



BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW (2000-2008)¹: UZBEKISTAN

THE EFFECTIVE ABOLITION OF CHILD LABOUR (CL)

REPORTING	Fulfillment of Government's reporting obligations	YES , except for the 2000, 2002 and 2003 Annual Reviews (ARs).	
	Involvement of Employers' and Workers' organizations in the reporting process	YES according to the Government: Involvement of the Chamber of Commerce and Industry of Uzbekistan (CCIU) and the Federation of Trade Unions of Uzbekistan (FTUU) through communication of the Government's reports.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	2008 AR: Observations by the Chamber of Commerce and Industry of Uzbekistan (CCIU).	
	Workers' organizations	2008 AR: Observations by the FTUU. 2007 AR: Observations by the FTUU. 2006 AR: Observations by the FTUU.	
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Ratification	Ratification status	Uzbekistan has ratified neither the Minimum Age Convention, 1973 (No. 138) (C.138), nor the Worst Forms of Child Labour Convention, 1999 (No. 182) (C.182).
		Ratification intention	YES, in 2002 for both C.138 and C.182. 2008 AR: The CCIU indicated that it supported ratification of C.138 and C.182. The FTUU also supported ratification of C.138 and C.182. 2007 AR: on 28 June 2006, the Ministry of Labour and Social Protection of the Republic of Uzbekistan submitted a written proposal to the Ministry of Foreign Affairs for the ratification of three fundamental Conventions including the Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour. According to section 15 of the Act concerning international agreements, the Ministry of Foreign Affairs, in the light of consultations with the relevant agencies, must put forward proposals on the ratification of Conventions to the Cabinet of Ministers.

¹ Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: information provided by the Government under the Declaration Annual Review, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: www.ilo.org/ilolex

			<p>2006 AR: The Ministry of Labour and Social Security, with the support of the Federation of Trade Unions of Uzbekistan (FTUU), presented a proposal to the Oliy Majlis in May 2005 on the need to ratify C. 182 and C.138. The Oliy Majlis will examine the question of ratification of the above-mentioned ILO Conventions in accordance with the work plan for the period 2005 to 2009. A bill on ratification will be introduced in the Committee for International Affairs and Inter-parliamentary Relations of the Oliy Majlis of the Republic of Uzbekistan.</p> <p>2002 AR: Based on information in GB.282/LILS/7 and GB.282/8/2 (Nov. 2001), the Government intends to ratify C.138 and C.182.</p>
<p>Recognition of the principle and right (prospect(s), means of action, basic legal provisions)</p>	<p>Constitution</p>	<p>YES the Government states that article 45 of the Constitution provides that «the State shall protect the rights of minors, the disabled and the single elderly».</p>	
	<p>Policy, legislation and/or regulations</p>	<p>• Policy: 2008 AR: Several measures were implemented, namely a National Programme on improving Public Education, and a National Programme (2007-2011) on the improvement of children’s well being was established.</p> <p>According to the Government: There is a national policy/plan aimed at ensuring the effective abolition of child labour (PR) , a phenomenon which is totally prohibited by law.</p> <p>• Legislation: (i) The Family Code, section 73; (ii) the Labour Code, sections 77, 117, 137, 138 and 241; (iii) the Education Law No. 464, 1997; (iv) the Criminal Code, section 135;</p>	
	<p>Basic legal provisions</p>	<p>• Regulations: Decreets Nos. 1 and 7 of 30 May 2001.</p> <p>(i) The Constitution, article 45; (ii) the Family Code, section 73; (iii) the Labour Code, sections 77, 117, 137, 138 and 241; (iv) the Education Law No. 464, 1997; (v) the Criminal Code, section 135; and (vi) Decreets Nos. 1 and 7 of 30 May 2001.</p>	
	<p>Judicial decisions</p>	<p>NIL</p>	
<p>Exercise of the principle and right</p>	<p>Compulsory Education</p>	<p>YES, the age of compulsory education for both boys and girls at the end of this period is 16 years, with a general requirement of 9 years or grades of instruction.</p> <p>2008 AR: The education system (12-year, up to secondary education) is structured in such a way that children may enter the labor market only when they reach 17 or 18.</p>	

EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Exercise of the principle and right	Minimum age	<p>2004 AR: General minimum age for admission to employment or work: 16 years for both boys and girls (section 77 of the Labour Code). However, the Government states that the prior written consent of one parent (or his/her guardian) allows a person who has reached 15 to be employed. The general minimum age covers the following types of work: work performed in a family-owned/operated enterprise; work performed in enterprises employing two persons; home work; domestic service; self-employed work; commercial agriculture; family and small-scale agriculture; light work; and export processing zones work.</p> <p>Light work: minimum age of 14 years for both boys and girls. This type of work is defined as «work performed outside of school hours, that does not harm their health or development nor disturb the process of education». The prior written consent of a parent or a guardian is necessary for a person under 14 years old to be employed.</p> <p>Hazardous work: 18 years old for both boys and girls (section 181 of the Labour Code). Hazardous work is defined in the legislation as: «work in unfavorable conditions, underground activities and any activity which is a risk to their health, safety or morals» (section 241 of the Labour Code). Decrees Nos. 1 and 7 of 30 May 2001 listed the occupations in which persons under the age of 18 may not be employed.</p>
		Worst Forms of Child Labour	<p>2005 AR: According to the Government: Debt bondage, serfdom, forced or compulsory labour, sale and/or trafficking and forced recruitment for armed conflict, prostitution, pornography, illicit activities, in particular production and trafficking of drugs (boys) do not exist.</p> <p>2004 AR: According to the Government: Debt bondage, serfdom, forced or compulsory labour do not exist in Uzbekistan, and it is not known whether sale and/or trafficking and forced recruitment for armed conflict exist. However, prostitution (girls), pornography (boys) and illicit activities, in particular production and trafficking of drugs (boys) are believed or suspected to exist.</p>
		Special attention to particular situations	NIL
		Information/Data collection and dissemination	2008 AR: According to the Government: the level of public literacy is almost at the maximum level (99.3%). Moreover, 44% of the population in the country is children under the age of 17.
	Monitoring, enforcement and sanctions mechanisms	<p>2008 AR: The Office of the General Prosecutor, the Tax Committee and several women’s committees are involved in the monitoring of the PR. Moreover, the monitoring system is based on national field surveys/studies and tailored accordingly.</p> <p>2005 AR: According to the Government: Section 135 of the Criminal Code deals with recruitment for the purpose of exploitation and provides penalties ranging from fines to imprisonment.</p>	
Involvement of the social partners	2008 AR: According to the Government and the CCIU: There is a good partnership between the Ministry of Labour, employers’ and workers’ organizations as well as other partners involved in the realization of the PR. Eight out of 13 government institutions, one Non-Governmental Organization (Makhalla Foundation) and one public organization (Women’s Committee) conduct operations in ensuring children’s wellbeing.		

	<p style="text-align: center;">Promotional activities</p>	<p>2008 AR: According to the Government and the CCIU: training activities are organized as a means of prevention in the cotton industry, especially within the Makhalla foundation where the importance of education is also explained. More awareness campaigns on the PR are also carried out by workers. Moreover, a tripartite workshop held on social dialogue and child labour was organized in January 2006 and other workshops have been carried out on the integration and/or amendment of provisions on child labour.</p> <p>The FTUU indicated that trade unions participated in Government's programmes against child labour. Furthermore, several training activities were organized on the PR. 2007 was also the year of social protection for workers and their families; Government support on this issue increased. Moreover, the FTUU participates in the Monitoring Commission so as to: (i) review the implementation of the national programme; (ii) raise issues and prepare a list of problems; (iii) make recommendations; and (iv) consult the local authorities in order to take action.</p> <p>2007 AR: The Government reported general collaboration with the ILO on child labour in the following areas:</p> <ul style="list-style-type: none"> - In accordance with the measures reflected in the National Action Plan to implement the recommendations of the United Nations Committee on the Rights of the Child, and the Programme of Cooperation between the Republic of Uzbekistan and the ILO for 2004-05, the ILO presented the ILO-IPEC Project «Increasing the potential of the Republics of Central Asia: Regional programme for the elimination of the worst forms of child labour». - In June 2005, a seminar was held in Tashkent on the Project in question; - At present, within the project in question, work has begun on a review of current Uzbek labour legislation of relevance to child labour. - A review has been carried out and submitted to the partners on the subject of the compatibility of current legislation with C. 138 and C. 182. In accordance with the recommendations contained in the report, a new employment bill has been drawn up with special sections on child labour and social employment safeguards for young people; <p>In January 2006, a tripartite consultative seminar on social dialogue and C.138 and C.182 for the social partners was held, with the participation of other interested public and international organizations (ILO-IPEC, UNICEF);</p> <ul style="list-style-type: none"> - In February 2006, a country consultative inter-agency working group was set up under the auspices of the Social Affairs Office of the Cabinet of Ministers; and - In March 2006, an extended session of an inter-ministerial consultative group took place, in cooperation with the ILO/IPEC. As a result of the consultation process, proposals were formulated and submitted to the Ministry's Social Affairs Office for inclusion in the National Programme for improving children's welfare. <p>2006 AR: According to the Government: Consultations were held in June 2004 with governmental and non-governmental organizations on the issue of child labour, in cooperation with the ILO. A seminar took place and a planning document was prepared. In June 2005, in Tashkent, a seminar was held under this project with the participation ILO/IPEC, as well as representatives of UNICEF, the Ministry of Labour and Social Protection of the Population and the social partners in Uzbekistan. Furthermore, work is now in progress, in the framework of this project, on an analysis of current legislation on child labour in Uzbekistan. Additionally, through the efforts of the «Mehr Tayanchi» children's centre, an ILO project was implemented on providing social services and vocational and professional training for vulnerable children and street children, representing groups at risk of the worst forms of child labour. The ILO-IPEC also carried out a sub-regional programme: «Increasing the potential of the Republics of Central Asia», which includes a component on the elimination of the worst forms of child labour» in Uzbekistan.</p> <p>2005 AR: According to the Government: The Government gathered statistical information on the nature and prevalence of child labour in Uzbekistan in cooperation with ILO-IPEC and UNICEF.</p>
	<p style="text-align: center;">Special initiatives/Progress</p>	<p>2008 AR: According to the Government: It provides agricultural and industrial areas with equipment so as to minimise the use of child labour for manual work. As a result, the phenomenon is decreasing in the formal and informal sectors.</p> <p>In addition, a National Programme (2007-2011) on the improvement of children's well being (education, medical protection) has been put in place as a national policy. This programme will help them register free of charge, with simplified and nominal tax to encourage them to remain registered.</p>

