

**CHILD LABOUR IN COTTON FARMING OF  
UZBEKISTAN & INDIA: A COMPARATIVE  
STUDY, 1991-2016**

*Thesis submitted to the Jawaharlal Nehru University  
in partial fulfillment of the requirements  
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**DOCTOR OF PHILOSOPHY**

**SUBMITTED BY:  
AKANKSHA**

**SUBMITTED TO:  
PROF. AJAY KUMAR PATNAIK**



**CENTRE FOR RUSSIAN & CENTRAL ASIAN STUDIES**

**SCHOOL OF INTERNATIONAL STUDIES**

**JAWAHARLAL NEHRU UNIVERSITY**

**NEW DELHI-110067, INDIA**

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# JAWAHARLAL NEHRU UNIVERSITY

Centre for Russian and Central Asian Studies

School of International Studies

New Delhi-110067

Tel.: (0) +91-11-2670 4365

Fax: (+91) -11-2674 1586, 2586

Email: ercasjnu@gmail.com

Date: 25/05/2021

## DECLARATION

I declare that the thesis entitled "Child Labour in Cotton Farming of Uzbekistan & India: A Comparative Study, 1991-2016" submitted by me in fulfillment of the requirements for the award of the degree of Doctor of Philosophy of Jawaharlal Nehru University is my own work. The thesis has not been submitted for other degree of this University or any other University.

*Akanksha*  
AKANKSHA

## CERTIFICATE

We recommend that this thesis be placed the examiners for evaluation.

*A. Upadhyay*

Prof. Archana Upadhyay  
Chairperson



Prof. Archana Upadhyay  
Chairperson  
Centre for Russian & Central Asian Studies  
School of International Studies  
Jawaharlal Nehru University  
New Delhi - 110067, India

*Ak Patnaik*

Prof. Ajay Kumar Patnaik  
Supervisor



PROFESSOR  
Centre for Russian & Central Asian Studies  
School of International Studies  
Jawaharlal Nehru University  
New Delhi - 110 067

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# **LIST OF ABBREVIATIONS**

|           |  |
|-----------|--|
| BT COTTON | Bacillus Thuringiensis                                     |
| CLPRA     | Child Labour Prohibition & Regulation                      |
| CPSU      | Communist Party of the Soviet Union                        |
| ELS       | Extra Long Staple  |
| FAO       | Food & Agricultural Organisation                           |
| FSU       | Former Soviet Union  |
| GDP       | Gross Development Product                                  |
| GSP       | Generalised System of Preferences                          |
| H&M       | Hernes & Mauritz   |
| ICN       | India Committee of the Netherlands                         |
| IPEC      | International Programme on the Elimination of Child Labour |
| ILO       | International Labour Organisation                          |
| ILPI      | International Law & Policy Institute                       |
| ILRF      | International Labour Rights Forum                          |
| IYC       | International Year of Child                                |
| MIC       | Market Identifier Code                                     |
| MMB       | Mahyco Monsanto Biotech                                    |
| MNCs      | Multinational Companies                                    |
| MVF       | Mamidipudi Venkatarangaiya Foundation                      |
| NAP       | National Action Plan                                       |

|          |  |
|----------|--|
| NCPCR    | National Commission for Protection of Childeren’s Rights |
| NEP      | New Economic Policy                                      |
| NSAI     | National Seed Association of India                       |
| OECD     | Organisation for Economic Cooperation and Development    |
| OGPU     | Joint State Political Directorate                        |
| RSFSR    | Russian Soviet Federative Socialist Republic             |
| SSM      | Sarvasiksha Mission                                      |
| UKP      | Uzkhlopkoprom  |
| UN       | United Nations   |
| UNDP     | United Nations Development Proqramme                     |
| UNCRC    | United Nations Conventions on the Rights of the Child    |
| UNGC     | United Nations Global Impact                             |
| UNGP     | United Nations Guiding Principles                        |
| UNICEF   | United Children’s Emergency Fund                         |
| USA      | United States of America                                 |
| USD      | United States Dollar                                     |
| USSR     | Union of Soviet Socialist Republic                       |
| UZBEKSSR | Uzbekistan Soviet Socialist Republic                     |
| WTO      | WorldTrade Organisation                                  |

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**CHAPTER-I**  
**INTRODUCTION**



## **CHAPTER-1**

### **INTRODUCTION**

Childhood, according to Agarwal and Pathak, is an impressionable stage of human development as it holds the potential to the future development of any society. They further add that “children who are brought up in an environment, which is conducive to their intellectual, physical and social health, grow up to be responsible and productive members of society. Every nation links its future with the present status of its children. By performing work when they are too young for the task, children unduly reduce their present welfare or their future income earning capabilities, either by shrinking their future external choice sets or by reducing their own future individual productive capabilities.” (Agarwal and Pathak 2015:32)

Agarwal and Pathak further state that the prevalence of child labour is not a recent phenomenon. In the ancient times children were put to arduous labour in houses and in the fields. Performances of tasks like tending of cattle, collection of grass and fuel etc. by children, relieved the adult members of the family for more productive work. There was no social restriction against children working along with their parents. It was this factor of child labour which strongly established family and kinship ties in occupations. (Agarwal and Pathak 2015)

Defining child labour is not as simple and straightforward as it may appear because it encompasses three difficult-to-define concepts “child”, “work”, and “labour”. Childhood can be defined in terms of age. However, in some societies, age may not be a sufficient basis for defining “childhood”. Instead, “the fulfillment of certain social rites and traditional obligations may well be important requirements in defining “adult” and “child” status. In still others, the integration of children into socio-economic life may begin so early that it may be virtually impossible to identify clearly the different life phases. Besides, in the absence of an effective age record system, even applying an agreed legal definition becomes highly problematic. However, in the context of child labour, a working definition of a “child” may be a person below the general limit of fifteen years or in special circumstances fourteen years, set by the Minimum Age Convention, 1973 (No.138). The term child labour is often defined as work that deprives children of their childhood, their potential and their dignity, and

that is harmful to physical and mental development.” (ILO Minimum Age Convention 1973 No.138)

Child labour can be defined as “the work that deprives children of their childhood, their potential and their dignity; work that exceeds a minimum number of hours, work that is mentally, physically, socially or morally dangerous and harmful to children and work that interferes with their schooling. However, in the context of child labour, a working definition of a “child” may be a person below the general limit of fifteen years or in special circumstances fourteen years. (ILO Minimum Age Convention 1973 No.138)

Uzbekistan in 1991 emerged as a sovereign country after more than a century of Russian rule first as part of the Russian empire and then as a part of the Soviet Union. Uzbekistan is the most populous Central Asian country and has the largest armed forces. Uzbekistan is one of the world’s biggest producers of cotton and is rich in natural resources, including oil, gas and gold. However, rigid political control is mirrored in the tightly centralized planning of the economy. Economic reform has been painfully slow and poverty and unemployment are widespread. (Forced Labour Uzbekistan Report 2013)

According to the above cited report, the sovereign and independent Republic of Uzbekistan, located in the middle of Central Asia and in the basin of the Amu Darya and Syr Darya rivers, were formed in the wake of the collapse of the former Soviet Union. Uzbekistan in the Soviet period functioned mainly as a raw resource base, had an unequal economic exchange, and has to follow the dictates of central authorities in Moscow. With the acquisition of independence, it became necessary to choose a form of government and a strategy for social and economic development that would ensure a transition to market relations. (Ibid)

Uzbekistan’s territory covers 4,47,400 square kilometres. Before it acquired independent statehood in 1991, the Uzbek Soviet Socialist Republic (Uzbek SSR) consisted of one autonomous republic (Karakalpakistan) and twelve oblasts: Tashkent, Syrdarya, Jizakh, Fergana, Namangan, Andijan, Kashkadarya, Sukhandarya, Samarkand, Bukhara, Khorezm and Navoi. (Stephenson 2002:89) The

total length of the state border is 5,300 kilometres, a significant portion of which runs through deserts and plains. Only in the east does border cross through valleys, canyons, and mountains (which are partially covered by snow and glaciers).

Uzbekistan shares a border with Tajikistan and Kyrgyzstan. In the north, the republic has an extremely lengthy border with Kazakhstan. In the west, the border mainly follows the Amu Darya River and sets the boundary with Turkmenistan. In the south, the republic shares a common border with Afghanistan. Two-thirds of the territory of Uzbekistan consists of desert, semi-desert areas, and steppe. The remainder is covered by fertile valleys. The climate in the north is moderate, yet also has sharp continental contrasts (with hot summers and snowless but cold winters) in the south, it is warmer, closer to fitting the criteria for subtropical. The level of precipitation is relatively low. (Stephenson 2002)

Uzbekistan has a well-developed agriculture, which accounted for 37.2 percent of the GDP (compared to 25.4 percent from industry, 10.4 percent from construction, and 27 percent from the service sector) in 2002. Cotton is the main agricultural crop. Uzbekistan is the fourth largest producer of cotton in the world. In 1991 it produced 4,646,000 tons of raw cotton, a decline of 4,22,000 tons from the previous year. But from 1995 the production of cotton has increased to a considerable extent and the production of 2010 was more than 80,00,000 tons. The sharp fall in the water level of the Aral Sea has led to noticeable change in the volume and geography of precipitation and has also resulted in the formation of dust and salt storms. (Stephenson 2002:92-93)

The population of Uzbekistan has very deep historical roots and considerable ethnic complexity. These roots are many centuries old and define the integrity, unity, and interaction of the entire process of demographic and social development for the peoples of Central Asia. In 1991, the territory of Uzbekistan encompassed 20.7 million inhabitants which jumped to 28.3 million in 2010, who represented more than one hundred and thirty different nations and nationalities. The largest ethnic groups in 1991 included Uzbeks (70%), Russians (9%), Kazakhs (4%), and Karakapaks (2%). The settled way of life for the native population and the high share of agriculture in the economy have historically predetermined the dominant proportion of rural population in Uzbekistan (60%), a low level of mobility, and a strong attachment to home areas. (Keller 2015: 10)

From ancient times, people in the east have believed that children make a family strong. Therefore the Uzbeks (by religious confession), like all Muslim peoples, believe it a pious deed to have as many children as Allah sends. Hence, Keller says, in Uzbekistan, for example, in 1992 the natural growth rate of the population (per 1, 000 inhabitants) was 26.6 (compared to 26.9 in Turkmenistan, 25.6 in Tajikistan, 21.4 in Kyrgyzstan, and the lower rate of 11.8 in Kazakhstan). These indices are striking when compared with data for the European countries for example, 2.2 in the United Kingdom, 0.9 in Germany, and 3.8 in France. (Keller 2015: 10)

According to data from the Central Statistical Administration of the former Uzbek SSR, the size of the average family in Uzbekistan was 5.5 individuals (compared to 3.2 in the European republics of the former Soviet Union). The high birth rate has meant a significant increase in the population of Uzbekistan, which now ranks only behind Russia and Ukraine as most populous among the states of the former Soviet Union. This demographic characteristic of Uzbekistan has also affected the social structure, 43.1 percent of the population is under the age of fifteen (compares to 24 percent in Russia and Belarus, and 33 percent in Kazakhstan). (Keller 2015:22)

The economy of Uzbekistan was shaped and developed to satisfy, first and foremost, the “all union” interests of the USSR as a whole. This meant a multifaceted exploitation of its minerals and raw materials, energy, land, water, labour, and other resources. The general economic plan of the Soviet Union predetermined the place of Uzbekistan in the so-called “all-union market”. Concretely, this meant specialization in the production of materials that the Soviet Union deemed strategically important. (Ibid: 30)

These included agricultural products (raw cotton, the cocoons of silkworms, ambar stalks, fruits, vegetables, karakul or Astrakhan lambskin, wool, etc.) and industrial goods (wool fibres, threads of raw silk, mineral fertilizers, machinery and equipment for the preliminary processing of products from the cotton industry, and semi-finished goods from gold mining and chemical industries). (Ibid: 30)

According to Keller, “the struggle to make the Soviet Union self-sufficient in the production of cotton proved an onerous experience for the Uzbek people, for it resulted in the creation of a one-sided agricultural system. In 1990, for example, cotton represented 54 % of the total area of sown acreage, a proportion that was still

higher in certain areas (e.g. 68 percent in Andijan Oblast, 62 percent in Bukhara oblast, and 60 percent in Fergana oblast).” (Keller 2015:35)

As a result of Moscow’s predatory policy, cotton production dominated all other sectors, with industry itself being dedicated primarily to servicing the cotton complex. Moreover, all sectors were oriented towards providing the Soviet market with such goods as semi-processed chemicals, cotton fibre, semi-processed copper and gold, and the like. Another aspect of agriculture in that period was the use of school going children for cotton picking. The practice still continues. (Ibid)

According to ILO Report (2011) children of school going age in Uzbekistan are working in different sectors of the economy. Large numbers of school age boys are working as potters. Young girls from the countryside are also sent to cities to work as domestic helps as the money they earn is lifeline for their families. In all regions of Uzbekistan, government officials mobilize children in an attempt to ensure that state cotton quotas are met. (ILO report 2011)

Schools are closed down, and children as young as seven are sent to the fields to pick cotton by hand. Headmasters are given quotas which dictate how much each student is to harvest. And those who fail to meet their targets, or who pick a low quality crop, are reportedly punished with detentions and told that their grades will suffer. Children who run away from the cotton fields, or who refuse to take part, can face expulsion. (Shoshana Keller 2015)

The refusal to collect cotton can be punished by expulsion from the educational institution. The students are beaten up by school staff for refusing to work for the cotton harvest. Child labour provides more than half of the cotton produced in Uzbekistan. Payment to the children is negligible. There are tens of thousands of children forced to work in the fields each year. (Ibid)

Children are being used as cheap labour force by the government which imposes Soviet-style cotton quotas, and which is unwilling to pay a decent living wage to cotton farmers and labourers, thereby ensuring that children are used instead of adults. Such practice violates the UN Convention on the Rights of a Child. The Convention provides that children have a right to be protected from performing any work that is likely to be hazardous, or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development. (Ibid)

Uzbekistan's constitution has enacted "labour code, law on employment" and prohibits the use of forced labour. Article 7 and part II of the labour code stipulates that forced labour, namely compulsion to perform a work under the threat of some form of punishment including as a means of labour discipline is prohibited. Additionally, different legislative measures have been taken by Uzbekistan. The minimum age for employment (article 77) has been prescribed. The list of activities or work prohibited for children under the 18 years of age, along with compulsory education for 12 years, banned forced labour (articles 51 and 491 of the administrative code, articles 135, 138, 148 of the criminal code) and human trafficking (article 135) are other features. (Stephenson 2002:102)

In accordance with article 135 of the criminal code of Uzbekistan, trafficking is punishable by imprisonment for a term of 3 to 5 years; the same action committed under the threat of coercion shall be punished by imprisonment for a term of 5 to 8 years. In July 2009, the Ministry of Labour and Social Protection of Population and the Ministry of Healthcare issued a new edition of the "list of hazardous types of work prohibited for persons under 18 years of age". According to this list, it is forbidden to "recruit persons under 18 years of age in 34 production sectors, in particular, they are not allowed to take 1673 specific professions". (Kathage and Qaim 2012 : 43)

However, despite these legal provision, the practice of using child labour continues. A less tangible but no less corrosive effect of existing labour practices in the cotton sector of Uzbekistan is the erosion of trust in the government's ability to deliver equitable development. There is, undoubtedly, a Soviet legacy of mobilization for cotton harvests which used to be accompanied with propaganda and 'socialist competition' among harvest brigades in order to push up production norms. However, cotton cultivators were also the beneficiaries of health, education and welfare entitlements that increased their social wage. The currently low levels of 'trickle down' of cotton revenues to direct producers is not lost on the population. (Ibid: 43)

The practice that puts children to work in cotton fields is not viewed positively and is considered by the outside world as very inhuman and unjustified on the part of the state and administration. According to Kathage and Qaim, the modern civilized world has developed many tools and social indicators for measuring the civilizations as developed, under developed and developing in socio-economic terms. Perhaps, there cannot be a social indicator of civilization that can measure the insensibility of its

people, when the civilization becomes insensible, by treating their children as commodities. (Ibid)

Majority of the children, social workers, human rights activists, parents and teachers were fully aware about the violation of local and international laws by the participation of children for cotton cultivation in Uzbekistan. Though children were forced to pick cotton in the fields it is said that “if there is any child in the field, you must understand that they are there voluntarily”.

At the same time, the government has set up special agricultural offices within the prosecutor’s office to pursue cases against those who are not fulfilling quotas or other obligations, including school children. (Ibid: 43-44)

In spite of the awareness, a number of reasons are given for necessity of children’s participation, the most important being farmer’s lack of means to engage farm machinery or pay adult labourers. It is always too expensive to pay adults. They demand defined working hours, and respect for their rights. If they don’t satisfy their demands, they won’t work. Therefore local governments and farmers find it convenient to send children out to the fields. They are easy to handle and more working hours and low wages comparatively than adults. Absurdly low purchase prices for cotton and wheat often make farmers unable to cover basic costs. (Ibid: 44)

One of the farm directors in Samarkand delineated that beyond the insurmountable financial cost, the sheer lack of able bodied adults in the villages is often put as a reason for the forcible recruitment of children prevailing wages on Uzbek farms are less than in Kazakhstan and Kyrgyzstan to which increasing number of rural Uzbeks go to work. But still Uzbek Government is not taking any firm step and paying negligence to the social and health issues and sufferings of children, who are working in cotton farming, in order to uplift their country’s economy. (ICN 2015)

As far as India is concerned, cotton is one of the major cash crops grown in the country. In 1998-1999, it was estimated that the area under cotton cultivation in India was 92.87 lakh hectares. (Ministry of Textiles Annual Report 2004-2005)

However according to reports, the area under cotton has been decreasing over the last few years and provisionally it was estimated that it is approximately 89.69 lakh hectares in 2004-2005. In terms of global production, India is the third largest producer of cotton behind China and the United States. (Venkateswarlu 2001)

The main cotton producing states are Maharashtra, Gujarat, Andhra Pradesh, Madhya Pradesh, Punjab, Haryana, Rajasthan, Karnataka and Tamil Nadu. India is unique among major cotton-producing countries because a broad range of agro-climatic and soil conditions permit cultivation of all varieties and staple lengths of cotton. Indian and international standards use different staple length definitions for classifying cotton. (Venkateswarlu 2001:03)

In India often children are working in the cotton fields in order to repay a debt, which may have been incurred by a parent or a guardian. Parents from impoverished villages, driven by necessity, receive advances or loans from seed producers in exchange for their child's labour for the duration of the cotton-growing season. This debt is then used as a method of binding child workers and curbing their freedom. Sometimes the debt is passed down through generations, inherited from grandparents and forcing entire families into servitude and poverty.

It is estimated that in cottonseed production, the labour costs account for about 50% of total cultivation costs. According to Singh, "farmers endeavour to cut these labour costs by hiring children because the wages paid to children are far below both the market wages for adults in other agricultural field work and even further below official minimum wages". (Singh 2001:23)

The entrenched economic and social factors explain why child labour persists, and why policy implementation and law enforcement to prevent children's participation in hazardous work remain weak. The weak enforcement of labour and educational laws designed to deter child labour can also be explained by a lack of government resources as well as corruption, which is widely present at local and national levels of government as well as in the law enforcement agencies. Corruption is widely cited as a main factor hindering India's social and economic growth and increasing levels of poverty. (Ibid)

The Constitution of India in the Fundamental Rights and the Directive Principles of State Policy prohibits child labour below the age of 14 years in any factory or mine or castle or engaged in any other hazardous employment (Article 24). The constitution also envisioned that India shall, by 1960, "provide infrastructure and resources for free and compulsory education to all children of the age six to 14 years Article 21A and Article 45". (Ibid: 45)



India has a federal form of government, and labour being a subject in the Concurrent List, both the central and state governments can and have legislated on child labour.

The major national legislative developments include the following:

**The Child Labour (Prohibition and Regulation) Act of 1986:** The Act prohibits the employment of children below the age of 14 years in hazardous occupations identified in a list by the law. The list was expanded in 2006, and again in 2008. **The Juvenile Justice (Care and Protection) of Children Act of 2000:** This law made it a crime, punishable with a prison term, for anyone to procure or employ a child in any hazardous employment or in bondage. **The Right of Children to Free and Compulsory Education Act of 2009:** The law mandates free and compulsory education to all children aged 6 to 14 years. India formulated a National Policy on Child Labour in 1987. This policy seeks to “adopt a gradual and sequential approach with a focus on rehabilitation of children working in hazardous occupations”. Despite these efforts, according to Saksena, child labour remains a major challenge for India. (Saksena 2001:87)

All around the world, children are working in appalling, unreasonable conditions to provide us with a product for which we are often paying unreasonably and artificially low prices. Most children do not have access to education, but in many developing countries, children are kept from school to toil in the cotton fields. In worse conditions, they are exposed to dangerous work practices and hazardous pesticides, are sometimes parted from their families for long periods, and face significant risk of physical or sexual abuse. They are beyond the protection of UN and ILO conventions and national legislations. (Ibid)

The widespread use of child labour is effectively subsidising the lucrative cotton industry. The more powerful actors in the supply chain are profiting from the unfair prices that many smallholder farmers in developing countries receive for their produce, and the low or nonexistent wages paid to child workers and their families. As the governments of developing countries attempt to pull their nations out of poverty through cotton, the production of the crop is having the opposite effect for farmers, who continue to struggle to make ends meet, with low prices compounded by a lack of finance and lack of access to adequate machinery and labour. Children are carrying the burden of poverty and other socio-economic circumstances being forced

to work to support their families as well as cultural norms that overlook their plight. (Marla and Patnaik 1985)

While it is difficult to trace cotton to its source, it is entirely possible as organic cotton brands have proven that it is feasible. Consumers have enormous potential to influence the way in which the trade is conducted. Even if effective monitoring involves significant costs, the potential to positively transform the lives of millions of children means they can legitimately be passed onto the consumer. Where companies are failing, regulations must be implemented. (Ibid)

Organic and fairtrade cotton are welcome initiatives in the drive towards child-labour-free cotton. But with a tiny proportion such cotton have in the market, it is clear that political will, coupled with pressure on clothing suppliers, are crucial to ensure that children are kept from the fields in the cotton industry. (Ibid)

At the national levels, cotton-producing countries must guarantee the rehabilitation of children who have been removed from hazardous labour, and facilitate their transition to full education. Most importantly, as long as retailers and consumers continue to purchase cotton products that fail to identify the source of the cotton, and are not guaranteed to have been made without child labour at any stage in the process, we continue to fuel this false economy that deprives children of their childhood, and developing countries of an educated future generation. (Global March Against Child Labour 2010)

Child labour is a direct violation of children's inalienable rights to protection, participation and development. Child labour has been a major concern in the world because it affects the children both mentally and physically and it also destroys the future of children. Child labour is one the serious issues not only in India but also in other developing countries. It is widely prevalent in developing countries because of poverty, and it is a great social problem as children are the hope and future of a nation. (Ibid)

There were many laws enacted to prohibit child labour but they are ineffective. Collective efforts are needed on the part of society and the government to put an end to the practice of child labour. The government should make efforts to increase the incomes of parents by launching various development schemes. Efforts should be made towards poverty eradication combined with educational reforms to provide free or affordable access to quality education. Only by taking comprehensive steps, the

Government can hope to eliminate all forms of child labour by 2020. (Singh 2001) There are many laws and regulatory departments for child labour, yet it is ineffective in controlling ongoing child labour. This is possible only when there is a cooperation from all the sections of the society and the law enforcement institutions and by removing or minimizing the causes of child labour. The main thrust should be on controlling the population of the country, education of the children and providing sufficient funds for removal of child labour from the economy. (Ibid)

The ILO has two Core (or Fundamental) Conventions regarding the child labour. India is one of the very few countries that is not a signatory to either of these. One of them (Convention No. 138) deals with restrictions on the working age, while the other, Convention No. 182, deals with employment of children in hazardous occupations. (Venkateswarlu 2001:07)

Significantly, it should be noted that China, which is the only other country with a similarly large population has ratified both of these Conventions. In fact, India is the only major economy not to have ratified either of these two Conventions. If we see determining factors, poverty emerges to be a necessary but not a sufficient condition for thriving of child labour. While poverty is instrumental in keeping the children out of school, it does not necessarily drive them into the labour market. (Ibid: 07)

It is only the presence of other complementary factors like lack of educational infrastructure that appears to play a much more crucial role in pushing children to work. The physical component of educational infrastructure is no doubt important in this respect but the humane factor is emerging to be more important. (Ibid)

Educational infrastructure is also plays a very important role in this regard and therefore spatial expansion of educational infrastructure with more emphasis on elementary education would be very useful in eradicating child labour. An emerging idea regarding educational infrastructure is that at the aggregate level we have to some extent overcome the stage where there was acute shortage of physical infrastructure for example lack of school buildings etc. It is believed that now the constraint arises mainly in terms of the human component, namely availability of teachers. (Ibid)

The main task therefore is to ensure that the schools are adequately staffed and teachers have ample time to take care of individual students. This will also make learning enjoyable and attract and retain young children in schools. The nature of

working of the schools also needs to be renovated as informal institutions started under different schemes of Sarva Shiksha Mission (SSM) are often found to be highly effective in bringing children under the umbrella of education. It is quite interesting that proportion of children attending educational institutes in subsidiary status is increasing over time and can be attributed to SSM. (Venkateswarlu 2001:07)

Perhaps the non-conventional schooling hours and informal system of teaching have suited them whereby they can attend classes even after finishing their assigned duties. Such an approach will fulfill the promise of right to education of children without compromising on their broader right to earn and live. (Ibid)

## **Review of Literature:**

With the objective of having a comprehensive and coherent approach, the literature on Comparative Study of Child Labour in the cotton fields of Uzbekistan and India: Role of the State, 1991-2016 can be put into following broad aspects adhering to the thematic perspective—

**(a)** Socio-Economic Conditions of Child Labour; **(b)** Child Labour in Uzbekistan Cotton farming; **(c)** Child Labour in Indian Cotton Farming

### **(a) Socio-Economic Conditions of Child Labour**

International Labour Organisation (2011) defines Child labour as a global phenomenon which spans numerous sectors in both developed and developing economies. The term “child labour” refers to work and economic activities carried out by persons under the age of 18 years, which harms their safety, health and wellbeing and/or hinders their education, development and future livelihoods.

In the developing countries children work for subsistence whereas in the developed ones they work for pocket money. World Vision (2012) in a report has characterized child labour in the cotton industry in a variety of different forms. One of them is bonded labour which occurs when children work in the cotton fields to repay a debt, which may have been incurred by a parent or guardian. This is particularly common in the Indian cotton industry. One of the unique characteristics of child labour is that employers consider it as source of cheap labour and measures of quick profits. Sharma (2007) underlines that employers prefer children because they can be paid less and exploited more. Low wages paid to the children give them a competitive advantage not only in the national market but also in the international market. In rural areas the children of marginal farmers and landless labourers are generally found to be working in various agricultural operations right from their early childhood. They work as helpers during sowing, harvesting and threshing operations. Children from the families with little or no land are more likely to be in the labour market. There is positive relationship between the schooling of the child and age of entry in the employment. Child labour not only deprives the working children of the basic schooling and vocational training but also forces them into the ranks of unskilled workers who have to receive low wages throughout the working life. Similarly Nanjun (2008) discusses the recent trend in the global system for evaluating the

development of any country not in terms of their military or economic strength or the splendour of their capital cities and big public buildings, but also in terms of human development or the well-being of its citizens. Against this backdrop, the existence and perpetuation of child labour has been one of the main limiting factors standing in the way of human development in almost all the developing countries.

Whereas Gleason (2003) stresses on structural reform and political change as a comparative study of economic and political development in Central Asia. Gregory brings a clear, lucid analysis of the impact of the economic reforms on the country's political liberalization. Generalising from the experience of the Central Asian States, that economic reform and political liberalization should be viewed as an interconnected process, linked in terms of policy cycles. The countries of Central Asia have for the last two and half decades striving to carry out market and political reforms. The transition began about 1990 and accelerated during the mid; to late 1990s. Gleason discloses that the action of government influences a broad sphere of activities ranging from ideological or normative concerns to social and cultural issues. Similarly Kanbargi (1991) highlights that though the ultimate goal of governments in less developed countries is to totally eradicate child labour, the existing socio-economic and cultural factors, along with the conceptual, definitional and measurement problems associated with child labour pose a serious hindrance in achieving these goals in a reasonable time. The author points out that today child labour is almost non-existent in the industrialized countries where it was prevalent during earlier times.

However, the predominance of child labour in many third world countries continues to be quite pronounced. By and large, the greater the importance of agriculture and related activities, the greater is the use of child labour. Besides agriculture, cottage industries, handicrafts and other similar activities are not generally covered by a minimum age at entry or other protective legislations. The continued existence of child labour in many third world countries is also partly due to the inadequate educational opportunities in these countries. Paribus (2012) describes that less the number of competing obligations (such as school) and the greater the opportunity, the more time will be spent performing such household tasks. But many other factors are likely to be involved, including cultural dispositions. It is premature to conclude that child labour motivates high fertility in less developed countries and even less justified to claim that poor rural families need child labour to survive.

### **(b) Child Labour in Uzbekistan Cotton Farming**

Uzbekistan is the world's fifth largest producer and second largest exporter of cotton in the world, and unlike other countries where child labor is common, it is the totalitarian state of Uzbekistan's official policy to employ children. Bhat (2015) in his book discusses the use of child labour in cotton cultivation in Uzbekistan following the fall of the Soviet Union, drawing on an extensive field investigation and interviews with human rights activists, government officials, and social workers. He further looks at the post-Soviet transition of Uzbekistan's economy and social life through a lens of child labor in cotton production. Bhat employs results of multiple surveys to illustrate the paradoxes of the collapse of the post-Soviet agricultural sector in Central Asian countries. The author studies complex and conflicting interaction among the state, the society, and the new elites in Uzbekistan through their attitude toward child labor, childhood, and education.

Uzbekistan government has taken many steps in redacting child labour in its country. Kandiyoti (2008) discussing policy debates on child labour have evolved towards more child-centered perspectives. Distinctions are made between children's work, which is locally valued including by children themselves, and child labour, which is exploitative and detrimental to the child's well-being and future prospects.

International Labour Rights Forum (2009) developed a report based on information gathered by human rights defenders within Uzbekistan from September through November 2009. Although Uzbekistan has signed two International Labour Organization (ILO) conventions against child labour and two ILO conventions on forced labour and being also a signatory of the Convention of the Rights of the Child, information from throughout the cotton growing regions shows that the government continues to promote the mass mobilization of children to harvest cotton.

One more study done by International Labour Rights Forum Human Rights Defenders in Uzbekistan (2008) purports to offer proof that Tashkent, despite ratifying two international agreements designed to discourage the use of child labour, is continuing to send school-age children into the fields. "Children suffered heatstroke, burns and a variety of infectious diseases from poor working conditions," the report stated. "School hours were truncated. And for some periods schools were closed altogether to spur children into the fields." The report, prepared by the International Labour Rights

Forum and Human Rights Defenders of Uzbekistan, focused on conditions in two districts in cotton-growing areas.

The report by Ahmadov (2008), discusses the issue of using child labour for picking cotton which has been on the table for a long time in Uzbekistan. However, the existence of forced child labour as such was strongly rejected by the Uzbek authorities, claiming that “children work in the agricultural industry on a legitimate and secure basis, as all other kids in the world”. The four associations that signed and sent the letter of discontent to the Uzbek authorities control 90 percent of the cotton production volumes sold in the US and other States of the world.

“Forced labour in Uzbekistan’s cotton industry”, by Anti- Slavery International (2008) discusses the State-sponsored forced labour, underpins Uzbekistan’s cotton industry. In the absence of mechanized harvesters, around 90 percent of Uzbek cotton is harvested by hand. Public employees, members of the public, together with children and students are forced to work alongside paid farm workers to ensure that state cotton quotas can be met. Regional government officials mobilize children as free or cheap labour during the cotton harvest in an attempt to ensure that state cotton quotas are met. It is impossible to ascertain the exact numbers, but estimates by human rights groups suggest that hundreds of thousands of children are involved each year. The cotton harvest begins in mid-September and takes place over a two to three month period.

In April 2006, the UN Committee on the Rights of the Child stated in its concluding observations that it is “deeply concerned at the information about the involvement of the many school-aged children in the harvesting of cotton resulting in serious health problems such as intestinal and respiratory infections, meningitis and hepatitis”.

The report by International Labour Rights Fund (2007) delineates that there are significant and growing concerns regarding Uzbekistan’s deteriorating human rights record, both directly and indirectly linked to cotton production and International Labour Rights Fund. The government of Uzbekistan has not only failed to enforce its laws against forced and compulsory labour, but also continues to deny the existence of the problem. When asked to comment on forced child labour in the cotton industry the Uzbek authorities often call it a patriotic act by the Uzbek youth to collectively gather one of the main export productions of the country’s cotton.

Mathiason (2009) highlights that gangs forcibly remove hundreds of thousands of children from schools, order them to pick cotton in the searing heat and live in squalid



conditions on pitiful wages. Blended by manufacturers thousands of miles away, Uzbek state-controlled cotton is sold to the world's biggest retailers, making the repressive regime the third biggest exporter of "white gold" and earning the government \$1bn.

Asia Child Rights Weekly Newsletter (2004) shows Uzbekistan as one of the five top cotton producers in the world where thousands of children are labouring to bring in the crop. Critics of the practice say it impacts negatively on the health and education of young people. Authorities claim it is an economic necessity to employ children during the harvest. Cheap, if not free, child labour is widely used in the country, particularly during the September to November season. The study discloses that picking cotton rather than studying has an impact on the education and health of the young people, though this is denied by government officials. Out of a quarter of a million Uzbeks who are currently working in the cotton fields of Kashkardarya province alone, 39,656 are vocational and high-school students along with 44,385 secondary school students. Young people are usually found picking the crop for at least 10 hours per day, in all weathers. They live in so called "shiypan" (small tents or old buildings), often under squalid conditions. Ganiev and Ismoilov (2008) revealed in their study that cotton remains a major agricultural crop in Uzbekistan and, most rural communities, including the children within them, have become pawns in government policies which stress high yields of cotton to constitute huge gains in the national budget. Forty-three percent of Uzbek cotton is exported to Asia and nineteen percent to Europe. The government artificially forces prices to be as cheap as possible employing approximately 450,000 children all over the country to keep costs down. Local governments and educational institutions help the central government push children at secondary schools, colleges, lyceums, institutes and universities to cotton pick.

### **(c) Child Labour in Indian Cotton Farming**

Browne (2015) analyses according to figures supplied by the Cotton Corporation of India, in the 2014-15 season ending this April, Gujarat state grew the largest cotton crop in India, producing 12.5 million bales of genetically-modified Bt (*Bacillus thuringiensis*) cotton. India produces some 40 million bales of cotton a year, around 8.7 million metric tonnes – almost 20 per cent of the annual global crop. In India land

holdings and farms are measured in vighas (pronounced *bigar*). The typical cotton farm in Gujarat ranges in size from 10 to 30 vighas (around six to 17 acres). On average, each vigha will produce around 600 kilos of raw cotton per harvest. The crop is weighed and traded per “mann”, the equivalent of 20 kilos. Migrant worker families, on average, pick between three to four mann of cotton a day, for which they are paid 100 rupees (US\$1.5) per mann. This year Gujarat farmers sold their cotton at market for around 800 rupees per mann (US\$12), meaning they made around 15,000 rupees (US\$235) of profit per vigha of planted cotton after paying wages and subtracting the cost of seed, inputs and fertilizers.

Similarly an analysis done by Indian Cotton Textile Sector Network Report (2002) explains that rural women in several small holder contexts provide substantial labour input to most aspects of cotton production cycle, frequently as unpaid “family labour” or low-paid day labourers and commonly performing some of the most arduous tasks with over-representation in manual work such as picking. Women in many regions face significant difficulties in gaining access to input credit facilities, due principally to men’s ownership of land and other assets, and hence struggle to achieve economic independence through cotton farming. Decision-making within farming families in many regions is gender-biased and women are often neglected in decision-making process. Because of the increased labour requirements of more ecologically sound farming cultivation methods, the development of such methods may risk an increase in the labour burden on rural women workers.

In India the problem of child labour is quite alarming. It is said that roughly out of 5 children below the age of 14 years, one child is labourer which means 20 per cent children are labourers (out of the total number of child population in the country). Maurya (2001) further elaborates this that there is no proper source of regular collection of statistics on child labour. The only authentic source of collection of data on child labour is the Census conducted by the Government of India after every 10 years in the country. As per the Census 1971, the total number of working children in India was reported to be of the order of 10.7 million. The number of working children swells to 13.6 million in India as reflected in the 1981 Census. Between 1981 and 1991, the National Sample Survey Organisation conducted its 43rd round of surveys which revealed that the estimated number of working children in India was to the time of 17.02 million in 1987-88. However, the information available as per 1991 Census revealed that the number of working children in India was 11.28 million in 1991,

showing a decline to the tune of around 2.22 million as compared to the total number of working children reflected by 1981 Census. A close analysis of the state-wise data further revealed that Andhra Pradesh had highest number of 1.66 million working children in 1991, followed by 1.41 million in Uttar Pradesh, 1.35 million in Madhya Pradesh and 1.06 million in Maharashtra. Of all the States and UTs, Lakshadweep was found to have the smallest number of 34 working children in 1991.

Singh (2003) argues that agriculture is becoming increasingly “feminised” as men move out of the sector more quickly than women, and as women become the preferred labour type for many employers. While these new labour arrangements have led to marginal increases in real income for some women workers, they have also changed relationships between workers and employers, workers and work, and led to differentiation within labour.

International Law and Policy Institute (2015) highlights school dropouts, who work full time, account for almost 62% of the total number of working children in Andhra Pradesh and Karnataka. In other states the proportion of school dropout children varies between 55% and 58%. The category of children who go to school and temporarily drop out during the cross-pollination season, accounts for nearly 34% of the total of working children in Gujarat and Tamil Nadu. In other states, the number varies between 24% and 30%. In Tamil Nadu and parts of Karnataka and Gujarat, farmers are promoting new forms of child labour. They encourage school-going children to take up cottonseed work as a part-time activity. The cross-pollination period is adjusted to school hours.

Similarly Parvathamma (2015) further elaborates that child labour has become a big problem in India. It is no doubt, a socio-economic problem. A national survey had shown that more than 16 million children between eight to fourteen are largely appointed in hotels and boarding houses, in tea-shops, restaurants, in commercial firms, in factories and fisheries. They are engaged into all sorts of work for the sake of earning something for the family. As a result, they are also deprived of primary education, without which chance of success in life is remote. Children are employed in agricultural labour; they drive carts and take care of cattle. Girl children have to act as maid servants and baby sitters. They cook and clean, they wash clothes and collect fuel. It is true that a number of laws have been imposed to prevent child labour.

Most of the literature produced on the subject has primarily focused mainly on the socio-economic conditions of child labourers who are working in the cotton fields of

Uzbekistan and India. Agriculture remained important in Uzbekistan and India and entered into greater industrial development. The emphasis shifted to a more complex industrial structure, focused on the qualitative development of industry, based on the scientific and technological revolution that accelerated development.

The root causes of reliance on coerced labor should be recognized and remedied through a package of reforms that address the vicious cycle of a partially modified command economy, the plight of labor, declining productivity, and low incomes in the cotton farming sector. These are factors that fuel rural poverty and erode trust in governance and administration.

In order to assess the real magnitude of the employment of minors, an in-depth study is necessary, particularly in regions with high unemployment rates. The major factors contributing to the supply and demand of unemployment of minors need to be better researched as well.

Thorough reform of the agricultural economy is necessary in order to replace the cheap and easily coerced farm labour that Uzbekistan and India's children now provide. In India commercialization of agriculture and motive of profit maximization have seen the expansion of cheap child-labour in cotton fields.

This is mainly due to agriculture being the backbone of the economy in both the countries, Uzbekistan and India that dependency on agriculture is more here. That is why corruption still exists in both the countries inspite of being several laws passed against child labour by the state.

### **Rationale and Scope of Study:**

The economic problems involved in the employment of children in the cotton cultivation of Uzbekistan and India are in no way less significant. Cheapness of the child labour in the cotton industry of Uzbekistan and India has led to forced child labour in abundance. This has also resulted in their low level of schooling and a greater number of dropouts. The legal problems involved in the employment of children in cotton cultivation are: (1) what should be their minimum age (2) what should be the field in which they may be employed (3) what should be the nature of their work (4) what privilege should be afforded to them in matters of leave and holidays (5) what should be their duration of work (6) what protection should be afforded to them in matters of health, safety and welfare.

The employment of children in the cotton industry of Uzbekistan and India (1991-2016) is quite widespread and common. Their working conditions are also very unsatisfactory, especially during sun drenched days, where they have to work in dusty, dingy, congested and dirty atmosphere. The education of children has got affected in a large number of cases. Children instead of attending school and enjoying their childhood are engaged in earning a livelihood, often in harsh circumstances. The problem is aggravated by the poverty of families and the demand of the employers for cheap and docile labour. The income accruing from child labour may be a pittance but it somehow helps the family to carry on. Economic compulsions weigh heavily on the consciousness of poor parents while colluding with the child's employer in violating the law and putting the child under risk of human exploitation. During harvesting season the involvement of these innocent souls increases drastically particularly in cotton intensive areas due to economic and other factors.

