

Written evidence submitted by Anti-Slavery International (ECA0017)

For over 15 years, Anti-Slavery International has been working together with the Cotton Campaign, a coalition of international human and labour rights NGOs, independent trade unions, brand and retail associations and others, to end state-imposed forced labour in the cotton industry in Central Asia.

Anti-Slavery International welcomes the UK Government's call for evidence on the UK's engagement in Central Asia. This submission focuses on the UK's potential to contribute, through its engagement in Central Asia, to the reform of Turkmenistan's state imposed forced labour system in the cotton industry, and to the promotion of broader reforms towards an enabling environment for labour rights in Uzbekistan.

Founded in 1839, we are the oldest international human rights organisation in the world. We draw on our experience to work to eliminate all forms of slavery and slavery like practices worldwide. We work in partnership with our supporters, governments, businesses, like-minded organisations and global movements to bring about long-term, sustainable change.

1. State Imposed Forced Labour in Turkmenistan's Cotton Industry

- 1.1. Every year, the Turkmen Government sends thousands of people from the public sector into the cotton fields, including key workers such as teachers, doctors and nurses, forcing them to leave their daily jobs to harvest cotton for the State, or to pay money to hire pickers to replace them. In some cases, private businesses are also forced to contribute to the harvest by, for example, organizing transportation of civil servants to the fields and back, or by providing them with food. The State imposes quotas on cotton picking, and those who fail to meet their quotas face harassment from the authorities, and risk losing their jobs. Furthermore, the pressure on adults to fulfil quotas means that some children pick cotton alongside their parents or work in place of their relatives. Some children also pick cotton to earn extra money by working as replacement workers for people forced to pick cotton or to provide another picker. The work is strenuous and requires great physical effort. Working and living conditions in the fields are terrible, and the work often exposes cotton pickers to serious health risks. For example, during the 2020 and 2021 cotton harvests in full Covid-19 pandemic, workers were taken to work in the cotton fields in overcrowded buses, without masks or basic hygiene.¹
- 1.2. The results of independent monitoring by Turkmen.news and the Turkmen Initiative for Human Rights (TIHR) reported that during the 2021 cotton harvest,² not only doctors and teachers were forced to pick cotton, but also vulnerable groups such as migrant workers and service members with registered addictions, whilst those accused of 'prostitution' or alimony delinquency were also forced to pick cotton. Fuelled by poverty and inequality in the country, forced child labour and child labour was also used in the 2021 harvest, despite an official prohibition which does not allow children to work in the fields.
- 1.3. All evidence collected by the independent monitors during the 2022 harvest indicates that the government has made no efforts to reform the state-imposed forced labour system. The government continued to force public sector employees to pick cotton. The independent

¹ <https://www.cottoncampaign.org/turkmenistan/#turkmenistanoverview>

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https://static1.squarespace.com/static/618550501fe9be0ff3428860/t/62de40eed701ff144dd891c4/1658732787144/CC_TKM_2021_HARVEST_REPORT.pdf

monitors also recorded cases of child labour, with children working as replacement workers for their parents or other family members. Students at the Agricultural University were forced to pick cotton and were told this was a requirement for their internship. Officials continued the practice of extorting public sector workers and agricultural workers to contribute money to pay for workers and expenses related to the cotton harvest. Turkmen.News and the Turkmen Initiative for Human Rights have gathered dozens of pieces of audio-visual evidence documenting state officials forcing employees to pick cotton or pay money to hire replacement workers. The complete findings will be published in April 2023 in a joint report by Turkmen.News, the Turkmen Initiative for Human Rights, and the Cotton Campaign.

- 1.4. In spite of global and persisting efforts by civil society organisations and international bodies, the Turkmen authorities continue to deny the use of forced labour in the cotton harvest, even though there is plenty of evidence documented by independent human rights activists, often at risk to activists' lives, that proves the opposite.³
- 1.5. Despite these risks, organisations such as Turkmen.news⁴ and the Turkmen Initiative for Human Rights⁵ continue to report the scale of abuses perpetrated by the Turkmen Government. Other abuses also include the lack of freedom of press, information and expression. Turkmenistan experiences a level of censorship and state surveillance akin to North Korea, being the third worst country in terms of political rights and civil liberties after Syria and South Sudan.⁶ There is no independent press or alternative information sources other than those propagated by the state.
- 1.6. Expressing contrary views to government actions regularly leads to detention and confinement in sub-par conditions with the threat of torture ever present.⁷ Turkmen prisons are routinely filled with arbitrary arrests, detained activists, and other unwanted citizens of the government alongside hardened criminals.⁸ Prisoners are subject to torture in inhumane conditions.⁹ In 2016, Gaspar Matalaev, a human rights activist who reported on forced labour in the cotton sector, was tortured and sentenced to three years' imprisonment.¹⁰ His detention was recognized as arbitrary and "an attempt by the Government to censor his activities as a human rights defender and curtail his freedom of expression" by the UN Human Rights Council's Working Group on Arbitrary Detention.¹¹
- 1.7. With regards to gender, women in Turkmenistan regularly experience gender discrimination in the name of "traditional values". For example, Turkmen registration offices are instructed to not accept any new driving license applications or renewals from women.¹²
- 1.8. The Cotton Campaign has repeatedly sought to engage with Turkmen authorities, but the Turkmen Government shut the door to dialogue and continues to deny the forced labour problem. For this reason, our current actions remain directed at the international community to

