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Dix-neuvième séance, 10 juin 2025, 16 h 25**Nineteenth sitting, 10 June 2025, 4.25p.m.****Decimonovena sesión, 10 de junio de 2025, 16.25 horas**

Président: M. Tabai
Chairperson: Mr Tabai
Presidente: Sr. Tabai

Discussion des cas individuels (*suite*)**Discussion of individual cases (*cont.*)****Discusión de los casos individuales (*cont.*)**

Ouzbékistan (ratification: 2019)

Convention (n° 81) sur l'inspection du travail, 1947

Convention (n° 129) sur l'inspection du travail (agriculture), 1969

Labour Inspection Convention, 1947 (No. 81)

Labour Inspection (Agriculture) Convention, 1969 (No. 129)

Convenio sobre la inspección del trabajo, 1947 (núm. 81)

Convenio sobre la inspección del trabajo (agricultura), 1969 (núm. 129)

Président – Nous allons maintenant commencer l'examen du prochain cas à l'ordre du jour. Il s'agit du cas de l'Ouzbékistan concernant la convention (n° 81) sur l'inspection du travail, 1947, et la convention (n° 129) sur l'inspection du travail (agriculture), 1969.

J'informe la commission que nous avons 18 délégués inscrits pour prendre la parole.

À cet égard, je voudrais informer tous les délégués que le bureau de la commission a décidé de réduire le temps de parole des délégués gouvernementaux individuels de 5 à 3 minutes pour la discussion de ce cas.

J'ai l'honneur de donner la parole à l'honorable représentant du gouvernement de l'Ouzbékistan, M. Botir Zakhidov, ministre de l'Emploi et de la Réduction de la pauvreté, pour sa déclaration liminaire.

Interpretation from Russian: **Government representative (Mr ZAKHIDOV)** – Distinguished members of the Committee, thank you for the opportunity to address the Committee on behalf of the Government of Uzbekistan.

If I may, I will continue my speech in Russian as information on the implementation of both Conventions contains technical specification which might be difficult to explain in English.

To begin with, I would like to thank the Committee for giving us the opportunity to share with you some information on the work that we have been doing in Uzbekistan in order to implement Conventions Nos 81 and 129.

Obviously, both Conventions are of key importance for guaranteeing workers' rights, including such issues, as the freedom of association and collective bargaining, as well as reducing the scale of informal employment and expanding opportunities for decent work.

Uzbekistan has ratified all fundamental and ILO governance Conventions and has demonstrated itself to be a partner capable of fulfilling its commitments in terms of their implementation.

We can go back a few years and recall that previous questions to Uzbekistan about systematic forced and child labour have been left behind. Uzbekistan is actually an example for demonstrating firm political will and for carrying out comprehensive reforms that have led to the complete eradication of these phenomena.

I would like the achievements that we have made to remain in the memories of the members of the Committee and be a basis for trust, now and in the future, in our Government that the other obligations that we have to comply with in relation to international labour standards will be carried out.

Uzbekistan has achieved considerable progress in laying down a legal and practical basis for implementing labour rights.

In 2019, we ratified Conventions Nos 81 and 129, but even before ratification we carried out the first reform of our labour inspection system in 2018.

We set up one single State Labour Inspectorate in April 2023. We brought into force a new Labour Code which was developed with the support of ILO, World Bank and other partners.

The Labour Code outlaws child and forced labour, enshrines the basis for collective bargaining and aims at improving employment.

What is equally important is that the Government has taken decisions in respect of digitalization which will enhance both the effectiveness and the transparency of the Labour Inspectorate.

I would like to go into further details on the changes which have taken place in Uzbekistan since the first report on these Conventions was submitted, so that the distinguished members of the Committee and the other Members of the ILO at this meeting can learn about the reforms and the challenges to which our Government is still trying to react.

First of all, the Committee of Experts appealed to us to withdraw the moratorium on the work of the Labour Inspectorate noting that labour inspection should be able to be independent. It was put in place by a Government decision in 2018 in order to speed up economic development and promote entrepreneurship.

It applied to the financial and economic activities of companies and enterprises, and later a procedure for obtaining permission from the business ombudsman to conduct inspections was introduced for labour inspections.

The Labour Code which came into force in April 2023, establishes a free system for monitoring and supervising compliance with labour legislation and occupational safety rules.

