

Committee on the Application of Standards

Date: 20 May 2024

Governments appearing on the list of individual cases have the opportunity, if they so wish, to supply written information to the Committee.

► Information on the application of ratified Conventions supplied by governments on the list of individual cases

Turkmenistan (ratification: 1997)

Abolition of Forced Labour Convention, 1957 (No. 105)

The Government has provided the following written information as well as a copy of the Road map for Cooperation activities between the ILO and the Government of Turkmenistan for 2024–2025.

During the ILO high-level mission in February 2024, the next stage of cooperation was discussed with the active participation of the social partners. During the visit, meetings were held with the following bodies of Turkmenistan: deputies of the Cabinet of Ministers, representatives of the Ministry of Foreign Affairs, the Parliament (Mejlis), the Ministry of Labour and Social Protection, the Ministry of Internal Affairs, the Ministry of Finance and Economy, the Ministry of Agriculture, the Ministry of Justice (Adalat), the Ministry of the Textile Industry, the Office of the Ombudsman, the Institute of State, Law and Democracy, the Office of the Prosecutor-General, the Ministry of Education, the State Statistics Committee, the National Trade Union Centre, the Union of Industrialists and Entrepreneurs, the main State service, Turkmenstandartlary, the State concern, Turkmenpagta, and provincial administrative bodies. As a result of constructive cooperation, the Road map for Cooperation with the ILO for 2024–2025 was adopted.

The main areas covered by the road map include the following.

- (1) Priority actions will be taken to strengthen the policy framework to prevent the mobilization of child labour. As part of this measure, there are plans to enshrine in law provisions that prohibit forced or compulsory labour during the cotton harvest, that is to prepare and submit a draft Presidential Decree on measures for a highly organized cotton harvest, taking into account the organization of voluntary and fairly remunerated employment during the harvest.

With regard to the prevention of child labour, the list of jobs, occupations and positions with harmful or hazardous (and especially harmful or especially hazardous) working conditions in which the employment of persons under the age of 18 is prohibited, is to be

revised, with the inclusion of activities relating to the cotton harvest. Provision is also to be made to ensure that children under the age of 18 are not involved in the cotton harvest, and to ensure compliance with legislation on the minimum age for employment. There are plans to develop and implement measures to raise public awareness of the prevention of mobilization and involvement of child labour, aimed at local authorities, social partners and the public. Accordingly, the development and implementation of a plan is envisaged to disseminate relevant information to stakeholders, local authorities and *daikhan* (farmers) associations, employers, workers and the general public on how to identify and report risks and incidents, including unacceptable practices in recruiting cotton pickers, by encouraging voluntary disclosure before and during the cotton harvest.

The road map also provides for:

- the promotion and establishment of fair and decent pay for cotton pickers by analysing the possibility of establishing (revising) the minimum wage (for picking one kilogram of cotton) for both the 2024 and 2025 cotton harvests, through research and consultations by way of social dialogue with the Government;
- ILO technical support to Turkmenistan on accession to the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Social Security (Minimum Standards) Convention, 1952 (No. 102), by analysing relevant national legislation; the signing of a memorandum of understanding on organizing an analysis of the review of working conditions in Turkmenistan;
- the development of protection protocols covering all individuals who file complaints, including measures to protect confidentiality, protect against harassment and ensure referrals to appropriate support services; the development and implementation of pilot feedback/complaint mechanisms during the 2024 harvest, and improvement of complaint mechanisms for the 2025 harvest.

(2) As part of the improvement of the legislative framework:

- the legislative framework with regard to forced and child labour is to be improved in accordance with the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105), the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182);
- the ILO recommendations to review legislation and draft legislative amendments are to be implemented;
- provisions, rules and systems for decent employment and working conditions during the cotton harvest are to be improved, namely through strengthening regulations on recruitment of cotton pickers by entering into appropriate contracts with them and agricultural producers, and monitoring compliance with the minimum wage for their labour;
- technical assistance is to be provided to support progress towards ratification of the Labour Inspection Convention, 1947 (No. 81) and the Labour Inspection (Agriculture) Convention, 1969 (No. 129);
- capacity is to be built and technical assistance provided for the ratification of the Protocol of 2014 to the Forced Labour Convention, 1930, the Occupational Safety and Health Convention, 1981 (No. 155), the Promotional Framework for Occupational Safety

and Health Convention, 2006 (No. 187), and the Social Security (Minimum Standards) Convention, 1952 (No. 102).

- (3) The law enforcement framework includes the provision of technical assistance to increase victims' access to effective remedies (Ombudsman's Office, law enforcement and judicial authorities at central and regional levels) and the development of protocols and tools to support access to remedies.

The road map also envisages broader reforms, such as studying international experience to establish a recruitment system and a selection mechanism for cotton-harvesting jobs, promoting social dialogue in cotton production, and identifying possible structural reforms to increase the productivity and sustainability of cotton production, and support decent work opportunities along the entire cotton value chain.

The ILO technical mission of 14–17 May 2024, with the participation of ILO officials, contributed positively to the implementation of the priority actions of the road map for 2024–2025, and was aimed at discussing the activities of the road map, including the development of Government instructions for personnel selection and working conditions during the 2024 cotton harvest, revision of the list of jobs, occupations and positions with harmful or hazardous (and especially harmful or especially hazardous) working conditions, in which the employment of persons under the age of 18 is prohibited, and mechanisms for dealing with complaints and access to effective remedies. A round table involving all stakeholders was organized during the mission. At the same time, work is under way to prepare a draft memorandum of understanding between the Government of Turkmenistan and the ILO on a survey of working conditions during the 2024 cotton harvest in Turkmenistan.

The Parliament of Turkmenistan, as represented by the deputy corps, is actively engaged in awareness-raising activities aimed, inter alia, at informing society about the prevention and prohibition of forced labour, including child labour. Trade union activities in *etrap*s (districts) and cities also include the organization of awareness-raising seminars involving stakeholders and civil society which target national and local tripartite stakeholders and civil society to ensure an open dialogue on challenges, frameworks and response mechanisms to address issues relating to fair employment of workers. Articles and publications have been produced on the legal regulation of labour relations in various sectors, including agriculture. The Government of Turkmenistan is currently considering accession to the 2014 Protocol to the Forced Labour Convention, 1930 and, in this regard, consultations are being held with the ministries, departments and social partners concerned regarding ratification of the above Protocol. In addition, we would like to note our commitment to studying international experience in the prevention of forced labour, including child labour in all its forms. Evidence of this, in particular, is the participation in March 2024 of a delegation from Turkmenistan in a study tour to Tashkent, Uzbekistan, as part of the USAID project on safe migration in Central Asia. The delegation studied the experience of eradicating child and forced labour in the country's cotton sector. As a participant in the joint programme, the Ministry of Labour of Turkmenistan will continue to play an active part in the implementation of activities within its competence.