### **Research Objectives:**

The study broadly followed the following objectives.

1. To study the conditions under which children work in the cotton fields in Uzbekistan and India
2. To understand why children are used as labour force in both countries.
3. To analyze commercialization of agriculture and motive of profit maximization seen in the expansion of cheap child-labour in cotton fields.
4. To investigate the health hazards faced by children who are exposed to dust, chemicals, pesticides, defoliant which are constantly used in abundance in Indian cotton field.
5. To analyze the national legislations about children and labour rights as well as the norms of international law and prevailing practice of child labour in Uzbekistan and India.

6. To provide recommendations and suggestions for the solution for the child labour in both the countries, Uzbekistan and India.

**Research Questions:**

The proposed study would examine the following questions:

1. How a comparative study can be done on child labour in the cotton fields of Uzbekistan and India on the basis of role of state?
2. What are the conditions that led children to work as a labourers in the cotton fields of Uzbekistan and India?
3. What are the socio-economic conditions of child labour prevailing in both the countries?
4. How in India commercialization of agriculture and motive of profit maximization have led to the expansion of cheap child-labour in cotton fields?
5. What are the measures and safeguards in order to protect children from child labour?
6. What are the impact of the government's measures and safeguards on the child labour in Uzbekistan and India?

**Hypotheses:**

1. Though Uzbekistan's cotton monoculture is a legacy of Soviet Rule, in the Soviet period forced labour was accompanied by some care for the health of the children and two third cotton was harvested by machine, while at present Uzbekistan's forced child labour is used as regular work at the cost of education due to large-scale out migration of able bodied workers and the need to maximize cotton production

2. In India commercialization of agriculture and motive of profit maximization have seen the expansion of cheap child-labour in cotton fields.

**Research Methodology:**

The study is interdisciplinary in nature as the entire discourse is based and contextualized in historical, cultural insight to contemporary developments and events. The research intends to use qualitative, cultural insight to contemporary developments and events. The research intends to use qualitative method of social research that would require both theoretical and empirical analysis. It takes into account the concept of linkages and comparative theories of child labour which are extremely useful for this research. It examines the comparative study of child labour in the cotton fields of Uzbekistan and India in context of role of State. To that end, case studies would be developed to examine socio economic condition in which the child labourers work in the cotton fields.

This study will try to understand the context of child labour in the cotton fields as a vector comparing Uzbekistan and India. These theories will be tested and juxtaposed to the actual context in Uzbekistan and India. In other words, theories will be used to understand the context following a deductive approach, but at the same time the context will also illuminate on the relevance of existing theories, following an inductive or verification method.

This study like any other study, involves both descriptive and causal methods of inferences regarding the impediments in child labour in the cotton fields. Both structural and agency factors would be taken into account like child labour policies and measures, historical-cultural, ideological factors, and geographical proximity that induces the use of child labour. It will also investigate data based on migration and attendance of children in the school.

This study is based on both primary and as well as the secondary sources. The primary sources of information include government documents, interviews, reports, and surveys conducted by various national and international organizations. Secondary sources will include the existing literature on the subject in the forms of books and articles and web reports.

## **Tentative Chapterisation:**

### **Chapter 1**

#### **Introduction: Conceptual Analysis**

This chapter discusses the child labour, as a comparative study in the cotton fields of Uzbekistan and India. This chapter also surveyeys the available literature in this field and also states the objectives, scope, rationale and methodology of this study.

### **Chapter 2**

#### **Cotton Farming and Child Labour in Soviet Uzbekistan**

This chapter deals with social economic conditions which were faced by the child labourers at the time when Soviet Union existed and to find out the ill-practices behind or reason behind the exploitation of child labours in the cotton fields before disintegration of Soviet Union.

### **Chapter 3**

#### **Socio-Economic Conditions of Child Labour in Cotton Farming of India**

This chapter focuses on the socio-economic conditions of child labour nd under which circumstances children in India work. The chapter also underlines the factors that forces them to work.

### **Chapter 4**

#### **Child Labour in Cotton Farming of Post-SovietUzbekistan**

This chapter analyzes the socio-economic conditions of the child labours and under which circumstances they work in the cotton fields of Uzbekistan. The chapter also discusses the factors for continuation of enforced and continued child labour after the disintegration of Soviet Union.



## **Chapter 5**

### **Legal Measures and the Role of State against child labour inUzbekistan and India**

This chapter assesses the laws, policies and measures which are formulated to protect the child rights and save children from ill treatment. It also analyzes the role of the state in curbing out the exploitation of child as a labour. It further discusses how the government of both the countries play active role in protecting the rights of the children engaged in labour.

## **Chapter 6**

### **Conclusion**

The chapter discusses the major findings of the study and bring about the summary that emerges from the study. It also tests the hypotheses and attempt to answer the research questions.

**CHAPTER-2**

**COTTON FARMING AND CHILD**

**LABOUR IN SOVIET**

**ADMINISTRATION**

## **CHAPTER-2**

### **COTTON FARMING AND CHILD LABOUR IN SOVIET UZBEKISTAN**

#### **Background:**

Cotton was a major crop in the USSR, and Soviet cotton figured prominently in the world of cotton. In the past years, the USSR has led the world in cotton production. It also led in cotton consumption. Because of the country's overall importance as a producer, the rate of expansion, and the long time since Cotton was produced in the country, the 1971 cotton harvest was then estimated to be as large as the record 7.1 million metric tons of unginne d or seed cotton harvested. (Keller 2015) This was equivalent to 10.9 million bales (480 lb. net). Actually, as per Keller, 7,296.000 tons was a new record which was about 7, 00,000 tons above the official production plan, and equivalent to about 11.2 million bales. (Keller 2015:62) In 1973, the Soviet Union was aiming for production over 7.3 million metric tons, some 5, 00,000 tons above the 1973 plan level of 6.8 million tons. (Ibid: 62)

There were early reports of limited water availability and cold weather in some areas, but later there appeared to be no reason to doubt that the goal might not be achieved. In fact there was evidence that the difficulties of the time were strengthening the determination at all levels to exert the extra effort to achieve production targets. (Ibid) Although cotton production always faced serious problems in the USSR, this did not prevent that country from expanding its output to lead the world in cotton production. It also led in cotton consumption. Among major problems faced by Soviet cotton production was the pressure for early maturing varieties of upland and extra-long staple (ELS) cottons. (Keller 2015: 63)

Despite bottlenecks the government continued to give a high priority to cotton production and this was reflected in the continuation of policies:

(1) To extend irrigation into new areas capable of producing cotton and to give priority to cotton for the use of such land (2) to improve water distribution and drainage systems, and to restore the productive capability of soils that had become saline (3) to develop new and improved varieties of cotton and agronomic practices

suited to the various ecological areas (4) to provide machinery, fertilizer, insecticides, and herbicides on a priority basis for cotton production (5) to encourage high production on state and collective farms by means of production targets, publicity with respect to goals, and recognition of superior accomplishment and (6) to provide incentive prices. (Ibid: 64)

**The changing production graph of cotton producing areas:**

Uzbekistan was the leading cotton producing Republic in the Soviet Union. In 1972 it accounted for 61 % of the land area devoted to cotton and 65 % of the total Soviet production. This was in contrast to 1940 when the Republic accounted for 44 % of the area and 63 % of total production. (Ibid: 65).

In that earlier period and for some years thereafter, there was considerable cotton grown in the Soviet Union under rain grown conditions. Virtually all of the rain grown cotton, which accounted for almost one-fourth of the total area in cotton, was found in the Ukraine and RSFSR (Russian Soviet Federative Socialist Republic) (Ibid). Those Republics and Moldavia, where rain grown cotton was grown in some years, as well as Armenia and Georgia, which raised irrigated cotton, all drifted out of cotton production. Irrigated cotton was grown on a regular basis in Azerbaijan in the Trans Caucasus and in Uzbekistan and the surrounding Republics of Turkmenistan, Tajikistan, Kazakhstan, and Kyrgyzstan. (Keller 2015)

These six Republics later accounted for the total cotton production in the USSR, all of which was grown under irrigation starting with 1956. One of the more outstanding characteristics of the Soviet cotton producing areas was their distance north of the Equator. The most southern cotton growing area in the Soviet Union was on about the same latitude as Fresno, Calif, and the northern boundaries of Arkansas and North Carolina. In fact, most of the Soviet crop was grown farther north than the cotton areas of most other cotton growing countries. This forced the USSR to place a great deal of emphasis on early maturing varieties that could yield well under prevailing environmental conditions. (Ibid)

### **Importance of Cotton:**

In the cotton producing Republics, cotton was but one of many lines of agricultural activity and yet it was the dominant agricultural product. Furthermore, in most, if not all, of these Republics cotton was the dominating factor in their entire economy. Clearly, it was government policy to give cotton top priority for resources whether land, water, labour, machinery, or fertilizer. Many other lines of economic activity operated primarily to support the development and continued growth of the cotton producing industry. (Stephenson 2002)

If irrigation water became scarce for an extended period, it was cotton that received top priority, other crops suffered reduction. The 1971-1975 National Plan called for cotton acreage to reach 3 million hectares (7.4 million acres) by the end of the period, compared with 2.7 million hectares (6.8 million acres) in 1972. The 1975 goal for production was 7.2 million metric tons of seed cotton (11.1 million bales of lint), or only slightly below the 1972 level of 7.3 million metric tons (11.2 million bales). (Ibid:15)

Cotton specialists visualized continually rising needs for greater cotton production as the population increased and per capita use of fiber continued to expand. Over the long run they put more efforts to create more reservoirs to better utilize available water resources, of improved canal systems to reduce water losses, and of the extension of irrigated cotton cultivation into certain arid or semiarid areas that hold a potential for cotton production if water is provided. (Ibid)

Offsetting part of this proposed expansion of cotton on new land was some displacement of cotton by vegetable and fruit crops in established cultivated areas near population centers. Also, in certain areas where soil salinity or verticillium<sup>1</sup> wilt<sup>2</sup> were serious problems, a reduction in cotton acreage was brought about by crop rotation schemes or some of the various practices employed to correct salinity. (Stephenson 2002)

The importance of cotton in the economy of the Republics was manifested in the widespread use of the cotton ball as a major design in fabric, handcrafts, chinaware, gates and gateposts, wall sections, fountains, and even as decorative lights around

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<sup>1</sup>A fungus of a genus which includes a number that cause wilt in plants.

<sup>2</sup>To bend and start to die, because of heat or a lack of water.

street lamp posts along principal avenues. These manifestations were especially noticeable in Tashkent, the capital of Uzbekistan, the largest cotton producing Republic in the USSR. (Ibid)

### **Psychology of Plan Fulfillment:**

In the cotton producing Republics of the USSR importance was attached to the yearly production goal, or plan, for cotton. Over fulfillment of the plan was a badge of achievement that was the ambition of managers and administrators at all levels. Huge sign boards along the streets and by public buildings of capital cities, towns, and cotton producing farms proclaimed the planned production targets of the Republic, Oblast, Raion, or farm, as the case might be. Charts showed the performance in recent years of actual production in relation to the plan for cotton and other important crops, and were much in evidence. (Cotton production in the Soviet Union 2017)

Farms normally allocated approximately one fourth of their “expected earnings to labour” as bonuses designed to provide the maximum incentive to exceed, or at least to fulfill, the plan. During harvest time, daily newspapers reported the previous day’s deliveries to the state procurement points and also season to date deliveries against the plan. (Ibid)

In many places, including museums and exhibit halls of economic achievement in the major cities, there were displays of large photographs of people honored for exceeding the plan or other outstanding performance at the work brigade, farm, or district levels. Obvious objectives were to develop a real sense of rivalry at each level of activity to stimulate an extra effort to exceed the plan or quota by the largest possible margin. (Ibid)

Cotton acreage, as reported officially by the USSR, had remained within the fairly narrow range of 2.1 million to 2.8 million hectares (5.1 million to 6.8 million acres) in the past years. Over most of this period, “acreage had shown a gradually rising trend. Production had trended upward at a steeper rate, and in 1970, 1971 and in 1972 it established new record highs. In the latter two years production was more than double the 1950 level. An effort was being made to push production still higher in 1973. Soviet officials expected that the 1972 crop, being harvested would equal or be slightly above the 1971 production of 7.1 million tons of seed cotton or the equivalent of 10.9 million bales. Production, in fact, totaled 7,296,000 tons the equivalent of 1 1.2 million bales.” (Cotton production in the Soviet Union 2017: 11-12)

In past years there was a substantial upward trend in both yield per unit of land area and total production of cotton. In fact, in the past years 1967 1970 and 1971 Soviet cotton production has exceeded that of the United States and ranked first in the world. (Ibid: 16-17)

### **Development of cotton monoculture during the Soviet era:**

The cultivation of cotton in Central Asia has a long tradition which goes back to the times before the Russian Empire and the Soviet era. One of the reasons for including this region to the Russia Empire in the second half of the 19th century was a huge demand for cotton on the Russian market. At the same time the civil war broke out in USA and the import of cotton to Russia was suspended, resulting in cotton expansion in Central Asia, where this plant was called “the white gold”. (Spoor 1993)

After the October Revolution in 1917, the area of the cultivation of cotton and its production base expanded rapidly. Later, investments in the irrigation systems and the water infrastructure were completed. By the beginning of 1970’s “a clear-cut cotton monoculture had been developed (in the Uzbek Soviet Socialist Republic), with “cotton-barons” dominating the complex, making use of falsified output and yield data, illicit trade practices and forced labour”.(Ibid: 13)

The Uzbek “cotton affair” broke out in 1983. The scandal disclosed a scale of falsification of statistic during harvest and other corrupt practices. The crop sizes had been artificially inflated, thus the Nomenclatura (Bureaucrats or Administrators) received various benefits, and the Uzbek Soviet Socialist Republic gained additional inflows from the state budget. According to Kuryłowicz , “What is more relevant, this affair showed Uzbekistan’s position in the Soviet Union, connections of elites in Moscow and Tashkent and allowed them to benefit from cotton industry.” (M. Kuryłowicz 2014:26)

Fasulev argued that cotton is a resource which can be sold and exported easily, because it does not require any special transmission infrastructure. “During the first half of 1990’s Uzbekistan was exporting about 20 different goods of which cotton accounted for 82.6 percent of the general export volume.” (Fasulev 2001:75)

The state had a valuable product which guaranteed cash inflow to the budget. It also helped to mitigate the negative results of the collapse of the Soviet Union and economic crisis afterward. Despite the fact that the cotton’s export slightly decreased

in the late 1990's, it maintained its position as one of the most desirable goods from Uzbekistan. Over the period 1994-2000, the sale of cotton provided about 25 percent of foreign currency income in the budget. (Sirajiddinov 2001)

During the first years of Uzbekistan's independence, export of cotton generated a significant part of the national GDP. Export also provided inflow of hard currency.

The whole production of cotton remains under the state control. The cotton price is manually determined by the state bodies is based directly on market prices. The procurement price, which government pays to farmers, is lower than the one on the world market. This gap represents an invisible tax on farmers and extra income for the state. (N. Djanibekov 2010)

In Uzbekistan "double pricing system" was implemented in order to encourage farmers to fulfill state procurement targets. Under this system, half of the state procurement quota of cotton could be sold either domestically or abroad at a negotiated price that is 20% higher than the SP (state price). (Ibid:05) A challenge for independent Uzbekistan was a process of agrarian transformation. The state retains the right of land ownership, so Uzbek farmers only lease land from the state. The system of subsidies for farmers is also developed in Uzbekistan.

### **Production practices:**

Soviet cotton farms were large. There were 2,154 cotton growing farms in 1971 and the average cotton acreage per farm was 3,178 acres. Farms in Azerbaijan were substantially smaller than in the other Republics, averaging only 1,215 acres of cotton per farm, and in Kazakhstan substantially larger than average with 5,214 acres per farm. (Keller 2015:71)

Both in terms of number of farms and total area in cotton, collective farms tended to dominate cotton production. Mechanization and Labour Utilization for many years was high priority in the USSR that included development of farm machines that can perform the various tasks associated with cotton production. There were many such machines that grew in number over the years. Mechanization, therefore, had a very real impact on cotton production and harvesting in the USSR. (Keller 2015)

Machines were available for land preparation, planting, cultivating, spraying, and harvesting. Apparently all of these machines had been or were being used to limited



extent in all areas. It was reported that mechanical pickers were not used to pick cotton from which the seed was to be used as planting seed, nor were they used for early-picked extra-long staple cotton. (Ibid)

According to Stephenson labour input was quite high and comparatively machine efficiency was low. Azerbaijan had the highest labour input per bale, with over 300 hours in later Soviet years, but the average for all collective farms in the USSR has ranged from 233 to 264 hours per bale. On state farms the national average has ranged from 179 to 229 in the corresponding group of years. Data for four highly efficient state farms showed a range from as high as 148 to as low as 58 hours of labour per bale. (Stephenson 2002:71)

Even though a large amount of labour was still used in cotton production, many aspects of mechanization were considered by the Soviet authorities to be very worthwhile. For example, they pointed out, that even the current level of machine picking shortens the picking season so that normally the crop was out of the field before bad weather set in. Thus, when moisture arrived in the form of fall rains, the crop was usually harvested and land preparation for the next crop could commence. Fall plough has long been a recommended practice since cotton planted on fall-plough land reportedly out yields cotton on spring-ploughed land by a considerable margin. (Ibid)

Each practice, from stalk removal from the fields during the fall season through harvesting the crop the following year, seemed to require relatively high hand-labour expenditures. Among these practices were: stalk removal, thinning, weed hoeing, irrigation of unlevelled fields, picking (in some areas), and gleaning of fields after machine harvesters have made two trips over the field. (Ibid)

“It was estimated that machine pickers leave at least 20 percent of the cotton in the field, on the stalks and on the ground. But, as far as possible such cotton is always carefully picked up, mostly by hand, and made a part of the total seed-cotton harvest.” (Ibid: 71-72)

A large portion of the crop was dried in drying yards before delivery to the procurement center or gin. The dumping, spreading, stirring, and reloading also required large amounts of hand labour. (Keller 2015)

“Topping of cotton plants toward the end of the fruiting period was a customary and widespread practice. The upland plants were topped to a height of about 1 meter (39 inches) and ELS (extra-long staple) plants were topped to about 110 centimeters (43 inches).” (Keller 2015:72)

Reasons given for topping were to open up the plant, to hasten boll maturation, and to increase picking efficiency. Topping by machine was practiced, but most topping appeared to have been done by hand. Most of the cotton was defoliated with chlorate defoliant before harvesting. Some phosphates were also being used for defoliation. Considerable hand labour was used for weed control in spite of the fact that herbicides were used rather widely and tractor cultivation equipment was abundant. (Ibid)

### **Fertilizers and Weed Control:**

The USSR gave cotton a high priority on fertilizer availability. Throughout the areas, fertilizer practices were similar. Soil tests reportedly were used extensively for determining fertilizer needs. (Keller 2015)

“Fertilizer was generally reported to be applied at the rate of 150 to 250 kilograms per hectare (134 to 223 pounds per acre) for both nitrogen and phosphorous and 70 kilograms per hectare (0 to 62 pounds per acre) for potassium. No micronutrients were being used since it indicates that there were no deficiencies.” (Ibid: 72)

Some farms were following a rotation pattern of 7 years of cotton followed by 3 years of alfalfa, (a leguminous plant with clover-like leaves and bluish flowers), native to South West Asia and widely grown for fodder. Applying about 40 metric tons of animal manure per hectare (about 18 short tons per acre) between the third and fourth year the land was in cotton. (Keller 2015)

Some agricultural chemicals appeared to be in much more abundant supply than others. The commercial use was low to nil in the case of some insecticides and herbicides for which favorable test results were reported by experiment stations. In most cases, the key factor appeared to be whether the material was produced in the Soviet Union or was imported. (Ibid) If produced domestically, they could expect to obtain desired quantities, but as long as it remained an imported item, the availability might be insufficient for widespread use unless it were granted priority status for foreign exchange as appears to be the case with fluometuron (it’s an herbicide), which was imported from Switzerland. (Keller 2015)

### **Diseases and Insects:**

The strong government policy, for expanded cotton production, and its manifestation in a number of programs, was to encourage the achievement of this objective. Though this resulted in gradual expansion of cotton production. The government was nonetheless aware of the presence of important negative factors. Among these were the problems with verticillium wilt (a fungus of a genus which cause wilt in plants), clearly the most serious disease problem faced by cotton plants in the Soviet Union. Efforts to deal with it included breeding, land selection, crop rotation, and stalk removal from fields. (Cotton Production in Soviet Union 1973)

The farm operator addressed the wilt problem by deciding which fields should be growing cotton and which should be for other uses. In areas of widespread and intense infestation (the presence of an unusually large number of insects or animals in a place, that typically cause damage or disease), and especially in the typical situation where cotton occupied a high percentage of the total irrigated cropland on the farm, the manager had little non-infested irrigated land available and thereby were forced to decide whether to plant cotton on heavily infested land and suffer a loss of yield or to reduce his cotton acreage. (Ibid)

The most frequently mentioned and replacement crop for rotation was cotton-alfalfa. However this also involved certain type of impasse. A farmer bothered by wilt might want to put some of his most severely infested cotton land to alfalfa. However, he could find that to do so will jeopardize the farm's meeting its goal for cotton production and thus reduce the income. (Ibid)

“Therefore, the fullest control of verticillium wilt through either land selection or crop rotation was difficult or maybe impossible when such a high percentage of irrigated cropland was devoted to cotton. In some parts of Uzbekistan the ratio of alfalfa to cotton area on cotton farms was several times greater than in other areas and in none of the oblasts in the 1969 indicate more than 10.4 acres of alfalfa per 100 acres of cotton. Total alfalfa acreage had been increasing in the four leading cotton Republics.” (Cotton Production in Soviet Union 1973: 70)

In order to see whether any trend in damage from verticillium wilt could be detected through time, cotton acreage, production, and yield data by Oblasts for Uzbekistan, there were surveys for the years 1966-1971. These were not conclusive from a cause

and effect standpoint, but they do suggest that the main gains in cotton acreage over this 6-year period were in the areas where the ratio of alfalfa to cotton was lowest. (Cotton Production in Soviet Union 1973: 70)

However, cotton acreage was generally maintained in the areas with the highest ratios of alfalfa to cotton. The rotations were accorded a higher priority for effective control of wilt in the USSR than in the United States. But that, in practice, the U.S. farmer's performance with respect to rotation was better largely because the U.S. farmer usually placed a lower percentage of his potential cotton land in that crop in any given year. Generally, farmers and professional people in the field seemed to think that they had experienced greater success with wilt control through plant resistance and crop rotation. (Ibid)

However, it can be concluded from the information made available that success in the USSR with wilt control through variety resistance cotton seed and rotations was about on the same level as in the United States. (Ibid) Some scientists reported that seedling diseases caused a minor problem. The cotton planting seed was treated with a copper fungicide for control of seeding diseases. (Cotton Production in Soviet Union 1973)

Spider mites and the cotton moth were the pests generally mentioned as requiring control measures. Dameton, known under the trademark systox, is the insecticide generally used for spider mites. These materials apparently are in the same chemical family as dicifol, known under the trademark as Kelthane. (Ibid) The cotton moth is the major cotton insect. It lays eggs on cotton foliage and the larva feeds on squares and bolls much like the bollworm (*Heliothis*). In most countries, this insect is recognized as belonging to the *Heliothis Armigera* (Complex), but in the USSR it was considered to be in the genus *Chlorida*. (Ibid:76)

### **Irrigation and Water Management:**

The cotton production area was 100 percent of the cotton crop was under irrigation and no charge was made to the farm or to the production operation for the water used. It was pointed out that ample water was available for irrigation of their current acreage, but in parts of Uzbekistan, water shortages sometimes occurred between mid-July and mid-August. (Foreign Agricultural Service 1973)

However, whenever water becomes relatively scarce, it was normal to give cotton top priority and force the burden of any reduction of water to fall entirely or mostly

another crops. Approximate irrigation water requirements ranged from 20 inches in areas of higher rainfall to 48 inches in areas of lower rainfall. (Ibid)

“The cotton area was practically all pre-irrigated, in the winter on heavy textured soils and in the spring on lighter soils. Four to five crop irrigations were usual. It was estimated that 99 percent of the irrigated cotton received water from irrigation projects and delivery canals, while only 1 percent was derived from deep-well pumps. No deep-well pumps were seen, arid (desert) lands were being developed for irrigation by land leveling to an engineered grade with heavy mechanical earth-moving machines.” (Foreign Agricultural Service 1973)

However, as far as could be determined, a large percentage of fields or land areas producing cotton had received little or no large-scale land leveling or grading. As is to be expected under such conditions, there was considerable variation in the length of the water run. A small percentage of the land was naturally smooth and level enough to allow rather long runs. (Ibid)

But in most fields the slope of the land was such that short to very short runs had to be used in order to achieve anything approaching uniformity in water distribution. Water was usually delivered to the high point of a cotton field in an open ditch, but occasionally this is done by means of open concrete flumes. From the delivery point on the supply canals, water was distributed to the field in small open ditches and run down each furrow by gravity. (Ibid)

Typically, the average length of run was short. No pipelines, siphon pipes, gated pipe, or sprinklers were observed in use. The only light-weight irrigation pipe observed was designed to be coupled together with a gasket and four bolts. This pipe was stored on an experiment station. (Ibid)

Cotton was irrigated later in the season than was customary in the United States. The fields were being irrigated as late as October, when one third to a half of the crop was still in the green-boll stage. In some fields, irrigation water had been applied after the first picking. The practice of late irrigation is old and well established, and it increased the yield and also improved the quality of both the lint and seed. (Ibid)

However, there appeared to be some scepticism on the part of some Soviet cotton specialists whether late irrigations increased or decreased yields on wilt infested areas. Nevertheless, of all of the cotton production practices in the USSR, the practice of late-season irrigation was one of the most preferred. (Foreign Agricultural Service 1973)

### **Harvesting:**

In harvesting, as well as in other aspects of cotton production, the USSR attached great importance to the development and use of machines that would perform jobs previously done by hand. (Foreign Agricultural Service 1973) “According to data made available there were nearly 42,000 mechanical cotton pickers on farms in the Soviet Union in the fall of 1972. Of these, nearly 15000 were the comparatively new four-row model. Machines picked 38.1 percent of the total crop in 1971. On state farms the percentage was 55.5 percent and on the more numerous collective farms it was 32.7 percent.” (Cotton production in the Soviet Union 2017: 50)

In the Republics, greatest reliance was placed on machine picking in Kazakhstan and Kirgizia, where 58.1 and 51.8 percent respectively was machine picked. In contrast, only 18.9 percent was machine picked in Azerbaijan, which was the only Republic to machine pick less cotton than called for by the official plan. Tajikistan machine picked 21.9 percent of its crop and Uzbekistan 40.7 percent. In all Republics, the percentage was higher on state farms than on collective farms. (Ibid)

Although the bulk of the Soviet cotton crop was picked by hand, the share picked mechanically was increasing. “For example, the 38.1 percent picked by machine in 1971 compares with 6.6 percent a decade earlier. Extra-long staple cotton was picked by hand at least the first two pickings but efforts were being made to design machines that would handle extra-long staple cotton satisfactorily.” (Cotton Production in Soviet Union 1973: 95)

The Soviet picker was a spindle machine but its design was quite different. The Soviet picker compressed the plant considerably. This was made necessary by the use of verticle barbed spindles that pass along the sides of the greatly constricted cotton plant as it slides through the very narrow picker head. The narrowness of the passage appeared to cause considerable damage to the plant during the first picking if there was still a heavy crop of unopened bolls. (Ibid)

Cotton was hauled from the field to the drying yard and then to the procurement centers in “universal trailers” that could hold about two bales and were equipped with hydraulic dumping mechanisms working off the tractor that pulls them. (Ibid) Since the trailer boxes were rather small in relation to the basket on the picker, the process of dumping the picker basket was slow and labour-consuming, since a considerable

amount of cotton spilled over the sides of the trailer and was picked up by hand and returned to the trailer. (Cotton Production in Soviet Union 1973)

Furthermore, because of the relatively small trailer box, cotton was tramped after the first picked basket load was deposited to make room for loading additional amounts.

All unginned cotton was sold by the farms. Under the Soviet system, there are four grades of unginned cotton, based on fiber quality, moisture, and trash content. (Ibid)

### **Pricing:**

As a part of each 5-Year Plan, the Soviet Government established a basic price for cotton, which remained fixed for the duration of the plan. Under the 1971-1975 plan, the price per ton of seed cotton for each of the four grades of both upland cotton and extra long staple cotton varied considerably, depending on the efficiency with which the various areas raise cotton. (Foreign Agricultural Service 1973)

In high-salinity or other relatively low yielding areas, prices per ton are set higher than in the higher yielding areas. For example, the price of Grade 1 Upland cotton ranged from 490 rubles per metric ton of unginned cotton in low-yielding areas roughly equivalent to 26.1 cents per pound of lint<sup>3</sup>. (Ibid)

### **Reclamation and Soil problems:**

In each Republic high salinity and a high water table restricted the yields in many of the producing areas. However, they also stressed that they had been successful in continuously increasing the yields in these areas by leaching the salts below the root zone through construction of drainage systems and applications of water. (Foreign Agricultural Service 1973)

Gypsum was used in some areas where high sodium content was a problem. The drainage systems seen in the fields were mostly of the open ditch type. In the areas of high water table and high salinity no drainage systems were apparent, and in others the existing systems were inadequate for the purpose intended. (Ibid)

In all the Republics, it was evident that the USSR was pursuing a policy of developing and expanding irrigated lands by reconditioning old salted-up areas, by bringing new

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<sup>3</sup> Small soft pieces of wool, cotton etc. that stick on the surface of clothes, etc.

desert land into cultivation, and by extending irrigation into areas that formerly were non irrigated farming areas. (Foreign Agricultural Service 1973)

Cotton was being cultivated as the first crop on most of the newly developed soils regardless of whether they had been alkaline and high salinity soils or high producing soils. Ordinarily grain was not grown in the development of new lands because other Republics and areas could produce it more economically. (Cotton Production in Soviet Union 1973) Clearly, salinity was a problem and the salting-up process was continuing. Corrective action was in evidence, but it was not possible to determine whether on net balance the salinity problem was getting better or worse over a period of several years. (Ibid)

Consequently, the gradual expansion of cotton acreage and the rising trend in yields indicated that the salinity problem, though naturally a negative factor, was not of such magnitude and severity as to offset the various plus factors and force a net reduction in cotton production. (Cotton Production in Soviet Union 1973) The conclusions that was reached reflect this as well as an implied assumption that the resources committed to various better practices will be increased as necessary over the next several years to prevent any upward trend in net salinity from causing either the acreage or yield of cotton to start trending downward. (Ibid)

### **Planting Seed:**

The varieties of cotton grown in the various zones or regions of the USSR were determined by officials of the Ministry of Agriculture, USSR, after consultation with specialists in the various institutes and experimental stations. (Foreign Agricultural Service 1973)

Agronomists and other specialists on the state and collective farms were also consulted. Having determined the variety or varieties to be grown in each of the zones, and the quantities of seed that will be required for the following year, each farm was given its goal. In total, there were 80 collective and state farms that raised elite planting seed and they receive a premium price for their cotton. (Cotton production in Soviet Union 1973)

The ginning was done at specially designated planting seed gins. Following ginning, first-cut linters were removed on linter saw stands. There was an interest in removing all linters from planting seed, but acid delinting facilities were not available and experience indicated that mechanical delinting does considerable damage to the seed.



A copper seed-disinfecting compound was applied to planting seed before it was bagged, stacked, and stored to await distribution to the production farms in the spring. (Ibid)

**Storing and ginning:**

Cotton shifts out of the farm domain and enters the industrial domain when it moved on the conventional universal trailers from the farm to the local procurement center. At these centres, gins, and the activities related to them came within the jurisdiction of the Ministry of Light Industry rather than the Ministry of Agriculture. (Cotton Production in the Soviet Union: 1973)

There were 139 gins<sup>4</sup> and some 654 procurement centers in 1970. Each gin served the dual function of procurement center and gin. In addition, a gin typically also received the cotton from three other procurement centers, located at outlying points. (Ibid: 166)

On arrival at the procurement center, the cotton was sampled, graded, and weighed. Seed cotton intended for planting seed was kept separate and given special handling. Both procurement centers and gins typically were equipped with dryers so that additional drying could be done if needed. (Cotton Production in the Soviet Union: 1973) The cotton was distributed by homogeneous lots, taking into account grade, variety, and type of picking. Upon arrival at the procurement center, high moisture cotton could either be dried so that it could be stored in the large stacks or held in sheds or in low stacks for a comparatively short period until it could be moved to the gin. In general, only low moisture cotton would be put in large stacks and held for prolonged periods before ginning. (Ibid)

The stacks, which were formed on raised asphalt or concrete bases, were typically about 80 feet long, 45 feet wide, and 30 feet high, and hold from 300 to 500 metric tons of seed cotton (about 500 to 800 bales). Specialized machines were used both in forming the stacks and in breaking the cotton out of them. Each procurement center handled from 10,000 to 14,000 tons (about 16,000 to 22,000 bales). (Cotton Production in the Soviet Union: 1973: 167)

A large amount of labour was expended in unloading, stacking, and covering the cotton and then in the movement of the cotton from stack to gin. Cotton was moved

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<sup>4</sup>A machine that separates cotton from its seeds.

from the stack to the gin by pneumatic (filled with air) pipe in the case of those procurement centers located at gins. In the case of outlying procurement centers, motor trucks were used to haul the cotton to the gin. (Ibid)

The gins were powered by electricity and equipped with seed cotton cleaners, belt distributors, and 80-saw gin stands. In the USSR, a single (or first) cut of linters was taken at the ginning plant immediately after the ginning operation (removal of lint from seed). Special linter-saw machines (similar to those used at U.S. oil mills) were used for this purpose. These were located in a room or building adjacent to the main gin room. (Ibid)

Normally, a gin crew consisted of 18-20 people. Gins ran 3 to 7 hours shifts per day and operated 10 to 11 months per year. Soviet cotton bales, which averaged about 485 pounds net weight, were wrapped in either jute or cotton bags. (Ibid)

According to a report, one small sample analyzed appeared to be produced from low grade short staple cotton or from reasonably good quality cotton textile mill waste. It was sewed with a good quality cotton thread. The patterns placed in the press cover the four sides of the bale and heads were sewn on by hand after the bale was removed from the press. (Ibid)

The bales measured 37 inches long, 30 inches wide, and 24 inches deep and range in weight from 180 to 240 kilograms (from 397 to 529 pounds.). They were tied with 9 to 11 wires or bands and had a density of about 27 pounds per cubic foot. Extra-long staple cotton was reported to be mostly ginned on roller gins of which there were 11-12 stand installations in the Soviet Union. (Cotton Production in the Soviet Union: 1973: 168)

### **The Ecological Aspect:**

During the Soviet era, centrally planned economy contributed to the ending of various vegetations and rotation of cultivations. “Cotton culture covered about 90% of all agricultural area. The chemical fertilisers were used in agriculture on a mass scale and caused soil degradation and environmental damage”. (Capisani 2004:02)

As a result of developing of irrigation systems in Central Asia in the second half of the 20th century, ecology balance was seriously compromised and led to environmental disaster. The most well know examples of the Soviet over exploitation were environmental disasters in the Areal Sea basin and shrinking of the Areal Sea. Eventually, the Areal Sea morphed into a salt desert. The last sources of water in this

region were heavily contaminated and could not be consumed by people. The other problem was a toxic dust. (Ibid: 02)

The intensive use of water resources for irrigation and outdated infrastructure caused decrease of the water level in local rivers. The change of ecosystem negatively affected the economic and cultural development as well as the quality of life in this region. The water loggings, soil salinization and ecosystem changes reduced agricultural production and contributed to economic losses and poverty. (Ibid)

Currently, agricultural chemicals are still used on a mass scale. Polluted water and sewage which flow down from the fields cause contamination of rivers. To make things worse, this water was intended for the needs of households. More than a half of the fields in Uzbekistan was contaminated. The lack of access to clean drinking water caused serious health problems among the Uzbek population. (Ibid)

### **Foreign trade in cotton:**

The USSR typically carried on a sizable international trade in raw cotton, with exports ranging between 1,477,000 and 2,546,000 bales per year and imports between 6,28,000 and 1,1 84,000 bales over a 10 year period between 1960-1970. (Strickman 2008:44)

The USSR regularly exported cotton to some 20 countries of which, the seven largest accounted for about three-fourths of the total. In order of volume, the largest market for Soviet cotton was Poland, (which took an average of 4,04,000 bales per year during the 1967-1971 period), followed by East Germany (3,76,000 bales), Czechoslovakia (279,000 bales), Japan (2,76,000 bales), Hungary (1,85,000 bales), Bulgaria (1,75,000 bales), and Romania (1,42,000 bales). (Strickman 2008:44)

The USSR imported cotton from 11 to 15 countries over the past years. Egypt had been the leading source of imports (averaging 3,91,000 bales per year during the 1967-1971 period), followed by Sudan (1,41,000 bales), Syria (1,23,000 bales), and Iran (84,000 bales). These four countries accounted for 84 % of all imports. “Volume of trade, however, is not the only criterion for judging the importance of a country as either a source of cotton or as a market for cotton.” (Ibid: 44)

For example, the volume of exports to some of the smaller cotton consuming nations was not large in absolute terms but the volume obtained from the USSR had been a very important factor in the economy of countries such as Cuba, Finland, and North Korea. (Ibid)

Similarly, the USSR as a customer for cotton had been valuable to producers like Afghanistan, Mali, and Morocco in much the same way as to the larger producers already mentioned. Any examination of the USSR's international trade in raw cotton suggests that decisions to buy or sell may have been motivated by either economic or political considerations or both. (Ibid)

One aspect of the USSR's import pattern that had attracted considerable interest in cotton circles was the relatively large import of extra-long staple cotton in view of its own sizable production of fine staple cotton, much of which would appear to be in the ELS (extra-long staple) staple range. "For example, Egyptian export statistics indicate that, on the average, during the 5 years 1967 to 1971, of the cotton exported to the USSR some 2,62,000 bales or roughly two bales out of three were ELS (extra long staple) cotton."(Foreign Agricultural Service 1973)

Similarly, over 90 percent of Sudan's exports to the USSR were ELS cotton and all of Morocco's small exports. "There is no available record of whether some of the ELS cotton imported is itself exported or whether the USSR exports some of its own fine staple production." (Ibid)

Some years ago, numerous comments were made about the USSR's exporting Egyptian cotton into Western Europe, but there was a dearth of tangible evidence of such shipments. If for purposes of this analysis it was assumed that some extra-long staple cotton of either domestic or foreign origin was exported by the USSR, it would still appear that the USSR's mill consumption of extra-long staple cotton was high when compared with other countries. (Ibid)

Since few textiles in the USSR that were obviously made from ELS cotton, one can but wonder whether the Soviet textile industry did more blending with ELS cotton than in most other countries or whether certain products were made from fine staple cotton that in other countries would tend to be made from manmade fibers.(Ibid)

### **Cotton textile industry and fiber consumption:**

The USSR reached the position in 1970 to 1971 of having the largest cotton consumption of any country in the world, followed by first the United States and then the People's Republic of China, according to reports of the United States Department of Agriculture. (Cotton production in the Soviet Union 1973)

The Soviet textile industry grew at a fairly rapid rate. Active spindles increased from 10.8 million in 1960 to 14.6 million in 1970. Active looms increased from 2,25,000 to 2,78,000, and the composition shifted as automatic looms increased from 98,000 to 2,32,000 and ordinary looms shrank from 1,27,000 to 46,000. (Ibid)

Cotton demanded by on cotton equipment increased from 1.3 million metric tons in 1960 to 1.7 million in 1970. Meanwhile, manmade fibers consumed on the cotton spinning system increased from 1,35,000 metric tons to 3,09,000 and total fiber consumption in the industry from 1.5 million metric tons to 2.0 million metric tons. Cotton's share of the total dropped from 91 to 85 percent but this rate of decline in cotton's share was much smaller than in many other countries. (Ibid)

According to FAO (Food and Agriculture Organisation), total per capita fiber availability in the Soviet Union in 1970 averaged 25.7 pounds per capita. This placed it within the top 20 nations of the world in the per capita availability of cotton, wool, and manmade fibers combined. In addition to a high level of total per capita fiber availability, the trend had been definitely upward, having increased 26 percent between 1960 and 1970. (Foreign Agricultural Service 1973)

Most of the increase occurred in the latter part of this period. Among the various fibers, per capita availability of cotton increased 11percent from 14.3 pounds to 15.9 pounds, wool was the same at 3.1 pounds in 1970 as in 1960, although it was lower in some of the period, while manmade fibers more than doubled. (Ibid)

The largest percentage gains in manmade fibre occurred in the noncellulosic<sup>5</sup> fibers but the larger absolute gain occurred in cellulosic fiber, which in 1970 accounted for nearly three-fourths of the total for manmade fibers. (Ibid)

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<sup>5</sup>Synthetic fibres made from materials other than plant derivatives.