³ <https://www.amnesty.org/en/location/europe-and-central-asia/turkmenistan/report-turkmenistan/>

⁴ <https://turkmen.news/>

⁵ <https://en.hronikatm.com/about-tihr/>

⁶ <https://freedomhouse.org/countries/freedom-world/scores>

⁷ <https://www.hrw.org/europe/central-asia/turkmenistan>

⁸ <https://www.amnesty.org/en/location/europe-and-central-asia/turkmenistan/report-turkmenistan/>

⁹ <https://www.hrw.org/world-report/2020/country-chapters/turkmenistan>

¹⁰ <https://en.turkmen.news/human-rights/turkmen-activist-gaspar-matalaev-released/>

¹¹ Human Rights Council Working Group on Arbitrary Detention, 'Opinions adopted by the Working Group on Arbitrary Detention at its eighty-first session, 17–26 April 2018', A/HRC/WGAD/2018/4, paras. 61-62.

¹² <https://en.turkmen.news/human-rights/ashgabat-women-exasperated-at-tacit-ban-on-driving/>

increase the economic and political pressure on the Government of Turkmenistan to reform its system.

- 1.9. Turkmenistan poses one of the greatest challenges for those who wish to see the UK act as a 'force for good' in its foreign policy. The UK has limited economic ties, is not an aid donor (given Turkmenistan's middle-income status) and has few strategic issues on which to engage. In this overall environment, and as a UK human rights priority country, it is to be hoped that the UK can find more ways (in partnership with like-minded countries) to be more outspoken, both publicly and during private meetings with the Turkmen Government, in specific cases of rights violations. It is important for the UK Government to engage with civil society groups that monitor and report about forced labour, and to work with partners to increase access for and engagement with the ILO in their efforts to tackle forced labour.

2. Turkmen Cotton in Global Markets

- 2.1. Through complex and opaque supply chains, products tainted with forced labour cotton from Turkmenistan continue to enter global markets and could be present in many of the goods we find in UK shelves. According to ICAC, in the 2021/2022 season, Turkmenistan was the 14th largest cotton producer and the 12th largest cotton exporter globally.¹³ International cotton traders are present in the country, and they export not only raw cotton, but also finished products such as yarn, fabric and textiles.
- 2.2. Data made available through the UN Comtrade and OEC databases for 2020, and Cotton Campaign research on commercial trade databases, reveals that forced labour Turkmen cotton enters global supply chains through two main streams: i) as finished goods produced in Turkmenistan and exported through direct trade routes (or transhipped) to, for example, Kazakhstan, Russia, Belarus, Italy, the U.S. and Canada, and ii) through suppliers in countries that produce textiles using Turkmen cotton, yarn and fabric, in particular Turkey, but also China, Pakistan, and Portugal, among others.¹⁴
- 2.3. The special relationship between Turkey and Turkmenistan is of particular relevance as it leads to a higher prevalence of Turkmen cotton and cotton products in the Turkish textile manufacturing industry.¹⁵ This poses a clear risk to UK supply chains due to the UK-Turkish textile trading relations. In May 2018 US Customs and Border protection officials announced that they would be formally banning the import of goods made with or containing cotton from Turkmenistan¹⁶ and we urge the UK to take similar measures in that direction.

3. The Importance of Import Controls in Contexts of State Imposed Forced Labour

- 3.1. There should be no doubt that all cotton originating in Turkmenistan is produced with forced labour imposed by the state. Due to the scale of these abuses, which includes restrictions of freedom of speech and freedom of association, together with the state's full control of any civil society activities, it is currently impossible for businesses to prevent or remediate forced labour in the production of Turkmen Cotton. Businesses' economic power needs to be channelled differently if the industry truly wants to drive meaningful change.