It has a greater legal force than the decision of the Government and therefore has removed the moratorium.

As part of institutional reform, in September 2024, the Presidential Decree "On Measures to Improve and Enhance the Effectiveness of the State Policy in the Area of Employment and Reduction of Poverty" was adopted, formally abolishing the procedure for obtaining permission from the business ombudsman.

Now the Labour Inspectorate can carry out announced and unannounced inspections and there are no limits on the length of the inspection.

The Labour Inspectorate can also hold consultations and inspect employers on the basis of information from legal and physical persons, the Prosecutor's Office, the tax service and others.

The first stage of the digitalization of the labour inspectorate has been completed: a unified database has been created, which works in conjunction with the Unified Labour System and the Digital Tax Platform. Inspectors now have access to information about all registered companies and organizations and about all taxpayers including those who are involved in what we describe as non-traditional forms of employment, that is freelance workers, short-term workers, people working on digital platforms, etc.

The inspectors also have access to all labour contracts in this newly digitalized system.

There is also a rating of employers based on risk assessments of the possibility that they may commit any kind of infringement of the labour law.

At the moment, the practice of informing the business ombudsman for scheduled inspections is still in place. However, unscheduled inspections are carried out without prior notification.

Now there are two things I would like to mention. During the cotton harvest, which is the most sensitive sector in respect of labour issues in Uzbekistan, inspections are carried out without announcement, and with the involvement of inspectors from other organizations, such as medical professionals or health service officials.

Every year the ILO continues to cooperate with us in training inspectors, non-governmental organizations and civil activists and guaranteeing independent monitoring of the situation in that area.

The practice of registering other inspections in the Unified Inspection Database and notifying the business ombudsman has been introduced to combat corruption. That is the first point I wanted to make.

Now the second point brings me to where the Committee of Experts requested statistics about the quantity of inspections carried out with the authorization of the business ombudsman and those carried out as a result of complaints, as well as the quantity of requests for inspections and the number of cases where the authorization was refused.

From statistics we can see that the number of inspections started by the inspection service itself is going up every year. In 2023 the number was 920. By 2024 we were talking about a doubling of that figure and we had approximately 2,000 inspections. In five months of this year, the quantity of inspections started by the labour inspectorate itself exceeded 3,000. So what we see is a positive trend. There is an increase in such inspections. The business ombudsman now has no way of influencing whether an inspection is carried out or not as a result of the changes made in October 2024.

The Committee of Experts also asked about the nature and number of violations identified during inspections, judicial proceedings and subsequent sanctions imposed, including their amounts.

I will take the first five months of this year as an example. From January to May, 7,840 inspections were taken and 15,512 infringements were detected. 3,655 warnings were issued, and if I am not mistaken, administrative fines were levied on 4,368 individuals.

The fourth question which was asked was the number of inspectors in the State Labour Inspectorate. After the carrying out of our institutional reforms the number of inspectors has increased from 380 to 412. Of course, we understand that this figure is not yet sufficient to fully cover and monitor compliance with labour legislation. Therefore, we are in the process of undertaking new reforms which will be brought into operation in the near future, and we hope that before the end of this year, the number of inspectors will have increased by a minimum of 100.

The fifth point raised by the Committee of Experts was the issue of labour inspections carried out by trade unions. Trade unions do have the right to what we call “social control”, which means that they can contact employers and submit representations to them regarding the elimination of violations of labour legislation or occupational safety rules, apply to the State Labour Inspectorate, and also to the courts in defence of the labour rights of workers.

There are key differences however, between the functions of the State Labour Inspectorate and the inspectorate run by the trade unions. The State Labour Inspectorate has, of course, the authority of the State behind it and can carry out checks and inspections in any enterprise or office. It can also apply administrative sanctions and call employers responsible for the infringements to legal responsibility.

The inspection service run by the unions carries out social control, does not have the same level of authority, and cannot apply sanctions. However, both systems complement each other and are part of our system of tripartism and social dialogue.

In conclusion, we do realize that we still have challenges that have to be met and problems that have to be overcome.

We do know the situation in Uzbekistan is not perfect in respect of our compliance with our own labour legislation or international labour Conventions. However, this meeting has in

the past been a platform for tripartite dialogue and a healthy exchange of opinions and indeed it offers an excellent opportunity for multilateral cooperation. It also helps all of us to meet the challenges we face. Therefore, believing in the spirit of cooperation, in order to achieve full implementation of the obligations under Conventions Nos 81 and 129, we request technical assistance from the ILO in addressing the remaining issues.