### **Cotton Farming and Child Labour in Soviet Uzbekistan:**

In Soviet times up to two thirds of Uzbekistan's cotton was harvested by machine. In independent Uzbekistan this figure has dropped to just 10 percent. Instead, the majority of Uzbek cotton is gathered by hand, often by children. (Group of Human Rights Defenders and Journalists of Uzbekistan 2008)

According to reports from nine of Uzbekistan's twelve territorial units, (Jizzakh, Fergana, Namangan, Syr Daria, Surkhandaria, Bukhara, Khorezm, Tashkent and Samarkand provinces) by the third week of September local governments and school administrators sent children as young as the seventh grade (ages 13-14), and in some cases as young as fifth grade (11-12) out to the fields to pick cotton. By the end of September, pressure to bring in the harvest before rains led local officials to order the school children, from first grade on, to labour on the harvest. (Ibid)

In Fergana, schools are closed and children are sent out from September, forcing children to sign statements that they would remain in school after the end of semester. Experts suggested that the statements are intended to give local government officials plausible deniability if the children's presence in the fields was challenged. (Ibid)

In Namangan, human rights defenders observed that children from several schools, some as young as eleven, picking cotton in 2007. Every day local government officials and bureaucrats from the local education department visited the fields to check up on the number of pupils out picking, and to make sure that harvest targets were being met. (Ibid)

Similarly the Samarkand provincial government also sent its school children out to pick cotton in September. Children as young as 13 were forced from their classrooms, though high school, junior college as well as university students (ages sixteen and above) were also sent out to the fields for several weeks. (International Labour Rights Forum and Human Rights Defenders in Uzbekistan 2008)

Children recruited to pick cotton in their vicinity were able to return home to their families in the evenings. But older children and those conscripted to work in the more remote cotton farms were forced to sleep in makeshift dormitories on farms, or even, in classrooms, often with poor living conditions, at times drinking irrigation water and with insufficient or poor quality food. (Ibid)

Some children recounted living in barracks with no electricity, no windows or no doors. After weeks of arduous work and poor accommodation children could be left

exhausted and in poor health. Human Rights Organisations confirmed eight deaths of children working in the Samarkand region over a two year period. (Ibid)

Many more suffered with chronic diseases including intestinal infections, respiratory infections, meningitis and hepatitis. While it was certain that the Uzbek regime exploited children under the Soviet Union, forced labour was accompanied by some care for the health of children, the quality of their nutrition, and development of the rural social infrastructure. (Ibid)

The Paris-based group Human Rights in Central Asia reported that in post-Soviet Uzbekistan forced labour is compensated neither by decent payment, nor through public funds. “Every year, starting September, schools across the country are closed for more than two months. Students are forced to pick cotton by order of central and local authorities. Children work at least eight hours daily on the cotton fields, sometimes without rest for days. They inhale dust, laden with residues of chemicals, pesticides and defoliants used in the fields before the cotton harvest.” (Bhat 2013:14)

The use of children ensures maximum profits to the ruling elite, which benefits from the supply of cotton to Western consumers. The use of child labour violates international laws and conventions to which many governments of cotton producing countries are signatories. (Initiative Group of Independent Human Rights Uzbekistan) Children’s normal education is interrupted to serve the interest of the small elite who benefit grossly from the high profits from trading cotton on the world market. (Ibid)

As a result of forced child labour, children cannot learn in schools and colleges during the academic period, and lag behind in the school curriculum, while some children fall sick from hard work and exhaustion. (Initiative Group of Independent Human Rights Uzbekistan)

The refusal to collect cotton can be punished by expulsion from the educational institution. The students are beaten up by school staff for refusing to work for the cotton harvest. Child labour provides more than half of the cotton produced in Uzbekistan. Payment to the children is negligible. (Ibid) There are tens of thousands of children forced to work in the fields each year. Children are being used as cheap labour force by a government which imposes Soviet-style cotton quotas, and which is unwilling to pay a decent living wage to cotton farmers and labourers, thereby

ensuring that children are used instead of adults. . (Initiative Group of Independent Human Rights Uzbekistan)

The practice violates the UN convention on the rights of a child. The convention provides that “children have a right to be protected from performing any work that is likely to be hazardous, or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.” (Bhat 2013:23)

As forced labour on the cotton harvest prevents children from attending school for over a third of the academic year, it clearly violates the children’s right to an education. Work on the harvest and exposure to pesticides and defoliants is also demonstrably detrimental to children’s health, Human Rights Watch (2001) in Central Asia reported that cheap clothing and other cotton items in the developed world are being subsidised by child labourers in poor cotton producing countries. (Human Rights Watch. 2000)

### **Cotton Monoculture: Historical Background:**

Uzbekistan’s cotton monoculture is a legacy of Soviet rule. The centrally planned Soviet economy aimed to make the USSR as a whole self-sufficient. To this end certain republics became highly specialized producers of certain commodities for consumption within the Soviet market and in certain cases export for hard currency.

The Soviet government concentrated on growing cotton in Uzbekistan at the expense of all other crops. (Bhat 2013) As a result of this cotton monoculture, Uzbekistan continues to suffer from a variety of economic, political and ecological deformities, not the least of which has been the drying up of the Aral Sea and the poisoning of the surrounding land with salt. (Ibid)

Already in the 1860s, in response to the loss of the Southern US as a source of cotton, the Tsarist regime sought to promote the cultivation of cotton in what is now Uzbekistan to provide raw material for its textile mills. In 1925 and 1926, Soviet land reform eliminated the problem of landless peasants cultivating other people’s lands in the region. (Ibid)

However, most of the small plots owned by Uzbeks remained too small to be economically viable. The inability of Uzbek farmers to make a living from these parcels of land facilitated the collectivization of agriculture in the early 1930s. Unlike



European areas of the USSR, strong class antagonisms between the formerly landless peasants and the former land owning class or bais remained muted. (Ibid)

Many bais retained positions of notable influence in rural communities despite the confiscation of much of their wealth during the land reform campaign. To remove this influence, which the Soviet government connected with opposition to collectivization, the OGPU (secret police) forcibly deported over 12,000 families from their homes to places as far away as Ukraine and the North Caucasus. (Ibid: 25)

The collectivization of agriculture ensured state control over the rural Uzbek economy. In the following decades, the Soviet state used this control to turn the Uzbek countryside into one large cotton plantation. The Soviet government sought to expand the production of cotton in Uzbekistan by expanding its planted acreage at the expense of food crops and the intensive use of fertilizers. (Bhat 2013)

According to Bhat “expansion of cotton cultivation required massive irrigation, unpaid labour built the canals that provided this irrigation including the 270 km long Great Ferghana Canal constructed in 1930. Other forms of forced labour also contributed to cotton cultivation at this time. By 1934, 20,100 inmates in the Sazlag complex of corrective labour camps in Chirchik worked on cotton farms.” (Ibid:25)

By the end of the 1930s, the USSR had become self-sufficient in cotton, cultivation of which in Uzbekistan continued to receive a priority throughout the Soviet period. It also created significant distortions in the region’s economy. By the early 1980s, the USSR had become a major exporter of cotton. It accounted for over a fifth of the world’s production and lagged only behind China in total output. Although Tajikistan and Turkmenistan contributed to Soviet cotton production, Uzbekistan remained the center of cultivation in the USSR with 70 percent of production. (Ibid: 25)

Uzbekistan became heavily dependent upon harvesting raw cotton for the USSR and had to acquire almost everything else including textiles from other regions of the USSR. Cotton in Uzbekistan at this time employed 40 percent of its total labour force and generated 65 percent of the republic’s total economic output. (Ibid: 27) The rapid expansion of this crop, however, proved unsustainable. It could not grow fast enough to fully employ and provide a rising standard of living to the increasing Uzbek population. (Ibid)

The economic conditions of the predominantly rural Uzbek population thus stagnated and started to decline, a trend that accelerated rapidly after the collapse of the USSR.

The Soviet emphasis on the production of raw cotton to the exclusion of other economic activities impeded economic diversification, industrialization and urbanization. Thus leaving Uzbekistan relatively backwards compared to Russia and other European areas of the USSR. (Ibid)

Cotton monoculture also wrecked havoc on the Uzbek ecology. The expansion of cotton cultivation in Uzbekistan required massive diversion of scarce water resources for irrigation. Cotton farms drained so much water from the Amu Darya and Syr Darya rivers that they could no longer replace the water that evaporated from the Aral Sea. As a result the Aral Sea shrank significantly and rendered much of the nearby land infertile due to excess salinity. (Ibid)

The overuse of pesticides also posed environmental dangers. Finally, the failure to practice crop rotation led to massive soil erosion in Uzbekistan. The environmental degradation caused by cotton in Uzbekistan has caused serious health problems among many of its rural inhabitants. (Bhat 2013)

Despite being a noticeable problem since the 1980s, neither the Soviet government nor Islam Karimov regime in the post-Soviet period made any serious attempt to address its root causes in the cotton industry. During the Soviet period, the cotton industry was central to country's economy and the state frequently resorted to the labour of school children due to time constraints associated with cotton picking. (Ibid) When the country became independent, the state policy on agriculture was reassessed to find out the number of cotton fields were reduced and producers became more interested in independent entrepreneurial activities. (Ibid)

Nevertheless, the use of child labour in cotton fields continued. As school authorities do not have any effective instruments to force children to go to cotton picking, they resort to softer methods of persuasion. Cotton picking is paid work. (Ibid) "In 2001, the payment for 1 kg of picked cotton ranged from 22 soms at the beginning of the season to 15 soms at the end of the season." (Ibid: 27) Working hours depend on the age of children. Pupils pick cotton between September and the end of November, as schools are closed during the cotton-picking season. (Ibid)

Later, governmental procurement quotas were introduced for some agricultural crops that have strategic significance for the national economy. Rural students play the role of the labour reserve that ensures that the government quotas are reached. (Bhat 2013:28) Presently, children are employed in cotton- picking in an organized manner

only after the best part of the cotton has been picked and when work in cotton fields does not yield substantial earnings for agricultural producers. At the beginning of the cotton picking season, agricultural producers do not allow other people to work in the cotton fields. (Ibid)

There is a study Labour Laws and Employment Practices, affecting children in Central Asia is based on a baseline survey by International Organization for Migration (IOM, 2004) in five Central Asian countries, which includes Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan. While surveying the labour laws and employment practices affecting children in Kazakhstan the study examines the gaps and errors as well as present recommendations. (Stephenson 2002:10)

The Kazakh legislation contains provisions on the employment of minors, such as the age limit, safety measures and various safeguards, although many children work illegally, particularly in the rural areas. (Ibid) The types of labour performed by children include subsistence farming, work in private enterprises, family business and others. One of the main reasons of the employment of children is the low living standards of the population. (Ibid) The socio-demographical and economic situation in Kazakhstan is conducive to the use of cheap child labour, both during the agricultural season. (Ibid)

The analysis of the legal instruments of the Republic of Kazakhstan, dealing with or relevant to child labour shows that, irrespective of the magnitude of the problem and the significant number of both domestic and international legal provisions in force, children's rights (including labour ones) are not properly protected. (Ibid)

The study further discloses "the official statistics of Kyrgyzstan which puts forth that children and teenagers constitute 38.1 percent of the Kyrgyz population. The 1999 population census data indicated that 55.3 percent of the population was poor and 80 percent lived in rural, predominantly in mountainous areas." (Ibid: 11) These areas are primarily inhabited by the unemployed, elderly and impoverished families with children, which is particularly conducive to the employment of minors in the Kyrgyz Republic. (Ibid)

Since the collapse of the Soviet Union, the use of child labour has become widespread, especially in the southern regions of Kyrgystan, where tobacco, rice and cotton are cultivated. Furthermore, the labour of children is traditionally used in

irrigation, weeding and harvesting work. (Ibid) Almost all the children living in rural areas work on plantations and help their parents in performing all types of labour, including those that may pose health hazards. (Ibid)

The use of children in markets has become frequent due to the emergence and growth of unregulated trading activity and markets. Children are involved in transporting (unloading) and sale goods and luggage on the streets and in the markets, in addition to collecting bottles and aluminium. (Bhat 2013) There are also children involved in tobacco growing work as house servants they clean, wash, etc. They also gather firewood and work in gardens. (Ibid)

The study divulges from the 2001 ILO published report “child labour in Kyrgyzstan” which states, “child labour as caused by general unemployment situation, easy handling of the children than adults, unaware about their rights, causing fewer problems, complaining less and more adoptability. They are also the easiest to sacrifice when difficulties arise.” (Ibid: 12)

Child labour in Kyrgyzstan is largely the result of cultural, historical, social and economic conditions. Children have to work, along their parents and siblings, in order to contribute to their family income, starting with the age of five. Eradication of child labour completely is an unrealistic goal at this stage of Kyrgyz Republic’s economic development. However the creation of a coordination agency on child labour, consisting of state, international and non-governmental organizations can prevent the practice. (Ibid)

Tajikistan is mainly an agricultural economy with more than half of the working population employed in the agricultural sector, followed by the service and manufacturing sectors. Tajikistan has a relatively young and rapidly growing population, with 48 percent fewer than 18 years of age and a rate of natural increase of population just under 2 percent per annum. Most families in Tajikistan have many children. (Ibid: 12)

Moreover, parents and children, grandparents, daughters-in-law and sons-in-law very often live together in traditional family units. The growing economic hardship has led families to increasingly count on the income derived from children’s informal work, mainly performed in the street after school hours. (Ibid)

Children usually work in the market places, streets and other public places, which increases their vulnerability to prostitution and trafficking. Although the Tajik legislation provides for free education for everyone, almost all the schools charge their students for textbooks and meals, and some have even introduced fees to supplement (or replace) the wages of the teachers, unpaid by the state. (Ibid)

According to unofficial estimates “45 to 55percent of children from the 10 to14 age group especially from low income families are engaged in physical labour and this percentage is increasing in Dushanbe and other large cities in Tajikistan.” (Bhat 2013: 15)

The different agencies including Asian Development Bank, UNICEF, UNESCO, etc. have reported that children in terms of wages, work, working conditions, and health conditions are getting exploited immeasurably. The Tajik legislation contains provisions on the minimum employment age, as well as the protection of children under 18 from labour conditions that might endanger their health, safety or morals, in line with the international legal standards.

Nonetheless, in reality, there is a clear disparity between the law and the practice. About Uzbekistan, the report refers to the measures taken by the government to prevent the unregulated use of child labour by creating appropriate organizations and mechanisms. (Ibid)

The use of child labour has largely stemmed from the difficulties of the post-Soviet transition period, which have been conducive to the use of children’s labour. As a consequence of the deteriorating economic conditions, the traditionally large families have not been able to cover the education expenses of all children. (Stephenson 2002)

The rising unemployment has reduced the levels of average income, especially in rural areas, where employment has a large seasonal character. Poor and socially vulnerable families have not been able to maintain an appropriate quality of life. (Ibid) Some parents have not acted in the best interest of their children by denying them the opportunity to study. Cotton monoculture in Uzbekistan at the expense of all the other crops is a legacy inherited from the former Soviet Union. (Ibid) The Soviet government had designated certain of its republics as highly specialized producers of certain commodities. Uzbekistan was designated as a major producer of raw cotton. (Ibid) In order to expand the production of cotton in Uzbekistan, the Soviet

Administration increased its planted acreage with massive irrigation and intensive use of fertilizers. This led to the forced labour of millions of people on state owned farms. In the 1930s, thousands of special settlers (Karachais, Crimean Tatars, Meskhetian Turks, Russian Germans and many others) were deported to Central Asia and were forced to cultivate cotton. By the end of 1930s the USSR had become self-sufficient in cotton. (Ibid)

The mass mobilization of children was one of the characteristics of cotton production during the Soviet period. Rural school children from the 9th grade (14 years old) and above were forced to pick cotton for up to two months every year. Public employees, including doctors, teachers, accountants and many others were also mobilized and forced to harvest cotton. (Ibid) After Uzbekistan achieved independence from the former Soviet Union, the situation deteriorated significantly. “Now the mobilization involves children at a younger age than ever before, due to significant drop in the level of mechanisation in cotton harvesting, which has decreased from 50 percent prior to independence to just 10 percent now.” (Ibid: 42)

Although local authorities say that children are picking cotton voluntarily, out of patriotic feelings, university authorities and school principals force students to join farmers in the fields in the beginning of the season. According to Bhat “if you fail to show up at the cotton field, you will be kicked out of the university, or you may pay \$100 to the faculty dean” said a student at the Tashkent Agricultural University who wished to remain anonymous while being interviewed. (Ibid: 42)

### **Summary:**

There is evidence of large-scale independent activity by children in the labour market in the USSR. The Soviet State proclaimed that, from the start, its intention was to eradicate the exploitation of children but it did not quite follow it.

In 1922, employment of children under the age of 16 was prohibited, although children aged between 14 and 16 could still be employed in exceptional cases with the agreement of the Labour Commissariat and the trade unions. Since 1956, legislation allowed children of 15 years of age to be employed in exceptional cases with the agreement of the enterprise concerned and of local trade union committees.

Additional legislation in 1974 specified the conditions under which children over the age of 14 could work except on the grounds of health, which included agreement of one of the parents (or guardians) and agreement of the child's educational institution and the trade union of the enterprise concerned. In 1988, the minimum age for work was established as 14 years.

Child labour in the USSR was not just ideologically and legally unacceptable, it also had no real place in the command economy. The Soviet economy operated in conditions of mainly administratively controlled labour mobility and a regulated job market. Informal economic activity did exist, but even this was usually connected to the operation (sometimes in the form of additional illicit production) of the enterprise, collective farm or scientific institution. Almost full employment, strict administrative control, tight local communities organized around the enterprises, and shared group ethics, all prohibited any large-scale independent social and economic activity.

The social role of children was tightly defined by the boundaries of family socialization and education. In the Soviet social structure, individuals were divided into substantive, ideologically defined categories, and a child's major role was to be prepared to become a constructor of communism.

Officially, child work could only take place if it was to prepare children for future employment, within the framework of education. At the same time, considerable evidence suggests that involving children in forced labour was a widespread practice. It appeared that this was the case when children were made to participate in harvesting on collective farms, sometimes well into the school year. This activity was organized by schools at the request of political authorities. Such forced labour, although perhaps affecting children and young people disproportionately, was not confined solely to them, but was part of a widespread practice of compulsory participation in agricultural work, which also involved students, industrial workers and other urban dwellers.

It can be said that although child labour in the USSR was not eradicated, as was claimed by government, for children younger than 14-16 years of age it took place mainly within the system of education, and its compulsory elements were controlled by schools. Although the shortage of low-skilled agricultural workers created some demand for child labour, tight regulations prevented its use on a large scale in other sectors. Despite the existence of poverty, there were no conditions for unregulated use

of child labour. Rather, it took place within a heavily controlled framework of education and non- market political and ideological relationships.

The government conducts cotton harvests, in violation of international standards and in violation of its own laws, involving almost all sectors of the society, with the widespread use of forced child labour.

The post- Soviet government has taken no real actions to eradicate child labour other than formally adopting laws and the so called National Action Plan to implement ILO conventions on forced and child labour. Instead, the government continues to support a system which employs child labour to handle its cotton harvest and maximize profits from it.

There is no indication that the government is seriously carrying out reforms in the agricultural sector so that it can end the practice of cheap forced labour and can attract adults, by fair payment, to work in the cotton sector.

The situation shows that the government continues to retain the command economy in the cotton industry, in which there are no market mechanisms working, and there is no intention to change the situation.

The root cause of the forced labour is the low pay rate set by the government to pay cotton pickers, which is not attractive to the adult working population. It is possible that farmers would harvest the cotton without using child labour if the rates for the wages were, at the very least, doubled. That would immediately appeal to the adult work force, which is in abundance in the country, and in rural areas it is even higher.



**CHAPTER:3**

**SOCIO-ECONOMIC CONDITIONS OF**

**CHILD LABOUR IN INDIA**

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### **SOCIO-ECONOMIC CONDITIONS OF CHILD LABOUR IN INDIA**

#### **Introduction:**

The issue of child labour is closely related with human capital formation of a country as early entry in labour market leads to absconding from normal childhood, proper schooling, implying a loss in future scope of better earning.

The incidence of child labour is very high in developing countries and statistics reveal that India has the highest in the world. So there is no doubt that in India the issue of child labour is a serious one. Although there is a universal agreement that child labour is undesirable, there is a wide disagreement on how to tackle this problem. The formulation of policies that are effective in curbing child labour requires an analysis of its key determinants, that is, identification of variables that have a significant effect on child employment. (ILO 2006)

“Child labour is a complex phenomenon and discussions on the topic often move into moral dilemmas or “grey” areas. This is especially true in countries where there is widespread and abject poverty.” (International Law and Policy Institute (ILPI) 2015: 05)

The linkages between child labour and poverty is often assumed, implying that poverty means that children must work by necessity. Others, however, hold that child labour is a root cause of poverty and contributes to upholding a cycle of poverty because children who work do not get an education. (Ibid) India is home to the largest number of child workers in the world but there is no consensus as to what that number is exactly.

Child labourers in India can be found across a number of industries. Yet, over half are concentrated in one sector i.e. agriculture. Many of the children in agriculture can in turn be found in one sub-sector i.e. India’s cottonseed sector. The hybrid cottonseed sector has been one of the fastest developing industries in India since it was introduced in 2002. (Ibid)

This boosted India from the rank of fifth-largest cotton producer in the world to its second largest in less than a decade. “As the sector has grown, cotton production has extended further into rural and remote tribal locations, and production has shifted from larger commercial farms to smaller, family-based farms. The result has been that families including small children are increasingly required to work on smaller subsistence farms. Children working in such circumstances account for approximately 30% of all working children under the age of 14 in the main cottonseed-producing states.” (Ibid: 06) Notwithstanding the difficulty of establishing the exact number of child workers, several studies indicate an increasing trend of child labour in the hybrid cottonseed sector in all Indian cottonseed-producing states. Child labour in the cottonseed farms, however, remains a serious problem with a quarter of the total workforce still consisting of children below 14 years of age and many of these are employed in conditions deemed as hazardous. (International Law and Policy Institute (ILPI) 2015: 05)

Thus, the scale of the problem remains huge. Furthermore, much of the work in the cottonseed sector is considered hazardous to the health and safety of young children. Children are often engaged in bonded labour in order to pay parents’ or guardians’ debts (common in this sector), made to work 8 to 12 hours a day in extreme temperatures, required to carry heavy loads, exposed to poisonous pesticides, and made to work without protective clothes or masks. Additionally, many of the cottonseed workers are young migrant children who live far from their homes and families increasing their vulnerability to exploitation. (Ibid)

The 2012 Amendment Bill to the Indian Child Labour Act, which provides a ban on the employment of children below 14 years of age in all occupations and processes, was a significant step in developing India’s legal framework pertaining to child labour. The bill contains two exceptions: children working in family enterprises and children working in the audio-visual entertainment industry. These exceptions, however, have been criticized for “creating legal loopholes on the prohibition of child labour”. (Ibid: 06-07)

National and state laws appear to offer weaker protection than what is afforded to children by international instruments. “Almost India’s entire cottonseed sector (98%) is controlled by private Indian companies and multinational companies. The company initiatives to address child labour through the supply chain on the part of both Indian

and multinational companies.” (Ibid: 07) ILPI found that the major multinational companies active in India’s cottonseed sector had human rights policies that include the prevention of child labour and initiated a range of measures to address child labour as well as monitoring systems to document their progress. However, leading Indian cottonseed companies tend not to have official policies, or measures designed to address child labour and as a result showed higher rates of child labour within their operations and supply chains. (International Law and Policy Institute (ILPI) 2015: 05)

This difference between multinational and Indian companies may be attributed largely to the public scrutiny and international pressure that multinational companies are under. Both multinational and Indian companies, could have prevented child labour within the companies and farms they have direct contracts with. In reality, while multinational companies seek to implement the UN Guiding Principles (UNGP) and UN Global Compact in their business practices, the Indian companies fail to do so. By developing effective monitoring mechanisms, multinational companies appear to be able to implement their policies on child labour more successfully. (Ibid)

The major Indian companies seemed to lack corporate child labour policies. The response from the seed industry as a whole to address the problem of child labour, however, appears to be inadequate. “Education appears to be significantly compromised by child labour as the number of school dropouts among children working in cottonseed farms are very high (62%), which feeds into on-going cycles of illiteracy and poverty. Girls are more readily held or taken out of schools by families and the vast majority of child workers on cottonseed farms are girls. Most of the children were also from “lower castes” such as Dalit and Adivasi.” (International Law and Policy Institute (ILPI) 2015: 08)

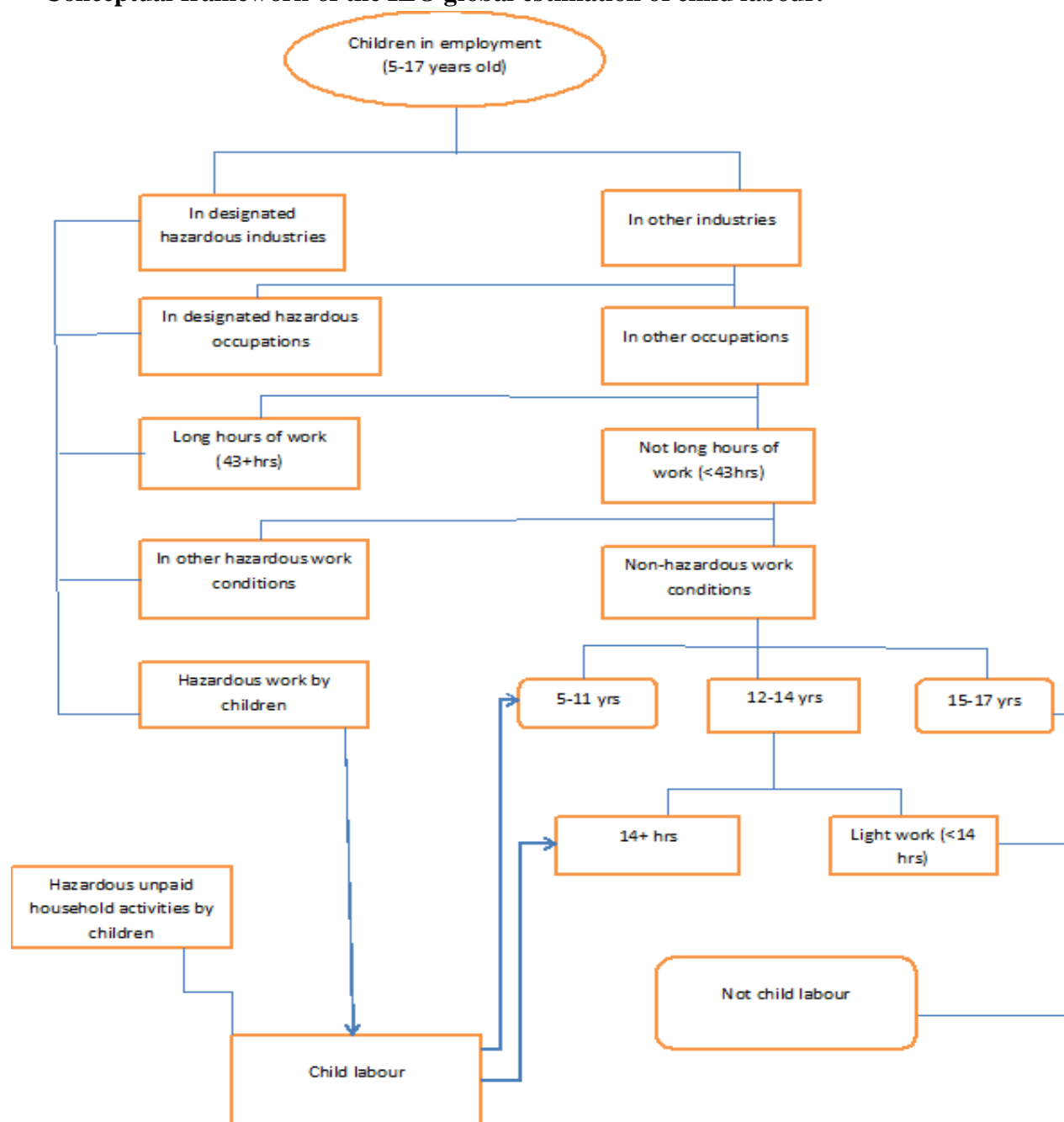
These children come from families who are amongst the poorest of the poor and the most socially and economically marginalized. There are so many children working in the cottonseed industry, who were exposed to a number of health and safety risks. The same seems to be the case for other parts of the cotton production value chain. (Ibid)

The major causes of child labour in the cottonseed industry seem to be poverty and ensuing debts of parents leading to children’s bonded labour, the labour intensive work with hybrid cotton seeds, which drives the sector’s need for a low cost work

force (motivating the hiring of children, especially girls), and an interplay of corruption and weak legislation, as well as lacking capacity for enforcement. (Ibid)

**Figure 1**

**Conceptual framework of the ILO global estimation of child labour.**



Source:(International Labour Organization (ILO) (2014) ‘The Twin Challenges of Child Labour and Educational Marginalisation in the ECOWAS region – An Overview’, joint ILO, World Bank and UNICEF project under Understanding Children’s Work 2014: 53)

(<http://www.indianet.nl/pdf/ChildLabourInTheIndianCottonseedSector-ILPI2015.pdf>) Access date: 4 November 2016

While child labour may take different forms, there is broad agreement that certain types are so detrimental to children's wellbeing that they must be eliminated as a matter of urgency. The ILO's Worst Forms of Child Labour Convention (Convention No. 182, 1999) urges States to take "immediate and effective measures" to secure the prohibition and elimination of the following "worst forms" of child labour specified as: All forms of slavery including the trafficking and sale of children and or debt bondage, forced or compulsory labour including recruitment of children for use in armed conflict, and the use of children for prostitution, pornography or other illicit activities such as the production or trafficking of drugs, and work that is likely to harm the health, safety of morals of children. (International Labour Organization (ILO) Worst Forms of Child Labour Convention (No. 182) (1999). (International Law and Policy Institute 2015)

Child labour in India is predominant in three sectors agriculture, industry, and the service sector. As of today, the agriculture sector accounts for over half of the country's child workers. The ILO's research finds that "progress in eliminating child labour in agriculture globally has been slow due to the sector's specificities. These include "limited coverage of agriculture and family undertakings in national labour legislation, low capacity of labour inspectors to cover remote rural areas, majority of child labourers working as unpaid family labour without formal contracts, and traditions of children participating in agricultural activities from a young age". (International Law and Policy Institute 2015)

Hybrid cottonseed production in India is concentrated in six states- Andhra Pradesh, Telangana, Tamil Nadu, Karnataka, Gujarat and Maharashtra. Together, these states account for nearly 95% of the total cottonseed production in the country. India's hybrid cottonseed production is still growing and it has become one of the largest producers of hybrid cottonseed in the world. Many of the workers in cottonseed production are children. According to ILPI "while this has been a long-standing trend, the number of child workers recruited to the sector increased substantially after the introduction of the hybrid cottonseed in 2002, the cultivation of which requires work intensive manual cross pollination". (Ibid)

### **The Chain of Cotton production:**

Cottonseed production in India depends (almost) entirely on hybrid cottonseeds, and in particular on genetically modified cotton, so-called 'BT cottonseeds' or BT cotton (BT stands for *Bacillus thuringiensis*) which is genetically engineered to resist pests and was introduced in India in 2002. (Kathage and Qaim) "Unlike "regular" cotton, "BT cotton" has been engineered to be pest-resistant and requires less use of pesticides than regular cotton. It has been modified to resist the bollworm i.e. a major pest. The farmers who grew BT cotton produce up to 75% more cotton than those who grew 'regular' cotton." (Kathage and Qaim 2012: 12)

The hybrid cotton-crop thrives in subtropical climates (between 21 to 32 degrees Celsius), with high levels of humidity and at least 50 centimetres of rainfall annually. The introduction of BT cottonseed in India has allowed India to become the largest cotton producing states in the world because of the country's weather conditions. However, hybrid cottonseed cultivation is a very labour intensive process because each plant must be cross-pollinated manually. (Global March Against Child Labour 2010)

### **Overview of Cotton Production in India:**

India has the distinction of having largest area under cotton cultivation and largest number of cotton farmers in the world. With about 22 million acres of land under cotton crop, India accounts for 22 % of world's total cotton area and 13% of global cotton production. One third of world's cotton farmers live and work in India. Cotton accounts for 5% of the total cropped area in India. "Child labour in cottonseed production in India and use of hybrid varieties in cotton is a Asia specific phenomenon." (Glocal Research Foundation 2000:03)

About 80% of total cotton area in India is currently covered with hybrid varieties. After the introduction of BT cotton all the major seed companies in India have converted their hybrids into BT cotton hybrids. Currently BT cotton hybrids account for 70- 75% total cotton hybrids in India. Children are used in both commercial cotton and hybrid cottonseed production. (Ibid: 06)

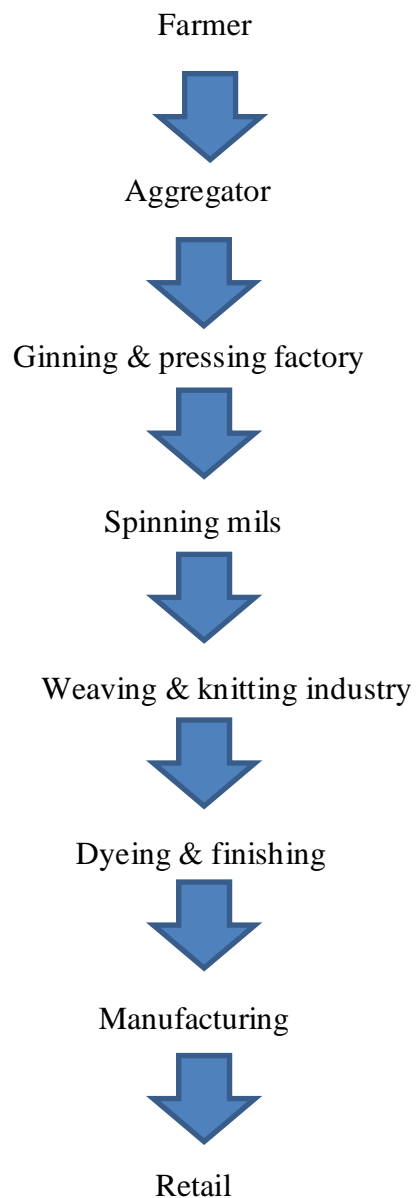
There is very limited information available on the magnitude of child labour in cotton production but extensive use of child labour is reported in hybrid cotton seed production activities. (Ibid)



According to sources, India's prominent position as a cotton producing country has resulted in a multi-layered cotton value chain, with multiple stages from the production of cottonseed, sowing and harvesting cotton to the processing of cotton from fibres to final fabrics as well as manufacturing. This chain is characterized by (1) a large-number of small-scale producers, and (2) increasing "foreign" (international) presence. (Global March Against Child Labour 2010)

**Figure 2**

**Value Chain for the Hybrid Cottonseed Sector in India**



Source: (Child Labour in the Indian Cottonseed Sector-International Law and Policy Institute (ILPI) 2015: 15)

<http://www.indianet.nl/pdf/ChildLabourInTheIndianCottonseedSector-ILPI-2015.pdf> Access date: 4 November 2016

### **Child Labour in Indian Cotton Supply Chain:**

A new system of employing female children as “bonded labourers” has come into practice on hybrid cottonseed farms in south India in recent years. In India, traditional forms of bonded labour in agriculture have been historically associated largely with men and boys, with instances of women, especially girls, working as bonded labourers being relatively rare. According to Marla he estimates, the population of the bonded labourers in the late 1970s in India was about 97.7% of bonded labourers were men and boys, while 2.3% of them were adult women. There were girls working as bonded labourers. (Marla, 1981:20-22 and Patnaik and Dingwaney, 1985:259)

The local seed farmers, who cultivate hybrid cottonseeds for national and multinational seed companies, secure the labour of girls by offering loans to their parents in advance of cultivation, compelling the girls to work on the terms set by the employer for the entire season, and, in practice, for several years. These girls work long days, are paid very little, are deprived of an education and are exposed for long periods to dangerous agricultural chemicals. (India Committee of Netherlands)

The introduction of hybrid cottonseeds in the early 1970s has brought significant changes in the quantity and quality of cotton production in India. It has not only contributed to the rise in productivity and quality of cotton, but has also helped to generate substantial amount of additional employment in the agricultural sector. Despite its positive contribution, hybrid cottonseed production gave rise to new forms of labour exploitation which involves the employment of female children as bonded labour and large scale exploitation of them. An important feature of hybrid cottonseed production is that it is highly labour intensive and female children are employed in most of its operations. (Ibid)

What distinguishes child labour in cottonseed production from other industries which employ child labour is that it involves relatively large numbers and female child labour which constitutes majority of the total labour force. It is estimated that nearly 4,50,000 children, in the age group of 6 to 14 years, were employed in cottonseed fields in India, in which Andhra Pradesh alone account for about 2,47,8002 in 2000. This figure surpassed the total number of children employed in industries such as carpet, glass bangles, diamond polishing, gem and limestone put together in India. Moreover child labour in these industries did not exceed 25%, with a majority of them beings boys. (Ibid: 15)

Though hybrids are used in cotton cultivation all over the country, hybrid seed production is concentrated in South India, particularly in the Telangana and Rayalaseema regions of Andhra Pradesh, which alone account for about 65 % of the seed production in India. (Ibid)

The exploitation of child labour in cottonseed farms is linked to larger market forces. Several large-scale national and multinational seed companies who produce and market the seeds have involved themselves in subtle ways in perpetuating the problem of child labour. The economic relationship behind this abuse is multi-tiered and complex, which masks legal and social responsibility. (Ibid)

There were about 200 seed companies in 2000 involved in production and marketing of hybrid cottonseeds in India, including several multinational companies (MNCs) like Unilever, Monsanto, Syngenta, Advanta, Bayer and Emergent Genetics. MNCs are operating their seed business activities through their own subsidiary companies in India or joint ventures and collaborations with local Indian companies. (Ibid)

The names of Indian subsidiaries or joint venture companies of above mentioned MNCs were Hindustan Lever Limited (for Unilever Plc), Syngenta India (for Syngenta AG ) Advanta India (for Advanta BV) Monsanto India and Mahyco (for Monsanto), Proagro (for Bayer) and Mahendra Hybrid Seeds (for Emergent Genetics). (Ibid) In March 2002 Hindustan Lever Limited (HLL) transferred its seed business to a subsidiary company called “Paras Extra Growth Seeds” and formed a joint venture partnership with “Emergent Genetics”. HLL sold 74% of its share in “Paras Extra Growth Seeds” to “Emergent Genetics”. (Venkateswarlu 2015)

The role of MNCs in cottonseed business has increased significantly in recent years due to various trade liberalization policies introduced by the government after 1991. The approval of government of India in April 2002 for introducing BT (*Bacillus Thuringiensis*) cotton in Indian market was expected to bring far reaching changes in terms of greater control by the MNCs, which have patent rights over genetically modified technology, over Indian seed industry in near future. (Ibid)

Though all the MNCs mentioned above claim that they are committed to highest standards of socially responsible corporate behavior, their activities in the area of cottonseed business in India are certainly not in tune with their claims. Though they are not directly involved in employing child labour, their business strategies and profit motives are encouraging an environment which supports the practices of child labour in a big way. The linkages between multinational seed companies and local seed

producers and role of MNCs in perpetuating the problem of child labour in hybrid cottonseed farms in Andhra Pradesh are strong. (Ibid)

Hybrid cottonseed is one of the fastest growing industries in India. India is the first country in the world to introduce hybrid varieties in cotton crop for commercial cultivation. In 1970, the world's first cotton hybrid H4 was released for commercial production by the Government of India's Cotton Research Station situated at Surat in the state of Gujarat. Since then, a number of new hybrids have entered the market and its use has been rapidly increasing. (Ibid)

“Approximately 22 million acres of land in India in 2000 was used for cultivating cotton, out of which 10 million acres (45% of total cotton area) is currently covered under hybrid varieties. “The country has earned the distinction of having the largest area under cotton cultivation in the world accounting for 21% of the world's total cotton area and 12% of global cotton production. Nearly 95% of the hybrid cottonseed produced in India is used for internal consumption while the remaining is exported mainly to South East Asian countries”. (Ibid)

The issue of child labour in hybrid cottonseed production in India recently received a lot of attention by national and international media. The specificity of hybrid cottonseed production in India is that it is highly labour intensive and children are used in most of its operations. (Ibid) “Cross pollination which is the vital task in cottonseed production (account for nearly 90% of total labour requirement and 45% of cultivation costs) is carried through conventional method of hand emasculation and pollination.” (Ibid: 17)

Though hybrid seeds are used in cotton crop in most of the states in India, hybrid cottonseed production is concentrated in five states, namely Andhra Pradesh, Gujarat, Karnataka, Maharashtra and Tamilnadu. These five states account for more than 95% of the area under cottonseed production in the country. (Ibid) During 2003-2004, nearly 55,000 acres were under cottonseed production in the country, out of which Gujarat accounted for 26,000 acres, Andhra Pradesh 14,000 acres and Karnataka 4,000 acres. Andhra Pradesh was the largest cottonseed producing state in the country until recently. Gujarat surpassed its production and has now taken the lead. (Ibid)

The mass production of hybrid cottonseeds in India has produced a new phenomenon, the use of child labour on its farms and cotton processing units. Andhra Pradesh in recent years received widespread attention due to the pervasive practice of bonded child labour. (Indian Committee of Netherlands) An active campaign against child

labour, initiated by local child rights groups has taken place in the state. The large national and international seed companies have however claimed that the child labour problem is only confined to Andhra Pradesh and that children are not used in any significant way in seed production activity in other parts of country, particularly in Gujarat and Karnataka. (Ibid)

