violations heard at the international level. In particular, IPHR aims at advancing the rights of vulnerable groups subject to discrimination and abuse through cooperation with local partners.

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Summary:

Agriculture in Uzbekistan continues to be managed through a system of state order and control. Farmers are denied ownership of the land they work and the state determines what they should grow, how much they should produce, and what price they should sell at. Farmers who fail to comply with state determined requirements may be evicted from the land they lease.

Agricultural policies are implemented through a rigid top-down approach, with local authorities often exercising their powers in an arbitrary and abusive manner to comply with orders from above and to please central authorities. Intimidation and pressure are used as means to keep farmers in check and corrupt practices are widespread. Farmers are, for example, demanded to pay for “protection” to avoid trouble.

While revenues from agriculture are monopolized by the government, farmers struggle to make ends meet on the meager compensation they are paid for their yield. A considerable part of the country's rural residents live below the poverty line.

Systematic exploitation characterizes the annual harvest of cotton, the so-called white gold of Uzbekistan. Authorities continue to mass mobilize under-age students and school children to participate in the harvest, a hard and sweaty occupation for which they are paid next to nothing.

Independent civil society activists who dare to speak up about abuses against farmers and other rural residents are subject to persecution.

1. The importance and structure of agriculture in Uzbekistan

Agriculture remains a key sector of Uzbek economy, employing about one third of the country's labor force and contributing about 20% of its GDP.¹ Over 60% of the population of Uzbekistan lives in rural areas.

No privatization of agricultural land has taken place in Uzbekistan since the fall of the Soviet Union and all land therefore remains in the hands of the state. State-owned land is leased to farmers through different arrangements for periods typically ranging from 10 to 49 years.

Initially Soviet era *kolhozes* (collective farms) and *sovhozes* (state farms) were turned into large-scale production cooperatives and joint stock companies of 1000 hectares or more. However, since the beginning of the current decade, a reform has been under way to turn collectives into smaller-scale farming entities (so-called *fermer* enterprises), which are of the size 10 to 150 hectares. Some 80% of the country's sown area is now cultivated by *fermer* enterprises.² Additionally, there are so-called *dekhan* farms, which are small plots of land (less than 1 hectare) granted to family households for growing vegetables and raising livestock for family needs.

2. The realities of control and order policies

While the development of *fermer* enterprises has been portrayed as a form of privatization of agriculture in Uzbekistan, also these enterprises function on the basis of lease agreements concluded with the state and farmers cannot decide freely about how to use the land they lease.

In accordance with a government decree in force, which actually contradicts the country's law on *fermer* enterprises,³ lease agreements stipulate what share of land should be used for sowing, what crop should be grown and how much output the farms are expected to produce. Most of the yield must be sold to monopoly state buyers at fixed prices, which remain at a low level and make it hard for farmers to make ends meet ends. Farmers have few if any opportunities to sell their products independently or to export them to neighboring countries where prices are several times higher.

Within a rigid top-down structure, local authorities – under the leadership of their heads, *hokims* – zealously carry out agricultural policy decisions and orders originating from above, frequently using arbitrary and abusive methods in their attempts to exercise control over farmers.

¹ Information from <http://www.worldbank.org.uz/>

² State Statistical Committee of Uzbekistan, *Agriculture in Uzbekistan 2006* (2007) (Russian).

³ "Фермеры Узбекистана расстаются с землей и отдают «долги» государству," 7 January 2009, at <http://www.ferghana.ru/article.php?id=6011>

Local governments decide about the allocation of land for tenure in a process criticized for being non-transparent and unfair.⁴ It is believed that farmers who have been granted large land areas for lease often have bribed government officials to secure these deals. Local authorities also oversee the use of land and monitor the compliance of farmers with the terms of lease agreements, violations of which can result in sanctions and even confiscation of land and liquidation of farms.⁵ Farmers can, for example, be held accountable for failure to meet production quotas even if the causes for this are beyond their control, e.g. bad weather conditions or lack of supply by the state of fertilizers and irrigation water.⁶

Local officials often intimidate and put pressure on farmers and ask them to pay for “protection”, e.g. threatening to otherwise initiate fabricated legal cases against them. Such “fees” further decrease the income of farmers.

On the basis of a presidential decree aimed at “optimizing” the size of farmland that was adopted in late 2008,⁷ local authorities began a campaign to bring farmers leasing relatively small areas of land to “voluntarily” give up this land for the purpose of uniting it with larger farms. In a dozen of districts in the Ferghana, Andijan, Tashkent, Kashkadaryinskaya and Surhandaryinskaya regions, farmers were pressurized into abandoning lands areas although they had officially leased them for a period of up to 49 years. They were, inter alia, threatened with criminal cases if they refused to comply. The targeted farmers were left without land and employment.