¹³ <https://www.icac.org/DataPortal/DataPortal?Units=Exports&Year=2021/22%20proj>

¹⁴ See page 19 in the report Review of the Use of Forced Labor During the 2021 Cotton Harvest in Turkmenistan by Turkmen.news and the Turkmen Initiative for Human Rights, https://static1.squarespace.com/static/618550501fe9be0ff3428860/t/62de40eed701ff144dd891c4/1658732787144/CC_TKM_2021_HARVEST_REPORT.pdf

¹⁵ <https://www.antislavery.org/wp-content/uploads/2019/04/Turkmenistan-Turkey-report.pdf>

¹⁶ <https://www.sourcingnetwork.org/press-release-turkmenistan-imports>

- 3.2. Anti-Slavery International, together with partners from around the world, have been calling on several governments to introduce an effective instrument that would ban the imports of goods made with forced labour into their markets, including Turkmen cotton. Such a mechanism is essential to address contexts where forced labour is imposed by the state, given that businesses' efforts on the ground to address forced labour are impossible. Import bans would also incentivise businesses to meaningfully trace their supply chains, ensuring that Turkmen cotton is not present in any of the products they offer.
- 3.3. Anti-Slavery International published a full position paper on when and how governments should introduce import controls to end forced labour.¹⁷

4. Recommendations to the UK Government in their engagement with Turkmenistan

- 4.1. Governments, international organisations, global brands and retailers, investors, and consumers must join forces and pressure the Government of Turkmenistan to reform its forced labour system. Together with the Cotton Campaign, we urge all international stakeholders to use their leverage and influence to pressure the Government of Turkmenistan to acknowledge the forced labour problem and take concrete steps to address it.
- 4.2. To put economic pressure on the Government of Turkmenistan, the UK should introduce import control measures to prohibit the import of cotton products originating in Turkmenistan or containing Turkmen cotton. Import control measures against forced labour products already exist in the U.S., where a Withhold Release Order (WRO) on Turkmen cotton has been effective since 2018,¹⁸ and in Canada.¹⁹ The European Commission published in 2022 its proposal for a Forced Labour Regulation, which will prohibit products made with forced labour from entering the European market.²⁰ A coordinated international approach would reduce the risk of goods being reshipped to markets without import control measures, where countries could become dumping grounds for forced labour goods.
- 4.3. The UK should also introduce mandatory human rights and environmental due diligence, requiring all forms of business enterprises (including textile companies, cotton traders, financial institutions and the public sector) to undertake human rights and environmental due diligence in their supply chains, and to map and disclose all tiers of their supply chains. Together with UK civil society, we recommend that the UK government introduces a Business, Human Rights and Environment Act to create a corporate duty to prevent negative human rights and environmental impacts.²¹ Decision makers, businesses and investors in the UK are already publicly supporting a new UK supply chain law on business, human rights and the environment to protect people and planet from abuse.²² This legislation should include supply chain disclosure requirements, which would enable the monitoring of imports of Turkmen cotton or goods produced with Turkmen cotton entering the UK through intermediary countries.

¹⁷ While this position paper is focused upon recommendations to the European Union, given ongoing debates around the introduction of import controls under the upcoming EU Forced Labour Regulation, the recommended policy elements in the position paper are also applicable to other jurisdictions, including the UK <https://www.antislavery.org/wp-content/uploads/2021/06/Anti-Slavery-International-ECCHR-Import-Controls-Position-Paper-1.pdf>

¹⁸ <https://www.cbp.gov/trade/forced-labor/withhold-release-orders-and-findings>

¹⁹ <https://www.cbsa-asfc.gc.ca/publications/dm-md/d9/d9-1-6-eng.html>

²⁰ https://single-market-economy.ec.europa.eu/document/785da6ff-abe3-43f7-a693-1185c96e930e_en

²¹ https://www.antislavery.org/wp-content/uploads/2022/01/ASI_Report_UKBHREA_FULLL.pdf