The issue of child labour and below minimum wages, especially among women, in the production of hybrid cottonseeds in India has received wide attention in recent years. Since 1998 a number of studies have been conducted on the nature and magnitude of child labour, the working conditions of children, the reasons for large scale employment of children in this sector and the role of large-scale national and multinational seed companies (MNCs) contributing to this problem. (ICN and ILRF 2010)

According to one study, “despite some improvements in the areas where interventions have been implemented, large numbers of children continued to be employed in hybrid seed production. In the 2009-2010 cultivation season, nearly 3,81,500 children under the age of 18, about 45% of them younger than 14, were employed for the production of hybrid cottonseeds in the states of Gujarat, Andhra Pradesh, Tamil Nadu and Karnataka. 90% of the seed production in India is concentrated in these states”. (Venkateswarlu 2015)

A study conducted on wages in 2012 indicated that payment of minimum wages was still a considerable issue at seed production farms. The wage rates for certain production activities, in which mainly women were involved, were below the state prescribed legal minimum wages. (Ibid)

Since 2010, many developments have occurred which have influenced the nature and magnitude of child labour and working conditions of the labourers in the Indian seed industry. The intensified pressure from international NGOs and social investors like Norges Bank urged multinational companies (MNCs) like Bayer, Monsanto, Syngenta and DuPont to continue their efforts to address the problem of child labour in their supply chain. The decision of Norges Bank to exclude Zuari seed company from its investment portfolio in 2013, as result of the prevalence of child labour, sent strong signals to companies about human rights concerns of social investors. (Ibid)

Other companies like Namdhari, Kalash Seeds (formerly Bejo Sheetal), Advanta, Nuziveedu etc. started interventions, though in a limited way, to address the issues of child labour in their suppliers’ farms. (Ibid)

Since 2010 the total area under hybrid cottonseed production increased in India by 40% due to a growing demand for hybrid cottonseeds in the market on account of rise in area under commercial cotton. “Large companies are slowly increasing their control over the cottonseed industry by expanding their production area and also by acquiring smaller companies. Seed companies are relocating and expanding their production to new areas situated in remote pockets where the availability of labour for seed production is not an issue.” (Venkateswarlu 2015:20)

In Gujarat and Tamil Nadu, all the new production locations are situated in remote tribal areas. In recent years, Rajasthan has also emerged as one of the important locations for hybrid cottonseed production. Some of the companies have expanded their production to tribal locations in south Rajasthan, which used to be the area for labour supply to cottonseed fields in Gujarat. (Ibid)

The expansion and relocation of production into remote tribal areas and the decline in the average size of production units has had significant implications for the composition of the workforce. In the new production locations, most of the seed growers are small subsistence farmers who often depend on their own family’s labour, including the labour of their children. (Ibid)

The Government of India, in particular the National Commission for Protection of Children’s Rights (NCPCR), has in the past taken serious note of the issue and initiated several measures to address the problem. (Ibid) “Since 2010 the Government of India has been implementing the Right to Education Act. The local NGOs particularly in Andhra Pradesh (MV Foundation, CARE, Shramika Vikas Kendra etc.) and Gujarat and Rajasthan (Dakshini Rajasthan Majdoor Union, Seva Mandir etc) have intensified their campaign. UNICEF and Save the Children Fund with the support from IKEA and H&M (Hennes and Mauritz) have been implementing projects to address the problem of child labour in cottonseed production areas in Andhra Pradesh, Karnataka, Tamil Nadu, Gujarat and Maharashtra.” (Ibid)

At the farming stage, production is generated by demand from national and (increasingly) multinational companies. From the initial stages in the cotton value chain like production of cottonseed for sowing to harvesting of cotton. These are the most labour intensive parts of the chain (i.e. planting, farming, ginning, spinning, and in some cases manufacturing) where the majority of child labour is more likely to occur. (Ibid)

**Table 1****State wise total area under cottonseed production in India (2006-07)**

| <b>Name of the state</b>                   | <b>Total Area (acres)</b> | <b>% of area</b> |
|--|---------------------------|------------------|
| Gujarat                                    | 5000                      | 41.67%           |
| Andhra Pradesh                             | 5000                      | 26.7%            |
| Tamil Nadu                                 | 9000                      | 15%              |
| Karnataka                                  | 16000                     | 8.3%             |
| Other states (Maharashtra, MP, Punjab etc) | 25000                     | 8.3%             |
| Total India                                | 60000                     | 100%             |

Source: (Child Labour in Indian Cotton Supply Chain by Davuluri Venkateswarlu)  
([http://www.rhsansfrontieres.org/images/Doc/080\\_india26\\_davuluri.pdf](http://www.rhsansfrontieres.org/images/Doc/080_india26_davuluri.pdf))

Access date: 04 November 2016



### **Growth of cottonseed production area and child labour:**

Hybrid cottonseed production in India is concentrated in six states, namely Andhra Pradesh, Telangana, Tamil Nadu and Karnataka in South India and Gujarat and Maharashtra in the central part of India. According to Venkateswarlu, these six states account for nearly 95% of total cottonseed production in the country. Until recently, Andhra Pradesh used to be the largest producer of cottonseed but now Gujarat has overtaken this position. (Venkateswarlu 2015: 09)

The specificity of hybrid cottonseed production in India is that a significant portion of the labour force in this sector are children, particularly girls. No other industry in India has such a high proportion of child labour in its workforce. (Venkateswarlu 2015)

Hybrid cottonseed production is a labour intensive activity. A main part of this production is cross-pollination<sup>6</sup> which is done manually. This activity alone requires about 90% of the total labour and is done mostly by children. Children are employed on a long-term contract basis “through advances and loans extended to their parents by local seed producers, who have agreements with the large national and multinational seed companies.” (Venkateswarlu 2015: 09)

Children are made to work 8 to 12 hours and are paid less than the market and official minimum wages. They are also exposed to poisonous pesticides used in high quantities in cottonseed cultivation. Most of the children working in cottonseed farms belong to poor families from Scheduled Castes (SCs) or Dalits, Scheduled Tribes (STs) or Adivasis, and Backward Castes (BCs). (Ibid)

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<sup>6</sup>Cross-pollination involves two separate activities: emasculation and pollination. In plants, crossing is done by placing pollen grains from one genotype - the male parent - on to the stigma of flowers of the other genotype, the female parent. The removal of stamens or anthers or killing of pollen grains of a flower without effecting in any way the female reproductive organs is known as emasculation. About two months after sowing, the plant starts blossoming and continues growing for three to four months. During this time, cross-pollination (both emasculation/pollination) needs to be done every day, without fail. The duration of cross-pollination activity is 60 to 90 days and for doing this work in one acre, farm requires 10 to 15 labourers per day.

“Farmers employ children, particularly girls, primarily in order to minimize costs. In cottonseed production, the labour costs account for about 50% of total cultivation costs.” (Venkateswarlu and Da Corta 2005: 19)

Farmers endeavour to cut labour costs by hiring children because the wages paid to children are far below both the market wages for adults in other agricultural field work and even further below official minimum wages. Farmers also hire children in preference to adults because they can squeeze out higher productivity from children per day. Children will work longer hours, will work much more intensively and they are generally much easier to control than adult workers whether through verbal or physical abuse or through inexpensive treats like chocolate or hair ribbons. (Venkateswarlu, Corta and Priti 2000)

According to Sivaramakrishna, a seed farmer in Mahabubnagar district, (Telangana), cited by a study, cross- pollination work is very labour intensive and a large number of labourers are required to do this work. It is also delicate work and needs to be handled carefully. They prefer young girl children for this task because with their delicate fingers (nimble fingers) they can handle this work better than adults. They also work more intensively than adults. (Child bondage continues in Indian cotton supply chain 2007)

They listen to them and do whatever they ask them to do. The most important thing is labour costs. Nearly half of the investment goes towards payment of labour charges. The wage rates for children are far lower than adult wages. This reduces labour costs considerably if they hire girl children. If they want to hire adult labour they have to pay higher wages. With the current procurement price farmers get from the seed companies, they cannot afford to pay higher wages to the labourers. (Child bondage continues in Indian cotton supply chain 2007)

The exploitation of child labour on cottonseed farm is linked to larger market forces. Several large-scale national and multinational seed companies, which produce and market the seeds, are involved in perpetuating the problem of child labour. The economic relationship behind this abuse is multi-tiered and complex and masks legal and social responsibility. (Venkateswarlu 2015: 10)

Cottonseed production is carried out through contract farming. Companies depend upon local farmers for seed production. They arrange seed buy back arrangements with local farmers through middlemen called “seed organizers”. Seed organizers mediate between companies and farmers.

Although seed companies are not directly involved in the production process, they exert substantial control over farmers and the production process by supplying foundation seed, advancing production capital, fixing the procurement prices and through stipulating quality controls. (Ibid)

The employment of children in cottonseed work has an adverse impact on literacy and health of children. Most of the children working in cottonseed fields are either school dropouts or have never attended school. Working in cottonseed fields also has important health implications for the children involved. The use of pesticides in hybrid cottonseed cultivation is high and children working on farms are directly exposed to poisonous pesticides for prolonged periods. (Venkateswarlu 2001)

A report published pointed out that “children working in cottonseed farms are exposed to various health risks. The general health problems reported by children working in cottonseed farms include severe headaches, nausea, weakness, convulsion and respiratory depression. Few cases of children’s deaths due to pesticide exposure were also reported in Andhra Pradesh”. (Physicians for Human Rights in 2003)<sup>7</sup>

The large scale employment of children in hybrid cottonseed production has a very adverse impact on employment opportunities and working conditions of adult labour. In areas where cottonseed production is concentrated there is widespread underemployment problem for adult labour, particularly for women. (Venkateswarlu and Corta 2005) For example Mahabubnagar district in Telangana state where cottonseed production is concentrated is well known across the country for large scale distress migration of agricultural labourers to urban areas in search of wage work. (Ibid)

The existing employment practices in cottonseed farms result in the denial of children’s rights and violate many national laws and international conventions. Children’s right to education, health and safe living are denied by employing them on the farms on a long term contract basis, making them to work long hours and exposing them to poisonous pesticides that are applied in high quantities on the plants.

Securing of children’s labour through giving loans or advances to their parents and compelling them to work until the loan is repaid, long hours of work and paying less

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<sup>7</sup>Physicians for Human Rights Child Rights Group (2003) ‘Child labour in India: A Health and Human Rights Perspective’, The Lancet, December, 2003, Vol 362

than minimum wage violates many Indian laws including: The Children (Pledging of Labour) Act 1933, The Bonded Labour System (Abolition) Act 1976, The Child Labour (Prohibition and Regulation) Act 1986 and The Right of Children to Free And Compulsory Education Act 2009. (Venkateswarlu and Corta 2005)

It also violates ILO Convention No. 138 regarding minimum age for admission to employment, Convention No. 182 which prohibits worst forms of child labour and the UN Convention on the rights of the child (1989). (Ibid)

Cotton is also a major commercial crop in Gujarat. Among cotton growing states in India, Gujarat ranks second place. Of the total 8.7 million hectares of cotton area in the country during 2002-2003, Gujarat accounted for nearly 1.5 million hectares (17%) out of which nearly 70% of the area is covered under different varieties of hybrid seed. (Venkateswarlu and Corta 2005)

Gujarat has the distinction of producing the world's first hybrid cottonseed "H4" for commercial production in 1970 and since then it has been one of the important states in the production and marketing of hybrid cotton seeds in India. Since 2000, Gujarat has witnessed a significant rise in cottonseed production area and has become the number one producing state in India of cotton seed. (Ibid)

Cotton hybrids are of two types - public and private. Public hybrids are developed by state controlled agencies (i.e. Agricultural Universities, research centres). Private hybrids (proprietary hybrids) are developed by private seed companies through their own research. State Seed Corporations produce and market only public hybrids. The hybrids developed by public sector agencies are registered and notified to enable certification by State Seed Certification Agencies. Private seed companies produce and market both public breed hybrids as well as hybrids developed by them. (Ibid)

The foundation seeds of public hybrids are made available by the government for any one (both public and private seed companies) who wants to multiply them and market to the farmers. In contrast, the private or research hybrids are developed by private companies themselves and they have patent rights over production and marketing of that seed. (Ibid) "Since 1999, there has been a decline in the area under public hybrids and a significant increase in area under private hybrids. The total area under public hybrids decreased from 13,960 acres in 1999-2000 to 6,175 acres in 2003-2004." (Ibid)

### **Illegal production of BT hybrid cottonseeds:**

One of the main reasons for the recent growth in area under cottonseed production in Gujarat is due to illegal production of genetically modified hybrid cottonseeds (BT cotton). BT stands for Bacillus Thuringiensis, a bacterium whose gene is injected into cotton seeds to give them resistance against boll worms. (ICN 2015)

Indian government gave permission to Mahyco-Monsanto Biotech (MMB), a 50:50 joint venture company formed by Monsanto and Mahyco to conduct field trials of BT cotton hybrids in 1998, which was approved for commercial marketing in April 2002. Before the government of India approved the commercial release of BT cotton hybrids, a private seed company based in Gujarat developed local BT cotton hybrids through back crossing the BT gene with local hybrids and unofficially started marketing the seeds. (ICN 2015)

Since the BT cotton hybrids of MMB were costly (Rs. 1600 per packet of 450 grams) the illegal local BT cotton hybrids became popular in the market. This encouraged many small companies, including some individual farmers to enter into production of illegal BT cotton hybrid seeds, which has led to a significant increase since 2001. (Ibid)

### **Cost of production and procurement prices:**

Compared to Andhra Pradesh, the per acre cost of production is low in Gujarat. One of the important reasons for the low production cost is the shorter duration of cross pollination period. Unlike in Andhra Pradesh where cross pollination work (which alone accounts for nearly 45% of total production cost) is carried over 100-120 days, in Gujarat it is restricted to 50-80 days. (Venkateswarlu 2001: 32) “This has implication on farmers wage bill. It also has a bearing on crop yields, compared to Andhra Pradesh, the average per acre yields are lower in Gujarat (220 Kg in Andhra Pradesh and 150 Kg in Gujarat). The procurement prices paid by the seed companies to the farmers is about 10% lower in Gujarat.” (Ibid: 32)

The table below indicates recent trends in cottonseed production in Gujarat, indicating a significant rise in the total area under cottonseed production in the state from 1999 to 2004 from nearly 18,000 in 1999-2000 to 26,000 in 2003-04. (Venkateswarlu 2005: 32)

**Table 2**  
**Recent trends in area under hybrid cottonseed production in Gujarat**

| Year      | Area under public hybrids (acres ) | Area under private hybrids (acres) | Total (public and private hybrids) area (acres) |
|-----------|------------------------------------|------------------------------------|---|
| 1999-2000 | 13960                              | 4000                               | 1760  |
| 2003-2004 | 6175                               | 20000                              | 26175   |

Source: (Child Labour in Hybrid Cottonseed Production in Gujarat and Karnataka, Davuluri Venkateswarlu (2005)

(<http://www.indianet.nl/gujakarn.html>) Access date: 04 November 2016

### **Relocation of production base from Andhra Pradesh to Gujarat:**

The recent growth of area under cottonseed in Gujarat is also due to decisions taken by a few important companies to slowly relocate their production base from Andhra Pradesh to Gujarat. Companies like Nuziveedu seeds (Andhra Pradesh based seed company which has largest market share in cottonseed business in the country), Syngenta, and Gujarat based companies like Navabharat seeds have recently shifted some of their seed production base from Andhra Pradesh to Gujarat. (Venkateswarlu 2010)

This is partly due to growing media attention and campaign against child labour initiated by NGOs, government and international agencies in Andhra Pradesh. As a result, seed companies were under intense pressure to address the problem of child labour in their production farms. Since Gujarat has not received similar attention, some seed companies have relocated there to avoid public criticism. (Ibid)

Compared to Andhra Pradesh, the production cost for the companies is slightly lower in Gujarat, which is also another factor encouraging companies to shift their production base to the state. (Ibid)

Although the commercial cotton cultivation is spread all across Gujarat, hybrid cottonseed production is concentrated in northern part of Gujarat in four districts namely Sabarkantha, Banaskantha, Mehasana and Gandhinagar. (Ibid) These four districts together account for nearly 90% of the total area under cottonseed production in Gujarat. Out of 6000 acres of public cotton hybrids in 2003-04, Banaskantha accounted for 1780 acres, Sabarkantha 1320 acres, Gandhinagar 1561 acres and Mehasana 975 acres. (Venkateswarlu 2010: 36)

### **Relation between seed farmers and companies for seed production:**

Companies including MNCs are clearly linked to child labour, even though they do not themselves employ child labourers. The companies put their labels on the seeds produced by the children's labour. The economic relationship between MNCs and child labour is multi-tiered and complex. (ICN and ILRF 2010)

In order to market large quantities of seed, companies need to multiply the relatively small quantity of foundation seed either developed by them (proprietary or research hybrids) or sourced from public institutions (public hybrids). Public hybrids are

developed by government research institutions and are given to any one for multiplication of seeds. Companies are dependent on local seed farmers for multiplication of seeds. (ICN and ILRF 2010)

The multiplication of seed is done by seed producers at their fields. Since Indian landownership laws do not permit individuals or companies to own large areas of land companies are constrained to have their own farms producing large quantities of seed for their companies. So they depend upon local seed farmers for production of seeds. Most of the companies do not make direct agreements with seed farmers. They operate through intermediaries or middlemen called “seed organizers”. (ICN and ILRF 2010)

**Seed Organiser- link between companies and farmers:**

A seed organizer is an independent businessman who mediates between company and seed farmer for organising the seed production. The institution of seed organiser is a recent phenomenon innovated by the companies as an administrative convenience to deal with large number seed farmers. Prior to 1990s most of the companies were having contacts with seed farmers directly. As the demand for hybrid seeds increased and companies expanded their scale of operation they found it difficult to deal with large number of farmers and started depending upon intermediary institutions like seed organizers. (ICN and ILRF 2010)

Unlike other MNCs, India is making direct agreements with seed farmers in some areas through the “seed village” approach for production of seeds. In the seed village approach company which makes production agreements with individual seed farmers directly avoiding any intermediaries like seed organizers. (Ibid)

The seed village approach followed by Advanta company starts with a meeting with village elders and leaders. The company offers a scheme to the village farmers under which they will produce its seed from parental line seeds it supplies. The company offers technical guidance and agrees to buy the whole crop of seed at a predetermined price. It is observed that there is no variation in the procurement price offered by the Advanta to seed farmers who are having direct contact with company (through seed village approach) and farmers who operate through seed organizers. (ICN 2015)



### **Contracts and procurement of prices between companies and seed organisers for seed production:**

Companies make production agreements with “seed organisers” with a buy back arrangement of resultant seed. Some of the seed organisers are also the owners of small seed companies who organise seed production for various big companies.

In the agreement between company and seed organiser, the company fixes the target of production for each organiser (type and quantity of seed it wants), the price it will charge for foundation seed it supplies to them, procurement price it will pay to the farmers once organisers collect seed from the farmers and hand over to the company, amount of service charges or commission it will pay for the organisers, quality of seed etc. (Venkateswarlu 2010)

It is the responsibility of seed organiser to identify the farmers interested in undertaking seed production by accepting the terms and conditions set by the company. Depending upon the production target given to them by the company, organisers decide the extent of area and number of farmers. They make separate agreements with farmers reproducing all the terms and conditions set by the company to them. Companies also advance production capital to the seed organizers to the tune of Rs. 15000- 20000 per acre (about 30-40% of the cost of cultivation). (Venkateswarlu 2010: 26)

### **Fixing procurement prices:**

Procurement prices paid to the seed farmers are fixed in two ways. With regard to public hybrids, a common procurement price is followed by all the companies. Till recently, “Seedsmen Association of Andhra Pradesh”, an organisation representing the interests of seed companies, used to decide the common procurement price for the public hybrids. Seed farmers had no role at all. Since the year 2000, seed farmers have started demanding that they too should have a role while determining the procurement prices. They have formed their own association called “Seed Growers Association”. (Venkateswarlu 2010)

“The prices of public hybrids are fixed through the consultations between the representatives of seed companies and seed growers. It is binding upon all the companies to follow this price. In the year 2001-2002 the procurement price of NHH 44 cotton hybrid was fixed at Rs. 180 per 750 grams packet and Rs. 220 for Savitha

variety. The Seedsmen Association exerts greater control in determining the procurement prices because of its strong organizational base.” (Rao 2003: 14)

Unlike Seedsmen Association, the Seed Growers Association is not very strong because of unorganised nature of their members and their dependency on companies or seed organisers for production capital. Though seed farmers have some voice in determining the procurement prices of public hybrids, they have absolutely no role in determining the prices for private research hybrids. “The concerned companies who own the seed are at liberty to fix their own prices. In 2001-2002 HLL and Syngenta offered Rs. 220 for 750 gram packet for their own seeds “Brahma and Sandocot”.” (Rao 2003: 14)

### **Seed arrangements between companies and farmers:**

Seed companies are dependent upon local farmers for multiplication of seeds. In order to supply large quantities of seed to the market, companies need to multiply relatively small quantity of foundation seed either developed by them (proprietary or research hybrids) or sourced from public institutions (public hybrids). Multiplication of seed is done by seed farmers in their fields. Indian Land Ceiling Legislation prohibits individuals or companies from owning large areas of land. Hence, companies are forced to depend upon local seed farmers for the multiplication of seeds. (ICN 2015)

Most companies do not make direct agreements with the seed farmers. Rather, they operate through intermediaries known as “seed organisers”. (Ibid)

The seed organiser is a middle person who mediates between the company and the seed farmers to organize seed production. Companies make production agreements with “seed organisers” with buy back arrangements of the resultant seed, and the seed organisers in turn make similar agreements with seed farmers. (Ibid)

Although companies are not directly involved in the production process and do not directly deal with the farmers, they exert substantial control over farmers and the production process through fixing of the procurement price (price paid to farmers), advancing the capital, extending technical advice, and stipulating quality controls. (Ibid)

The company sets the norms and procedures to be followed by the farmers while cultivating seeds in the fields. Company representatives with the help of the seed organisers also make frequent visits to the farmers’ fields to check whether they are following the norms prescribed by the company. They also offer technical advice to

farmers regarding the use of fertilizers and pesticides, and precautions to take while conducting crosspollination work. (ICN 2015)

Private seed companies play a dominant role in production and marketing of hybrid cottonseeds in Gujarat, they control nearly 95% of the market share in the state. All the large seed companies have their production base in Gujarat, such as Mahyco-Monsanto, Nuziveedu, Emergent Genetics, Syngenta, Ankur, Navabharat, Vibha, Nath and Vikram. Proagro and Advanta, important players in Andhra Pradesh, do not have any cottonseed production programme in Gujarat. (Venkateswarlu 2010:52)

The multinational seed companies Syngenta, Emergent Genetics and Mahyco-Monsanto account for nearly 15% of the area under cottonseed production in the state. (Venkateswarlu 2010:52)

There is rampant child labour (especially girls) employment in the hybrid cottonseed farming sector in Kurnool (Andhra Pradesh) and Mahabubnagar (Telangana) Districts by Indian and multinational companies, despite the fact that the agreements executed for this purpose between the companies and the farmers expressly provide that child labour shall not be employed and that child labour is banned by law. (Ibid) These companies are not regulated and or monitored at any level (i.e. mandal or district or State level). There is total lack of concern for their exploitative measures.

### **Nature of work:**

The mating or crossing of two plants or lines of dissimilar genotype are known as hybridization. Hybrids seeds produced through cross pollination will have “hybrid vigor” and can be used for only one crop. Seed has to be replaced every crop season. Hybrid seed production in a self-pollinated crop like cotton is a difficult task, especially when a large quantity is to be produced for commercial production. Unlike other hybrid seeds like paddy and jowar, in cottonseed, cross pollination work has to be done manually. (Venkateswarlu 2010)

Each individual flower bud has to be emasculated and pollinated by hand by a large labour force. Doak’s method<sup>8</sup> of emasculation of the flower bud is used. This method

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<sup>8</sup>The conventional method of hand pollination and emasculation is still followed in India which is costly and labour intensive. “Doak method” (thumb nail) of crossing is practiced in hybrid seed production. The emasculation and bagging of female parent bud is better done in the evening hours (3.00 to 6.00 pm), while they are pollinated on

involves the removal of bracts first by hand, and then the petals, along with the entire anther-sac whorl, with the nail of the thumb, without damaging the stigma, style or ovary. Crossing needs to be done as soon as the flowers blossom before the female flowers bear fruit (and consequently produce non-hybridised or fake seeds).

(Venkateswarlu 2010: 52)

### **Cottonseed production- contract farming:**

Currently private seed companies both MNCs and Indian companies account for nearly 90% of the total cottonseed produced and marketed in the country. Cottonseed production is carried out through contract farming. Seeds companies depend upon local farmers for seed production. They arrange seed buy back arrangements with local farmers through middlemen called “seed organizers”. (Venkateswarlu 2010)

Although seed companies are not directly involved in the production process, they exert substantial control over farmers by supplying foundation seed, advancing production capital, fixing the procurement prices and through stipulating quality controls. (ICN 2015)

It needs to be understood that these companies are directly responsible as they provide the seeds, the pesticides, and the money, which in turn, is used to engage child labour for production of hybrid cottonseeds. If these companies can have such elaborate systems to check and review the quality of seeds produced, it is not clear why they cannot have some system in place to ensure that child labour is not used in the process of hybrid cottonseed farming. (Ibid)

During 2006-2007, an estimated total number of 4,14,390 children (2,23,940 below 14 years and 1,90,450 were 15-18 age group) mostly girls were employed in cottonseed farms in India. Children constituted about 77% in Andhra Pradesh, 84.5% in Karnataka, 79% in Tamilnadu and 66% in Gujarat of the total workforce. Girls

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the subsequent day in morning hours 8 to 11 am or even upto 12.30 pm. The emasculated flower is bagged with red tissue paper or red straw tube. But after pollination, the red bag or tube is replaced with white bag/tube. The pollen of the male flower are collected and kept under protection in covered trays. A thread is tied at the base of the pedicel for easy identification of pollinated flowers. All missed flowers and unused male flowers must be removed.

more out of number the boys. No other industry in India has such a high proportion child labour in its workforce. (Venkateswarlu 2010: 55)

In Gujarat and Tamilnadu most of the workforce in cottonseed farms were migrant labour. In Gujarat 75-80% of migrant labour in cottonseed farms, were Adivasis (STs) from South Rajasthan. Women, particularly girls accounted for more than 50% of migrant workers. (Venkateswarlu 2010: 55)

### **Terms & conditions of employment:**

Children are employed on a seasonal contract basis through advances and loans extended to their parents by local seed producers, who have agreements with seed companies. Organised attempts are made by the employers to pursue the children into this sector. The recruitment of migrant child and adult workers for work in cotton fields of North Gujarat and Tamilnadu and parts of Andhra Pradesh is dependent upon an extensive network of agents, locally called “mates” “maistries”. (ICN 2015)

Children are made to work for long hours (10 to 12 hours).The wage rates paid to children are below than adult as well as local market wages. Migrant labourers live in makeshift shelters on the farms. (Ibid)

According to one report, about 82,750 children in age group of 7 to 14 years are found to be working in the hybrid cottonseed fields in these districts. While many of them are from these districts itself, several have migrated from adjoining states, districts and mandals for hybrid cottonseed farming. There is no system in place to track these children, no clear indication of the numbers involved. (Ibid)

These children have very long working hours (anywhere between 10 to 12 hours). They work in hazardous conditions, and working in the field under blazing sun, within half an hour of the fields being sprayed with chemicals, pesticides, etc. There are neither preventive nor medical facilities. There are several children who have died, been raped, assaulted, etc. Many have serious medical problems but surprisingly, no action, legal, corrective or otherwise, has been taken till date, at mandal or district or state level. (ICN 2015)

There is lack of interaction and coordination between the community, NGOs, child activists and the mandal or district and state officials. In addition, it appears that there are several departments involved with this issue of child labour and which have been given concurrent responsibility in this regard Departments of Education, Labour, Social Welfare, Women & Child development and Police, but there does not seem to

be enough interaction, coordination and communication among these departments and a collective responsibility to ensure that the problem of child labour is addressed and eradicated. (Venkateswarlu 2010)

There is the whole issue of schools and hostels for children who are rescued from child labour. Apart from that fact that there are not enough schools and hostels to accommodate them. The quality of these schools and hostels are also suspect. (Ibid)

### **Terms and conditions of labour-use:**

Hybrid cottonseed production is a highly labour and capital intensive activity. It requires about 10 times more labour and four and a half times more capital when compared to the commercial cotton crop. Normal cotton requires about Rs. 12,000 to 15,000 per acre, whereas seed cotton requires about Rs.50,000 to 60,000. (ICN 2015) Ploughing, sowing, inter-cultivation, application of fertilizers and pesticides, cross pollination and harvesting are important activities in cottonseed cultivation. Generally the crop season starts in the month of May or June and continues till January or February of the subsequent year. In cottonseed production cross pollination (emasculation and pollination) work, which lasts about four months is done manually. (Ibid)

Cross-pollination alone requires about 90% of the total labour days employed and 45% of the capital investment. It is estimated that, while nearly 2,200 labour days are required for cultivation of one acre hybrid cottonseed crop, cross-pollination work itself accounts for nearly 2,000 labour days. Other important operations like harvesting requires about 100 labour days (4.5%) and inter-cultivation 25 labour days (1.1%). (Venkateswarlu 2001: 59)

Children, mostly girls, are employed for carrying out cross-pollination activity. They are also employed for other activities like sowing, inter-cultivation and harvesting. The involvement of adult labour is mainly confined to activities like ploughing, sowing and application of fertilisers and pesticides. (Ibid)

Hybrid cottonseed production requires assured supply of labour for carrying out various activities, particularly, cross- pollination work. Keeping this in view, the seed producers prefer to have advance agreements with labourers before starting off the seed cultivation. (Ibid) They employ children on long-term contract basis by paying

advances or loans to their parents. One reported survey of 320 children working in cottonseed farms in 1999-2000 conducted and revealed that about 95% of the children were in debt bondage. (Ibid: 60)

“Debt bondage, although generally binding for one crop season only, still manages to extend into years at a time, until the loan is repaid. The survey revealed that most of the children continue to work with the same employers for years together because of debt bondage. This is reflected in the fact that 70% of the children employed in 1999-2000 worked in the same fields as the year before.” (Ibid: 60)

Regarding the loans given to the parents of children, one seed producer remarked that “we need the girls to work in the cottonseed field all through the season. If the children stop coming half way through, we would be at a loss. So we take the agreements from their parents in advance. If they have to abide by the agreement we need to give them some money in advance. If we don’t give, there is a danger of them quitting work in the middle and going to work for others”. (Venkateswarlu 2001: 61)

The wage rates are fixed for the whole season at the time of agreement itself. The wages paid to these children are quite low compared to adult wages. The wage rates vary from area to area depending upon the scarcity of labour. In some areas wage rates are fixed on daily basis and the rate per day is fixed in advance for the whole season. In some areas (Nandyala, Koilakuntla, Allagadda, Gadwal etc), the wage rates are fixed on monthly basis. (ICN 2015) The wage amount will be deducted from the advances or loans. On average children are paid about Rs. 18 per day which is about 30% less than the adult female and 55% less than the adult male wage rates in the market. (ICN 2015)

The agreement is uncertain regarding working hours because the cottonseed farmers want to keep open the option of calling the children very early or keeping them late whenever necessary. Local children generally work for 9 to 9.5 hours per day and during winter when there is more work to be done, they work for 11 to 12 hours. In case of migrant children, they are under the complete control of employers and generally work for 12-13 hours per day. (Ibid)

Children working in cottonseed farms are two types local and migrant children. In most of the areas, employers recruit children from the same village or adjacent villages by contacting the parents of the children directly and make agreements with

them. (ICN and ILRF 2010) “However, migrant children who are brought from other areas specifically for this work form an important segment of labour force about 50% in some areas like Koilkuntla, Sanjamala and Nandyala of Kurnool district, where seed production is highly concentrated and the availability of local labour is insufficient for the entire work.” (Ibid)

To recruit the migrant children, seed farmers mostly depend upon the middlemen called “labour organisers” who organise the labour for them. Labour organisers mediate between seed farmers and parents of the children. It is the responsibility of seed farmer to provide accommodation and food to these migrant children. Migrant children are put in labour camps (a place where migrant children stay) and are given food. The children who are brought in this way need to stay in these camps organised by the employers and work in the fields throughout the day. They generally work 12-13 hours per day. (Ibid)

The process of hybrid cottonseed farming appears to be that the companies have an agreement with the landowners (farmers) in terms of which the farmer becomes responsible for any and all the activities which transpire on his field legal or otherwise. Companies depend upon local farmers for seed production. They arrange seed buy back arrangements with local farmers through middlemen called “seed organizers”. (ICN and ILRF 2010)

Through their “seed-organizer” or “sub-organizer”, these companies enter into an agreement with parents of the children for the purpose of making these children work in the cottonseed fields, paying some “advance”, which, in point of fact, amounts to bonded labour. In terms of this agreement, the farmer is also made responsible and is liable for the quality of cottonseeds produced and for all other seasonal problems. (Venkateswarlu 2001)

The payment is made through the “organizer” and “sub-organiser” to the parents who either sign or affix thumb impression on a pre-formatted contract papers spirally bound and kept with the company only. (Ibid) Infact, the child right protection members have represented that the agreements invariably contain a term not to employ children and imposes entire liability for such an employment of children on parents or farmers. In other words, essentially cottonseed production is carried out through contract farming. The seed organizers or sub-organizers thus mediate between companies and farmers. (Ibid)



Although seed companies are not directly involved in the production process, they exert substantial control over farmers and the production process by supplying foundation seed, advancing production capital, fixing the procurement prices and through stipulating quality controls. The company provides an advance of about Rs.25000 per acre of cottonseed farming for labour and monitors this process strictly and supervises entire operation through its organizers and sub-organizers including payment of wages every week to the children and other labour. (Ibid)

“A chief part of this production is cross-pollination which is done manually and this activity alone requires that about 90% of the total labour expended is done mostly by children.” (ICN 2015)

Farmers endeavour to cut these labour costs by hiring children because the wages paid to children are far below both the market wages for adults in other agricultural field work and even further below both the market wages. Farmers also hire children in preference to adults because farmers can squeeze out higher productivity from children per day. Children will work longer hours, will work much more intensively and they are generally much easier to control than adult workers. Children are made to work long hours (8 to 12 hours) and are paid less than market and official minimum wages. (ICN 2015)

They are also exposed to poisonous pesticides used in high quantities in cottonseed cultivation, which has adverse implications on their health. The employers also often resort to verbal abuse and physical violence to make the children work. The nature of verbal violence includes threats of physical violence, threats to dismiss from work, threats to make the children work longer and threats to withhold wages. Beating of children if they fail to do work properly is also not uncommon. (Ibid)

Emmiganur, Peddakadabur, Nandavaram, Mantralayam, Kosigi and other Mandals in Adoni Division of Kurnool (Andhra Pradesh) are places where cottonseed farming is very intensive. The middlemen transport children for labour from Sanjamula, Allagadda (Kurnool District) to Uyyalavada Mandal in Kurnool and Aija and Maldakal Mandals of Mahboobnagar. (ICN 2015)

#### **Exploitation of Farmers by the Company:**

The company provides inputs such as seed, insecticide etc, investment, technical knowledge, advance for labour, but makes farmer responsible for quality of seed so that payment can be rejected on the pretext that the quality is not up to the standards

prescribed by the company. (Venkateswarlu 2001) “The company through the sub-organizer, provides the advance money for hire of child labour, the pesticides, tests the growth of the crop, makes weekly payments to the labour. But when produce is taken to the company, the seed is tested and if it does not germinate to the 90 percent satisfaction, there will be no payment to the farmer who is held totally responsible for the failure.” (Venkateswarlu 2001: 70)

The agreement binds farmers to wait for the payment for produce for more than two to six months if the produce is tested as quality produce. The rate is generally Rs. 230 per 750 grams (it is Rs. 240 to suborganizer and Rs. 250 to organizer). The company sells the seed at a high price of Rs. 1200 to 2000 per 500 grams. If the produce is not up to the mark, apart from nonpayment, they also insist on return of the money spent as advance and other expenditure also. This is one of the main reasons that drive the farmers into the debt trap and then to commit suicide. (Ibid: 70)

Instead of providing schooling facility, the parents, society and the state machinery are directly and indirectly encouraging the employment of children in cottonseed farming. When the parents are paid Rs. 5,000 to 10,000 as advance, their children are paid only Rs. 18 to 20 as daily wages. (Ibid)

The children are paid Rs. 40 to 50 per day where advance payments are not paid by the Company. For example, in 2000, some of the children have been working in Chinnapadu of Darur Mandal in Mahabubnagar District for more than three years. Children around 12 years finds cross pollination work comfortable as it fetches them at least Rs. 40 or 50 per day during the season.

In order to extract more work from children employers are resorting to new techniques. One way to encourage children to work more intensively is to offer them small inducements, e.g. chocolate, biscuits, or snacks to encourage them to work harder, or to conduct competitions for fast work with the prize being a ribbon or bindi. Twice a month, children are taken to the cinema at the employers’ expense. (Venkateswarlu 2001)

The cottonseed producing companies enter into agreements with the farmers or parents of the children for the purpose of hiring them as labour. This is, in a sense, bonded labour. (Venkateswarlu 2001: 70)

For the child labour brought from adjoining Mandals and Districts or States, there is no proper food and shelter facility as they were entrusted to the family of farmer.