First of all, it concerns the assistance, and I will try to do this briefly, for improving our Labour Inspectorate system, strengthening labour inspection capacity, expansion of the trilateral dialogue, integration of labour policy into sustainable development, communication strategy for labour inspection, and following ILO recommendations.

Président – J’invite à présent les deux porte-parole à faire leurs observations introductives, et je donne la parole à M^{me} Ann Vermorgen, porte-parole des travailleurs, pour sa déclaration.

Membres travailleurs – On ne le répète jamais assez: les services d’inspection sont essentiels pour assurer l’effectivité des droits et le respect des règles dans le monde du travail. Ils constituent une fonction publique vitale en étant au cœur de la promotion de l’application des conditions décentes et des principes et droits fondamentaux du travail.

Pour assurer cette mission, les services d’inspection doivent être dotés d’un cadre légal adéquat et de moyens humains, matériels et financiers à la hauteur de l’importance de leur mission. Nous devons malheureusement constater qu’ils ne bénéficient pas de toutes ces garanties en Ouzbékistan.

Comme dans d’autres pays de la région, il est fréquent de voir un moratoire imposé sur les inspections. Nous l’avons déjà vu avec le Kirghizistan, et c’est aussi le cas en Ouzbékistan. Un tel moratoire était encore récemment imposé pour les activités financières et économiques des établissements, à l’exception des inspections menées dans le cadre d’affaires pénales ou

en lien avec la liquidation d'une personne morale. Nous croyons comprendre que ce moratoire a entretemps pris fin depuis décembre 2024. Sous le moratoire, les seules possibilités des services d'inspection d'intervenir semblaient être dans le cas où une plainte est introduite auprès d'eux. Nous ne pouvons qu'appuyer la conclusion de la commission d'experts qui rappelle qu'un moratoire imposé à l'inspection du travail constitue une violation grave des conventions.

Par ailleurs, les inspecteurs du travail sont soumis à de nombreuses restrictions dans le cadre de leurs activités. C'est ainsi qu'un décret présidentiel du 15 mars 2019 prévoit les restrictions suivantes:

- toutes les inspections sont soumises à un enregistrement électronique obligatoire;
- toute inspection effectuée sans cet enregistrement est illégale;
- le Commissaire pour la protection des droits et des intérêts légitimes des entreprises assure la coordination des inspections et contrôle qu'elles sont effectuées en toute légalité;
- le système d'enregistrement électronique des inspections permet au commissaire:
 - o d'examiner la validité des décisions des autorités d'effectuer des inspections et de délivrer un permis avec un code unique pour leur réalisation;
 - o de vérifier que les autorités respectent la procédure d'inspection définie par la loi;
 - o et aux établissements de recevoir, à leur demande, des informations sur l'inspection sous forme de SMS, ainsi que via Internet en temps réel.

Le même décret présidentiel limite également la durée des inspections. Une autre décision présidentielle de 2018 limite à un jour ouvrable les inspections pour donner suite à une plainte, ainsi que l'étendue de ces inspections.

Un décret présidentiel du 13 septembre 2022 contient quant à lui d'autres restrictions aux pouvoirs des inspecteurs. Il prévoit ainsi une liste interminable de restrictions:

- les inspecteurs sont obligés de prévenir un établissement qu'une inspection va avoir lieu au plus tard dix jours ouvrables à l'avance;
- les inspecteurs ne sont pas autorisés à procéder à des réinspections;
- les établissements ont le droit de refuser qu'une inspection ait lieu lorsque l'ordre de procéder à l'inspection n'a pas été établi conformément à la procédure établie ou si le délai de notification de l'inspection n'a pas été respecté;
- des inspections ne peuvent être menées qu'après la mise en place de mesures préventives;
- les inspecteurs doivent soumettre une demande d'approbation au commissaire;
- ce dernier a également le droit de refuser que des inspections soient effectuées.