3. Systematic exploitation in the cultivation of cotton

A large part of Uzbekistan’s farmers grow cotton, which is of great importance for national economy, with Uzbekistan being the third largest exporter of cotton in the world.⁸ The cultivation of cotton is highly labor-intensive, especially during harvest.

Almost all cotton in Uzbekistan is still hand-picked due to a lack of harvesting equipment. Every year during the harvest season, authorities shut down schools and send out tens of thousands of students and school children (a majority of whom are below 18) to pick cotton. They work hard during long days and are paid a miserable salary (some 5 US cents per kilogram), out of which they are also often expected to cover expenses for meals and transportation. In other cases, farmers are made to provide the meals of students and children participating in the harvest.

⁴ Institute for War and Peace Reporting, “Uzbekistan’s Troubled Farm Reforms,” 4 February 2006, at <http://www.iwpr.net>

⁵ Leibniz Institute of Agricultural Development in Central and Eastern Europe, *Continuity and Change: Land and Water Use Reforms in Rural Uzbekistan* (2008), p. 32, at http://www.iamo.de/dok/sr_vol43.pdf

⁶ Institute for War and Peace Reporting, “Uzbekistan’s Troubled Farm Reforms,” 4 February 2006, at <http://www.iwpr.net>

⁷ “Фермеры Узбекистана расстаются с землей и отдают «долги» государству,” 7 January 2009, at <http://www.ferghana.ru/article.php?id=6011>

⁸ See <http://www.cotton.org/econ/cropinfo/cropdata/rankings.cfm>

Public scolding and threats of bad grades are used to “encourage” children to work and meet the daily quota of cotton they are required to collect (typically 30-40 kilogram). In addition to tough working conditions, poor nutrition and inadequate conditions of accommodation, the overuse of chemical defoliants in cotton fields prior to harvest poses a danger to the health of children. Because of their forced participation in the cotton harvest, children miss school for up to three months.⁹

Also adults are sometimes forced to participate in the cotton harvest against their will, and those who refuse to obey such orders are made to pay a “fine”.

In principle the requirement for cotton-growing farmers to sell their cotton to state-run companies now only applies to part of their yield. However, this is on condition that the farmers meet production targets, which are typically set at an overly ambitious level. Thus, in practice, farmers are frequently required to hand over their entire cotton crop to state-run companies.¹⁰ While state-run companies only pay farmers a fraction of the true value for their cotton, it is sold abroad at the world market price, thus rendering a considerable profit. Much of the profit is believed to end up in the pockets of corrupt officials.

4. Rural poverty, unemployment and migration

Poverty is widespread in the countryside in Uzbekistan. About 25% of the population of the country are estimated to live below the poverty line and two thirds of them live in rural areas.¹¹

Many rural residents have lost their jobs in the process of restructuring agricultural cooperatives and companies into smaller-scale farms, and unemployment and underemployment are high in rural areas. The United Nations Committee on Economic, Social and Cultural Rights has expressed concern about the “lack of gainful employment opportunities for low-skill rural inhabitants” and called for measures to stimulate rural development and encourage local employment initiatives.¹²

The Uzbek authorities have, however, failed to take adequate measures to promote employment. In the context of the global economic crisis, and a growing return of labor migrants, the Uzbek government initiated an ambitious job-creation program in 2009. The program was criticized as ill-conceived and as seeking to promote employment in questionable ways. The program was

⁹ For more information about forced child labor during the cotton harvest, see the website of the Uzbek-German Forum for Human Rights, at <http://uzbekgermanforum.org/content/about-forced-child-labor-uzbekistan>; and Association of Human Rights in Central Asia, *Forced Labor in Uzbekistan*, February 2010, at http://www2.ohchr.org/english/bodies/hrc/docs/ngos/AHRCA_Uzbekistan_98.pdf

¹⁰ Association of Human Rights in Central Asia, *Forced Labor in Uzbekistan*, February 2010, p. 7, at http://www2.ohchr.org/english/bodies/hrc/docs/ngos/AHRCA_Uzbekistan_98.pdf; Environmental Justice Foundation, *White Gold – The True Cost of Cotton* (2005), p.18, at http://www.ejfoundation.org/pdf/white_gold_the_true_cost_of_cotton.pdf

¹¹ See figures at <http://www.developmentandtransition.net/index.cfm?module=ActiveWeb&page=WebPage&DocumentID=618>

¹² *Concluding Observations of the Committee on Economic, Social and Cultural Rights: Uzbekistan*, Thirty-fifth session, 7-25 November 2005, at <http://www.unhcr.ch/tbs/doc.nsf/%28Symbol%29/E.C.12.UZB.CO.1.En?OpenDocument>

reportedly implemented in a particularly heavy-handed way in the countryside, where farmers were forced to hire workers that they do not need and cannot afford to pay given their own meager income.¹³