There is no protection from any disease to the children, injuries, sexual harassments or even possible death. There appears to be no system or mechanism in place to monitor this process. The various department heads, including the Women & Child Welfare Department, represented by Project Director, Education Officers, Revenue and Labour Officers did not have much to say about steps taken to mitigate these conditions. (Ibid)

The Labour Department representatives used the lacuna in legislation to absolve themselves from the responsibility of taking action, saying that cottonseed farming is not included in the list of “hazardous activity” and thus, prosecution is not possible under the Child Labour Act. There is no answer to the question why they do not interpret the law in favour of children when the poisonous pesticide is causing ill health and even death in some cases, apart from the fact that there are several other legislations (i.e. Minimum Wages Act, Bonded Labour Act, Contract Labour Act, Constitution of India, etc.) that can be used to initiate action. (ICN 2015)

#### **Impact on education and health:**

The employment of children in cottonseed work has an adverse impact on literacy and health of children. About 60% of the children working in cottonseed fields are school dropouts. They went to school for a few years and dropped out to work in cottonseed fields. 29% of them never attended the school. Seed producers extend loans to parents of the children at a very crucial time of summer, when work is not available in the village and when they are most likely to face financial problems. Parents feel pressurised to send their daughters for work in the cottonseed fields in order to respect the agreement settled earlier in the season. (Ibid: 79)

Working in cottonseed fields also has important health implications for the children involved. The use of pesticides is very high in commercial cotton cultivation (accounting for nearly 55% of the total pesticide consumption in India). “Children working in the cottonseed fields are directly exposed to poisonous pesticides like Endosulphan, Monocrotophos, Cypermethrin and Mythomyl for prolonged periods. When doing cross-pollination work they stand among cotton plants which reach up to their shoulders and bend over them as the children identify flowers ready for pollination.” (Ibid: 79)

In cottonseed cultivation cross-pollination work is carried out even during the days when pesticides are sprayed in the fields. Hence compared to workers in ordinary cotton fields, the children working in the cottonseed fields are exposed more directly to pesticides and are exposed for longer periods of time. Their exposure to Endosulphan, which is an organochlorine, affects their nervous system and the symptoms are precisely found in children working in cottonseed fields, who often complain of headaches, weakness, disorientation, convulsions and respiratory problems. In the absence of long term monitoring of the health of children, there is no way of assessing the permanent damage such exposure has on the health of these children. (Ibid)

### **Health Hazards & Deaths of Children:**

There seems to be no concern for the health and working conditions of children working in these fields. There is no concept of minimum standards of working hours, health, medical aid, care, and protection as per the requirements of law. On rare occasions, these children are provided soap to wash their hands before they take lunch, that too, only on the days when high dosages of pesticide have been sprayed on the cottonseed crop. (ICN and ILRF 2010)

Children from the 9 to 14 age group, have to toil under the hot sun every day from around 9 to 6 in the evening. The most hazardous aspect of child labour in this business is that they are sent into the fields to work within half an hour of spraying the fields with poisonous pesticides. (Ibid)

The general health problems reported by children working in these cottonseed farms include severe headaches, nausea, weakness, convulsion and respiratory depression. Few cases of children's death due to pesticide exposure were also occurred in these districts. (Venkateswarlu 2001)

The use of pesticides in these fields to improve the quality of hybrid cottonseeds, by the companies is a cause of major concern. There is no concept of minimum standards of working hours, health, medical aid, care, and protection as per the requirements of law. Because of the said pesticides, the general health problems reported by children working in these cottonseed farms include severe headaches, nausea, weakness, convulsion and respiratory depression. There has been no investigation in this regard by any State department. (ICN & ILRF)

There is no system in place to monitor and regulate the use of pesticides and its implications on children working in these fields. It is not clear what precautionary steps, if any, these companies or the pesticide companies as the case may be, take before they sell or hand over the pesticides to the farmer. The issue of providing doctors or medical treatment is not even done. (ICN and ILRF 2010)

**Examples of children whose miserable conditions led to deaths:**

1. An activist Anjaneyulu (Child Rights Forum) of Chinna Padu in Darur Mandal of Gadwal constituency informed in 2000 that one boy who migrated from Karnataka suffered vomiting and loose motions, obviously because of the pesticide and due to lack of medical facilities, he died around four months ago in Marlaveedu of Darur Mandal. When the matter was reported to the police, the police did not respond on the excuse that the parents of the child did not make a formal complaint. No action legal or otherwise has been initiated till date. (Venkateswarlu 2015)

2. In Kurnool, a girl died in the same year while working in seed bank when a bag fell over her. Her body was found after six days. No case was booked. (Ibid)

3. Two children Chakradhar and Tilak Kumar died of ill health while working at cottonseed farms. (Ibid)

4. In Bethamcherla mandal, Rangapuram village, Bhupal, son of Rangaiah died while working for master Balarangaiah in stone polishing industry. There are several such children working in Stone polishing mines, who have suffered injuries and other health problems, but no steps have been taken till date to correct this problem. (Ibid)

5. On March 28, 2007 in Majara village in Nandyala (Krantinagar colony) a student called Sarat Kumar Reddy was beaten by the teachers leading to his death. When parents questioned school management they claimed that boy died of health problems. Police refused to register a case. After students agitated they registered the case but no action has taken against the school. (Ibid)

6. In Bandi Atmakur village of bandi atmakur Mandal, of Nandikotkur Taluka on 12 July 2007, a boarder of Velangani Mata Residential school died of fever. The boy was suffering from fever for one week and hostel authorities did not care to provide medical facilities or shifted him to hospital. Local daily labourers collected donations among themselves and shifted him to hospital. But it was too late. (Ibid)

**Examples of girls who suffered from Rape & Injuries:**

1. Yashoda (14) and Syamala (13) the child labour in R. Pompalle village of Uyyalawada mandal were raped. Status of the case is unclear. It is not clear what kind of action has been taken against the offenders. (ICN 2015: 67)

2. Incidents of loss of fingers, hands and legs as a result of working on stone cutting machines, go largely unreported. Children suffer from contagious diseases which are very hazardous. (Ibid)

3. One girl Venkateswari suffered eye injury because of spraying of pesticide in field while she is working. Around Rs 6000 was paid as compensation and initially medical aid was given to the girl. However, no case was filed and the girl lost the eye later. (ICN 2015: 67)

“The foregoing cases are just by way of examples of the magnitude of this problem of child labour, and is by no means exhaustive.” These points were made out of the depositions before the three members Committee at the public hearing held in Kurnool, and from the memoranda submitted by Child Rights Protection Forum from different Mandal Headquarters etc. (The National Commission for Protection of Child Rights)

**Educational status:**

Most of the children found working on seed farms were school dropouts who are now working as a full time workers. (Venkateswarlu 2001) “They accounted for nearly 62% of the total working children in Andhra Pradesh and Karnataka. In other states the proportion of school dropout children varied between 55% and 58%. The category of children who go to school and temporarily drop out during the cross-pollination

period accounted nearly 34% of the total working children in Gujarat and Tamil Nadu. In other states their number varies between 24% and 30%.” (Ibid: 84)

The number of children who are temporarily dropping out from school during the cross-pollination period has increased in recent years. The pressure on farmers to reduce the labour costs is leading to the adoption of new strategies to find cheap labour. In Tamil Nadu and parts of Karnataka and Gujarat it is observed that the farmers are encouraging school going children to take up cottonseed work as a part-time activity. Also the timings for cross-pollination activities are adjusted to the school timings. (Ibid)

### **New forms of child labour: employing children as part-time workers:**

The pressure on farmers to reduce the labour costs is leading to the adoption of new strategies to find cheap labour. The trend which began in Tamil Nadu in the mid-2000s has now spread to other states as well. In several parts of Karnataka, Gujarat and Tamil Nadu it is observed that the farmers are encouraging school going children to take up cottonseed work as a part-time activity. (ICN and ILRF 2010)

“The crosspollination period is adjusted to suit the school hours, three hours in the morning (6.00 am to 9.00 am) before school starts and two and half hours in the evening (4.00 pm to 6.30 pm) after school. Children are paid a nominal amount of Rs.50-60 per day for this work whereas the actual daily wage rate for adult workers is Rs.150- 180.” (ICN and ILRF 2010)

Though it looks like a part-time activity, children actually work five to six hours and the time they spend working is the same amount of time they spend in school. This will have serious implications on school performance and slowly pressures them to drop out from schools and join the workforce. Over time many of the children become affected with both school and work and often drop out of school in order to continue working in the cottonseed fields. (Ibid)

### **Challenges of Child Labour:**

#### **Poverty:**

Poverty is one of the main causes of child labour. In developing countries poverty is one of the major drawbacks and the children are considered as helping hand to support their families and themselves as well. Due to poverty, illiteracy and

unemployment parents are unable to send them to schools, instead the children are asked to help them in running the family so they send their children to work in inhuman conditions at lower wages. In order to keep costs down, even large companies employ unorganized workers through contractors, who get uneducated and unskilled and semi-skilled people at very low wages. (Patil 2013)

This helps the industries to keep their labour costs down at the cost of the poor labourers. In effect, what happens is that, the children of these poor unorganized labourers have to help run the family. (Ibid)

They cannot afford to go to school when they do not have food to eat, and when their other siblings go hungry. Hence, children from such deprived families try to work as domestic servants, or in factories that employ them, and remain uneducated and grow up that way becoming perennial victims of this vicious cycle of poverty and suppression. (Ibid)

#### **Debts:**

The poor economic conditions of people in India force them to borrow money. The illiterate seek debt from money lenders during emergency situations. At later point of time they find themselves difficult in paying back the debts and interest. As a result, the debtors are made to work for money lenders and then debtors drag their children too in assisting them so that the debts could be paid off. (Ibid)

#### **Nimble Fingers:**

Children are considered to be suited in the cotton cultivation and those who use children to work argue this work cannot be performed better by adults. This is just one of many reasons used to justify the numbers of children working today in the cotton fields. (Ibid)

#### **Professional Needs:**

There are some industries such as the bangle making industry, where delicate hands and little fingers are needed to do very minute work with extreme excellence and precision. Adults hands are usually not so delicate and small, so they require children to work for them and do such a dangerous work with glass. This often resulted in eye accidents of the children. (Ibid)



**Illiteracy and lack of education:**

Illiteracy is a situation when a person is not able to read and or write. This is when the person is not in a position to get even primary education. Lack of education is another aspect which is a result of illiteracy and lack of information. An uneducated person is one, who is generally unaware of things which an average person is required to know. Such people are normally unaware of their rights and the rights of their children too. The children of such people normally become child labourers around their homes. (Ibid)

**Irresponsible attitude of employers:**

A general sense of irresponsibility towards society is seen among the employers in India, who are least bothered about how their employees survive. In spite of being aware of the high cost of living and inflation, they are least bothered and least ashamed to pay wages, which are much below sustenance levels. (Ibid) Children work for long hours, and under severe hardships on the fields. They are also exposed to the hazards of working with modern machinery and chemicals, hazardous industries or occupations- like glass making, mining, construction, carpet-weaving, zari-making, fireworks, and others, as listed under the Child Labour Act, small industrial workshops and service establishments, on the streets- rag-pickers, porters, vendors etc. (Ibid)

**Lack of educational resources:**

Even after so many years of our country's independence, there are instances where children are deprived of their fundamental right to education. There are thousands of villages in our country where there are no proper facilities of education. And if there is any, it is miles away. Such administrative negligence is also responsible for child labour. The worst sufferers are the poor families for whom getting their children educated is a dream. Sometimes the lack of affordable school for the education of poor children leaves them illiterate and helpless. Children are forced to live without studying. And sometimes such compulsions push them into the trap of child labour. (Ibid)

**Social and economic backwardness:**

Social and economic backwardness is also the main reason for child labour. Socially backward parents do not send their children to receive education. Consequently, their children are trapped in child labour. Due to illiteracy, many times parents are not aware of various information and schemes for child education. (Ibid) Lack of education, illiteracy and consequently, lack of awareness of their rights among them have encouraged child labour. Also, uneducated parents do not know about the impact of child labour on their children. The conditions of poverty and unemployment give rural families a compulsive basis for engaging children in various tasks. In fact, feudal, zamindari system and its existing remnants continue to perpetuate the problem of child labour. (Ibid)

**Addiction, disease or disability:**

In many families, due to addiction, disease or disability, there is no earning, and the child's wages are the sole means of family's sustenance. Population growth is also increasing unemployment, which has adverse impact on child labour prevention. So, parents, instead of sending their children to school, are willing to send them to work to increase family income. (Ibid)

**Poor compliance of laws:**

In modern society, laws stipulate that citizens have the right to receive good education, avail good health services and take care of their health. Every citizen has the right to play the game he enjoys, and enjoy all the means of entertainment, and when he grows, to obtain employment where he can earn well and contribute to society and nation. But in the absence of proper compliance of the laws, child labour is continuing. It can be prohibited only by strict adherence to the related laws. (Ibid)

**Lure of cheap labour:**

In the greed of cheap labour, some shopkeepers, companies and factory owners employ children so that they have to pay less to them and it amounts to employing cheap labour. Shopkeepers and small businessmen make children work as much as they do to the elder ones, but pay half the wages. In the case of child labour, there is less chance for theft, greed or misappropriation of money too. With the development

of globalization, privatization, and consumerist culture, the need for cheap labour and its linkage with economic needs of poor families have encouraged child labour. (Ibid)

**Family tradition:**

It is a shocking but a bitter truth that in our society it is very easy to give child labour the name of tradition or custom in many families. The culture and traditional family values play their role in increasing the problem of child labour at the voluntary level. Many families believe that a good life is not their destiny, and the age-old tradition of labour is the only source of their earning and livelihood. (Ibid)

Small businessmen also waste the lives of their children in the greediness of perpetuating their family trade with lower production costs. Some families also believe that working from childhood onwards will make their children more diligent and worldly-wise in terms of future life. They believe that early employment will give rise to their children's personal development, which will make it easier for them to plan their life ahead. (Ibid)

**Discrimination between boys and girls:**

We have been conditioned into believing that girls are weaker and there is no equal comparison between boys and girls. Even today, in our society, there are many examples where girls are deprived of studies. Considering girls weaker than boys deprives them of school and education. In labourer families, girls are found to be engaged in labour along with their parents. (Ibid)

**Summary:**

The use of child labour in the production of hybrid cottonseeds in India has been widely reported. Though the use of child labour is prevalent in many industries in India, probably no other industry has been so systematically scrutinized on child labour, and later wages paid, as the cottonseed industry. An important reason for that is the very high prevalence of child labour and the staggering number of child labourers due to the high demand in cotton production. Another reason is the substantial involvement and presence of large multinational companies for the cotton production. Despite of this the issue of child labour in the cottonseed industry, as well as that of below minimum wages especially for women, has been far from solved.

The recent figures regarding the magnitude of child labour, measured in terms of proportion of children to the total workforce and the average number of children employed per acre, in hybrid cottonseed production in India is high in some of the states like in Andhra Pradesh, Tamil Nadu and Karnataka. However, now a days high number of children employed on cottonseed farms, particularly in Gujarat. This is due to a substantial increase in the production area in these states.

The response of some of the state governments to address the problem of child labour in this sector has not been very encouraging. The government of Gujarat and Rajasthan, have not initiated steps to control the trafficking of children from Rajasthan to Gujarat cottonseed fields and also have not paid serious attention to tackle the issue. They are in a denying mood about the existence of large number child labourers in this sector. In fact the employment of children on family farms, which has increased recently, has not received any serious attention from the state governments of Gujarat and Rajasthan.

There is a misconception, which is propagated by government and some seed companies, that most of the working children in seed production are family labourers who help their parents during school holidays and before and after school hours. This is not correct. Though there is an increase in the composition of family children in total workforce in recent years, they still constitute a small portion of total working children.

The response from the seed industry as a whole to address the problem of child labour has not been very encouraging. Despite acknowledging the problem and promising steps to address the problem of child labour, seed companies, except for a few multinationals and local companies, to date have not taken any serious efforts to tackle the issue on the farms that are producing seed for their companies.

The other issue of major concern in cottonseed production is payment of minimum wages to workers. The Indian laws guarantee payment of minimum wages to workers in different sectors, including the agriculture sector. In spite of this legal requirement, below payment of minimum wages has long been a serious issue in the agriculture sector, especially in the hybrid seed production. Unfortunately still it is a serious issue, mostly for women and children.

A comparison of prevailing market wages with the statutory minimum wages fixed by the respective state governments clearly indicates that the legal norms are not followed, especially for certain categories of workers and activities.

The minimum wages issue has not received as much attention as child labour and no serious efforts were made to tackle this issue either by the government, the seed industry or by civil society organizations. In many states, the Minimum Wages Act is not implemented properly in the agricultural sector. Moreover, there is lack of awareness about the Minimum Wage Act among workers and farmers. The workers in cottonseed production are not well organized and there are no active worker organizations operating in most of the areas.

An analysis of recent trends in wages and procurement prices in cottonseed production indicates that there is a link between procurement prices received by the farmers and wages paid to workers. There are multiple factors that determine the wages paid to workers in seed production. Procurement price is one of the contributing factors that determine wages.

Given the gap between prevailing wages rates and legal minimum wages, if farmers pay minimum wages to workers the cost of production would rise significantly. With the current procurement prices and crop yields, the farmers would be left with no or a negative margins if they had to pay minimum wages to the workers.

As a first step in the direction of implementing minimum wages companies need to have a proper review of their procurement policies and ensure that growers have enough margins to pay minimum wages to workers. Since 2012 the cost of cottonseed production has increased significantly but the procurement prices paid by companies to seed farmers remain stagnant.

Due to government regulation on cottonseed prices, currently the seed companies are constrained to increase the procurement prices. The companies are arguing that they will not be able to increase procurement prices unless they are allowed to increase the sale price. Unless procurement prices are increased farmers will not be able to increase the wages and pay minimum wages to workers. There is a need for the state governments to solve these interlinked problems at frequent intervals reviewing the sales prices of companies, their procurement prices and the wages that are paid to the agricultural labourers taking into consideration the changes in cost of production of seeds, the costs of cultivation by farmers and the needs for decent wages by agricultural labourers. The present minimum wages might not be enough to be considered a decent or living wage. This should also be investigated and if needed corrected by the respective state governments.

**CHAPTER-4**  
**CHILD LABOUR IN COTTON**  
**FARMING OF POST-SOVIET**  
**UZBEKISTAN**

## **CHAPTER-4**

### **CHILD LABOUR IN COTTON FARMING OF POST-SOVIET UZBEKISTAN**

#### **Background:**

The practice of forcing children to bring in the cotton harvest which emerged in Soviet times was continued after Uzbekistan's independence in 1991. As a result, around two million school children from almost nine thousand schools in the republic are doomed to labour in the cotton fields each year. The economic crisis that has seized the country in the past few years and the total impoverishment of the population have contributed to the growth of this form of slavery. The government force not only children but also segments of the adult population to perform any type of labour. (Forced Labour Uzbekistan Report 2013)

Cotton production and export have a long history in Uzbekistan. The production of cotton, also called "white gold," has long been a strategic centerpiece of the economy of Uzbekistan, which ranks third among world cotton exporters. Despite the declared objective of the Government of Uzbekistan, a market oriented transition and liberalization, the government has not loosened its grip on the entire cotton value chain, including the centralized setting of prices through the state procurement system. (Ibid)

"This system focuses on implicit taxation of cotton producers, which represents an important source of government revenue. Annual cotton production targets set by the state call for cotton cultivation more than 50 percent of total cropland." (Forced Labour Uzbekistan Report 2013)

Forced labour has been an establish component of cotton production in Uzbekistan for decades, affecting over a million children and adults every year. The government of Uzbekistan has steadfastly denied the existence of forced labour in the country.

For many years the government used school children aged 11-15 years, together with older students and adults, to pick cotton. Apparently in response to sustained international criticism around the use of child labour, in 2012 the government stopped mobilizing children younger than 16 to pick cotton on a mass scale. (Ibid)

The government instead shifted the forced labour burden to older students, including children age 16-17 studying in colleges (the equivalent of American vocational high schools) and lyceums (the equivalent of American college-preparatory high schools), and adults working in both the public sector and for private businesses. This pattern was repeated in 2013. (Forced Labour Uzbekistan Report 2013: 25)

“During the 2013 cotton harvest, in six oblasts (territorial-administrative divisions) and the capital, Tashkent, it was found that the government’s use of forced labour was widespread and systematic, affecting well over a million people across the country, mainly children aged 16-17 and adults. While school children up to age of 15 were mobilized on a mass scale in 2013, children aged 16-17 studying at secondary institutions such as colleges and lyceums were forced to abandon their studies to harvest cotton for periods of between one and two and a half months.” (Ibid: 25)

Despite significant regional differences in the government’s implementation of the system of forced labour, the system of forced labour is highly centralized, directed from the highest levels of government and implemented by regional and local officials, directors of colleges and lyceums, and administrators of government-funded agencies and organizations, including schools, medical clinics, and local governments. (Ibid)

The forced mobilization of labour also imposes enormous social costs across many sectors and communities in Uzbekistan. Many businesses and state-funded agencies and organizations are unable to provide normal levels of goods or services during the two months of the harvest because so many of their employees are forced to work in the cotton harvest. Many individuals and organizations, including private businesses, are exempted from mobilization, but only if they instead make mandatory contributions to fund the work of the harvest. (Forced Labour Uzbekistan Report 2013)

In the case of small businesses, government officials such as tax inspectors or officials from the local administration collect these funds, implicitly threatening consequences should a businessman fail to pay. Where this fails they resort to coercion, including intrusive inspections, tax collections, refusal to grant necessary permits, cutting off utilities and confiscating inventory for trumped up violations of various state regulations. (Ibid)



According to one source, “cotton production in the Central Asian Republic of Uzbekistan continues to be one of the most exploitative enterprises in the world. 90% of the countries cotton is still hand picked, a great portion by forced labourers.” (Uzbek-German Forum for Human Rights 2018:01)

While prior to 2012 the most apparent victims of the industry were children, now this system of forced labour mainly affects teenagers and young adults as well as the working population. Cotton pickers are conscripted to arduous labour in the fields, often working and living in extreme conditions and receiving little or no pay in return. The local authorities of the region, the hokimiyat (the heads of local administrative units), set the cotton quota that needs to be picked during each harvest. These quotas are rigorously enforced and result in children often working up to 10 hours a day. (Ibid)

Uzbekistan is one of the leaders of the world cotton market, ranking sixth place for its cotton production and third place for its export of cotton. The cotton harvest is a highly orchestrated affair, controlled and directed by the Government. A clear chain of command ensures the mobilisation of the cotton pickers. Reporting directly to the President, the Prime Minister produces the national plan for cotton production, which includes the national production target. (Uzbek-German Forum for Human Rights 2018)

The Prime Minister then convenes the Regional Governors (Hokims) and verbally dictates the cotton production quota for each region. The quotas are then further subdivided and enforced right down through the hierarchy of state institutions. Children and adults are forced to work alongside farmers to ensure that quotas are met. Uzbekistan is the only country in the world in which the state shuts down schools, colleges and universities during the academic term and sends students to harvest cotton. (Ibid)

The system for mobilizing students is simple. There are no written documents about sending children to work in the fields. The heads of educational institutions receive verbal instructions from the local administrative body (Hokimiyat) to send students to the fields, depending on the age of the child as well as the time of the harvest season. (Uzbek-German Forum for Human Rights 2018)

During more than two months students are far from their parents under the supervision of school administration. The living conditions for students and school

children are often harsh, in terms of access to food, clean water, hygiene products, as well as the basic living environment overall. (Ibid) Students from colleges are placed in field barracks located in buildings not intended for residential dwelling, such as rural school houses, dilapidated barns, local administration buildings, which are, in general, buildings which do not meet basic health and safety standards for residence.

### **History of Cotton Production in Uzbekistan:**

#### **The Tsarist Era: 1860–1917**

Before 1860, the cotton belt region of the United States was the main supplier of cotton fiber to Tsarist Russia. The U.S. Civil War hampered this export channel, and Russia sought alternatives to satisfy its cotton demand. Starting in the 1860s, Tsarist Russia expanded into Central Asia because of its favourable climatic conditions and geographic location. As part of the “Great Game” between the British and Russian Empires, railroads were constructed between main cities and commercial centers in Central Asia and Russia. (Spoor 1993)

This Russian colonisation inaugurated an era of regional specialization, and the small independent khanates covering modern Uzbekistan (the Kokand and Khiva Khanates and the Bukhara Emirate) were forced to become the main suppliers of cotton to Russia. To increase cotton yields and improve its quality to meet the requirements of the Russian textile industry, gypsum varieties were imported from Central America. (Rudenko 2008: 04)

In addition, the cotton area was expanded from 35,000 hectares to 4,41,600 hectares, and the yield of raw cotton increased from 0.7 ton per hectare to 1.2 tons per hectare between 1860 and 1913. (Spoor 1993, and Pomfret 2002) The expansion in cotton area, which came at the expense of area sown to cereals, was due to the forced cultivation of cotton rather than to producers’ reaction to improved terms of trade. In the late 19th and early 20th centuries, one-third of total irrigated land in Central Asia was devoted to cotton production. Cotton was grown on the more fertile soils, whereas cereal cultivation occurred on less fertile soils. (Nodir Djanibekov, Inna Rudenko, John P. A. Lamers and Ihtiyor Bobojonov 2010)

### **The Soviet Era: 1920–1991**

Following the 1917 Bolshevik revolution in Russia, Central Asia became a part of the Soviet Union. In 1924, the Uzbek Soviet Socialist Republic (UzSSR) was declared, with borders more or less matching those of current Uzbekistan. During the Soviet era, the central government regulated agricultural production and input and output prices. In addition, all supporting services for agricultural production, such as input distribution, agro-processing and trade, were state owned and closely linked to the state procurement system. (Spoor 1999)

The government of the USSR pursued cotton self-sufficiency and foreign exchange earnings much more than Tsarist Russia had, and cotton was declared the “white gold” of Central Asia. Soviet investments in the Uzbek Soviet Socialist Republic (UzSSR) were almost exclusively oriented to the massive expansion of cotton production. Between 1913 and 1940, Uzbekistan’s cotton area increased from 4,41,600 hectares to 1,022,600 hectares. To increase cotton yields further, the Soviet Union government pursued the intensive use of machinery, fertilizers, and pesticides and the use of improved cotton varieties. Whereas before the 1860s, what was then Uzbekistan had supplied less than 10 percent of Russia’s cotton, from the 1930s onward the USSR became self-sufficient in cotton and even became an exporter in the 1950s. (Pomfret 2002)

In the 1960s, a new wave of massive expansion of cotton in the Uzbek Soviet Socialist Republic was triggered by a specially designed irrigation program. Cotton area in the Uzbek Soviet Socialist Republic increased by 23 percent in the 1960s and 1970s and reached almost 20,00,000 hectares in the early 1980s. After 1960, the land devoted to cotton constituted about 61 percent of arable land, and the level of specialization was greater than elsewhere in the Soviet Union. Yields increased rapidly, and by the mid-1970s, the raw cotton output in Uzbekistan was 3 tons per hectare, being the highest yield among all major producers at that time. Output reached 4.6 million tons of raw cotton in 1970 and more than 5 million tons in 1980, 10 times the output of 1913. Cotton became the engine of the economy of the Uzbek Soviet Socialist Republic (UzSSR), which produced more than two-thirds of all Soviet cotton. As in the Tsarist period, however, little attention was devoted to developing the entire cotton value chain in the Uzbek Soviet Socialist Republic (UzSSR), and processing facilities and opportunities inside the country were not

pursued. Uzbekistan remained purely a supplier of cotton fiber, which was processed by the textile industries in Russia and Eastern Europe. Cotton fiber was thus transported several thousand kilo-meters for processing, and ready-made textiles were then transported back to the USSR. (Nodir Djanibekov, Inna Rudenko, John P. A. Lamers and Ihtiyor Bobojonov 2010)

### **The Transition Period: 1991 till present time:**

When Uzbekistan became a sovereign state in 1991, the share of agriculture in GDP was greater than 33 percent, followed by the industrial sector with 27 percent. Concurrently, financing from the central Soviet government ceased, and the Government of Uzbekistan sought its own ways of generating revenue. Yet the former dependence relationships could not be easily replaced by the anticipated focus on market-oriented production and international trade. A gradual market oriented reform was introduced, and Uzbekistan has since pursued an “Uzbek Model” of transition from state socialism to a market-based economy. (Zettelmeyer 1999)

This model consisted of a gradual reform designed to cushion the economic and social impact of the dramatic changes associated with the dissolution of the Soviet Union. (Pomfret and Anderson 1997) The agricultural reforms sought to maintain foreign exchange revenues from exports because cotton brought Uzbekistan greatly needed hard currency. (Rudenko 2008) Following independence, the state procurement system remained a centerpiece of the national strategy largely because the national budget depends on revenues from the implicit taxation of the entire cotton sector through production targets and determined procurement and input prices. (Pomfret and Anderson 1997)

Despite its relatively high place in world export and production rankings, the Government of Uzbekistan exports cotton irrespective of the level of the world market price.

Despite its achievements in cotton production and export earnings, Uzbekistan’s strict focus on the export of a single commodity, cotton fiber, makes the country vulnerable to world price fluctuations, particularly during periods of depressed world prices or reduced demand for cotton. (Ibid)

On the other hand, Uzbekistan’s economy benefits from increased world market prices for cotton as occurred in April 2003 and August 2007. In the aftermath of

independence, the input and output trade arrangements between Uzbekistan and other former Soviet republics became unreliable and were plagued by nonpayment by those countries. Gaining self-sufficiency in energy became a declared priority of the Government of Uzbekistan, which pursued a strategy of diversifying economic output away from agriculture and raw materials and toward the industrial sector. As part of this strategy, resources stemming from cotton and gold sales were used to develop import substituting industries such as wheat processing and oil refining. (Rosenberg, Ruocco, and Wiegard 1999)

With the gradual diversification of the export sector, the share of cotton in national export earnings decreased and at present is exceeded by gas and gold sales. Nonetheless, the production targets and state-determined cotton prices remain bedrock of the cotton value chain, and more than 50 percent of total cropland in Uzbekistan is still allocated to cotton production annually. (Muller 2006)

### **Central Asian Resources and Cotton Monoculture:**

The indigenous, primitive feudal economy of Central Asia was different from that of Tsarist Russia and later Soviet Union both structurally and qualitatively. The rulers in Russia understood very well that in order to successfully exploit the resources of this region it had to be structurally integrated within the broad framework of the Russian capitalist and later socialist order. (Uzbek-German Forum for Human Rights: 2018)

This gave rise to the need for well-developed transportation and communication that served their two objectives: one to meet the interest of their industry, and the second to fulfill their military and political aims. So building up a strong infrastructure became their first priority, and thus there is world class infrastructure all over the republic today. (Ibid) Especially in the urban and semi-urban areas like Tashkent, Samarkand, and Bukhara there are excellent roads and the Tashkent Metro system makes the whole city look like a well-integrated unit. (Ibid)

Before the close of the nineteenth century, Russian private capital started displaying more interest in the exploitation of the resources of the region, as by then military security had been established. (Forced Labour Uzbekistan Report 2013)

Until the middle of the 1890s, the Russian capitalist class displayed subdued interest in the development and exploitation of indigenous resources. Experts believe that “from then to the outbreak of the 1917 revolution, the Russian capitalist class became involved in most of the economic ventures in the region.” (Ibid: 32)

Most of the industries built during Soviet times have either been closed or became defunct immediately after the independence. Much of the skilled manpower, mostly from Russia, left Uzbekistan and industrial equipment designed for the industry no longer was sent by Russia. Consequently, Uzbekistan was left with hundreds of thousands of unskilled and semiskilled labourers jobless. (Ibid)

“The extension of the Trans-Caspian railroad to Tashkent in 1898 put an end to the isolation of the local capital that “opened Central Asia to Russian Capital”. Historically, the growing of cotton in Central Asia’s traditional economy did not structurally differ from any other local industry. ” (Forced Labour Uzbekistan Report 2013: 35)

Even long before the region was annexed to the Russian empire, two thirds of the total volume of goods imported from Central Asia to Russia was in the form of raw cotton, yarn, and related items. The introduction of the American variety of cotton became so popular that it soon supplanted the old variety and increased the volume of trade with Russia. By the year 1890, almost the entire cotton area of Turkistan was sown with the American type of cotton, and between 1886 and 1900, the cultivation area increased from 41,000 desyatins to 92,888 desyatins<sup>9</sup>. (Bhat 2013)

In areas like Samarkand, Syr-Darya, and the Trans-Caspian provinces, cotton cultivation comprised as much as 75 percent to 80 percent of the cultivated acreage. The Central Asian industry had received a boost as a result of the world-wide cotton crisis arising out of the American civil war. (Ibid: 04)

By 1911-1912, about 52 percent of the needs of the Russia’s cotton textile industry were being met by the cotton brought from Turkistan and by 1914-1915 it had gone up to 70 percent. There is no doubt that the Russian textile industry was heavily dependent on the production of cotton in Central Asia. (Ibid: 04)

All this not only led to the emergence of a number of banks and credit institutions, but it also resulted in widespread indebtedness of the small farmers and many of them lost their holdings to the money lenders. (Bhat 2013: 04) The Soviet authorities had focused continuously and consistently on increasing the production for which they tried to bring more and more area under its cultivation with expanded irrigation

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<sup>9</sup>A dessiatin or desyatin is an archaic land measurement used in Tsarist Russia.

facilities. To improve irrigation facilities they had to invest heavily in building huge irrigation canals largely using water from Amu Darya and Syr Darya. (Ibid)

### **Control of Government over Cotton Production:**

As such, cotton production policy is highly centralized and controlled at the highest levels of government. The government of Uzbekistan establishes the national cotton policy for the country, including the volume and varieties grown, and the prime minister bears personal responsibility for agriculture, including the cotton sector, and personally conducts conference calls with local authorities throughout the country during all phases of the cotton production cycle to ensure compliance with the government's cotton production plan. (Institute of War and Peace Reporting 2004)

Although most farms have been converted to leases since the end of the Soviet Union, cotton production is still controlled by an administrative-command system, a planned, highly centralized system where decisions around cotton production, harvesting, and sales are made by the central government and enforced by coercive means. Who officially owns the land increasingly becomes academic in the face of comprehensive state control on the farmer's decision-making, inputs and access to market. (Ibid)

The government establishes annual production targets for each region of the country. Local Hokims (the heads of local administrative units) risk losing their seats if their regions fail to meet the targets, while farmers who fail to meet their quotas are subjected to a range of sanctions including economic and administrative, and even criminal prosecution. Farmers are at risk losing their land if they do not meet the production quota. (Ibid)

The government controls every aspect of the production, processing, sale, and export of raw cotton and cotton fiber. Forced labour is an inherent component of the cotton production system in Uzbekistan, not just for picking cotton and preparatory field work such as sowing and weeding. Farmers are also subjected to coercion to grow cotton. (Ibid) The government dictates what varieties of cotton they must plant. Farmers must use inputs and agricultural services provided by government controlled monopolies and must sell their crops to government monopoly processors at government established procurement prices. (Ibid)

The government also sets the rates paid to workers for harvesting, which are substantially lower than market wages. Revenues from cotton, estimated at \$1 billion

USD annually, are concentrated in the hands of the Central Government, mainly funneled directly to the opaque and unaccountable Selkhozfond<sup>10</sup>, an extra-budgetary fund of the Ministry of Finance. However, as one analysis concluded “these draconian methods do not result in increased efficiency of cotton production, the quality of which is one of the lowest among cotton producing countries in the world”. (Forced Labour Uzbekistan Report 2013: 40)

For decades the cotton production system in Uzbekistan has relied on forced labour throughout the system and on forced mobilization of the population to harvest. The government is mobilizing schoolchildren aged 11-15 years on a mass scale to work in the cotton fields during the harvest. Schools were partially empty throughout much of the country as pupils from the fifth grade and older and teachers harvested cotton. (Institute of War and Peace Reporting 2004)

Due to sustained pressure from local and international organizations and foreign governments over many years, in 2012 the Uzbek government appeared to shift the demographics of its forced labour policies. Beginning with the 2012 harvest, the government of Uzbekistan adopted a policy not to mobilize children younger than 16 on a mass scale. However this shift did not mark a fundamental move away from the use of forced labour. (Bhat 2013)

The administrative command economy and the coercive nature of the cotton production system, however, did not change. Instead, the government appears to have moved the labour burden to secondary students aged 16-18, university students, and employees of state-funded organizations and agencies, and private businesses who were mobilized in greater numbers. (Ibid)

President and his government control both the political system and the economy in Uzbekistan. As a consequence, both cotton production and trade in Uzbekistan are extensively nationalized. Cotton is produced on private farms, but the harvested cotton must be handed over to the state-owned firm Uzkhlopkoprom<sup>11</sup> (UKP) for a

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<sup>10</sup>Fund housed in the Ministry of Finance responsible for payments for agricultural production, purchasing and sales.

<sup>11</sup>The charge is usually formulated as sabotaging state property, as the cotton harvest belongs to the state purchasing monopoly, Uzkhlopkoprom.



price dictated by the state. According to a study by the World Bank, the amount officially paid to farmers is only a third of the export price. (Bhat 2013)

According to reports, many farmers do not even receive this amount, and in many cases they only get a sixth of the stated price. Indeed, the wage they receive through the sale of cotton does not even cover the costs of seeds, fertilizer, and other items needed to produce the harvest. (Ibid)

As the whole system of cotton trade is controlled via the state and a large percentage of the profit flows directly into the state treasury, it is in the interest of the Government to keep production costs as low as possible and ensure that the difference between domestic production costs and international market prices remains at a maximum. As an effective means of maintaining their wide profit margin, the use of child labour during the cotton harvest is highly attractive to the Uzbek regime. (Ibid)

### **The Forced Child Labour:**

Child labour in Uzbekistan differs from that in other parts of the world in that it is systematically organized by the State. The families of those affected scarcely profit at all. The Government mobilizes children as a cheap source of labour during the cotton harvest. The State dictates quota for cotton which must be fulfilled. Compliance with these quotas is implemented hierarchically, at the beginning of the harvest the governors of the provinces (hokims) pass on binding orders to their respective district governors to close schools and send children out to work in the harvest. (Institute of War and Peace Reporting 2004)

The district governors then send on these orders to the educational departments of the respective districts. From there the command is issued directly to schools. Each province must fulfill its allotted quota within the framework of the national cotton plan. This quota is divided among the individual districts. (Ibid)

Those in charge of schools are given precise instructions regarding how much cotton each child must harvest. Schools are obliged to send children out into the cotton fields. Administrative employees and teachers who refuse to obey were at risk of losing their jobs. The families of children who refuse to work are pressurized by the police and the prosecution service. The authorities threaten to withhold pension and social support, to cut off electricity, gas and water supplies and even to arrest,

imprison and charge members of non-compliant families. (Forced Labour Uzbekistan Report 2013)

The farmers then take over the organization of the labour, they collect up the cotton harvested by the children and pay the children their meagre wage. The farmers finance the field work via the school administration and the teachers dispatch money each week. Those farmers who provide food for the children deduct the costs incurred from the children's wages. (Ibid)

In accordance with this system, many schools, particularly those in agricultural regions, are closed from September until December. Also, hundreds of thousands of children are sent to work during the planting season each spring. The children involved miss two to four months of school every year as a consequence. According to many reports, the large-scale cancellation of school lessons disadvantages these children to the extent that they are increasingly unable to gain entry to high schools and universities. (Ibid)

Annually, the Uzbek government engages in a campaign to mobilize adults and children on a massive scale to prepare the fields and to harvest the cotton, a system that began when the government abolished Soviet-era state run farms in favour of a land "leasing" system managed by government owned and operated "joint stock" companies. (Ibid) A farmer or citizen ordered to fulfill a harvest and refuses to participate when called upon to grow or harvest cotton faces the threat of punishment by the government. (Ibid)

As a result of land reforms that transformed the cotton sector from state-owned collective farms to the current system of so-called private farms and joint-stock companies, the Uzbek government has instituted a coercive system of labour recruitment to mobilize adults and children to prepare the fields and hand harvest the cotton. (European Centre for Constitutional and Human Rights 2011)

When the government instituted its land reform program, it sought to relieve itself of the financial burden of paying the large state agricultural workforce working on the state owned farms by passing the responsibility on to farmers working under government leases. Without any available capital, though, farmers could not hire the labour necessary to cultivate and harvest the required amount of cotton. (Ibid)

So, the government responded by implementing a system of mass mobilization of labour that includes nearly everyone in Uzbekistan at some point in their lives, including students, public-sector workers, and citizens receiving welfare benefits to

work in the fields. Increasingly, the government is also requiring private businesses to contribute resources, either by providing labour, money, or other forms of in-kind contributions. (Ibid)

Each year, when the cotton crop is ready for harvest at the end of August but before the rainy season begins in November, the Uzbek government engages in a campaign to mobilize adults and children on a massive scale to hand harvest cotton. In a process similar to the assignment of production quotas to farmers described above, a clear chain of command ensures the mobilization of labour for the cotton harvest. (Bhat 2013)

Reporting directly to the President, each year in January or February the Prime Minister convenes the regional Hokims (head of the local executive authority) and conveys the national production plan and orders for cotton production quota for each region. Regional governors' are responsible for ensuring enough labour is available to harvest cotton. They pass the responsibility for implementing the labour recruitment plan down to the district and local authorities in their region. (Ibid)

Hokimiyats (local government administrations) and local entities under their direction, including the mahalla committees (neighborhood groups), ensure the mobilization of the local population to work the cotton harvest. (Ibid) Around harvest time, the local authorities manage the mobilization of citizens to pick cotton from the "cotton headquarters", managing the labour needs for the farmers while determining which public and private institutions within their jurisdiction will contribute either labour or money to pay for the labour. (Ibid)

Based on the meetings with institutional administrators, government has instituted a coercive system of labour recruitment to mobilize adults and children to prepare the fields and harvest the cotton by hand. (Bhat 2013)

The regional and district-level hokims order state agencies, including schools of all levels, and the military, government enterprises, and private companies to provide physical labour by sending their employees to harvest cotton. (Ibid)

Average daily quotas in 2013 were between 70 kilograms per day at the beginning of the harvest and 30 kg/day at the end of the harvest, when less cotton is in the fields. In 2014, quotas at the beginning of the harvest were 50-60 kilograms per day for college students and 60-70 kg per day for others, and fell to 30 kg/day at the end of the

harvest. The official rate for picking cotton in 2014 was \$0.07 per kg. (Bhat 2013: 15-16)

“As in previous years, this amount was insufficient to cover the costs that citizens incur for transportation, accommodations, and food to fulfill their cotton picking quotas. Between 2013 and 2014, rates to hire day laborers to pick one’s quota increased fourfold, from 5,000 per day in 2013 to 20,000 in 2014.” (European Centre for Constitutional and Human Rights 2011)

In some cases local officials or academic administrators forced parents to sign letters granting permission for their children to be sent to work at the cotton harvest. In other cases, parents were told that harvesting cotton was one of the conditions of acceptance at the institution. (Forced Labour Uzbekistan Report 2013)

A report cites the case of the mother of a college student who was made to harvest cotton for 20 days in 2013. She told the Uzbek-German Forum that the authorities never ask permission (to send children to the harvest). “They demand, saying there is an order. They can’t even decide for their children. Because when they were accepted at the college they signed a note saying that they agree to allow them to be recruited for the cotton harvest. Therefore we can’t say anything until they finish college.” (Uzbek-German Forum for Human Rights 2018)

Some students did manage to evade the harvest by presenting medical excuses, hiding during mobilization, or making payments instead of harvesting. Many students reported that even students who presented medical excuses, such as injury, pregnancy, or invalid status, were required to pay to avoid the harvest. (Ibid) “Students those who did not want to work during the harvest usually paid between 3,00,000-6,00,000 soms (approximately \$100-\$200 USD) to teachers or academic officials but that they did not know what the money was used for.” (Bhat 2013: 18)

Local authorities and school officials harassed and intimidated families that did not want to allow their children to pick cotton, including threats to expel students or impose other academic consequences. In many cases local police came to families’ home to force students to go to the harvest. (Ibid)

Children who were perceived to be bad workers or who failed to meet the daily quotas were scolded by teachers, threatened with poor grades or expulsion, and made to perform additional work, such as scrubbing toilets or peeling potatoes. There are cases of students who failed to pick the daily quota were punished by being forced to

perform arduous physical activities such as push-ups or running. The students were beaten to force them to work or as punishment for failure to meet the quota. (Ibid)

According to Bhat “they take the students very far away, to another region. The teachers go with them and take care of keeping order. The quota was 10 kilograms per day (at the end of the season when there was little cotton left to be harvested). If they didn’t fulfill the norm (the teachers) beat the children. The boys were beaten badly, the girls were yelled at with curses and called ‘prostitutes.’ At night they woke up the boys (who didn’t fulfill the quota), at 4 a.m. and put them in the corner and made them stand there. The teachers got drunk and while drunk they beat the children.” (Bhat 2013: 18)