Ce décret présidentiel prévoit encore que:

- l'ordre d'inspection doit contenir l'objet de l'inspection, sa durée et la période d'activité soumise à l'inspection;
- au cours de l'inspection, les fonctionnaires de l'autorité de supervision doivent respecter le délai prévu, la limite de leurs pouvoirs et s'en tenir aux sujets définis dans le programme d'inspection;
- avant de démarrer une inspection, l'inspecteur doit faire connaître l'objet de l'inspection au dirigeant de l'établissement, lui présenter un document d'identité officiel autorisant l'inspecteur à mener l'inspection et lui fournir des copies des documents à l'origine de l'inspection;
- et enfin, les inspections ne peuvent être menées que pendant les heures de travail.

Vous en conviendrez: ce seul décret présidentiel contient une série impressionnante de restrictions contraires à la convention qui ne sont pas de nature à faciliter la tâche des inspecteurs du travail.

Si la liste de ces restrictions n'était pas encore assez longue, il convient d'en ajouter d'autres. Les entreprises qui obtiennent une certification par le biais d'audits des mesures de sécurité et de santé au travail ne peuvent faire l'objet d'aucune inspection programmée pendant trois ans.

Le règlement de l'inspection du travail de l'État, qui définit les pouvoirs des inspecteurs, omet d'importantes prérogatives qui devraient relever des pouvoirs des inspecteurs sociaux. Ils ne sont ainsi pas habilités à mener des interrogatoires de témoins, employeurs, travailleurs ni à prélever et à emporter aux fins d'analyse des échantillons des matières et substances utilisées ou manipulées.

Conformément à la loi sur la sécurité du travail, ainsi qu'au règlement sur l'inspection du travail, lorsque des violations de la législation sont détectées, les inspecteurs du travail sont d'abord tenus d'émettre un ordre pour remédier aux violations constatées et prendre des mesures préventives. Ce n'est qu'en cas de non-respect de l'ordre que les inspecteurs peuvent envisager des sanctions administratives sur la base du Code de responsabilité administrative. Les inspecteurs ne sont toutefois pas eux-mêmes habilités à imposer des amendes administratives. C'est un tribunal qui doit trancher sur la base des éléments transmis par les inspecteurs.

Ces éléments sont en contradiction avec les dispositions des conventions, qui prévoient que la décision de donner des avertissements ou des conseils plutôt que d'engager des poursuites doit être laissée à la libre appréciation des inspecteurs du travail.

Le rapport de la commission d'experts relève enfin que le Code du travail prévoit que l'obstruction faite aux inspecteurs du travail dans l'exercice de leurs fonctions peut emporter la responsabilité de leurs auteurs mais qu'il ne prévoit pas de sanction pour une telle violation.

Après une telle énumération de manquements au regard des conventions examinées, vous comprendrez que nous partageons la profonde inquiétude exprimée par la commission d'experts dans son rapport. Tous ces éléments sont de nature à entraver gravement l'exercice des missions des services d'inspection en Ouzbékistan.

Nous espérons que le gouvernement s'engagera dans un dialogue constructif avec notre commission et l'ensemble des organes de l'OIT, afin de donner suite aux recommandations qui lui seront adressées et ainsi lever les nombreuses restrictions qui pèsent injustement sur les services d'inspection.

Président – Je donne la parole à M^{me} Tala Khoury, porte-parole des employeurs, pour ses remarques liminaires.

Employer members – Chairperson, the Employers thank the Government of the Republic of Uzbekistan for their oral and written information on this case.

The Employers' group emphasizes the importance of the Government's compliance with Conventions Nos 81 and 129. These are governance or priority Conventions, as such they require special attention because of their importance for the functioning of the international labour standard system.

I would like to start off by providing some background information and context. The Republic of Uzbekistan joined the ILO in 1992. It has ratified a total of 25 Conventions and one protocol. This includes all ten fundamental Conventions, all four governance Conventions and 11 technical Conventions. The Republic of Uzbekistan ratified Conventions Nos 81 and 129 on 19 November 2019.

The Committee of Experts had previously adopted an observation on the Government of the Republic of Uzbekistan's application of Conventions Nos 81 and 129 in 2024.

The Committee of Experts also previously made two direct requests to the Government of the Republic of Uzbekistan on the application of Conventions Nos 81 and 129. This year is the first time that the Committee examines the Government of the Republic of Uzbekistan's application of Conventions Nos 81 and 129.

The Government of the Republic of Uzbekistan has been going through a process of significant reforms to transition to a market economy. In the past few years, the Government has been working with the ILO to improve labour inspections and occupational health and safety systems in the country. However, significant gaps still exist.