		<p>According to the FTUU: 2007 was the year of social protection for workers and their families; Government support on this issue has increased. It also participates in the monitoring centre so as to see how the national programme is implemented. Presidential Decree on the Protection of Maternity and Childhood was also adopted, forbidding any form of child labour, especially in agriculture. Furthermore, attendance in schools is very high. In case of non-attendance, the school staff calls the parents and youth organizations to discuss (also called «Kamalott») play a role in encouraging school attendance, with the assistance of the CCIU. Finally, credit unions contribute to eradicate child labour and to help workers integrate the formal economy.</p> <p>2006 AR: According to the Government: The measures set out in the National Action Plan to implement the recommendations of the United Nations Committee on the Rights of the Child and the ILO-IPEC Project for the elimination of the worst forms of child labour in the Republic of Uzbekistan can be regarded as successful examples to realize the PR.</p> <p>2005 AR: According to the Government: A successful example in the abolition of child labour is the enactment of the «National Training Programme for Executives» on 29 August 1997, and of the Act «on education», both of which provide for a nine-year school education.</p>	
CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT	According to the social partners	Employers' organizations	2008 AR: According to the CCIU: (i) there are no workers' organizations and the PR is not enjoyed in the informal economy; (ii) child labour is practiced in order to reduce the cost of goods and it represents an additional income for the family; (iii) poverty; (iv) seasonal child labour exists in the cotton industry.
CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT	According to the social partners	Workers' organizations	2008 AR: Some cases of child labour have been registered in the agricultural sector.
	According to the Government	NIL	
TECHNICAL COOPERATION	Request	<p>2008 AR: According to the CCIU: training is required in each of the 14 organizations, as well as in the informal sector.</p> <p>2004 AR: According to the Government: There is a need for ILO technical cooperation to facilitate the realization of the PR, particularly in the following priority areas: (i) data collection and analysis; (ii) social protection systems; (iii) awareness raising, (iv) legal literacy and advocacy; (v) sharing of experience across countries/regions; (vi) Cross-border cooperation mechanisms.</p>	
	Offer	ILO-IPEC; UNICEF.	
EXPERT-ADVISERS' RECOMMENDATIONS	<p>2008 AR: The ILO Declaration Expert-Advisers (IDEAs) recognized that the Office's focused efforts and assistance had helped some countries, including Uzbekistan, to comply with their reporting obligations. They considered that universal ratification of the child labour Conventions was not a distant dream but an achievable goal, in view of the number of States, including Uzbekistan, having expressed their intention to ratify C.138 and/or C.182 (Cf. Paragraphs 53 and 56 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p>2005 AR: The IDEAs observed that Uzbekistan had recorded the highest age for compulsory education (18-19) with a minimum requirement of 12 years grade/education (paragraph 205 of the 2005 Annual Review Introduction – ILO: GB.292/4).</p>		
GOVERNING BODY RECOMMENDATIONS	NIL		