### **Forced Recruitment of Employees Of State-Funded Agencies:**

State funded agencies and organizations forcibly recruit their employees on a mass scale to harvest cotton or perform other aspects of work related to the cotton harvest. Forcible recruitment of this category of worker is both widespread and systematic, and the data suggest that recruitment of these workers increased over the years. (Forced Labour Uzbekistan Report 2013)

Every government-funded organization has to send employees to the harvest. Employees of state funded agencies and organizations who are mobilized to harvest cotton include teachers, medical workers, postal workers, bank employees, and employees of regional and municipal agencies, such as departments of water and sanitation. In general, employees mobilized to work in the cotton harvest either work themselves, usually in rotating shifts of 2-3 weeks, or hire and pay for a day or seasonal labourer to work in their place. (Ibid)

Workers of state-funded agencies who are not mobilized to harvest cotton remain at their usual jobs but in many cases work additional hours or take on additional tasks to cover for their colleagues who are harvesting cotton. Employees do not receive additional compensation for the extra work. (Ibid)

The government forcibly recruits workers from large and small privately owned businesses, such as factories, shops, and restaurants. In many cases the recruitment is carried out by the tax service or other regulatory agencies. The business owners widely understand that if they do not send their employees to work at the cotton

harvest or make payments, their businesses would have trouble with the authorities. (Forced Labour Uzbekistan Report 2013)

Alongside young school children, older students from secondary schools, high schools and universities are also forced to work. Similarly, local administrative employees, teachers, self-employed businessmen and medical personnel are made to leave their jobs during the harvest. They do not receive any compensation for the financial losses they incur. Those who refuse to cooperate, there was a risk being dismissed from their jobs. (Ibid)

“What is more, despite the fact that farmers officially work privately, they are de facto obligated by the Uzbek Government to grow cotton. State-owned banks grant all financial loans and support necessary for agricultural operations, ensuring that the cultivation of cotton is a pre-condition of any financial aid. ” (Bhat 2013: 18-19) Furthermore, the seeds are only available for purchase from state sources. Those farmers who try and leave the cotton sector face coercion, imprisonment and intimidation. (Ibid)

The cultivation procedure is similarly subject to governmental controls. For example, the use of fertilizer and pesticide is prescribed in detail by the state. Farmers are told how they should disseminate their seeds and how much they have to produce that year. Every year, crop quotas are issued for each individual region, and regional governors (Khokims) are appointed to guarantee that the quotas are fulfilled. (Ibid)

These quotas are rigid and do not allow for any flexibility. In order to meet the targets set out by Government officials, farmers are forced to work in state fields alongside cultivating their own lands. According to reports, those who fail to achieve the quota or refuse to cooperate are imprisoned or beaten. As outlined above, farmers must sell their crops for tiny amounts that scarcely cover the costs of production. (Bhat 2013)

This has clear social repercussions, as a consequence of the minimal amounts they receive for their cotton, farmers live in abject poverty. An evaluation carried out by the World Bank classified 30.5 % of the agricultural population (4.9 million Uzbeks) as poor “not able to furnish their basic needs. Of the 4.9 million, around 1.8 million were classified as extremely poor. (European Centre for Constitutional and Human Rights, 2011)

Cotton production also has severe ecological repercussions, the environment is also being endangered through cotton production. The production of cotton demands a lot of water, which is taken from the rivers that flow into the Aral Sea. The high demand

for water has been such that the Aral Sea once the fourth biggest inland water in the world has now shrunk to 15 % of its former volume. (Ibid)

All 24 varieties of fish that previously lived in the Aral sea have now died out. In the past, the fishing industry provided work for tens of thousands of local inhabitants. As a result of the damage caused to the Aral sea, this industry is no longer in existence. Unemployment in the region in 2013 stood at 70 % . (Ibid)

### **Working Conditions of Child labourers:**

International labour standards require that workers be provided with safe working conditions and have access to clean, safe drinking water, and adequate rest or days off (ILO Convention No. 161 Occupational Health Services Convention 1988). The working conditions of workers who were working failed to meet these basic standards. Workers worked long hours, often in the heat, without days off. Living conditions were crowded and unsanitary, and although most workers living away from home received food, many reported that the quality was poor and supply of safe drinking water was insufficient. (Forced Labour Uzbekistan Report 2013: 63)

While living and working conditions for those labouring in the cotton fields varied widely, the children and adults picking cotton worked long shifts, generally beginning work between 7:00 and 8:00 a.m. and ending between 5:00 and 6:00 p.m., sometimes remaining in the fields for an hour or more to deliver their cotton and for weighing. (Ibid)

Many workers had to travel significant distances each day to reach the fields. Some of those living at home during the harvest travelled by bus or car for up to an hour each way, or walking up to an hour to reach the fields. Workers staying in barracks usually walked to and from the fields, sometimes for up to half an hour each way. They reported difficulty in obtaining medical leave and limited medical care. (Forced Labour Uzbekistan Report 2013: 63)

People harvesting cotton worked under threat of punishment, those perceived not to harvest enough were subjected to threats and punishment including public humiliation, threats of sanctions, and even physical violence. Those who are living at home provide for their own food and water. (Ibid)

Those who are living in workers' barracks stay in crowded quarters and with problems with hygiene and sanitary conditions. The food which is given to them was generally insufficient, though sometimes of low quality, and many noted insufficient water provided for drinking and washing. Some workers are required to pay for their food, transportation or housing or incur other expenses related to their work. (Forced Labour Uzbekistan Report 2013)

Most workers interviewed in a survey reported that they had no days off or periods of rest during the period they were forced to spend harvesting cotton, although in some cases the harvest was interrupted due to rain. (Ibid) Workers, such as students and their teachers, who worked for the duration of the entire harvest worked in excess of 50 days without a break or day off. Others worked in rotating shifts of 10-15 days at a time, with no days off. (Ibid)

According to the above survey, when one of the worker was asked if he and his classmates had received any days off, one student responded, "Where are you from??" Do you not understand what it's like here? I have worked for several years and can't remember receiving a day off. A secondary school teacher told that teachers from her school each worked on average 45 days and that there was no break, even for an important holiday, during Ramadan Eid there was also a massive mobilization to the harvest announced." (Forced Labour Uzbekistan Report 2013: 63-64)

Crowded, filthy living conditions and stressful, arduous working conditions in which exhausted workers are humiliated for failing to meet quotas, contribute to fights and other altercations between themselves. (Ibid)

In one case, a fight broke out between students that resulted in the deaths of two people. Radio Liberty reported that on September 16 2013, "a dispute over cotton quotas erupted amongst fourth-year students from Karshi University living in barracks housing, and one student stabbed at least four others, killing two of them, Kozim Omonov, age 22, and Samandar Nurmatov, age 23." (Ibid: 64)

### **Threats, Coercion and Punishments:**

The forced labour system in Uzbekistan relies on threats and punishment to force people to work. There are numerous cases of threats and coercion to mobilize people to harvest cotton against their wills, including threats that they would lose their jobs



or be expelled from their institutions, have trouble with their businesses, be refused social assistance payments made by local authorities, or face criminal sanction. (Forced Labour Uzbekistan Report 2013)

Nearly every worker faced the threats, foul language, and public humiliation were a fundamental method used systematically by everyone in power during the cotton harvest to spur people to work or punish them for perceived insufficient work. This tactic was apparently used to make people feel afraid and unwilling to stand up for themselves, from local officials, to employers supervising their employees, to teachers supervising students. (Forced Labour Uzbekistan Report 2013: 64)

The majority students were yelled at and subjected to public humiliation by their teachers for poor work performance or for failure to meet daily quotas. In particular, local hokims (local administrators) and officials from the hokimiat exercise enormous control over the harvest in their regions and hold meetings to check in on progress and threaten or punish farmers and workers. (Forced Labour Uzbekistan Report 2013: 64)

At midnight every day there is a meeting at the Hokimiat, where they discuss who turned in how much cotton, how much is still left. The local police are there and so are prosecutors. Farmers who can't meet the quota are yelled at, made to write applications to give up their land. (Ibid) During the harvest the Hokim uses very strong language to pressurise the farmers. It's all the same for everyone whether it's a woman or a man, everyone has to listen to harsh words and abuses.

Forced work at the cotton harvest also means that employers, such as school directors, must take on the role of enforcing the cotton quotas among their employees who have been forcibly recruited to pick cotton. (Ibid: 65)

“According to a report, a certain number of employees of all the kindergartens in the city were at the cotton fields with overnights. The heads of the kindergartens were aware of every kilogram of cotton harvested each day. If employees of their kindergarten did anything they shouldn't, didn't fulfill the quota, didn't follow the orders of the controller at the field, this was passed to the heads and then they would personally talk with those workers. They would be humiliated in front of their colleagues, they would yell at them and insult them, saying hurtful words.” (Ibid: 65)

### **Living Conditions, Food And Water:**

Living conditions for cotton workers vary considerably, with some workers living at home and transported by bus or walking to the fields every day, while others stay on farms or in other housing near the fields. The housing arrangements were ranged in quality and are generally to be crowded and uncomfortable with limited facilities. (Forced Labour Uzbekistan Report 2013)

Abandoned farm outbuildings, garages, usually made of concrete or with concrete floors, are frequently used as housing for workers on farms. Workers live in tents near the fields. Those who stay in temporary housing near the field they are assigned to closed schools, kindergartens, or garages. Workers generally sleep on the floor and all workers bring their own bedding, including mattresses, from home. (Ibid)

In a typical description, a teacher in Kashkadarya region reported that “she and other laborers were living in garages near the fields and sleeping on bedding spread on the concrete floor.” (Ibid: 65)

No special equipment such as boots or gloves are supplied. One student reported that since 2013 was her fourth cotton harvest “she knew what to expect and brought sufficient warm clothes for the end of season as well as appropriate footwear. Others, she said, came unprepared, not knowing what to expect or when they would return home and did not have appropriate clothing for the weather or to stay warm in the barracks, which were unheated. Workers in barracks had no secure place to store their belongings and some noted problems with theft. One worker told the Uzbek-German Forum, “I can’t even hang my underwear out to dry anymore. I did my wash and hung my things to dry and someone stole my underwear, can you believe it? Even though it is hot we wear a lot of our clothes so they are not stolen.” (Uzbek-German Forum for Human Rights 2018)

Maintaining good hygiene is difficult for many workers living at the harvest. Water supply is limited and worker housing generally has no bathing facilities. Some workers said “they bathed at bathhouses in local villages at their own expense or traveled home periodically to take a bath. Sometimes workers heated small amounts of water to use for washing. There were generally only a few toilets in each facility to accommodate many people.” (Ibid)

The same report cites one student who said, “sometimes there were 20 students sleeping on one room, having worked all day in the heat. After coming back there were no facilities to wash up or bathe. We only wash our hands and feet in cold water and lie down to sleep like that. From all the unpleasant smells the room had a terrible stench. There was always a line for the toilet. Anyway about washing, we were just happy to get through the line to get some water from the big barrels. Most workers who were deployed for longer periods and stayed in lodging near the fields and breakfast consisted of tea with sugar and bread. One worker noted that the quantity and quality of food tended to decrease as the season progressed, saying, “we used to receive a big piece of butter, but as of this week we only get a little bit”.” (Uzbek-German Forum for Human Rights 2018)

For the midday and evening meals, workers receive mainly soups, such as macaroni, pea, or borsch, or porridge made from rice, barley, or other grains. Many workers are fed macaroni every day. Although some find the food adequate, if not very good, one worker commented that it was so bad he “would not even feed it to his dog.” One student reported that although the food was usually not fine, “one day the farmer left everyone hungry.

The cook said “you are all working in different places (picking cotton inefficiently), so I won’t cook for you. That day we ate only bread.” (Uzbek-German Forum for Human Rights 2018)

Some workers note the monotony of the food provided as well as the lack of meat and dairy. Many students report that they use a portion of their earnings or their own money to supplement their meals by buying food in local villages or from local people who bring food for sale to workers’ accommodations. (Ibid)

Another fundamental issue for many workers is access to clean, safe drinking water. People carrying out arduous physical labour, especially in the heat require additional water each day. Many workers living at home during the cotton season reported bringing a daily supply of water with them in plastic bottles and carrying the bottles around the field with them. (Uzbek-German Forum for Human Rights 2018)

Workers staying in temporary housing rely on farmers to provide water. Tap water in Uzbekistan is considered unsafe to drink and most people boil water before drinking

or purchase mineral water. Most going to pick cotton said that farmers do not supply boiled water, and many complain that insufficient water was supplied overall. (Ibid)

A college student in Angren reported that “water was always scarce, just two barrels per day for many people. The constant lack of water caused health problems. Many reported drinking or obtaining water directly from streams.” A student told the Uzbek-German Forum, “they brought two plastic barrels to our barracks, one labeled “for drinking,” the other labeled “for washing.” But it is the same water and we use it interchangeably. One worker reported that in her region workers had resorted to drinking from irrigation canals, which could contain dangerous pesticides, fertilizers, and other chemicals.” (Uzbek-German Forum for Human Rights 2018)

The harvesting of cotton is intense physical work. The children, required to pick the cotton by hand, undertake highly strenuous labour. They carry heavy bags of cotton over long distances to the collection point, a practice that is particularly harmful for young girls. (Ibid) Since pesticide is being used in the fields, the children come into contact with toxic substances. The harvest begins in the heat of the summer and ends at the beginning of winter, at no point during this time do the children receive protective clothing. (Ibid)

### **Working conditions and wages:**

The children work harvesting the cotton for up to three months. Many of them have to travel long distances (some children travel up to 7 km by foot or by bus for longer distances, but most are taken to work in tractor trailers that are not fitted out to transport people). Factoring in such journey times, the working day lasts from around 8 a.m. to 7 p.m. Most children work without breaks or weekends. (Bhat 2013: 34)

Children from agricultural regions are separated from their families for the duration of the harvest. They live in primitive, dangerous conditions and are accommodated at night in unsupervised, unheated (machinery) shelters. Such accommodation is infested with vermin with either little or no clean water supply. Children are often ordered to drink water from the irrigation canals in the fields. (Ibid)

Sanitary amenities are similarly unavailable. Insofar as food is provided, it is of poor quality and the children claim they are often left hungry while working. Children are regularly injured as a consequence of their work. For example, the agricultural chemicals used can cause hepatitis, and many children break their arms and legs

through falling from the tractors provided to transport them. (European Centre for Constitutional and Human Rights 2011)

Unhygienic living conditions, combined with a poor diet, can also lead to serious health problems such as meningitis and intestinal and respiratory infections. (Ibid) Those affected receive neither medical assistance nor support in meeting the costs of treatment. Children are either not paid for their work, or receive very little usually between 0.03 and 0.06 US Dollar per kilo. Moreover, very little of this salary remains once food and transport costs have been deducted. (Ibid)

### **Efforts to control child labour:**

Uzbekistan has not made any serious efforts to eliminate the worst forms of child labour, and is also complicit in the use of forced child labour in the cotton sector. The central Government has not made concerted efforts to prevent and to remediate forced child labour in cotton production. Uzbekistan is receiving an assessment of no advancement because of government complicity in forced child labour, particularly at the local level. (Bhat 2013)

Although there are largescale, centrally coordinated, forced mobilization of children, some local officials, in many instances, continued to mobilize children during the cotton harvest. (Ibid)

To end this practice, the Cabinet of Ministers declared in 2012 its intent to ensure that no one under the age of 18 would participate in the cotton harvest, broadly communicated its new commitment through awareness raising campaigns to prevent children from being forcibly mobilized to pick cotton and sponsored afterschool programs as an alternative to child labour. (Ibid)

The Government also led a monitoring effort utilizing ILO methodology to observe the fall season 2014 harvest in all cotton growing regions of the country, finding 41 child labourers, imposing penalties to 19 school officials and farm managers for the use of child labour, and removing children from the fields. (Bhat 2013: 49)

Despite efforts to end the mobilization of children, in the course of widespread mobilization of third year secondary school students (predominantly age 18) to pick cotton, an unknown number of 17 years old students were also mobilized through this practice. There were also some cases in several provinces in which younger students are mobilized. (Ibid) “In a few instances, reports indicate that a local government

authority such as a district or regional governing official (hokim) or town mayor may have directly ordered the mobilization of students under age 18.” (Bhat 2013: 49)

The Government also maintains policies in the cotton sector that mandate regional harvest quotas and set up crop prices at levels that create incentives for local administrators to forcibly mobilize labour, creating an ongoing risk of mobilized child labour. (Ibid)

Although the Uzbek authorities have not reacted to international criticism and use the labour of young children in cotton gathering period to the same extent as previously, exploitation of the adult population is on the rise, and thus, the massive violation of human rights associated with the cotton harvest continues. (Ibid)

Under such circumstances, it is important to raise awareness of the system of forced labour at the level of international organizations, foreign diplomats, and the media. It is important, at this stage, to continue to appeal to international institutions and to demand from the Uzbek government to honor its human rights obligations. (Ibid) Uzbekistan’s ratification of the International Labour Organization’s (ILO) convention suggests that the government should invite international observers to conduct an independent international investigation into the labour rights in the country, that the ILO maintains a firm position and takes advantage of all possible opportunities to end forced labour in Uzbekistan. (Bhat 2013)

### **Disappearance of the Aral Sea due to cotton production:**

The Aral Sea, once the world’s fourth largest inland lake with a thriving ecosystem, has shrunk to just 15% of its original size, mainly as a result of irrigation for the cotton industry. The Aral Sea’s salinity and volume levels were held stable by inflows of freshwater from the Syr Darya river on the east and the Amu Darya river to the south. (The cost of cotton: Dirty cotton 2016)

In 1918, policymakers from the former Soviet Union decided to divert fresh water from the Syr Darya and the Amu Darya for irrigation. This was an essential part of their plans to increase cotton production, which they referred to as “white gold”, a major Soviet export. (Forced Labour Uzbekistan Report 2013: 80)

The salinity of water and the soil increased and as desperate farmers applied more water to the fields, which exacerbates the problem. This led to infertile soil and huge areas of salty desert contaminated with pesticide residues. (Ibid) Toxic salty dust poisons the air around the Aral Sea, and in some regions half of all deaths are respiratory in nature. The Aral Sea used to host a thriving fishing industry. It is now almost completely lifeless. (Ibid)

“Wrecks of stranded boats now mark where busy fishing communities once existed. Only about 27% of cotton is grown under rain-fed conditions. The rest is produced in irrigated fields which leads to greater water loss through seepage, evaporation and poor water management. In Uzbekistan it is estimated that 60% of water is lost through the irrigation system.” (Ibid:80-81)

Huge amounts of pesticides are used on conventionally grown (i.e. non-organic) cotton. These chemicals can have a serious impact on the health of the people who apply them. Most of the farmers often lack the equipment, information and training to handle pesticides effectively. Aldicarb, the world’s second biggest selling pesticide is classified as extremely hazardous by the World Health Organisation. One drop absorbed through the skin is enough to kill an adult, yet this pesticide is still widely used in cotton production. (Ibid)

“After years of dangerous pesticide use in Uzbekistan, the population of the region of Karakalpakstan, face a host of appalling health problems. Malnutrition is rife as vegetables will no longer grow in the polluted soil, 99% of pregnant women suffer from anaemia and rates of throat cancer are the highest in the world. Scientists have found a level of DNA mutation 3.5 times higher than normal, it means health problems could be around for generations.” (Bhat 2013: 63)

At least 1 million agricultural workers require hospitalization each year as a result of acute pesticide poisoning. Cotton production also has severe ecological repercussions, the environment is also being endangered through cotton production. The production of cotton demands a lot of water, which is taken from the rivers that flow into the Aral Sea. (Ibid)

## **Advantages & Disadvantages of Cotton Production**

### **Expansion of Infrastructure:**

The promotion of cotton necessitated a network of other industrial branches including machine building plants, chemical facilities, hydro-electricity, and cotton-processing and textile sectors. During the Soviet era, Uzbekistan used the centrally transferred budgets to establish an agricultural, industrial, and mining infrastructure as well as social security. For example, each citizen had access to health care and education. (Pomfret and Anderson 1997: 09)

Cotton production also drew on agricultural science. For instance, in 1922, the Institute of Cotton Breeding and Seed Production was established and developed into a major cotton research and breeding center, culminating in the release of numerous cotton varieties. (Ibragimov 2008)

Moreover, social network and service provisions in rural areas, such as hospitals, schools and kinder-gartens, libraries, concert halls, cinemas, post offices, and food stores, were set up during the Soviet period in every village to ensure efficient and uninterrupted cotton production in the rural areas. (Nodir Djanibekov, Inna Rudenko, John P. A. Lamers and Ihtiyor Bobojonov 2010)

### **Cotton and Economic Stability:**

Following the break-up of the Soviet Union, cotton production as an internationally competitive sector of the national economy demonstrated the potential to generate important export revenues. (Zettermeyer 1999) The industrial sector had depended on linkages within the Soviet economy, which were severely affected by the breakup of the Soviet Union, and cotton production was selected as the engine to protect the domestic shocks. (Spoor 1999)

Whereas most countries of the Former Soviet Union (FSU) suffered dramatic output declines following the breakup of the Soviet Union, Uzbekistan did relatively well in terms of aggregate output because it managed to mitigate the collapse of the industrial sector and diversified the economy by combining state management with income generated from cotton export revenues. (Rosenberg, Ruocco, and Wiegard 1999)



These revenues also relaxed the external financing constraint for the acquisition of inputs and capital goods that would otherwise have stopped flowing following the disintegration of the Soviet Union. (CDPR 2008)

Since the beginning of the transition era, export revenues from cotton have contributed to the strengthening of the current account, set the stage for self-sufficiency in energy and foodgrains, and served as a domestic buffer against the global problems of rising food and energy prices. (Ibid)

As a result, Uzbekistan has avoided hyper-inflation, never recorded a four-digit annual increase in the consumer price index. (Pomfret and Anderson 1997) Since 1996, consumer price inflation had steadily fallen and positive real growth had resumed. At present the country's export revenues are generated by gold and fossil fuels as well as cotton, making Uzbekistan's economy much less vulnerable to fluctuations in world cotton prices compared with the first years after independence. (Rosenberg, Ruocco, and Wiegard 1999)

### **Implicit Farm Benefits:**

Even if the procurement prices are below world market prices for cotton, some farmers preferred this risk-averse strategy because they were guaranteed a certain price for their cotton and hence were less vulnerable to price fluctuations. Cotton farmers benefit implicitly from a steady supply of agricultural inputs, such as fertilizers and diesel that the Government of Uzbekistan guarantees especially for cotton production. (Rudenko 2008) Cotton producing farms often illegally divert part of these inputs to the production of other crops. (Guadagni 2005) In addition, farmers that reliably deliver cotton can build sociopolitical capital that can in turn be used as leverage to acquire additional cropland and inputs or timely and sufficient irrigation water for their entire fields, including for crops other than cotton. (Veldwisch and Spoor 2008)

The extraction of cottonseed oil produces various by-products, such as cottonseed cake and husks, which the supplier-farmer can purchase at subsidized prices. These subsidized prices constitute an important benefit because most feedstuff used in livestock rearing, such as wheat bran or maize straw, contains little crude protein but is rich in metabolizable energy. (Djumaeva 2009)

Mixing the feed diet with cottonseed cake that is rich in crude protein can improve the quality of feedstuff and subsequently the quality of meat or dairy products. Also, cotton seed provides inputs for the production of many traditional commodities, such as refined cottonseed oil for cooking and laundry soap. Cotton stems are used as a combustible for cooking in rural households. Finally, cotton is a melliferous plant, which also contributes to the expansion of apiculture to areas without a high density of plants and trees. (Ibid)

### **Taxation of Cotton-Producing Farms:**

Despite the fact that the input subsidies for cotton producers offset the implicit taxes to some extent in 2004 the share of net transfers from the gross income of cotton-producing farmers was 31 percent equal to US\$249 per hectare of cotton. (Muller 2006)

Since then, the Uzbekistan Government has reduced the amount of subsidies to cotton producers. Furthermore, under the present trend of increasing input prices, the state procurement prices for raw cotton hardly cover production costs. In the worst case, they may even offset the profits from farming activities on cotton-free lands, which usually provide major cash earnings and thus options for farm investments. (Djanibekov 2008)

Existing incentives are not effective at encouraging farmers to exceed state production targets. China, for instance, which has areas with similar climatic conditions as Uzbekistan, had an average cotton yield of 3.3 tons per hectare in 2000–2004, compared with 2.2 tons per hectare in Uzbekistan. (Guadagni 2005)

### **Soil and Water Degradation:**

The expansion of a quasi-monoculture of cotton production during the Soviet era took no account of ecological costs. Environmental sustainability was ignored in favour of a sharp maximization of cotton production, which required the extensive development of the irrigation and drainage networks. The rapid expansion of irrigated cotton without thorough analysis of and investments in proper irrigation and drainage networks led to manifold ecological problems, which the newly independent states have inherited. (Guadagni 2005)

The demise of the Aral Sea, the fourth-largest lake in the world in 1960, is probably the best-known example of the Soviet pursuit of ever more cotton production. During decades of unsustainable practices in the Soviet era, continuous irrigation increased soil salinity to levels that endanger production, requiring a shift to more salt-tolerant crops. Yet cotton tolerance for salinity is one of the reasons why this crop is preferred over alternative crops such as horticultural crops, which are more sensitive to soil salinity. Other crops with a higher salinity tolerance than cotton are often inappropriate because they cannot earn the same level of foreign exchange revenues necessary for supporting other sectors of the economy. (Ibid)

### **Stakeholders for Cotton Production in Uzbekistan**

#### **The Government:**

The dominant stakeholder in the entire cotton chain is the Uzbekistan Government, represented by numerous state-managed agencies mandated with separate tasks such as planning the cotton area and harvests, distributing production targets among cotton producers, monitoring agricultural activities, organizing input supply and subsidies, fulfilling quotas, and marketing cotton. (Guadagni 2005)

The overarching objective of the Government of Uzbekistan to maximize export revenues from cotton, which are then invested in other sectors, is an implicit taxation of cotton production. But this practice causes an overall outflow of value from agriculture. The state procurement price has been steadily increasing, however, and as a result net transfers from the cotton sector dropped from 8 percent of GDP in 2000 to 1.8 percent of GDP in 2004, which amounted to US\$203 million. (Ibid)

Some studies showed that subsidies were worth US\$441 million in 2004 and taxation of cotton amounted to US\$644 million, only a moderate difference. (Guadagni 2005) Furthermore, when the entire cotton value chain (plus processing) is included in such calculations, then the difference between taxation and subsidization is virtually zero. (Rudenko 2008)

Still, the transfers from the cotton sector to the state budget have played a crucial role in the ability of the Uzbek Government to cushion recessions, in contrast to neighbouring Kyrgyzstan and Tajikistan, which abandoned state intervention in the

cotton sector as much as possible following independence but then faced substantial problems in achieving economic stability. (Rosenberg, Ruocco and Wiegard 1999)

### **Farmers:**

Another group of stakeholders affected by the state procurement consists of farmers, and not necessarily only those producing cotton. From a producer perspective, the system of cotton monoculture on a large part of the country's cropland reduces crop diversification, which in turn reduces the scope for income diversification and increases the risk to farmers' incomes. On the other hand, the state procurement strategy secures supplies of inputs such as water and fertilizers first and above all for cotton producers. These strategies, however, adversely affects the production options and in turn the revenues of non-cotton farmers. (Rosenberg, Ruocco and Wiegard 1999)

### **Non-agricultural Actors in the Cotton Chain:**

Farmers are not the only actors in the cotton value chain. After farmers produce the raw cotton, it is processed, cleaned and ginned before being exported or used by the textile industry. Other stakeholders in the cotton production chain are thus gineries, the textile industry, including spinning and weaving factories and exporting agencies. (Ibid)

Because of the complex nature of the cotton value chain and the many actors seeking revenue, the cotton-producing farmers in Uzbekistan received only about 66 percent of the world market price in 2004 and 2005 for their raw cotton, and the remaining 34 percent was distributed among the service-providing actors of the cotton chain, such as the trade companies, certification centers, customs, financial institutions and the transportation network. (Rudenko, Lamers, and Grote 2009)

### **The Rural Population:**

The majority of the population in Uzbekistan is rural and agriculture plays a key role in their income generation. Yet large amounts of cotton export revenues are invested in the development of other sectors. This practice diverts rural incomes to urban inhabitants and provides only limited scope for increasing the incomes of farms involved in cotton production. (Pomfret 2000)

The low consideration for agricultural and farm work, combined with low remuneration, also drives labour migration to urban areas. This migration in turn leads to a lack of highly qualified personnel, such as accountants and agro-engineers, in rural areas. (Ibid)

From a social perspective, cotton taxation has provided resources for social assistance and limited the declines in health and education expenditures that other FSU countries have experienced. (Pomfret 2000)

The cotton sector provides jobs to a vast number of people employed in the entire cotton value chain. This value chain absorbs unskilled labour in rural areas, such as young people and those who are not qualified for work in the Uzbekistan's industrial or service sectors. It can thus be argued that the cotton value chain creates a substantial level of social security despite the wage levels. A decline in cotton production, which may follow the liberalization of the cotton market may require a rapid transfer of abundant labour to other sectors of the economy. (Djanibekov and Bobojonov 2008)

### **Policy Measures for Uzbekistan's Cotton Production:**

Agriculture in Uzbekistan offers many opportunities that can be mobilized with further incentives. Although state procurement is an important instrument to ensure the availability of foreign exchange, the continuous success of cotton production is influenced not only by the state procurement system, but also by market-related factors such as input and output prices. (Djanibekov and Bobojonov 2008)

It is likely that the Government of Uzbekistan will maintain the state procurement system as long as it provides sufficient benefits to the national budget or until enough other sources of state revenue become available to make the state procurement policy less relevant to the entire economy of Uzbekistan. It can be argued that more market-oriented policies could also produce the level of revenues generated by the state procurement system. There are options for modifying and upgrading the state procurement policy in ways that could stimulate the growth of the agricultural sector as a whole. (Ibid)

### Policy Measure 1: Adopt Advanced Cotton Varieties and Agricultural Technologies

Farmers in Uzbekistan produce on average 2.6 tons per hectare of raw cotton, or about 0.85 tons per hectare of cotton fiber. Uzbekistan thus falls in a range of average yielding countries. (Rudenko 2008)

Several possibilities exist for raising cotton yields in Uzbekistan. Examples include drip irrigation, increased fertilizer use efficiency through the use of subsurface fertilizer application, the use of improved or more salt-tolerant varieties, the introduction of conservation agriculture and the promotion of appropriate crop rotations. In addition, there are opportunities for introducing organic cotton production, although they are currently limited by the low availability of organic fertilizers such as manure. (Franz, Bobojonov, and Egamberdiev 2010)

Genetically modified cotton is currently not cultivated in Uzbekistan. Uzbek Government is concerned about the unknown long-term effects on human and animal health, so feasibility studies on the potential for genetically modified cotton to improve yields and quality in Uzbekistan have not yet been conducted. (Rudenko 2008)

### Policy Measure 2: Improve the Structure of the Cotton Value Chain

The enabling environment of the cotton chain is shaped by various actors, such as the Ministries of Agriculture and Water Resources, Finance, Economy, Foreign Economic Relations, Trade, and Development, as well as organizations and institutions such as Uzbekistan Standard Agency and the Cottonseed Corporation. A shortening of the cotton chain, or a reduction in the number of monitoring and controlling actors in the cotton value chain, would free up the share of export revenues currently absorbed by these actors. If this revenue were then allocated to farmers, it could help them build up farm capital for investments. (Rudenko, Lamers, and Grote 2009)

It will take time to change the structure of the cotton chain and the mindset of stakeholders. In addition, stakeholders further along the cotton chain such as ginneries and textile factories would need to develop additional skills, such as marketing, to become effective if the existing structure is eliminated. Moreover, privatizing and upgrading various main actors in the chain such as the ginneries could lead to the

elimination of various intermediate agents and thus to lower transaction costs and higher returns to farmers.

### Policy Measure 3: Further Develop the Ginning and Processing Industries

Currently almost all ginneries use outdated equipment for processing raw cotton into marketable cotton fiber. Public and private investments in the local ginnery and textile sectors could strengthen the economic benefits from cotton production in Uzbekistan. State run ginning in Uzbekistan is now less expensive than in many cotton-producing countries. For example, in Uzbekistan average ginning costs amount to US\$158 per ton of fiber, compared with US\$549 per ton of fiber in Spain. (Rudenko 2008)

At the same time, the present level of losses at the ginneries in Uzbekistan is higher than in other countries, and efficiency is lower. Uzbekistan has a ratio of fiber to raw cotton of 32 percent (known as the ginning outturn), whereas in many cotton producing countries the ginning outturn averages 39 percent, and in the countries of West and Central Africa the figure is 40 to 43 percent. Modernizing the country's ginneries could improve ginning efficiency and increase the output of cotton fiber, it has been estimated that the cost of this modernization would pay for itself in about two years and it is estimated that it would increase output by 16 percent. (Guadagni 2005)

A privatized ginning sector made up of many competing private ginneries would offer farmers the option of selling cotton at prices directly linked to the world market price and thereby increase farmers' incentives to boost cotton yields and quality. (Ibid)

Each year Uzbekistan produces more than 1 million tons of cotton fiber, part of which could be used at low transport costs by the domestic textile sector. Currently only 18 percent of cotton fiber is used for domestic value added processing and manufacturing, so there is significant potential for further development of cotton processing. (Ibid)

Uzbekistan has a qualified, low-cost labour force for the production and export of ready-made textile products. As Uzbekistan shifts from being an exporter of cotton fiber to a producer of multiple textile products, its economy will be less affected by the vagaries of a single commodity market. This approach will, however, require adjustments in customs regulations, taxation, and transportation as well as public and private investments in the industrial upgrading of local producers and subsequent

upgrading of products. Uzbek cotton products could achieve greater competitiveness and world recognition if the industry could produce higher-quality products with greater fashion content, develop highly demanded brands, deliver products quickly and reliably, and improve the sustainability and safety of industrial systems for the environment and the employees. An increase in local textile production would allow Uzbekistan to earn the same revenues while reducing land and water use for cotton production by more than two-thirds. (Rudenko 2008)

This change would allow for intensification of cotton production in favourable locations and permit less fertile and marginal soils to be retired or used for another purpose. Reduced use of water for cotton would lower the risk of water shortages due to climate change. (Ibid)

#### Policy Measure 4: Modify the Cotton Procurement Mechanism

This policy measure aims at adjusting the current state targets for cotton, which are based on predetermined outputs from predetermined areas. One approach is to relax the influence of the national administration over land use and ease state directives on input applications. This approach would retain the state procure system but shift from an area-based to a quantity-based system in which farmers would still need to produce the required amount of cotton. (Pomfret 2000)

A far reaching alternative would be to fix a lump amount of cotton to be produced over several years instead of setting the production targets annually for example, farmers would need to produce a fixed amount of cotton for the state over three years. The modifications of the state procurement policy would offer farmers the option of cultivating different crops with higher profits if they managed to fulfill the production target for cotton using less land. (Ibid)

The main prerequisite for both modifications is that farmers would be free to decide on crop management techniques, if they are not, the modified procurement mechanism would not cause the anticipated increase in productivity and farmers would fail to deliver the assigned targets. In addition, this approach would allow farmers to introduce crop rotations for improving soil fertility. Little interference in farmers' production decisions was the key element in China's agricultural growth in the early 1980s, although farmers still had to sell a part of their output at state-determined prices. (Pomfret 2000)



This approach is not without risks, however, including an ever increasing application of fertilizer to reduce cultivated area and increase cotton production.

Another option consists of extreme reform, such as a complete liberalization of the cotton sector where cotton marketing and exports are liberalized and cotton production depends entirely on producer decisions. If the state-determined area and output targets for cotton cultivation were removed, farmers could independently decide which crops to grow and where to sell. If farmers were released from procurement targets, however, cotton area could decline as farmers expand the cultivation of other crops such as rice, vegetables, and melons, which are more profitable and currently restrained by cotton production. (Bobojonov 2008) Furthermore, there is evidence that gross farm income would increase at the expense of higher demand for water because more farmers could choose the most profitable and water intensive cropping activity like rice cultivation which may cause serious problems in Uzbekistan. (Djanibekov 2008)

Under this scenario, the state would need to pay more attention to improving farm support services such as credit institutions and fertilizer, pesticide, and equipment suppliers, as well as creating incentives, such as water pricing, so that removal of the state procurement system would not threaten sustainable farm development by leading to the overuse of particular inputs like water. (Ibid)

A shift from implicit taxation of cotton producers to direct taxation for example, through water charges and increased land tax together with reforms of the procurement and input supply systems, can guarantee an overall increase in the direct tax flows to the state budget. (Guadagni 2005)

Possible losses of export revenue from a liberalized cotton market can be prevented if the government imposes export taxes in dollars on Uzbek companies involved in exporting agricultural commodities.

### **Summary:**

The root of the problem is the ineffectiveness of the agricultural production system. Since the country got independence from the Soviet Union in 1991, the Uzbek government has failed to reform the countrys' agricultural sector. The continued underinvestment in the sector, the inhibition to provide mechanized harvesters or pay adults a decent living wage for their labour, directly resulted in children being

systematically drafted handpick the cotton. The annual cotton campaign organized by the government, guarantees the countrys' high annual export revenues at disproportionately low costs.

Furthermore, even though the former Soviet collective farms have been officially privatized and renamed, farmers still do not have the right to choose what to sow on their own land or how to use their harvest. In addition, the state sets artificially low prices for products, while the farmers buy the necessary supplies needed for production at market prices. Farmers bear criminal responsibility for selling their own crops to anyone by the state. They cannot refuse to grow cotton, as it would cause them to lose their land, thus they are forced to tolerate the situation. Under the given circumstances, cultivation of the cotton crop becomes an unprofitable enterprise for farmers.

The forced labour of children by the state of Uzbekistan is unique in its dimension and magnitude in the sense that in the rest of the world there are reasons like poverty, illiteracy etc. responsible for child labour but in Uzbekistan it is completely state-controlled to meet the commercial interests. Though the magnitude of the problem has been expanding as more and more children turn to be working children, the amount of attention that the problem receives from the government and various non-governmental agencies are not in tune with its size because the tender-aged school going boys and girls who are part of the problem are not in a position to present their case before the concerned authorities, who are fully responsible for this inhuman institution of child labour in Uzbekistan.

The extensive use of forced and child labour in the cotton harvest leads to a high level of unemployment in the region. The government-controlled prices paid to farmers prohibit the farmer from securing any kind of economic development and personal wealth. Furthermore, the extensive draining of rivers necessary for cotton production has led to an 85% reduction of the Aral Sea, which has in turn led to the decline of the entire fishing industry.

The corporations buying cotton from Uzbekistan are not contributing to the economic, social or ecological development of Uzbekistan. Thus, the traditional nature of the problem becomes a limiting factor for its solution.

Although the Government of Uzbekistan has adopted the necessary legal framework for the eradication of forced child labor, both as signatory to international treaties and through domestic legislation, it appears to be in breach of both. The involvement of

state parties in the mobilization of child labor for cotton harvests cannot be glossed over. The extended suspension of schooling and the organized large scale deployment of children on cotton fields take place with the support central Government and the active involvement of local administrations.

The root causes of reliance on coerced labor should be recognized and remedied through a package of reforms that address the endless loop of a partially modified command economy, the plight of labor, declining productivity, and low incomes in the cotton farming sector. These are factors that fuel rural poverty and erode trust in governance and administration. In order to assess the real magnitude of the employment of minors, an in-depth study is necessary, particularly in regions with high unemployment rates.

Thorough reform of the agricultural economy is necessary in order to replace the cheap and easily coerced farm labour that Uzbekistan's school children now provide. Artificial suppression of purchase prices for agricultural commodities such as cotton will have to be removed so that farmers are able to cover the real market cost of the labour required to grow and harvest such crops. Opening the market in agriculture and abolishing obligatory state quotas for cotton and wheat may be required.

Uzbekistan, with its massive unemployment, was and is entirely able to eliminate forced child labor. The country already has several laws on the books that would, if respected, ban children's forced labour on the cotton harvest. The practice clearly violates Uzbekistan's own longstanding statutes on the rights of children and the labour code including its provisions on the minimum age and conditions of children's work. Despite these laws, over the past decade, the government has only intensified its reliance on forced child to a number of economic and political factors. Among these are the persistence of elements of a command economy in the sector, and constraints on a free labour market.