The Committee of Experts' comments relate to three issues regarding the Government's application of Conventions Nos 81 and 129.

First, the Committee of Experts noted with deep concern that there is a temporary moratorium on labour inspectors imposed by law.

Second, the Committee of Experts noted with deep concern the extent and gravity of several measures imposed by law, restricting the ability and authority of inspectors to conduct labour inspections.

Third, the Committee of Experts noted deficiencies in the enforcement and penalties provisions in relation to labour inspections.

With respect to the first issue, the Employers note that Article 16 of Convention No. 81 and Article 21 of Convention No. 129 state that workplaces shall be inspected as often and as thoroughly as is necessary to ensure the effective application of the relevant legal provisions.

The Employers note the Committee of Experts' deep concern that there is a temporary moratorium on most inspections imposed by Presidential Decree.

The Government provided information, noted in the Committee of Experts' report, that the State Labour Inspectorate has the right to initiate an inspection within the framework of the issues raised in the complaint notwithstanding the moratorium.

The Government also provided additional information on 20 May 2025, to the Office disputing the existence of a moratorium on labour inspection and stated there was an issue regarding the interpretation of the Presidential Decree imposing that moratorium. The Employers underscore the importance of ensuring that workplaces are inspected to safeguard the effective enforcement of legal provisions. As noted by the Committee of Experts in its general observation adopted in 2019 on Convention No. 81, a modern, well-designed and risk-based approach to labour inspection planning is compatible with Conventions Nos 81 and 129.

With respect to the second issue, the Employers note that Article 12 of Convention No. 81 outlines the various powers to be granted to labour inspectors. These include the power to enter workplaces without prior notice. It also includes the power to carry out an examination, test or inquiry, including interrogating the employer or their staff on any matters concerning the application of legal provisions. Article 16 of Convention 129 includes similar provisions.

The Employers note the Committee of Experts' deep concern that the law by Presidential Decree contains a number of restrictions to the power of labour inspectors. These include the following:

- a requirement that labour inspectors obtain prior approval of inspections by an authorized body which can also refuse providing approval in certain circumstances.

- during the inspection, inspectors are barred from going beyond the timeline and the scope of their powers and issues defined by the order of the authorized body.
- labour inspectors can only conduct inspections after preventive measures have been implemented.
- labour inspectors must provide prior notification to a business entity of the commencement of a labour inspection.
- business entities have the right to refuse inspections in certain circumstances.

Finally, the Employers note the Committee of Experts' observation that the regulations on the State Labour Inspectorate does not include the power to question alone or in the presence of witnesses the employer or its staff on matters concerning the application of legal provisions.

They also do not have the power to take or remove for purposes of analysis samples of materials and substances.

In order to ensure the effectiveness of the governance of labour standards and the application of labour standards in law and in practice, the Employers emphasize the importance of providing labour inspectors who hold the proper credentials with the powers outlined in Conventions Nos 81 and 129.

With respect to the third issue, the Employers note that Article 17 (2) of Convention No. 81 states that it should be left to the discretion of labour inspectors to give warning and advice instead of instituting or recommending proceedings. Article 22 (2) of Convention No. 129 contains a similar provision.

Moreover, Article 18 of Convention No. 81 states national laws or regulations must provide for adequate penalties for violations of provisions and for obstructing labour

inspectors in the performance of their duties. Article 24 of Convention No. 129 contains a similar provision.

The Employers note the Committee of Experts' observation that under the applicable Occupational Safety Act and the regulations on the State Labour Inspectorate when violations of the law are detected, labour inspectors will first issue an order to take preventive measures.

The Employers also note the Committee of Experts' observation that the Labour Code establishes liability for the obstruction of labour inspectors, however, does not specify any sanctions for such a violation.

The Employers urge the Government of the Republic of Uzbekistan to comply with the effective enforcement and adequate penalties provisions of Conventions Nos 81 and 129. In order to ensure the effectiveness of the governance of labour standards and the application of labour standards in law and in practice, there must be an effective enforcement mechanism which includes adequate penalties. Issuing orders to take preventive measures must also be coupled with instituting or recommending proceedings. Furthermore, there should be sanctions for parties who obstruct the work of labour inspectors.

In conclusion, the Employers strongly urge the Government of the Republic of Uzbekistan to commit to meeting the requirements of Conventions Nos 81 and 129 both in law and in practice.