²² <https://www.goodbusinessmatters.org/>

- 4.4. We recommend that the FCDO, together with other relevant governmental departments, focus on strengthening the UK's Overseas Business Guidance on Turkmenistan, producing clear guidance to companies and investors on the exposure to Turkmen forced labour in textile supply chains.
- 4.5. We also recommend the UK government to take measures against businesses that are violating international and national laws by benefiting from or contributing to the forced labour system of cotton production in Turkmenistan should be investigated and prosecuted.
- 4.6. The UK needs to ensure that its trade and development policy does not inadvertently support or enable the continuation of the state-imposed forced labour system.
- 4.7. In order to deter individuals from being involved in the human rights violations taking place in Turkmenistan's cotton fields, as well as to hold accountable those who have been involved in such violations, the UK should make use of its Global Human Rights sanctions regime.²³
- 4.8. The UK should also exercise 'voice and vote' at the World Bank, Asian Development Bank, the European Bank for Reconstruction and Development and other international finance institutions to prevent any investment that would benefit the Turkmen Government's forced labour system for cotton production.
- 4.9. Prior to providing any development assistance to the agriculture sector in Turkmenistan, the UK should require the Government of Turkmenistan to begin to dismantle its forced labour system of production and to make demonstrable progress as a condition for releasing project finance.
- 4.10. The UK also has a key role to play in supporting human rights defenders in Turkmenistan, including by raising concerns about ill-treatment against them at the highest levels of the Turkmen Government, meeting with HRDs, and publicly expressing concerns when people are harassed for conducting human rights work.
- 4.11. One of the key ways in which the UK can assist with issues of governance in Turkmenistan is through leading by example in terms of corporate governance through reforms to Companies House promised in the current (second) Economic Crime bill and where appropriate the use of the UK's Global Anti-Corruption Sanctions.
- 4.12. Lastly, the use of diplomatic channels, such as engagement with the Turkmen embassy in the UK, as well as the UK's embassy in Ashgabat, should be used to place pressure on the Turkmen Government to end the state-imposed forced labour system.

5. The situation in Uzbekistan: The elimination of historic state-imposed forced labour

- 5.1. When the Cotton Campaign launched in 2007, and similar to the case of Turkmenistan, the Uzbek Government was forcing over 1 million children and adults, including medical staff, public sector employees and students, to pick cotton every year during the harvest. Since 2010, the Uzbek Forum for Human Rights, a frontline Uzbek partner part of the Cotton Campaign, has conducted independent monitoring of the annual cotton harvest. The Uzbek Forum's 2021 monitoring indicated that, for the first time, there was no systematic state-imposed forced labour.²⁴
- 5.2. Over the past 15 years, the Cotton Campaign and Uzbek activists used a wide range of tools to support Uzbek people to claim their freedom. The Uzbek Cotton Pledge, which was a commitment by brands and retailers to not use Uzbek cotton in their products while it was

²³ <https://www.gov.uk/government/collections/uk-global-human-rights-sanctions>

²⁴ <https://www.cottoncampaign.org/uzbekistan/#CC15yearsUZ>

produced with state-orchestrated forced labour, was critical to the success. The Pledge had over 300 signatories. Following the elimination of state-imposed forced labour, the Uzbek Pledge was lifted in March 2022, ending the Cotton Campaign's call to boycott Uzbek cotton.²⁵

6. Responsible Sourcing and the Protection of Labour Rights in Uzbekistan's Cotton Industry

- 6.1. Uzbekistan now has the potential to become a key sourcing country for cotton textiles. However, the Uzbek Government must introduce broader reforms to make sure all cotton workers across the country enjoy decent work. International companies must therefore commit to only responsibly source from Uzbekistan, as wider labour rights risks remain.
- 6.2. As business return to Uzbekistan, companies need to be particularly mindful that Uzbekistan's human rights reform process is still ongoing. After announcing the end of state-imposed forced labour, the Uzbek forum still found isolated incidents of forced labour as well as cases of exploitation of farmers, and there are ongoing wider restrictions on freedoms in the country. Due to the high risks of labour abuses that still remain, human rights due diligence is of vital importance in the Uzbek textile industry.
- 6.3. The Cotton Campaign has developed a Framework for Responsible Sourcing,²⁶ allowing international companies, cotton clusters, and labour organisations to work collaboratively and to establish and maintain decent work principles and practices in the Uzbek textile industry. By engaging in this framework, companies can meet their responsibilities under the UN Guiding Principles on Business and Human Rights and emerging due diligence laws, while encouraging the opening up of the Uzbek textile industry globally.

7. Recommendations to the UK Government in their Engagement with Uzbekistan

- 7.1. In the context of political and trade relations with Uzbekistan, the UK Government should urge the Government of Uzbekistan to implement the following recommendations:
 - 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 labour 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 (No. 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 themselves and their family, including some discretionary income.
 - Develop and enact human rights and environmental due diligence (HREDD) legislation.
- 7.2. As Uzbekistan seeks to establish itself in the global textile market, it is crucial that all governments, including the UK, join responsible brands, investors, and civil society organizations in conveying to the Uzbek Government that:

²⁵ <https://www.cottoncampaign.org/uzbekistan/#uzcottonpledge>

²⁶ <https://www.cottoncampaign.org/uzbekistan/#uzbekistan-responsiblesourcing>

- 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 labour and exploitative working conditions in their Uzbek supply chain.
- Independent human and labour 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.
- The promotion of freedom of association and freedom of speech are essential components of an enabling environment.
- Independent NGOs should be registered as part of Uzbekistan's binding international legal obligations.

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