**CHAPTER-5**  
**LEGAL MEASURES AND THE ROLE**  
**OF STATE AGAINST CHILD LABOUR**  
**IN UZBEKISTAN AND INDIA**

## **CHAPTER-5**

### **LEGAL MEASURES AND THE ROLE OF STATE AGAINST CHILD LABOUR IN UZBEKISTAN AND INDIA**

#### **Legal measures and the role of State against Child Labour in Uzbekistan:**

The practice of forced child labour in Uzbekistan has existed since Soviet times. But it was not abolished when Uzbekistan gained independence and in fact, it has become even more extreme. Under the Soviet state, the child labour force was entitled by the state to some health care, a certain level of food quality, as well as there was development of public infrastructure in the villages. Today, the country's rulers exploit the villagers to maximize their own profits, while giving nothing in return to rural working people. (Bhat 2013)

That is why there is no interest in bringing internal working conditions in line with international practice which bars forced labour in all its forms. The government of Uzbekistan has not reformed the economy and agriculture sector even though revenues from cotton exports are one of the main sources of foreign currency. The cotton industry remains at the core of both the country's domestic and external economic activity and Uzbekistan is one of the world's leading cotton exporters. (Ibid)

Due to the economic policy of the state, the unemployment rate remains high. Over the past decades, many Uzbeks have migrated to neighbouring countries in search of work. In Russia and Kazakhstan alone, there are hundreds of thousands of Uzbek migrant workers. (Bhat 2013)

In the meantime the unemployment rate in Uzbekistan continues to rise but the government does not create incentives to attract out-of-work labourers to the cotton sector. Levels of payment for cotton picking are so low that very few people are interested in doing this kind of work voluntarily. Instead, the government uses all means at its disposal to cut production costs and officials use their powers to illegally force anyone dependent on the state to pick cotton or carry out other agricultural works. (Bhat 2013)

“Cotton production in the Central Asian Republic of Uzbekistan continues to be one of the most exploitative enterprises in the world. 90% of the country's cotton is still hand picked, a great portion by forced labourers.” (Ibid: 92) The most apparent

victims of the industry were children. Now this system of forced labour mainly affects teenagers and young adults as well as the working population. Cotton pickers are conscripted to arduous labour in the fields, often working and living in extreme conditions and receiving little or no pay in return. (Ibid)

Uzbekistan made no advancement in efforts to eliminate the worst forms of child labour. Notwithstanding, some steps to reduce child labour, Government in different ways continues to encourage forced child labour. The national Government maintained policies in the cotton sector, which mandate harvest quotas and cause local administrators to organize and impose forced labour on children and adults. (Bhat 2013)

Although the Government continues to publicly deny the use of forced labour, including of children, in the cotton harvest, information indicates that children continue to be engaged in the worst forms of child labour in cotton production. “The Government invited an ILO high level-mission to observe the fall 2013 harvest, and reports indicate that the Government did ensure that young children (under age 15) were able to continue to attend school during the harvest season. However, still local government officials continued to close secondary schools (colleges and lyceums) during the harvest, mobilizing children ages 15 to 17 to pick cotton to meet the Government-mandated harvest quotas.” (Ibid: 94)

### **ILO Monitoring**

Law enforcement agencies in Uzbekistan took certain actions to combat child labour, including its worst forms, according to the U.S. Embassy in Tashkent. For example, there is evidence that in 2013, local administrators formed child labour monitoring teams to prevent children under age 15 working in the cotton harvest. “However, it is not known whether these local monitoring mechanisms were established in all cotton growing areas.” (U.S. Embassy- Tashkent 2014)

The Government invited an ILO high-level mission to observe the 2013 cotton harvest and to assess the use of child labour in the harvest. The monitoring mission took place from September 11 through October 31, 2013. It included eight monitoring units responsible for monitoring eight zones, which covered all cotton-producing areas of Uzbekistan. Each monitoring unit was led by one international coordinator and

consisted of six members, including government representatives. (ILO High Level Mission Report on the Monitoring of Child Labor, Geneva 2013)

The monitors reported that there were six closed colleges in two zones, and significant absenteeism in colleges in four zones. The ILO mission noted that in one zone a higher level of school absenteeism coincided with the relatively large number of children found picking cotton in that zone. The ILO monitors also observed that school records were not maintained sufficiently across zones and that the districts' lists of cotton pickers, including information on their age, may not have been kept current throughout the harvest season. (Ibid)

The monitoring mission identified 53 children, ages 16 and 17, who were working in the cotton fields during the harvest in violation of Uzbekistan's labour laws. It was noted that this number may have been an underestimate as the ages could not be verified for some additional individuals found working in the cotton fields who may have been under the age of 18. Monitors found regional disparities in the awareness, implementation, and enforcement of Uzbekistan's labour laws, which resulted in specific cases of child labour. (Ibid)

As a result of these violations, the Government and the ILO reported that warnings or fines were issued to responsible persons at eight educational institutions, and to farmers in two districts. The Government also reported that three warnings were given in response to these violations. Outside of the cases identified during the ILO monitoring mission, there were no other reported sanctions or prosecutions against those responsible for engaging children to work in the cotton harvest or in any form of child labour. (Ibid)

### **World Conference on Human Rights:**

The World Conference on Human Rights organized by the UN in Vienna, Austria, from 14th to 25th June 1993 reiterated the principle of "First Call for Children" and, in this respect it underlined the importance of major national and international efforts, especially those of the United Nations Children's Emergency Fund (UNICEF), for promoting respect for the rights of the child to survival, protection, development and

participation. It called on states to integrate the Convention on the Rights of the child into their National Action Plans. (UNICEF 2004)

The World Conference on Human Rights urged all states, with the support of international cooperation, to address the acute problem of children under difficult circumstances. Exploitation and abuse of children should be actively combated, by addressing their root causes. Effective measures are required against harmful child labour. The conference supported all measures by the United Nations and its specialized agencies to ensure the effective protection and promotion of human rights of the female child. (Ibid) It urged states to respect existing laws and regulations and remove customs and practices, which discriminate against and cause harm to the female child.

It recognized the important role played by NGOs in the effective implementation of all human rights instruments and, in particular, the Convention on the Rights of the Child (Vienna Declaration and Programme of Action, 1993). (Ibid)

“As early as 1921, when the International Labour Organization (ILO) passed the first Minimum Age Convention, the world has attempted to protect children’s right to an education and to prevent any child labour which would prejudice their school attendance. The ILO’s Minimum Age Convention 138 of 1973 set the standard for the minimum age for admission to employment as 15 years, or in special cases where economic and educational facilities are insufficiently developed, 14 years, light work not harmful to the child or prejudicial to his or her attendance at school is permissible after age of 12.” (ILO 1921)

Since 1990, with the entry into force of the Convention on the Rights of the Child, the child’s right to be protected from “any work that is likely to be hazardous or to interfere with the child’s education” (Article 32) and his or her right, on an equal, non-discriminatory basis to “primary education compulsory and available free to all” (Article 28) have gained the status of internationally recognized norms, while imposing an obligation on the 192 states, parties to the Convention, to realize these rights for the children under their jurisdiction. (UNICEF 2000)

The United Nations Declarations emphasized on child welfare having applications to every social condition, by conferring specific rights to children through social legislation prohibiting any discrimination. The year 1979, was designated as International Year of the Child (IYC) by United Nations which gave importance on the co-operation of the Nations in common tasks of meeting the basic needs of the



children, i.e. nutrition, health, education, maternal protection, family care, equal society status and protection from racial and other forms of discrimination. This was a challenge to the conscience of mankind and to the community of nations.

(Annan 2001)

The Convention No. 138 of 1973 of ILO emphasized that each member for which the convention was in force undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission of children to employment or work. (Annan 2001)

The same Convention also recommended for special attention to working conditions of young persons below 18 years, in terms of fair remuneration, limited working hours, prohibited night work, weekly and annual holidays with leave, coverage by all social schemes, maintenance of satisfactory standards of health, safety, etc. ILO has adopted five Conventions for making medical examination of young persons, a pre-condition for employment. This is to ensure fitness of the young persons for the employment where he or she is to be employed. (Ibid)

### **Legal Measures against Child Labour in Uzbekistan:**

Formally, Uzbekistan has adopted a number of laws, on Youth Policy, on Labour, and on Children's Rights. These statutes set limits and restrictions on the use of child labour. Legally, children are only allowed to work after age of 15. Before this age they can be employed only in the context of school-related activity, and for no more than 15 days. In all cases, children are not allowed to work more than four hours per day. (Tansibekova and Kosteckii 2004)

Article 37 of the Constitution of Republic of Uzbekistan guarantees all citizens the right to work, in appropriate conditions, and to choose their employment freely. The social and labour rights of citizens are contained in two basic documents the Labour Code (1995) and the Law "On Employment of the Population" (1992, revised in 1998). According to the Law "On Employment," all citizens have "equal opportunities in the realization of their right to work and to a free choice of employment, irrespective of sex, age, race, nationality, language, social origin, property and official position, religion, membership in public associations, or other circumstances that have no negative impact on the ability of persons to work and the results of their work (Article 5)". (Ibid)

The practice of child labour in Uzbekistan constitutes a grave violation of national legislation on the rights of children and of labour rights. Article 37 of the Constitution of the Republic of Uzbekistan states: “Everyone shall have the right to work, including the right to choose their occupation. Every citizen shall be entitled to fair conditions of labour. Any forced labour shall be prohibited.” (Association of Human Rights in Central Asia 2010: 27)

Article 38 of the Constitution declares Citizens working on hire shall be entitled to a paid rest. The number of working hours and the duration of paid leave shall be specified by law. (Association of Human Rights in Central Asia 2010)

Article 65 states that motherhood and childhood shall be protected by the state. The law on the protection of the rights of the child, which came into force on January 7, 2007, is one of the central legal instruments for the protection of the rights and interests of children in Uzbekistan. (Ibid)

Article 3 of the Law states that all individuals under 18 years of age shall be considered children. According to article 4 of the law, one of the core principles of state policy in the area of children’s rights protection is the safeguarding of children’s lives and health. But the government does not safeguard child health rights. On the contrary, it is the government that in different ways forces minors to work in harsh and unhealthy conditions in breach of the law on protection of the rights of the child. (Ibid)

Article 10 (Paragraph 4) of the law notes that the state shall protect the child from every kind of exploitation. However, instead of protecting children from forced labour, the state itself sponsors exploitation of minors. The state’s central authorities engage children in the cotton harvest. School administrations obligates every pupil to work under the pretext that “the country needs cotton”. (Association of Human Rights in Central Asia 2010)

The state also violates Article 20 on guarantees of the rights of children to labour. The article states that every child is entitled to work and to freely choose his or her occupation and profession, to fair conditions of labour corresponding to his or her age, state of health and professional qualifications in a manner prescribed by the law. Employment is allowed from age 16. (Ibid)

Persons who have reached 15 years of age may be employed with the written consent of one of their parents. Employment of students of comprehensive schools, academic lyceums and professional colleges to perform light labour, which causes no harm to

health and development and which does not interfere with studies and is outside of class time is acceptable, but only from 14 years of age and with the written consent of a parent or guardian. (Association of Human Rights in Central Asia 2010)

This Article “on guarantees of the rights of children to labour” is totally violated by the state since children are sent to work against their will. The legally accepted employment age is disregarded as children as young as 8 are sent to the fields for cotton harvesting. The state of children’s health is ignored, the productivity targets are established for every age group in kilos and no hourly pay rates are in effect. Cotton harvesting is performed in harsh climatic conditions in high temperature areas where pesticides, herbicides and defoliants are used without the necessary safety equipment, endangering children’s health. (Ibid)

“Minors are forced to work during school hours and not after class as prescribed by the law. The law “on the state youth policy framework in the Republic of Uzbekistan” was adopted in November of 1991. Article 8 of this Law prohibits using school children and college students in public works.” (Association of Human Rights in Central Asia 2010: 28)

According to Article 77 of the Labour Code, “children have the right to be employed at the age of 16, when they finish their primary education (nine grades), which is compulsory under the Law “On Education”. Also, all citizens, between the ages of 16 and 64 (16-60 years for women and 16-64 for men) are considered able bodied and thus, part of the labour force”. (Association of Human Rights in Central Asia 2010: 28)

According to international law, all persons under 18 years are minors, which is compatible with the Civil Code of Uzbekistan which stipulates that children attain maturity at 18, when they are granted the right to vote and run for public office. (Ibid)

The state also violates a number of articles of the Labour Code of Uzbekistan. Article 241 prohibits the use of child labour under 18 in jobs with harmful working conditions, which could cause harm to the health of such workers. Picking cotton by hand in both hot and cold weather certainly qualifies as harmful working conditions for a child. (Ibid)

Article 242 establishes shorter hours of work for persons under 18. Workers aged 16 to 18 must not work more than 36 hours per week. Persons aged 14 to 16 who work during their vacation must not work more than 24 hours per week. In reality, minors work throughout the holidays and more than 50 hours per week. (Ibid)

Article 243 establishes that remuneration for workers under 18 working shorter hours shall be equal to that of fulltime employees in corresponding positions. In fact, children are paid significantly less than adults for their work in the fields. This violates labour legislation in two ways: Firstly, weekly working hours are not shortened for the children. Secondly, they receive smaller wages than the adults and face deductions for food. (Association of Human Rights in Central Asia 2010)

According to article 129, employers must grant workers weekly days off. As for article 130, it prohibits working during designated days off. Children mobilized for the cotton harvest only get one day off every four weeks when they are allowed to visit their homes to wash. (Ibid)

Article 82 of the Labour Code regulates the process through which citizens are hired for work, including minors. It requires employers to provide workers with individual labour contracts. This provision is violated because agreements between schools and employers (farming enterprises) usually bind entire schools to participate in the harvest. This leads to further violations of workers' rights. (Ibid)

Without individual contracts it is extremely difficult for workers to state their case in a court of law. Teachers as well as pupils as young as 10 years old or even 8 and 9 in extreme cases in remote areas are thus conscripted into the harvest.

But according to Article 82 people younger than 15 should not have been engaged in any kind of agricultural work in the first place because they are not employable under the rules of the labour code. (Annan 2001)

On September 12, 2008, the government published a national action plan to bring Uzbekistan into compliance with the Convention Concerning Minimum Age for Admission to Employment and the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. Paragraph 11 of this government document clearly "prohibits interrupting children's educational activities. A number of state agencies were to implement this provision according to the action plan". (Ibid)

Still school children across the county were mobilized on the orders of the Heads of regional administrations with the approval of regional Education Ministry representative offices and under the watchful eye of police officers whose job it was to make sure pupils came to the cotton fields. By resorting to forced child labour, the government of Uzbekistan violates international law as well, in particular the 1989

UN Convention on the Rights of the Child, the International Covenant on Civil and Political Rights and also the ILO Forced Labour Convention (No. 29), Abolition of Forced Labour Convention (No. 105), Discrimination (Employment and Occupation) Convention (No. 111), Minimum Age Convention (No. 138), Worst Forms of Child Labour Convention (No. 182). (Ibid)

When the UN Human Rights Committee asked the government of Uzbekistan about its record of compliance with the provisions of the International Covenant on Civil and Political Rights, the government declared that “the country’s legislative system ensured strong protections for the rights of the child”. (Association of Human Rights in Central Asia 2010: 30)

### **Uzbekistan Legislation and International Human Rights Commitments:**

Economic exploitation is prohibited in both Constitution and Labour Code of Uzbekistan. Namely, Article 37 of the Constitution of Uzbekistan prohibits forced labour, except as punishment under the sentence of a court, and the Labour Code of Uzbekistan sets 16 as a minimum age for admission to employment, although children aged 14 are permitted to work after the hours of study in light work, as long as it poses no hazards to their health or moral development, with the permission of a parent or guardian. (Foreign Labour Trends Report: Uzbekistan 2006)

Article 241 of Uzbekistan’s Labour Code prohibits the use of child labour, “which can damage (their) health, safety and morality”. Article 8 of the Labour Code states that “the Republic of Uzbekistan directly prohibits child labour during education periods, if such activity is not related to the major subjects or part of an internship, or if outside the education period based on an individual or collective volunteer action”. (Ibid: 34)

A joint legal resolution issued by the Ministry of Labour and the Ministry of Health, and registered by the Ministry of Justice in September 2001 (No. 1040), lists “cotton picking and other forms of child labour on a national list of unfavourable working environments prohibited to workers less than 18 years of age”. The rights of a child to education and to health are also stipulated in Uzbek laws “on Education” and “on Protection of Public Health”. However these regulations are not enforced. In practice, the economic exploitation of school-age children is widespread and organized by the government itself. (Ibid: 34)

The US Department of State's Human Rights Report for 2006 stated that "the Government of Uzbekistan did not effectively implement laws and policies to protect children from exploitation in the workplace". According to the report: "A 2001 government decree prohibits those under age 18 from engaging in manual cotton harvesting and other jobs with unhealthy working conditions; however, in rural areas children often help to harvest cotton and other crops". (US Department of State 2007: 65)

The large scale compulsory mobilization of youth and students to help in the cotton harvest continued in most rural areas. Such labourers were poorly paid. The local officials in some areas pressured teachers into releasing students from class to help in the harvest and in many areas schools also closed for the harvest. The U.S. State Department's Trafficking in Persons report released in June 2007 also confirmed that men and women are trafficked for the purpose of forced labour in agriculture and designated Uzbekistan as a Tier 3 country (developing country). (Ibid)

The main law enforcement agencies in Uzbekistan are the Prosecutor General and the Ministry of Interior. The Ministry of Labour and Social Protection does not have legal jurisdiction over child labour enforcement. The laws provide for criminal and administrative sanctions to punish violators of child labour laws. However sanctions were not adequate to deter violations related to the cotton harvest. (Ibid)

Subsequently the US Department of Labour provided funding to ILO-IPEC (International Programme on the Elimination of Child Labour) for a sub-regional project to enhance the capacity of national institutions to eliminate the worst forms of child labour and to share information and experiences across the sub-region. However there has been no positive change in the situation in cotton harvesting in Uzbekistan since the initiation of that project. The Government of Uzbekistan has officially denied the existence of forced child labour in cotton harvesting. In private, however, according to the U.S. state of Department, some Uzbek officials do admit the use of forced child labour in the cotton harvest. (United States Department of State 2004)

In a 2004 interview with journalists from the Institute of War and Peace Reporting, an official from the Jizzakh regional administration privately admitted that "the use of child labour was widespread and that the cotton industry couldn't survive without it". (Institute of War and Peace Reporting 2004)

On October 16, 2006, according to an Uzbek senior official, Cotton Fair in Tashkent collected exports contracts for 1.7 million tons of cotton fibre. However according to

local informants interviewed by ILRF (International Labour Rights Forum) staff, lack of agricultural infrastructure and a corrupt subsidiary system discourage farmers from cultivating cotton. The potential social ramifications and economic inefficiencies have led the World Bank and the UNDP (United Nations Development Programme) to urge the Uzbek government to change its agricultural policy, particularly in cotton cultivation. “Until now the Uzbek Government has made little or no effort to liberalize the sector,” according to the Report of Institute of War and Peace Reporting (2004: 10)

In light of the serious violations of internationally recognized workers’ rights and the failure of the Government of Uzbekistan to undertake any meaningful steps to address these issues, some have demanded that the country’s benefits under GSP (Generalized System of Preferences) should be revoked. (Ibid)

Uzbekistan’s practice of using state orchestrated forced child labour in cotton production is a clear and substantial breach of its commitments under ILO conventions prohibiting forced labour. These practices are also clearly in conflict with ILO Convention 182 prohibiting the worst forms of child labour. Uzbekistan has neither ratified ILO 182 nor otherwise undertaken meaningful actions to prohibit the practice of forced child labour in the substantial and economically significant cotton sector. (Ibid)

Uzbekistan has signed and ratified ILO conventions: No. 29, (the 1930 Forced Labour Convention) and No. 105 (The 1957 Abolition of Forced Labour Convention).

These documents were ratified in 1992 and 1997 respectively. However, neither aforementioned national laws, nor Uzbekistan’s ILO commitments, have curbed widespread use of forced child labour. (Ibid)

Until 2008, two other important ILO conventions, No. 138 (Minimum Age Convention, 1973), and No.182 (Worst Forms of Child Labour Convention, 1999) were not adopted by the Uzbek government. Finally, in March 2008, the Parliament (Oliv Majlis) ratified these two Conventions. In September 2008 the Cabinet of Ministers adopted a Resolution and the National Action Plan aimed for the implementation of Convention 182 and Convention 138. But these documents didn’t stipulate cooperation with ILO and any mechanism of independent monitoring of how the Conventions are being implemented. (Institute of War and Peace Reporting 2004)

A few weeks after the Resolution, school children were, as usually, taken for cotton harvest. That fact demonstrated that the rule of law is nonexistent in Uzbekistan, and

none of ILO conventions ratified by Uzbekistan are considered seriously by its government. None of them have affected the real situation, nor the ratification obviated the need for further pressure on the Uzbek government to end the use of forced child labour. (Ibid)

**Legal measures and the role of State against Child Labour in India:**

“Child” as defined by the Child Labour (Prohibition and Regulation) Act, 1986 is a “person who has not completed the age of fourteen years. A child of such tender age, is expected to play, study and be carefree about his life. But as a fact of nature, expectations hardly meet reality. Children, by will or by force are employed to work in the harsh conditions and atmosphere which becomes a threat to their life. Child labour leads to underdevelopment, incomplete mental and physical development, which in turn results in retarded growth of children”. (Bag 2015: 01)

In a brief, the definition of Child Labour is any work within or outside of the family that threatens health and mental development of the child by denying her or him fundamental as well as non-fundamental rights. The Child Labour is a work which involves some degree of exploitation i.e. physical, mental, economic and social which impairs the health and development of children. (Ibid)

The Child Labour is mostly exploited in terms of wages, working hours and conditions. This is known as super exploitation of children in wage and quasi-wage employment. This is also referred as exploitation over and above economic exploitation i.e. physical and mental exploitation (in terms of long hours of work, hazardous working conditions, lack of health care facilities, denial of schooling and recreational facilities, and some cases in terms of mental torture because of separation from parents and other family members) which ultimately threatens the health and over all development of children. (Ibid)

**Different types of Hazards:**

Child labour, generally speaking, is work done by children that harms them or exploits them in some way, physically, mentally, morally, or by blocking access to education. Children who are in the growing process can permanently distort or disable their bodies when they carry heavy loads or are forced to adopt unnatural positions at work for long hours. Children are less resistant to diseases and suffer more from



chemical hazards and radiation than adults. UNICEF classifies the hazards of child labour into three categories, namely I) Physical, II) cognitive, and III) emotional, social and moral. (Ibid)

### **I. Physical Hazards:**

There are jobs that are hazardous in themselves and affect child labourers immediately. They affect the overall health, coordination, strength, vision and hearing of children. The hard physical labour over a period of years stunts a child's physical stature by up to 30 percent of their biological potential. (Ibid)

### **II. Cognitive Hazards:**

Education helps a child to develop cognitively, emotionally and socially. Cognitive development includes literacy, numeracy, and the equation of knowledge necessary to normal life. Work may take so much of a child's time that it becomes impossible for him or her to attend school, even if the children do attend, they may be too tired to be attentive and follow the lessons. (Ibid)

### **III. Emotional, Social and Moral Hazards:**

There are jobs that may threaten a child's psychological and social growth more than physical growth. For example, a domestic job can involve relatively light work, however, long hours of work and the physical, psychological and sexual abuse to which the child labourers are exposed make the work hazardous. Several domestic servants on average work for twenty hours a day with small intervals. (Ibid)

According to UNICEF survey, "about 90 percent of employers of domestic workers preferred children of 12 to 15 years of age. This is mostly because they can be easily dominated and obliged to work for long hours and can be paid less than what would have to be paid to an adult worker. Moral hazards generally refer to dangers arising for children in activities in which they are used for illegal activities, such as trafficking of drugs, sex trade and production of pornographic materials". (Subbaraman and Witzke 2007)

Perpetuation of child labour will also have adverse effects on the nation's economy through various short term and long term effects on the labour market growth and development through unproductive, unskilled labour force and also on social development through poor rates. (Ibid)

According to UNICEF it is very important to distinguish between work that is beneficial and work that is intolerable. Child labour is exploitative and intolerable if it involves:

- (a) Full-time work at too early an age,
- (b) Too many hours spent working,
- (c) Work that exerts undue physical, social or psychological stress,
- (d) Work and life on the streets in bad conditions,
- (e) Inadequate pay,
- (f) Too much responsibility,
- (g) Work that hampers access to education,
- (h) Work that undermines children's dignity and self-esteem, such as slavery or bonded labour and sexual exploitation and
- (i) Work that is detrimental to full social and psychological development.

(UNICEF 1997)

The Encyclopedia of Social Sciences (1959) defines child labour as:

“When the business of wage earning or of participation in self or family support conflicts directly or indirectly with the business of growth and education, the result is child labour.” (Encyclopedia of Social Sciences 1959)

C.S. Blanchard, the Director General of the International Labour Organization states that “child labour can be conceived to include children under the age of 15 years in work or employment with the aim of earning a livelihood for themselves or for their families”. (Subbaraman and Witzke 200: 40)

Child labour is bad because it denies the inherent dignity of human being. Social scientists who define child labour in this sense emphasize more on the character of jobs in which the children are engaged in and the dangers to which they are exposed.

Child labour means that the employment of children in gainful occupations in industrial as well as non-industrial occupations, which are injurious to their physical, mental, moral and social development. Thus, the term includes wage labour as well as self employed children working independently as well as in family enterprises. So, child labour is irrespective of whether done at home or outside. (Shandilya and Khan 2003)

Child labour thus can be defined as any work undertaken by children below the age of 15 years in such works which are injurious to their health and harmful to their proper full physical, mental moral and social development. (Ibid)

**International Legal Instruments:**

Internationally, there are several conventions and legal instruments that seek to promote and set international standards for upholding the rights of children and protecting them from harmful working conditions. Some have been ratified by India, while the ratification of some others is still under discussion. (Centre for Child Rights 2003)

An overview of India's international commitments on child labour is as follows:

**(1) The UN Convention on the Rights of the Child (UNCRC)** was ratified by India in 1992. Under Article 32, harmful work is defined as “work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.” The term “child labour” usually refers to this kind of work. There are other important articles in the UNCRC (United Nations Convention on the Rights of the Child) which are related to child labour, namely the right to protection from exploitation (article 36), the right to education (articles 28 and 29), the right to leisure and play (article 31), the right not to be trafficked (article 35) and the right to good health (article 24). (Centre for Child Rights 2003)

India has ratified the UNCRC with a declaration on Article 32, stating:

While fully subscribing to the objectives and purposes of the Convention, realising that certain of the rights of the child, namely those pertaining to the economic, social and cultural rights can only be progressively implemented in the developing countries, subject to the extent of available resources and within the framework of international co-operation, recognizing that the child has to be protected from exploitation of all forms including economic exploitation, noting that for several reasons children of different ages do work in India, having prescribed minimum age for employment in hazardous occupations and in certain other areas, having made regulatory provisions regarding hours and conditions of employment and being aware that it is not practical

immediately to prescribe minimum age for admission to each and every area of employment in India, the Government of India undertook to take measures to progressively implement the provisions of Article 32, particularly paragraph 2(a), in accordance with its national legislation and relevant international instruments to which it is a State Party. (Ibid)

## **(2) ILO Conventions**

India has ratified four out of the eight core ILO labour Conventions, namely Forced Labour Convention, Abolition of Forced Labour Convention, Equal Remuneration Convention and Discrimination (Employment Occupation) Convention. India has not ratified the core ILO Conventions on the Worst Forms of Child Labour, the Convention on Minimum Age, Convention on Freedom of Association, and the Convention on Collective Bargaining. (Joshi 1999)

As far as the ILO Convention on Minimum Age is concerned, Article 9 of the Convention provides that “the provisions of Articles 2 (prohibits employment of children under fourteen years of age), 3, 4, 5, 6 and 7 of this Convention shall not apply to India, should legislation be enacted in India making attendance at school compulsory until the age of fourteen”. Since India has already enacted a special law on free and compulsory education for all, “it automatically gets exempted from this provision”. (Joshi 1999: 276)

The Ministry of Labour and Employment is not ratifying the ILO conventions mainly because India prohibits child labour till the age of 14, not 18. But it follows everything else in the treaty. In view of restrictions on trade union rights, the prevalence of child labour and forced labour as well as discrimination, determined measures are needed to comply with the commitments of India accepted at Singapore, Geneva and Doha in the WTO Ministerial Declarations over 1996-2001, and in the ILO Declaration on Fundamental Principles and Rights at Work. (Ibid) There are several restrictions with regard to freedom of association, collective bargaining and the right to strike, both in law and in practice. Public sector workers are even further restricted in their rights. Proposals that have been made to amend the legislation that would further restrict trade union rights. (Joshi 1999)

While India has ratified the core ILO Convention on Equal Remuneration as well as the Convention on Discrimination, it can however be seen that there are legal shortcomings and, in practice, there is discrimination in employment and wages. In particular, Dalits are subject to serious discrimination and are employed in the most exploitative jobs. (Ibid)

On ratification of ILO Convention No. 182 (Worst Forms of Child Labour), there is a strong voice of dissent among civil society actors. The arguments of the government are that as of date there are already 16 occupations and 65 processes in which child labour is banned and the list of hazardous occupations is progressively being expanded. This takes India way beyond the ILO 182 recommendation. (Ibid)

The only worst form of labour not covered by the Indian law is child prostitution. Since prostitution of minors is an offence, civil society groups have opposed bringing it within the influence of labour. Also, with recent 2013 amendment to the criminal laws, insertion of new sections 370 and 371 in the Indian Penal Code takes care of various forms of child trafficking, including trafficking for prostitution and slavery. (Joshi 1999)

Despite efforts, child labour remains a serious problem in India and includes hazardous child labour and bonded child labour.

### **National Laws and Policies:**

Child labour has been addressed in the Constitution of India, laws, policies and plans of the government of India. The plans and policies have laid down goals that have shifted over the years, and still remain to be achieved. The different laws, judicial pronouncements and policies relating to child labour in India are illustrated below.

The decade prior to Independence saw two very specific laws addressing the issue of child bondage and child labour respectively. The first amongst these was the Children (Pledging of Labour) Act, passed in 1933, which for the first time, acknowledged the problem of child bondage and prohibited agreements made to pledge the labour of children. (Mishra 2001)

The constitution of the India which set the goal for democracy found its magnification in its broad perspective much earlier than its enactment. The law on child labour enacted was Children (Pledging of Labour) Act, 1933. This law prohibits parents and guardians from pledging the services of a child, and treats any agreement as void

which is entered into between parents or guardians and recruiting agents. This law which is still on the statute book continues to be honoured, but breached also as many children are sent to work with the tacit consent of their parents and guardians which is prohibited under law. The 1933 Act was followed by Employment of Children Act, 1938. (Mishra 2001: 289-293)

The ILO in 1937 adopted a Convention fixing a minimum age at which children were to be employed in certain occupation. The Employment of Children Act, 1938 was passed to implement this convention, so it prohibited the employment of children below 15 years in certain industrial employment and restricted children below 14 years in the transport of goods in docks and wharves. Though the 1938 Act banned child labour in hazardous industries, it made an exception in favour of family labour. (Saksena 2001: 103)

It is clear that the Employment of Children Act, 1938, hardly had any impact in bringing down the incidence of child labour, as penalty was not stringent and the maximum fine was only Rs. 500 or a month's imprisonment or both. The Employment of Children Act, 1938, had consequently become ineffective in combating child labour. (Sekar 1997: 82-83)

The Employment of Children Act that followed in 1938 was the first enactment addressing the issue of "child labour" as such. While the ILO in 1937 defined a child as a person below the age of 15 years, the Employment of Children Act, 1938 did not do so. (Ibid)

However, it did give a sense of who was being recognised as a child, the maximum age addressed being 17 years. It followed a graded pattern for dealing with employment of children in terms of age groups as well as two distinct sectors of employment categorised as "occupations" and "processes". (Ibid)

In the category of occupations, while employment of children below the age of 12 years was prohibited in some occupations, employment of those between the age of 15 and 17 years was meant to be regulated in others. In the category of processes, employment of children below the age of 14 years was prohibited in 10 processes carried out in workshops, except those where children worked as part of family or in any state funded or state supported school. Although the 1938 law did not lay down any clear basis for deciding on occupations requiring total prohibition and those requiring regulation with respect to child labour, the guiding factor was perhaps some

notion of what could be considered as “hazardous” and “non-hazardous” sectors for children of a certain age. (Ibid)

While this scheme of things found its way even in the Constitution of India, a close look at the 1938 law and Article 24 of the Constitution of India suggests that the 1938 law was more progressive in as much as it addressed the employment of children above the age of 14 years by way of regulating the employment of those aged between 15 and 17 years. The Constitution of India (adopted long before the UNCRC, United Nations Convention on the Rights of the Child) was ratified, identifies child labour as only those children below the age of 14 years and bans employment of child labour in only hazardous employments. In doing so, it remains silent on employment of children above the age of 14 years and allows a statutory distinction between “hazardous” and “non-hazardous” sectors of employment, which has resulted in a serious challenge in dealing with the issue. (Sekar 1997)

After Independence, the Factories Act 1948 was passed, raising the minimum age for employment in factories to 14 years. The Act required workers between the age of 14 and 18 years to obtain a certificate of fitness from a certifying surgeon and periodic examination. Such certificates are valid only for a period of one year. Restrictions are also placed on their employment in certain dangerous occupations, the hours of work of children are limited to 42 hours on any day, period of work is two shifts and spread over to 5 hours a day. They cannot be employed at night between 10:00 p.m. and 6:00 a.m. They were not allowed to work on machines that are considered dangerous. However, this Act didn't apply to such factories where there are less than 10 workers with power and less than 20 workers without the aid of power. (Kanna 2002: 101)

The Minimum Wages Act, passed in 1948, specified that the expression “adult”, “adolescent” and “child” will have meaning assigned to them. It defined “child” as a person who has not completed his 15th year. It provides that in fixing or revising minimum rates of wages, different minimum rates of wages may be fixed for adults, adolescents, children and apprentices. (Saksena 2001: 80)

The Constitution of India, the Supreme law of the land, contains a fundamental right against exploitation in Article 24 according to which “no child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous occupations”. This provision that prohibits the employment of children in all hazardous employment argues that “all employment of children per se is

hazardous, because to put a child to work is to confiscate childhood". Article 39(e) and (f) obligate the state to ensure that:

1. The health and strength of workers, men and women and the tender age of children are not abused.
  2. They are not forced by economic necessity to enter vocations unsuited to their age and strength.
  3. Children shall be given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity.
  4. Childhood and youth shall be protected against moral and material abandonment
- Article 45 mandates the state to provide within a period of 10 years from the commencement of the Constitution for free and compulsory education for all children until they complete the age of 14 years. (Government of India 2006: 1-2)

#### **Legislations on Child Labour in India to address two broad concerns:**

1. Prescribing minimum age limit for employment of children and regulation of working hours for children.
2. Ensuring the health and safety of child labourers by prohibiting the employment of children in hazardous work. (Sekar 1997)

In 1951, the Plantations Labour Act was passed to prevent the employment of children under 12 years in plantations. In 1952, the Mine Act prohibited the employment of children less than 15 years in mines. The act also stipulated conditions for underground work to include having completed 16 years of age and a certificate and physical fitness from a surgeon. (Ibid)

In 1954, The Factories Act was amended. This amendment included a prohibition of employment of children less than 17 years at night between 10 p.m. and 7 a.m. In 1958, the Merchant Shipping Act prohibited the employment of children under 15, in any capacity in any ship, except in certain specified cases. (Sekar 1997: 41-42)

In 1961, the Motor Transport Workers Act was passed to prohibit the employment of children under 15 in motor transport undertakings. In the same year, the Apprentices Act was passed and prohibited the apprenticeship of a person less than 14 years. In 1966, the Bidi and Cigar Workers (Conditions of Employment) Act was passed. It prohibited the employment of children under 14 in industrial premises manufacturing bidis or cigars and the employment of young persons who have completed their 14 but not 18 years to work at night between 7 p.m. and 6 a.m. (VVG NLI 2001: 48).



In 1978, the Employment of Children Act, 1938 was further amended so as to extend the prohibition of employment of a child below 15 years in railway premises, such as cinder picking or clearing of ash pit or building operation, in catering establishment and in any other work which is carried on in close proximity to or between the railway lines. (Saksena 2001)

The Child Labour (Prohibition and Regulation) Act was passed in December 1986. This Act repealed the Employment of Children Act, 1938, but most importantly repealed its schedules A and B. All rules made in this Act were in addition to the Factories Act, 1948, the Plantation Labour Act, 1951 and the Mines Act, 1951. (Ibid: 109)

The Child Labour (Prohibition and Regulation) Act, 1986 was the culmination of efforts and ideas that emerged from the deliberations and recommendations of various committees on child labour. Most significant among them are National Commission on Labour (1979). Gurupadaswamy Committee on Child Labour, which was appointed to enquire into the causes leading to and the problems arising out of employment of children, made a recommendation that a distinction be made between child labour and exploitation of child labour. It further logically expanded this argument by recommending the banning of child labour only in hazardous work and to regulate and ameliorate the conditions of work in other areas of employment. (Pandiaraj 2006: 91)

The Child Labour (Prohibition and Regulation) Act, which was enacted in 1986, largely tolerates employment of child labour in India. It prohibits the employment of children below the age of 14 years in 13 occupations and 57 processes that are hazardous to the children's lives and health. These occupations and processes are listed in the schedule to Act. (Government of India 2006: 02)

Among the most important occupations in which child labour is prohibited are ports, handloom and power loom industry, mines, selling crackers or fire workers, plastic units and fibre glass workshops, beedi-making, carpet weaving, manufacturing of matches explosives and fireworks, construction industry, tobacco processing, etc. (Government of India 1986)

The 1986 Act also limits child work for 6 hours between 8 a.m. to 7 p.m. with one day rest per week, and provides penalties of imprisonment and fine up to 10,000-20,000 rupees for violations. For repeated offences, imprisonment can be up to three years. It also provides that any person, besides a police officer or an inspector, can file a

complaint regarding commission of offences. These complaints have to be filed with Court not inferior to that of metropolitan magistrate or a magistrate of the first class. (Joshi 1999)

The Act provides for the setting up of “Child Labour Technical Advisory Committee” for the purpose of addition of occupations and processes to the schedule. A notice of at least three months should be given by the central government before adding any occupation or process to the schedule. The Act clearly states that the government can make rules for the health and safety of children who are permitted to work in any establishment. These rules can provide for matters such as cleanliness, ventilation, dust and sanitary facilities, etc. But there is no mention of nutrition or medical facilities. (Joshi 1999: 276)

According to this Act, child labour is prohibited only in specified occupations and processes which clearly militate against the constitutional dictum contained in Article 24. According to Article 24, child labour stands outlawed in all hazardous occupations. Part III of the 1986 Act regulates child labour in those establishments where none of these occupations and processes listed in the schedule are carried on. In other words, “children who are prohibited from being employed in certain processes and occupations are at liberty to join other employments, which are only regulated. This is nothing but “Legalization of Child Labour”. In all these regulated areas, it has not provided any minimum age for the employment of children. (Pandiaraj 2006: 92). The 1986 Act makes certain exceptions to the above said rules. The Act does not apply to:

1. Any workshop wherein any process which is carried on by the occupier with the aid of the family.
2. Any school established by or receiving assistance or recognition from the government. (Government of India 1986: Section 3).

The rationale behind this exception is “to protect and encourage innumerable cottage, family or home-based enterprises in the country. What this exception means is that work and conditions ordinarily deemed harmful to children are considered non-harmful so long as they take place as home-based enterprises or under the auspices of an official government programme. This exception defies logic and has resulted in large scale violation of the Act”. (Singh 2001)

The 1986 Act does not include several processes which are hazardous for children. The Act does not include industries like lock industry, balloon industry, pottery

industry and several others in its list of prohibited occupations and processes even though children are forced to work in these industries with dangerous chemicals and machines. The agricultural sector, which constitutes 80 per cent of child labour, also appears to be outside the regulatory reach of the Act. (Ibid)

This Act also doesn't specify the minimum age of employment of children in occupations and processes other than prohibited ones. It is important to note that the 1986 Act omits section 3(B) of the Employment of Children Act, 1938, requiring that a notice be sent to the inspector before any of the prohibited processes are started in any workshop, regarding the name and situation of the workshop, the name of person in actual management, the address for communication, and the nature of processes to be carried on in the workshop. (Ibid)

As a result of this omission, the burden of tracking down such process is now shifted to an understaffed and ill-equipped labour inspectorate or private individuals. The provision of a mandatory notice would have acted as a deterrent to some extent against employing children. (Ibid)

Over the years there has been a shift in the employment of children from the organized sector into the unorganized sector. Owners of small scale establishments keep the number of workers employed by them below 70, so that their establishments do not fall within the purview of the Factories Act, 1940 or let out or subcontract several processes to family based units since 1986 Act exempts such units. The government proposed to amend the Child Labour (Prohibition and Regulation) Act, 1986, in order to strengthen and streamline the prohibitory and regulatory provisions of the Act to ensure effective implementation. The following amendments were on the anvil:

- Section 16 is to be amended for more implementation of Act. The Act is proposed to be amended to provide for summary trial by Executive Magistrates in case of violation of the prohibitory provisions, which were proposed to be made as cognizable offence.
- Section 17 was to be amended to shift the burden of proof of the age of the children employed from the prosecution to the employer in line with similar provisions existing in the Factories Act and the Beedi and Cigar Workers Act
- Section 20 was to be amended so that the more stringent penalty as per the Child Labour (Prohibition and Regulation) Act would be made applicable in

case of violations of four Central Acts, namely, the Beedi and Cigar Workers (Conditions of Employment) Act, 1966, Bonded Labour System (Abolition) Act, 1976, Plantations Labour Act, 1951 and Contract Labour (Regulation and Abolition) Act, 1970.