Président – Je donne la parole au distingué délégué des travailleurs de l'Ouzbékistan, M. Bakhtiyor Makhmadaliev.

Interpretation from Russian: **Worker member, Uzbekistan (Mr MAKHMADALIEV)** – Distinguished delegates, brothers and sisters, for me it is an enormous honour to speak today on behalf of the Federation of Trade Unions of Uzbekistan (FPU). Bearing in mind that Uzbekistan has ratified Conventions Nos 81 and 129 concerning the work of the labour

inspectorate, normative and legal acts and laws in our country should be brought into accordance with the requirements of those Conventions. They are also supposed to be applied in practice. That is a priority for our Federation and it is something that we have brought up at tripartite consultation meetings more than once.

We are grateful to the Committee of Experts for having gone into detail into the situation with respect to the application of the Conventions in practice. We note that with ILO support and the participation of tripartite partners, we have already carried out a comprehensive overhaul of the activity of the State Labour Inspectorate.

In autumn 2024, the Government decree lifted the moratorium on inspections. This is a positive step forward. We hope that further steps will follow so that the work in Uzbekistan will lead to compliance with these Conventions in practice.

On its side, the FPU, in order to exercise public control over compliance with regulatory and legal documents relating to the socio-economic rights and interests of workers, as well as regulatory documents in the field of technical regulation on the basis of the Law 'On Trade Unions' in 2020, set up in 2020 a Labour Inspectorate within the FPU.

We had 50 inspectors at first. We now have over 100 inspectors working across the union at local, branch and regional levels. The inspectors not only find infringements and advise on how to tackle them, they also carry out awareness raising activity among workers, informing them about their labour rights and occupational safety.

During the period they have been working, they have carried out 3,520 educational and awareness-raising events. They have also held seminars and webinars with unionized workers so as to enhance their knowledge and skills. We hope this work will lead to preventing infringements, saving lives and protecting the health of workers and also changing the culture of labour relations at the workplace.

On the basis of a monitoring plan for workers' rights and setting up decent work, which was developed by the Ministry of Employment and Poverty Reduction, the FPU and the Confederation of Employers in our country, conduct monthly checks and investigations in various branches of the economy.

The workers of the labour inspectorate have participated actively in the national monitoring of conditions in the cotton harvest in particular to prevent child and forced labour during the harvesting season. And the FPU also organized a system of feedback so that it could work constantly on this issue.

Of course, we still recognize that we have challenges to meet, particularly in fully implementing the provisions of Conventions Nos 81 and 129 on the effectiveness and independence of the labour inspectorate including in agriculture.

The unions of Uzbekistan believe that an effective and independent system of labour inspection is of decisive meaning for complying with labour rights and improving working conditions. We think there are key challenges we have to meet which arise on our national labour market and which have a direct influence on the possibility of the Labour Inspectorate doing its work properly.

Firstly, in our country we still have a very high-level of informal employment, especially in agriculture, construction, small business and the services sector. It is thought that the vast majority of workers are not covered by active labour contracts. They are not registered in the official system and as a result, they are deprived of their basic social and legal protection. This limits significantly the ability of the labour inspectorate to carry out monitoring and requires a review of the methods used to cover the informal sector.

Secondly, labour migration remains a major issue for us, especially with Uzbek citizens leaving to work abroad. Quite often the rights of these migrants to decent working conditions and labour protection as well as safety at the workplace are not guaranteed.

We appeal for more international cooperation in the area of labour inspection including through bilateral agreements, exchange of information and coordination between the labour inspectorates of different countries.

Thirdly, the Labour Inspectorate in Uzbekistan comes up against problems of an institutional nature. That means a lack of inspectors, insufficient provision of equipment and a lack of training for officials. Quite often the inspectors do not have sufficient access to industrial sites, or they suffer pressure exerted by employers, particularly in the private sector. This undermines trust felt by the workers in the fact that their rights will be protected.

Furthermore, as we digitalize the economy and non-standard forms of employment spread such as working freelance, temporary contracts and platform work, there is a need to adapt the mechanisms of our inspectorate.

Law and inspection practices should take into account the new realities in the world of work and protect the rights of all workers, whatever the form of employment they are engaged in.

In conclusion, let me underscore that strengthening the Labour Inspectorate is impossible without the full development of social dialogue.