Due to lack of opportunities at home, particularly in the countryside, several million Uzbeks¹⁴ have left Uzbekistan in recent years to work in Russia, Ukraine, Belarus, Kazakhstan and other countries. Hundreds of thousands of them are believed to have returned to Uzbekistan because of the global economic crisis, thereby adding further strain on the situation with respect to employment and livelihood in rural areas.¹⁵

5. Dangers of defending the rights of farmers

Pro-government NGOs that have purportedly been set up to defend the rights of farmers do not provide any effective assistance or support to farmers who face problems in their dealings with the state. At the same time, independent human rights defenders who speak up against violations of the rights of farmers have been a growing target of persecution.

Many human rights defenders in Uzbekistan are active at the regional and local level, and activities to promote the rights of farmers and other rural communities are a central part of their work. In recent years, a number of human rights activists have been arrested, prosecuted and imprisoned on politically motivated grounds related to their efforts to defend the rights of farmers.

In November 2009, Ganikhon Mamatkhanov, a human rights defender in the Ferghana region working to promote the rights of farmers, were sentenced to 5 years in prison on charges of bribery and fraud. He was arrested in an apparent set-up, where money was planted on him. Mamatkhanov had investigated and criticized the negative consequences of an ongoing land reform (see more above in section 2), and only a few days before his arrest, he had sent an open letter to President Karimov on this issue. He had also previously been threatened. ¹⁶ Mamatkhanov's health has reportedly deteriorated during his time in prison, and his family members are not always allowed to bring him the medicine he needs for his heart problems and other health conditions.¹⁷

¹³ "Uzbekistan: Tashkent's Job-Creation Plans May Stoke Rural Discontent," 21 May 2009, at <http://www.eurasianet.org/print/58884>

¹⁴ Estimates of the number of Uzbek labor migrants vary between 2 and 8 million (including seasonal migrants). Central Asia-Caucasus Institute, *Labor Migration in Central Asia: Implications of the Global Economic Crisis*, May 2009, p. 16, at <http://www.silkroadstudies.org/new/docs/silkroadpapers/0905migration.pdf>

¹⁵ "Uzbekistan: A Social Problem Brews , as Labor Migrant Returns with Northing to Do," 19 March 2009, at <http://www.eurasianet.org/departments/insightb/articles/eav031209.shtml>

¹⁶ The Observatory for the Protection of Human Rights Defenders, "Sentencing of Mr. Ganikhon Mamatkhanov to Five Years in Prison," 27 November 2009, at <http://www.omct.org/index.php?id=&lang=eng&actualPageNumber=4&articleSet=Appeal&articleId=8933>; Human Rights Watch, "Uzbekistan: Free Human Rights Defender. Growing Persecution of Farmers' Rights Activists," 16 November 2009, at <http://www.hrw.org/ru/news/2009/11/15/uzbekistan-free-human-rights-defender>

¹⁷ Association of Human Rights in Central Asia, *Forced Labor in Uzbekistan*, February 2010, p. 16, at http://www2.ohchr.org/english/bodies/hrc/docs/ngos/AHRCA_Uzbekistan_98.pdf

Recommendations to the EU and the international community at large:

The institutions and member states of the EU, as well as representatives of other international organizations and governments should bring up the situation of farmers and other rural communities in their discussions with Uzbek authorities on human rights. They should frankly and openly express concern about human rights violations in this area, request clarifications and call on the Uzbek government to:

- Take effective measures to enforce principles of good governance and standards of transparency, accountability and responsiveness in the implementation of agricultural policies at all levels;
- Ensure that the implementation of agricultural policies provide for fair treatment and due respect for the fundamental rights of farmers and agricultural workers, including property rights, the right to just and favorable conditions of work, the right to fair remuneration for work, and the right to an adequate standard of living;
- Hold accountable government officials involved in the implementation of agricultural policies who abuse their powers and engage in activities that serve to intimidate, put pressure on and violate the fundamental rights of farmers and other rural residents, applying relevant national legislation and international standards for this purpose;
- Put an immediate end to the use of forced child labor, as well as other forms of forced labor in the annual cotton harvest, and allow independent monitoring of the cotton harvest with a view to ensuring that it is carried out in a way that is consistent with Uzbekistan's international human rights obligations;
- Adopt adequate measures to promote employment in rural areas under conditions safeguarding respect for the fundamental rights of those targeted, including the right to gain one's living by work freely chosen or accepted;
- Ensure that civil society activists can engage in efforts to promote the fundamental rights of farmers and other rural communities without facing intimidation or harassment by national authorities at any level, and promptly release any activist who has been imprisoned because of peaceful and legitimate activities to protest the current implementation of agricultural policies.