- Section 2(iv) defining establishments was proposed to be amended to extend the scope of the protective provisions to progressively cover more activities in which child labour is likely to be engaged. This was an enabling provision to add additional types of workplaces, if necessary. This enabling provision was absent in the current definition.
- Section 2 (vi) cast a responsibility on the “occupier” of the establishments to comply with its provisions in employments such as carpet, beedi, matches, etc. Where children were employed in large numbers, they may not be directly under the main principal employer.
- Section 2 (vi) was sought to be amended, casting responsibility on the principal employers clearly by amplifying the present definition of the term “occupier”.
- In order to discourage employers from engaging children, amendment to the Minimum Wages Act was also proposed by a reference doing away with the present provisions under the Act which permitted different rates of minimum wages to be fixed for child workers. (Saksena 2001)

However Government opted for a go slow and conservative approach in its proposed amendments by not prohibiting child labour in hazardous industries in family-based, government-aided and recognized schools. It is not surprising that the cabinet approval of these amendments in 1994 failed to evoke any great elation among the crusaders for abolition of child labour. Moreover, legislation by itself can't bring about a radical transformation in the prevalence of child labour. (Singh 2001)

The Constitution of India has since its inception been the source of post-independence legislation and jurisprudence on child labour in India and hence this position has received substantial criticism from child rights groups for taking away the protection cover, which otherwise all children are entitled to, irrespective of their situations and circumstances. (Ibid)

Efforts and ideas that emerged from the deliberations and recommendations of various committees on child labour led to the present Child Labour (Prohibition and

Regulation) Act, 1986 (Child Labour Prohibition and Regulation (CLPRA)). Significant among them were the National Commission on Labour (1966-1969), the Gurupadaswamy Committee on Child Labour (1979) and the Sanat Mehta Committee (1984). (Planning Commission of India 2012)

The Gurupadswamy Committee that examined the problem in detail noted “flagrant violations of the laws, difficulties in regulation, the paucity of prosecution, and the meagreness of penalties prescribed”, and made some far-reaching recommendations. It recommended “a law that would adopt uniformity in defining the child” and also observed that as long as poverty continued, it would be difficult to totally eliminate child labour and hence, any attempt to abolish it through legal recourse would not be a practical proposition. (Usha Ramanathan 2013)

The Committee only reiterated the position of banning employment of children in hazardous sectors and regulating and ameliorating the conditions of work in others on the grounds that in the present circumstances, this was the only suitable alternative. It thus recommended that a multiple policy approach was required in dealing with the problems of working children. (Ibid)

Until the enactment of Child Labour (Prohibition and Regulation) Act of 1986 (CLPRA) (Child Labour Prohibition and Regulation Act), the Employment of Children Act, 1938 prevailed, with amendments made from time to time to the list of occupations and process banning employment of children and a specific amendment in 1948 raising the age for total prohibition of employment of children in the category of “processes” from 12 years to 14 years to bring the law in consonance with Article 24 of the Constitution of India. (Ibid)

One significant difference between the statutes of 1938 & 1986 is that the latter envisaged the constitution of a Child Labour Technical Advisory Committee, which has to investigate on a continuing basis the “occupations and processes” in order to determine what is hazardous and what is not. Thus, over the years, while the basic structure of the CLPRA (Child Labour Prohibition and Regulation Act) has not changed, the list of hazardous occupations and processes is progressively being expanded on the recommendations of Child Labour Technical Advisory Committee. (Ibid)

Following the Act, a National Policy on Child Labour was formulated in 1987, which continues till date, unaware of the changes made in the National Education Policy and the most recent National Policy for Children, 2013. (Ibid)

Ideally the policy framework should guide the formulation of laws, programmes and schemes. However, a revision in the National Policy on Child Labour does not seem to be on the anvil, while on the other hand the proposal to amend the CLPRA (Child Labour Prohibition and Regulation Amendment Bill, 2012) was already cleared by the Cabinet and the proposed amendments were discussed in the Parliament. The most significant among these was the proposal to do away with the distinction between “hazardous” and “non-hazardous” occupations and processes to totally ban “all forms” of employment of children below the age of 14 years, and to provide for prohibition and regulation of employment of children aged 14 to 18 years in ‘hazardous’ and ‘non-hazardous’ sectors respectively. This was perhaps also the right time to consider an amendment to Article 24 of the Constitution also. (Ibid)

To reiterate, as of now the legal regime by addressing children in hazardous occupations leaving out the vast majority who work in a large number of sectors considered non-hazardous. (Ibid)

In 1989, 1993 and 1994, significant additions to the list of hazardous industries and processes were made by notifications issued by the Ministry of Labour. Some debated that “hazardous processes like glass manufacture were not scheduled”. By a notification no. S.O. 404 (E) dated 5 June 1989, published in the Gazette of India extraordinary, the manufacture of slate pencils including packing processes, along with manufacture of products from agate and processes using toxic metals and substances such as lead, mercury, manganese, chromium, cadmium, benzene, pesticides and asbestos were inserted in the list of hazardous processes. Work relating to the selling of crackers and fireworks in shops with temporary licences was added to the list of occupations.

In 1993, Government of India through a notification, dated 26.05.1993, regulated the working conditions of children in all employment, which were not prohibited in the 1986 Act. (Government of India 2001)

By a notification of March 29, 1994 Government also prohibited “employment of children in some of the occupations and processes adding to the already scheduled six occupations and fourteen processes”. The Government of India has further added some more processes and occupations to the act through a notification dated 23rd July 1998 and in 2001 again six more processes were added in the schedule. (Government of India 2001)

The Right to Free and Compulsory Education Act of 2009 provided for the mode of implementation of the right to education as expressed in the constitution in 2002. Since the Act came into force in 2010, the Ministry of Human Resource Development of the Government of India has documented the progress made on a yearly basis. (S. G. Thakur 2015) After the adoption of the Act, India has seen a considerable spurt in school enrolment at the primary level after the Act was adopted. It also shows that there has been a slight downward trend in primary school enrolment recently, however, enrolment figures are still significantly higher, than before the Act's introduction. (Ibid)

In 2012, the Government of India drafted an Amendment Bill, enacting major changes to the Child Labour (Prohibition and Regulation) Act of 1986. This Bill issued a blanket ban on the employment of children under 14 years of age in all occupations and processes. (Ibid) The previous Act from 1986 had been more "selective" in its prohibition of child labour, it prohibited the employment of children under 14 years in 18 occupations and 65 processes deemed as "hazardous". This development demonstrates a shift towards prohibiting child labour in a more general sense, rather than the most "hazardous" forms only.

It is notable that the 2012 Bill included two exceptions to the "blanket ban" rule, namely:

1. In the case of children working in family enterprises and
2. In the case of children working in the audio-visual entertainment industry.

These exceptions were subject to substantial criticism and labelled as "regressive" by child activists. (S. G. Thakur 2015 33-36)

The first exception was especially contested as it opened a loophole in the law. Although the exception is limited to non-hazardous work and after-school hours and school holidays, the manner in which the law is framed leaves it open to potential misuse, "many industries are home-based, making it difficult for the law to ascertain how hazardous this may be to the child's well being". (Hindustan Times 2015)

Moreover, it may prove to be difficult to empirically define what is "hazardous" and what is "non hazardous". In addition, the concept of "family enterprises" is a relatively ambiguous concept and may therefore be open to wide interpretation. (Ibid)

The fact that the meaning of “family enterprises” is inherently vague creates a “legal vacuum”, which “may lead to an increase in child labour in unregulated unorganized cottage industries”. (Sarah Farooqui 2015)

The government justified the exception in order to strike “a balance between the need for education for child and reality of the socio-economic condition and social fabric in the country”. (Ibid) Moreover, it argued that children’s wages are essential to the survival of poor families and that working children acquire useful job skills. (Ibid)

### **Recent Developments in the Indian Hybrid Cottonseed Sector:**

Since the introduction of hybrid cottonseeds in 2002, the cotton sector has grown to become one of India’s fastest developing industries. Prior to 2002, cottonseed made up 10-15% of the Indian seed sector. This Figure jumped to 40% in 2012. (Mukherjee 2012) The productive output of hybrid cotton moved India from the fifth-largest cotton producer in the world to the second largest producer in less than a decade. (Ibid)

The introduction of hybrid seeds, made the sector to become increasingly privatized. Today, large Indian companies and multinational corporations privately own about 98% of the cottonseed sector. (Ibid: 16) Multinational companies are greatly increasing their share of the privately controlled cottonseed production area. Between 2006 and 2007 multinationals and their joint venture partners controlled approximately 12.7% of cottonseed production, and this number increased to approximately 31.6% in 2014-2015. (Ibid: 17)

In addition to the upward trend of foreign control in cottonseed production, there has been an increasing movement of cottonseed production into more rural areas. As sector production increases, farms contracted to the major cottonseed companies extend further into more rural and remote tribal locations, and production seems to have shifted from large commercial farms to smaller, family-based farms. (Venkateswarlu 2015: 03)

Small-sized farms, especially those that are subsistence farms, often rely on the whole family to work, including children. (Ibid) The children on these small family farms are permitted to work under the amended Child Labour (Prohibition and Regulation) Act, as long as their work is carried out outside of school hours. The number of children in this situation is relatively small, accounting for less than 30% of the total



number of working children under 14 years of age in the states of Andhra Pradesh, Tamil Nadu, and Karnataka. (Ibid: 06)

The major multinational corporations active in India's cottonseed sector such as Monsanto, Bayer, Syngenta and DuPont have been criticized for cases of child labour occurring within their contracted fields. The Council on Ethics for the Government Pension Fund Global is one of the actors to have put forth such criticism. (Council on Ethics Government Pension Fund Global 2006) As a result of such external scrutiny, these companies have created mechanisms to prevent child labour in their supply chains. (Ibid: 14)

The shift from large commercial farms to small family farms in rural and remote tribal areas has had an impact on the "composition of the workforce", resulting in an increase of child labour. (Ibid)

A gradual shift is occurring whereby multinational corporations are taking a larger share of the hybrid cottonseed sector. This is likely to have a positive impact on child labour in the value chain controlled by the multinational companies but the overall impact on the sector is unclear. (Ibid)

The standards set by different Labour Acts can be examined under the following headings: **(a)** prohibition of children working in hazardous employment, **(b)** minimum age employment, **(c)** hours of work, **(d)** medical fitness, **(e)** night work, and **(f)** penalties.

**(a) Children working in Hazardous Employment:**

Different sections of Acts prohibit children from working in hazardous occupations. Under section 23 of Factories Act (1948) no young person can be employed on dangerous machines unless he/she is fully instructed, and is under adequate supervision. The Employment of Children Act (1938) prohibits employment of children in any workshop, where the process of beedi making, carpet weaving, cement manufacturing, cloth printing, manufacturing of matches, explosive and fire works, mica cutting and splitting, soap manufacturing, canning is carried out. (Rao 2000: 337)

Under Beedi and Cigar Workers Act (1966) "no person below 14 years can be employed in industrial premises". According to the Mines Act (1952) "no person below 18 years shall work in anytime. Apprentices and other trainees, with the

permission of the children inspector, may work, provided they are above 16 years". The Child Labour (Prohibition and Regulation) Act, 1986 intended to ban the working children in hazardous occupations and processes. (Ibid)

**(b) Minimum Age:**

The minimum age for the employment in any occupation or process are defined between the ages of 12 to 18 years by the different acts. The years for the minimum age has decreased, though there is some deviation because of the higher degree of probable hazards associated with the nature of work. (Ibid)

**(c) Medical Fitness:**

The requirement of the certificate of physical fitness is also one of the ways to regulate child labour practice. Thus, employment of children in certain occupations requires producing certificate of medical fitness. Such requirements are for ensuring that children below 14 years should not join the labour market and adolescents who are working should be physically fit. (Ibid)

**(d) Hours of work:**

Every Act prohibits excessive hours of work and had made some provisions to regulate these practices for children and the adolescents. Almost all Acts prohibit work more than four and half hour a day, but child labourers in plantation work are allowed to work for five hours a day. However, the Child Labour (Prohibition and Regulation) Act, 1986 do not allow children to work more than three hours consecutively. (Ibid)

**(e) Night Work:**

Almost all the Acts ban night work for children. Overtime is not permitted. According to Factories Act, children between 14 and 17 years cannot be asked to work at night between 10 p.m. to 6 a.m. The Child Labour (Prohibition and Regulation) Act has not allowed children for work between 7 p.m. to 8 a.m., and overtime is not allowed too. (Ibid)

**(f) Penalties:**

Earlier, it was Factories Act and Mines Act, which had provided the maximum amount of penalties, i.e., Rs. 2000 and Rs. 1000 respectively. Fines in other Acts range between Rs. 200 and Rs. 500. These fines are associated with imprisonment, and range from one month to three months. The Child Labour (Prohibition & Regulation) Act (CLPRA) of 1986 fines Rs.10,000 to 20,000 to the offenders. The imprisonment under the CLPRA ranges from 3 months to 1 year. (Ibid)

**Summary:**

The future of a nation is determined by the way it treats its children and its women. After all, children imply a hope, to strengthen not only the economy of the country, but also to provide the country with skilled human resources who have access to the basic amenities essential for the existence coupled with the tenets of the education. It is the moral duty of every citizen for the country to ensure that the childhood of our children is protected and not marred with instances like that of child labour which arise out of poverty and helplessness.

In Uzbekistan as the whole system of cotton trade is controlled via the state and a large percentage of the profit flows directly into the state treasury. It is in the interest of the Government to keep production costs as low as possible and ensure that the difference between domestic productions costs and international market prices remains at a maximum. As an effective means of maintaining their wide profit margin, the use of child labour during the cotton harvest is highly attractive to the Uzbek regime.

The government of Uzbekistan should abandon the practice of forced child labour and to root out all forms of forced labour in Uzbekistan, regardless of social status, age and place of residence. It should bring the national law in line with the UN Convention on the Rights of the Child (1989), the International Covenant on Civil and Political Rights, ILO Forced Labour Convention (No. 29), Abolition of Forced Labour Convention (No. 105), Discrimination (Employment and Occupation) Convention (No. 111), Minimum Age Convention (No. 138), Worst Forms of Child Labour Convention (No. 182) and to apply their provisions to all categories of people regardless of their social status, age and place of residence.

The government should also prohibit forcing citizens to pick cotton and publicize the list of environmental disaster zones dangerous to work and live in and allow international experts to visit and assess the situation there.

It is also necessary to allow both domestic and international human rights organizations to monitor protections of the rights of the child and labour and ecological laws in Uzbekistan. It should also constitute an independent commission composed of international experts, human rights activists and representatives of enterprises buying Uzbek cotton, which will monitor Uzbekistan's progress in fulfilling its obligations under international agreements on the rights of the child and the eradication of forced labour. This will ensure the independence of labour unions in Uzbekistan.

The government should conduct medical examinations of schoolchildren who have harvested cotton in ecologically harmful territories in order to identify the causes of allergic, infective and other diseases they suffer from and provide them with treatment. Children residing near the Aral Sea have worked in fields treated with chemicals that are harmful to health. While conducting medical examination of children of all ages, one should identify the causes of a high prevalence of anemia as well as lung and infective diseases in Uzbekistan.

There should be ensurance of conditions for compliance with the labour and ecological provisions of ILO Forced Labour Convention (No. 29), Abolition of Forced Labour Convention (No. 105), Discrimination (Employment and Occupation) Convention (No. 111), Minimum Age Convention (No. 138), Worst Forms of Child Labour Convention (No. 182) during cotton production.

Whereas in India from the social point of view, the main factor is poverty, which is destroying the present as well as the future of the child. When a child goes to work instead of going to school, his present childhood is destroyed. Instead of learning, playing and enjoying, he or she is rotting in some dingy room and is meagerly paid which adds nothing substantial to the family income. This will deteriorate his or her future as he or she remains uneducated and unqualified for better jobs in the industry and it also hampers the future development of a nation and distorts existing wage structure.

Therefore, child labour perpetuates poverty. Since there is a large force of child labour (in millions) and is growing, it is in itself a problem and hence should be studied.

To solve this problem, it is necessary to examine the factors which compel the parents to engage their children in employment rather than to send them to school for education. What comes in the way is their poverty and helplessness. Unless they have an alternative source to feed the family, all efforts will be fruitless.

There is also an urgent need for enforcement of compulsory education. It is the duty of the State to see that each and every child gets free education till the age of 14 years. There is a need to impart education to child workers. Since child workers cannot attend normal schools during the usual school hours, an alternative should be set up in the form of evening government schools so that the poor child labourers get the opportunity to have at least primary education. The spread of education will make them conscious and will help them realize various benefits which are given to them under various labour welfare legislations.

All subsidies should be stopped for all those industries that employ child labour. There must be a network of schools where children should also receive vocational training. A fair stipend should be given to them charitably. This will help in making compulsory schooling effective for those children without whose earning family may reach the starving point.

For children who are above 14 years of age and are already working in the organized sector, their employer should adjust or reduce working hours to enable them to join the school. Where the organization is big enough to bear the cost, it should be compelled to provide schooling facility at the place of work.

Children are an end and means to progress. It is high time to attend to the needs and rights of children not as a mere product of progress but as an end and means to progress itself.

**CHAPTER- 6**  
**CONCLUSION**

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### **CONCLUSION**

All around the world, children are working in appalling, unreasonable conditions to provide us with a product for which we are often paying unreasonably and artificially low prices. Most children in the developed countries have access to education, but in many developing countries like Uzbekistan and India, children are kept away from school to toil in the cotton fields. Worse, they are exposed to dangerous work practices and hazardous pesticides, sometimes they are parted from their families for long periods, and face significant risk of physical or sexual abuse. They are beyond the protection of UN and ILO conventions and national legislations.

The widespread use of child labour is effectively subsidising the lucrative cotton industry. The more powerful actors in the supply chain are profiting from the unfair prices many smallholder farmers in developing countries receive for their produce, and the low or non-existent wages paid to child workers and their families. As the governments of developing countries attempt to pull their nations out of poverty through cotton, the production of the crop is having the opposite effect for farmers, who continue to struggle to make ends meet, with low prices compounded by a lack of finance and access to adequate machinery and labour. Children are carrying the burden of poverty and other socio-economic circumstances, being forced to work to support their families.

At the national levels, cotton-producing countries must guarantee the rehabilitation of children who have been removed from hazardous labour, and facilitate their transition to full education. Most importantly, as long as retailers and consumers continue to purchase cotton products that fail to identify the source of the cotton, and are not guaranteed to have been made without child labour at any stage in the process, they continue to fuel this false economy that deprives children of their childhood, and developing countries of an educated future generation.

The case of child labour in Uzbekistan presents distinctive features that set it apart from global patterns. The main cause of child labour is poverty compelling households to send their children out to work. In Uzbekistan the prime movers of this practice are state agents and the particular mode of organization of cotton farming. Although large-scale mobilization of labour for cotton harvests, including school-age children, was prevalent during the Soviet period, it would be mistaken to interpret

current practices as a mere continuation of the patterns set by Soviet collective agriculture.

The partial nature of agrarian reforms since independence in 1991, expanding private access to land, on the one hand, without releasing private producers from obligations to meet crop quotas at administratively set prices, on the other, has contributed to the surge of labour outmigration to Russia and Kazakhstan. This aggravated problems of labour recruitment and supply, and increased reliance on coercive methods of labour control. Recourse to child labour is symptomatic of the systemic failure of current agricultural policies and the necessity for thorough reform.

Various surveys and reports suggest that the scale of child labour is extensive and that the contribution of child labourers to the total harvest and cotton revenue is substantial. Compulsory participation in agricultural labour takes place at the expense of rural children's educational prospects and health. Their conditions of work correspond to the criteria of hazardous work set out by the 1999 ILO Convention on Worst Forms of Child Labour. Although the Government of Uzbekistan has adopted the necessary legal framework for the eradication of forced child labour, both as a signatory to international treaty and through domestic legislation, it appears to be in breach of both. The involvement of state apparatus in the mobilization of child labour for cotton harvests cannot be glossed over. The extended suspension of schooling and the organized, largescale deployment of children on cotton fields can hardly take place without the tacit endorsement and support of the central government and the active involvement of local administrations.

The adoption of a National Action Plan on the implementation of ILO Conventions 138 and 182 was a welcome official acknowledgement of the scale and seriousness of the problem. However, without verifiable benchmarks and systematic monitoring, the National Action Plan remained a dead letter given the lack of concrete steps to reform the agrarian sector and to lift the current constraints on the operations of the cotton sector. Different actors in the cotton sector of Uzbekistan (farmers, central and local administrations and foreign trade companies) do not have identical stakes in the utilization of child labour.

The main beneficiaries are not the primary producers who occupy the lowest rung of the value chain but the nominally independent state-controlled joint-stock trading



companies that exercise a de facto monopoly on cotton export operations in Uzbekistan. The operations of these companies are non-transparent and their tax contributions to the state budget are not open to scrutiny. The cotton economy, which through a judicious combination of industrial and agricultural diversification policies, could have served as an engine for growth has not delivered its promise. Child labour is but one indicator, though a crucial one in terms of Uzbekistan's human capital potential, of the shortcomings of agrarian reforms in Uzbekistan. There is a pressing need for adequate data and methodologically sound instruments to monitor patterns of child labour in the cotton sector of Uzbekistan.

Specialist UN agencies such as UNICEF and ILO must, in dialogue with the government of Uzbekistan, break with the precedent set by flawed MIC (Market Identifier Code) surveys and redouble their efforts to achieve a reliable data base as a guide to future policy. The Government of Uzbekistan appears to be moving from a policy of total denial to steps aimed to demonstrate greater collaboration in order to honour the obligations imposed upon it by the Conventions to which it is a signatory. Uzbekistan conducted the cotton campaign in 2011, as well as all previous cotton harvests, in violation of international standards and in violation of its own laws, involving almost all sectors of the society, with the widespread use of forced child labour. The recent moves to ratify ILO Conventions No. 182 and 138 and the acceptance of the National Action Plan are encouraging but need to be followed through with decisive and verifiable policy action. The government has taken no real actions to eradicate child labour other than formally adopting laws and the so called National Action Plan to implement ILO Conventions on forced and child labour. Instead, the government continues to support a system which employs child labour to handle its cotton harvest and maximize profits from it. To date, there is no indication that the government is deliberately carrying out reforms in the agricultural sector so that it can end the practice of cheap forced labour and can attract adults, by fair payment, to work in the cotton sector. The situation shows that the government continues to retain the command economy in the cotton industry, in which there are no market mechanisms working, and there are no intentions to change the situation. Finally, and most importantly, the root causes of reliance on coerced labour must be recognized and remedied through a package of reforms that address the vicious cycle of a partially modified command economy, the immigration of labour, declining

productivity and low incomes in the cotton farming sector. These are factors that fuel rural poverty, erode trust in governance and, ultimately, imperil national human development.

The forced labour is to be seen in the context of the low pay rate set by the government to pay cotton pickers, which is not attractive to the adult working population. For farmers it would be possible to harvest the cotton without using child labour if the rates for the wages were, at the very least, doubled. That would immediately appeal to the adult work force, which is in abundance in the country. It is worth to mention that according to estimations by international experts, unemployment in Uzbekistan is not less than 15%. In rural areas it is even higher. This can be confirmed by the fact that every autumn many adult cotton pickers from Uzbekistan leave for seasonal jobs like picking cotton in neighboring Kazakhstan. The farmers in Kazakhstan pay twice as much for one kilogram of cotton than Uzbek farmers did.

There are recommendations by international organizations like the ILO to the Government of Uzbekistan to take immediate and concrete measures ensuring that laws prohibiting child labour are put into practice. First, it is essential to provide guidance to local Hokims to cease the mobilization of schools and other educational institutions to participate in the cotton harvest, carry out reforms in the country's cotton sector, so that there would no longer exist the need and demand for child labour on a massive scale, invite ILO observers into the country to monitor the situation with forced child labour during the cotton harvest, include representatives of independent human rights groups in the supervisory mechanisms to monitor the use of child labour, and ensure that the human rights groups are not substituted by the government controlled NGOs.

In Uzbekistan it is primarily a question of political will. The use of children is sanctioned by the central government, and to a significant degree orchestrated by the regional-level authorities. Until the National Plan of Action to implement ILO Conventions 138 and 182 is elevated to a policy priority, there seems to be little prospect of a reduction in the use of child labour. In order to support the process of eliminating the worst forms of child labour, firstly there should be a clear focus on addressing these obstacles. The second recommendation is that there should be even

more sustained dialogue between those engaged in issues of child labour and those engaged in issues of agricultural reform. The analysis confirms the way in which the two are intertwined.

Specifically, it is the powerlessness of farmers in the face of the coercive measures that the state uses to regulate cotton production that must be addressed if they are going to be shouldered with the responsibility of ending the practice.

In Uzbekistan, where the central government has greater capacity to reshape the sector, there is a clear need for a change in policy at the national level. Continued dialogue is particularly necessary if and when significant agricultural reforms are proposed by the respective government. There is a need to critically analyse them and their potential impact not just on levels of child labour but more broadly on the welfare of the whole rural population. The government should propose a reform, purportedly designed to end child labour, that actually enhances the level of state control over the agricultural sector, entrenching corrupt practices and exacerbating levels of inequality in rural areas by concentrating land in the hands of fewer individuals.

The legacy of USSR using child labour in cotton cultivation should be stopped by the Government of Uzbekistan and should take immediate and concrete measures ensuring that laws prohibiting child labour are put into practice. It is essential to provide guidance to local Hokims (the local executive authority) to cease the mobilization of schools and other educational institutions to participate in the cotton harvest. Reforms in the country's cotton sector is required, so that there would no longer exist the need and demand for child labour on a massive scale. The government should invite ILO observers into the country to monitor the situation with forced child labour during the cotton harvest and also include representatives of independent human rights groups in the supervisory mechanisms to monitor the use of child labour, and ensure that the human rights groups are not substituted by the government controlled NGOs.

One of the main ways to put an end to forced child labour in the cotton sector is to push for fair-trade initiatives in the textile industry. In recent years the fair trade textile industry has been flourishing. More and more big retail names are introducing

fairtrade collections to their production line and more independent, young designers are opting to produce in an ethical and environmentally friendly manner.

It is vital to support fair-trade in order to make a change. Boycotting companies that are known to produce unethically puts these enterprises under immense pressure. Their aim is always to satisfy the consumer in order to remain in business, thus it is they who have most influence on the industry. If large retail companies choose to exclude Uzbek cotton from their supply chains, the Uzbek government will eventually be forced to change its policies.

In line with Uzbekistan's 2008 decree to consolidate farms, the government might propose a policy of consolidating farms and to create conditions for the re-mechanization of agriculture. This capital-intensive approach could produce a network of large farms owned by a smaller class of private farmers in ways that would not only disenfranchise many smaller private farmers, but also reduce overall demand for labour in rural areas and deprive the rural poor of their plots of land that can be used for subsistence agriculture. The effect would be increasing already high levels of rural unemployment and thereby hitting the rural poor the hardest. They must ultimately ensure a more rational set of incentives for cotton producers that reward productivity and ensure the ability to pay adult wages for harvesters. In the absence of significant reform, the story and suffering of child labour in the cotton harvest will continue to the ultimate detriment of the future of country.

Child labour is pervasive throughout India, and especially in the agricultural sector. Millions of children across the country can be found working in hazardous conditions or under the minimum acceptable age, despite national and state laws to the contrary. National and state laws offer distinctly weaker protection than what is afforded to children by international instruments.

India's agricultural sector has been subject to a number of major developments over the last decades, many of which have impacted on the scale and nature of child labour. This includes the rapid growth of the hybrid cottonseed sector, which is known for its inclination to use child labour, specifically young girls. Hybrid cottonseed coincided with a gradual shift in production from large commercial farms to small family farms in rural and remote tribal areas, which negatively impacted on child labour by rendering it more informal and less detectable. The major causes of child labour in the cottonseed industry seem to be poverty and ensuing debts of

parents leading to children's bonded labour, the labour intensive work with hybrid cotton seeds, which drives the sector's need for a low cost work force (motivating the hiring of children, especially girls), and an interplay of corruption and weak legislation, as well as lacking capacity for enforcement.

Child labour in the cottonseed farms, however, remains a serious problem with a quarter of the total workforce still consisting of children below 14 years of age and many of these are employed in conditions deemed as hazardous.

The Indian hybrid cottonseed sector is controlled by multinational companies and large national companies, with the former gradually becoming more dominant. The multinational companies seem to have a better track record than national companies with respect to preventing or reducing the numbers of children employed within their organizations. This may be the result of the high levels of scrutiny the multinational companies are subject to and the risk of reputational damage, resulting from criticism by civil society and other stakeholders in the past couple of decades, which has led multinational companies to adopt stricter child labour policies.

There also appear to be differences in how the multinational and national companies design and implement measures to address child labour. The multinational companies seek to implement the UN Guiding Principles (UNGP) and UN Global Compact in their business practices. By developing effective monitoring mechanisms, multinational companies appear to be able to implement their policies on child labour more successfully. The major Indian companies seemed to lack corporate child labour policies.

Although companies involved in the cottonseed-producing sector can be expected to bear responsibility for preventing child labour within their supply chain, it is difficult to say to what degree this responsibility extends. It would be easier for companies to prevent child labour within the farms that they have direct contracts with. However, the supply chain has numerous levels, and regulation on the part of the companies becomes much harder to manage.

Child labour touches upon a range of social issues. Education and child labour are closely interlinked as illustrated by cottonseed farm practices. The number of school dropouts among children working on cottonseed farms is very high. In almost all cottonseed producing states, the majority of the total workforce comprises of school dropouts. This supports the presumption that children who dropout of school often lack knowledge and are highly vulnerable to exploitation.

In addition, children working on the cottonseed farms are exposed to various health risks. These risks include poisonous pesticides, heat, and exhaustion.

Most children working on the cottonseed farms are girls. Farmers prefer girls as they are cheaper than ‘boy-labour’, easy to control, and due to their delicate fingers. Moreover, boys in general are sent to schools more often than girls. The working children are mostly from lower Castes, such as Dalit and Adivasi.

The magnitude of child labour, measured in terms of proportion of children to the total workforce and the average number of children employed per acre, in hybrid cottonseed production in India show a declining trend in all the states. The decline is significant in Andhra Pradesh, Tamil Nadu and Karnataka.

However, this has not translated into a decline of the total number of children employed on cottonseed farms, particularly in Gujarat. The latter is due to a substantial increase in the production area in these states. As a result of the efforts of local and international NGOs, the government, media and social activists, awareness has been created. Interventions by various agencies, including governmental agencies, the National Commission for Protection of Child Rights, NGOs like MV (Mamidipudi Venkatarangaiya) Foundation and a union like DRMU, the seed industry and international organisations like ILO, UNICEF and UNDP have in combination had a positive impact and helped to reduce child labour in the cottonseed industry.

Despite the decline, the total number of children still employed in the cottonseed sector is huge.

The response of some of the state governments to address the problem of child labour in this sector has not been very encouraging. The government of Gujarat and Rajasthan, has not paid serious attention to tackle the issue to control the trafficking of children from Rajasthan to Gujarat cottonseed fields. They are in a denying mood about the existence of large number child labourers in this sector. In fact the employment of children on family farms, which has increased recently, has not received any serious attention from the state governments of Gujarat and Rajasthan.

There is also a misconception, which is propagated by government and some seed companies, that most of the working children in seed production are family labourers who help their parents during school holidays and before and after school hours. This is not correct. Though there is an increase in the composition of family children in total workforce in recent years, they still constitute a small portion of total working children.

In 2014- 15, according to a study family children accounted for less than 30% of the total working children in Andhra Pradesh, Tamil Nadu and Karnataka. Compared to other states the share of family children is relatively high in Rajasthan and Gujarat where they accounted for 53.2% and 37.5% of all children involved. Also, the study noted that most of the children working on seed farms were school dropouts who have discontinued their schooling and are now working as a full time workers. They accounted for nearly 62% of the total working children in Andhra Pradesh and Karnataka.

In other states the proportion of school dropout children varied between 55% and 58%. The category of children who go to school and temporarily drop out during the cross-pollination period accounted nearly 34% of the total working children in Gujarat and Tamil Nadu.

The response from the seed industry as a whole to address the problem of child labour has not been very encouraging. Despite acknowledging the problem and promising steps to address the problem of child labour, seed companies, except for a few multinationals and local companies, to date have not made any serious efforts to tackle the issue on the farms that are producing seed for their companies. The initiatives undertaken by Bayer, Monsanto, DuPont and few local companies have had some impact in reducing the number of working children.

However, their efforts have only a limited impact on the overall magnitude of child labour in the industry. These efforts are nonetheless important, as they pave the way for broader initiatives and show that tackling child labour in the cottonseed industry is possible and has positive effects on both children and adult workers as the latter are better able to bargain for higher wages. It is therefore very important that individual companies continue to maintain and increase progress with regard to eliminating child labour in their individual supply chains. However, unless all the major seed companies come forward and implement serious measures in collaboration with other stakeholders, it is difficult to combat the overall problem of child labour.

The Right to Education Act 2010 that guarantees children free and compulsory education from the age of 6 to 14 years. The previous central government led by Congress party proposed to bring substantial amendments to The Child Labour (Prohibition and Regulation) Act 1986 to make it compatible with the Right to Education Act. The amendments include a total ban on employment of children below 14 years in all forms of work excluding involvement of children in family occupations

after school hours and holidays and the prohibition of employment of adolescents aged 14-18 years in hazardous occupations. A bill was introduced in the parliament in 2012 (Child Labour Prohibition and Regulation Bill, 2012) which was pending for approval by the parliament. In May 2015 this pending bill was again put up before parliament for its approval. Though this was a welcome step, allowing children below 14 years to work in family enterprises during school holidays and no adverse impact on schooling hours particularly in the cottonseed sector, may actually push more and more children to join the work.

The other issue of major concern in cottonseed production is payment of minimum wages to workers. The Indian laws guarantee payment of minimum wages to workers in different sectors, including the agriculture sector. In spite of this legal requirement, below payment of minimum wages has long been a serious issue in the agriculture sector, especially in the hybrid seed production. Unfortunately it is still a serious issue, mostly for women and children.

The prevailing market wages with the statutory minimum wages fixed by the respective state governments clearly indicates that the legal norms are not followed, especially for certain categories of workers and activities. The prevailing wage rates for cross-pollination activity which is the vital activity in seed production, is below the legal minimum wage in Karnataka, Andhra Pradesh and in Gujarat.

The minimum wages issue has not received as much attention as child labour and no serious efforts were made to tackle this issue either by the government, the seed industry or by civil society organizations. In many states, the Minimum Wages Act is not implemented properly in the agricultural sector.

Moreover, there is lack of awareness about the Minimum Wage Act among workers and farmers. The workers in cottonseed production are not well organized and there are no active worker organizations operating in most of the areas.

An analysis of recent trends in wages and procurement prices in cottonseed production indicates that there is a link between procurement prices received by the farmers and wages paid to workers. There are multiple factors that determine the wages paid to workers in seed production. Procurement price is one of the contributing factors that determine wages.

Given the gap between prevailing wages rates and legal minimum wages, if farmers pay minimum wages to workers the cost of production would rise significantly. With



the current procurement prices and crop yields the farmers would be left with no or a negative margins if they had to pay minimum wages to the workers.

As a first step in the direction of implementing minimum wages companies need to have a proper review of their procurement policies and ensure that growers have enough margins to pay minimum wages to workers. Since 2012 the cost of cottonseed production has increased significantly but the procurement prices paid by companies to seed farmers remain stagnant.

Due to government regulation on cottonseed prices, currently the seed companies are constrained to increase the procurement prices. The companies are arguing that they will not be able to increase procurement prices unless they are allowed to increase the sale price. Unless procurement prices are increased farmers will not be able to able to increase the wages and pay minimum wages to workers. There is a need for the state governments to solve these interlinked problems at regular intervals reviewing the sales prices of companies, their procurement prices and the wages that are paid to the agricultural labourers taking into consideration the changes in cost of production of seeds, the costs of cultivation by farmers and the need for decent wages by agricultural labourers.

The present minimum wages might not be enough to be considered a decent or living wage. This should also be investigated and if needed corrected by the respective state governments.

The multinational and Indian companies should tackle labour rights violations on their suppliers farms, including child labour and also look into the issue of below official minimum or living wages. In order to demand from farmers that they should not employ child labour and pay at least minimum wages, seed companies need to do a proper review of their procurement policies and ensure that growers have enough margins to do this.

Multinational Companies (MNCs) have to take responsibility to ensure that also their local business partners adhere to nationally and internationally defined labour rights, including with respect to combating labour rights violations like child labour and below minimum wages.

As Monsanto plays a very important role in Indian agriculture. By joining up with Indian partner Mahyco and receiving royalties on its Bt seeds from many India-based companies, it has the responsibility to ensure that all companies that they have a

business relation with tackle child labour in cottonseed production and respect labour rights.

As several companies have set up effective programmes against child labour in areas where are operating, it is advised to pool the knowledge gained for those companies that still have to start with this task or are grappling with the way to do this effectively. Wherever possible an area-based approach to tackle child labour and get working children into quality formal education is to preferred. For example, the NGO MV Foundation has effectively spearheaded such an approach, including in cottonseed production areas.

As cultivation shifts to small tribal farms, the deployment of children increasingly changes from one of migrant child labour to local family labour. The seed industry should not hide behind local legislation that may permit child labour on family farms. However the working hours in cottonseed plots mean that child working on the cotton plots will at some point miss out on school and become a dropout. There are mostly women and children do not receive at least a minimum wage for their work because of gender-related allocation to certain types of work like cross-pollination that do not lead to paying the official minimum wage for an 8-hour day. This needs to be amended by government action. It is one of the important aspects that the cottonseed workers should also be covered under social security benefits like the Provident Fund. According to Indian laws and the UN Guiding Principles, to which also India has subscribed, the central and state governments of India, as well as their designated agencies, have the duty to protect the rights of both children and adults whose rights are violated on cottonseed farms.

While looking at the magnitude and seriousness of the violations in cottonseed production, a special taskforce of state governments to ensure labour rights in this sector would be recommended. Such a taskforce should work in close cooperation with local groups, village panchayats, local (child) rights groups, NGOs and unions. The National Seed Association of India (NSAI) should play a more proactive role in urging their members to combat child labour and respect labour rights, including by setting up joint programmes and requiring from members to report on progress.

Every Indian or multinational seed company, as well as the NSAI (National seed Association of India), should have an effective grievance mechanism where both farmers and agricultural labourers can safely file grievances on e.g. insufficient procurement prices and violations of labour rights at the farm level and resolve those

issues. In cases of systemic violations, programmes to tackle these have to be developed.

Due to government regulation on cottonseed prices, seed companies are hesitant to increase the procurement prices to farmers. There is a need for state governments to solve the interlinked problems of (maximum) sales prices, procurement prices and wages, by reviewing these from time to time. This has to take into consideration the changes in cost of production of seeds, the costs of cultivation by farmers and the need for decent wages by agricultural labourers.

The role of civil society including local groups, NGOs and unions in tackling child labour and labour rights violations in cottonseed production, are critical. Support for organizations that can be effective change agents is recommended. It is also crucial that such organizations have the freedom to organize, mobilize and give their opinion as guaranteed by the Indian Constitution and Indian laws.

The problem of child labour appears in severe form and various factors are involved in both the countries. The reasons for the incidence of child labour in both countries are complex and deeply rooted into the society. Poverty seems to be the main cause in India. In general poor children contribute to household income. Child labour can be found in urban and rural areas. However, the vast majority of child labour occurs in rural areas since poverty is more rampant. Although, many poor rural families struggle for a better life in urban areas, this pushes families to force their children to work in order to increase the family income and ensure survival. Children under the age of fourteen years are still engaged in cotton farming in both Uzbekistan and India. These children tend to work more, consequently they are not regular in school. However, besides poverty there are other causes such as lack of schools, lack of regulations and enforcement, corruption, lack of awareness and rapid population growth. Both Uzbekistan and India have been implementing policies and programmes to eradicate the child labour. Various policies and programmes are also created by organizations on the global challenge of the child labour. Uzbekistan and India both have ratified some important instruments of ILO concerning the issue.

The governments of Uzbekistan and India have enacted strategic policies which includes the prohibition of all forms of child labour. India introduced national legislation through Child Labour Prohibition and Regulation act 1986. Both countries have their child labour problem even though they have some kind of solutions

provided by the government or NGOs. There should an attempt to solve this problem to the root out the causes behind the problem.

The incidences of child labour in India are high in rural areas than in urban areas, and caused by poverty and indebtedness. On the other hand, child labour in Uzbekistan is mostly in the cotton production and is controlled by the state, it is a system that is based on the cheap forced labour of millions of people who have nothing to do with the cotton industry. In both the countries female children are more exploited than male child labour. Many children in Uzbekistan and India under the age of eighteen are unprotected and children are denied the right to an education, even though, both governments provide education for all children up to fourteen years.

Since in India poverty is key factor and bondage labour that force children out of school into labour, and enforcement alone cannot help to solve it. Government should improve the economic conditions of their families. On the other hand, in Uzbekistan the state itself shuts down schools, colleges and universities during the academic term and sends students to harvest cotton. People harvesting cotton work under threat of punishment, those perceived not to harvest enough are subjected to threats and punishment including public humiliation, threats of sanctions, and even physical violence. In both the countries these hindering problems are mainly due to weak legal protection of children in labour market. The legislations in both countries have been inadequate due to several causes, which impede child labour including poverty, inadequate policing and corruption. As a result, the policy enforcement has failed in both the countries. Not only because the laws themselves have drawbacks, but also because of the human factors. Usually international organizations and NGOs cannot fix the problem on their own, what they need is to intensify the cooperation with the governments which have the right of making laws. In other words, the key to the reduction of child labour and emancipate children lies squarely with governments of both the countries.

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