Unions should be actively involved in the process of monitoring conditions at work, provide information on violations and also be involved in developing decisions and strategies at all levels. We insist on the need for regular participation of unions in the action of the inspectorate including in carrying out joint inspections and risk assessments.

We believe that the effectiveness of the State Labour Inspectorate should be determined by the number of violations prevented, the amount of lives saved, and the growth of understanding by workers and by employers of their rights, rather than by formal reporting on investigations of violations that have already occurred.

In this regard, we request further technical assistance from the ILO, including expert support, training for inspectors, development of methodological materials and assistance in the institutional development of inspection bodies.

We are convinced that with ILO's support and through active social dialogue, we will be able to improve the monitoring of labour rights and ensuring decent working conditions for all the workers of Uzbekistan.

Président – Je donne la parole à la distinguée déléguée des employeurs de l'Ouzbékistan, M^{me} Eka Margishvili, qui s'adresse à la commission en ligne.

Interpretation from Russian: **Employer member, Uzbekistan (Ms MARGISHVILI)** – First of all, I would like to greet you on behalf of the Confederation of Employers of Uzbekistan. I will continue in Russian language with your permission. I would like to make one or two comments on the topic under discussion today. The Employers of Uzbekistan consider that we need to first of all, increase the transparency, independence and status of the State Labour Inspectorate in Uzbekistan. As we see it, a strong inspection service is a guarantee of fair, honest and high-quality control.

As employers, we note that the inspection service participates actively in tripartite dialogue and in bilateral cooperation with our Employers' Confederation.

As an example, let me say that the inspectorate always actively cooperates with our organization and it has been an active participant in events which we have held.

At the beginning of this year, for example, it started to participate in meetings with us and so far it has participated in six meetings which have looked at the work of the Labour Inspectorate and at the problems with its work that we have identified.

At the same time, the current rules which govern the State Labour Inspectorate in its work are not fully in accordance with Convention No.81, which as we know was ratified by the Republic of Uzbekistan in 2019.

We would like to draw your attention with your permission to several challenges that we see:

- First of all, it is an institutional challenge which is given by the simple fact that we do not have sufficient numbers of labour inspectors in our country.
- Secondly, and because of that, each inspector has far too much work to do. The result of that is that they do quick and superficial inspections and that leaves us a bit doubtful about the outcome and the conclusions.
- Thirdly, there is a system of bonuses for labour inspectors in Uzbekistan which is based on a percentage of the amount levied as fines. This is still operating and we fear that this does not really enhance trust among employers, the kind of trust we would like to have in the conclusions reached and the measures taken.

We think that the labour inspectorate should be the only body responsible for carrying out inspections in our country, but as my colleague, I think, indicated, there is what is described as a trade union inspectorate that carries out what is known as social control. It is true that that this service does not have the possibility of giving fines or other punitive measures, but according to Convention No. 81, labour inspection at companies and in industries and agriculture is supposed to be carried out only by a state body. This is a thing that worries us

as employers, and we think it undermines both the independence and the transparent status of the State Labour Inspectorate.

- Furthermore, there are not sufficient numbers of inspectors in Uzbekistan who are trained in carrying out inspections at more specialized enterprises.

If the inspectors do not have the necessary qualifications, they cannot do a proper job and each sector of the economy has its own characteristics, its own features and inspectors have to know the method to carry out the inspections correctly.

What measures do we think are necessary to deal with this situation?

Well, firstly, there has to be an increase in the numbers of labour inspectors in Uzbekistan. That is extremely important.

We also agree that something needs to be done, and here I agree with my colleague about the system of bonuses for inspectors, because that really is a problem for us. We would like that to be changed. We heard our colleagues mention this, too, that the imposing of fines and the handing out of punitive measures is an issue.

I mentioned the “system of inspections” in the FPU. We would prefer to suggest a change of name for that. We could call it something like social monitoring service, something like that, but not labour inspectorate, so that we do not have this issue of confusion between that body and the work of the State Labour Inspectorate. It simply causes confusion and it also leads to a reduction in the authority of the State Labour Inspectorate. We would like the Labour Inspectorate to be working in partnership with the employers of Uzbekistan and not to be seen as a body whose purpose is punitive.

We do understand also that there is a need to do preventive work which means better cooperation between business and the labour inspectorate to ensure that the law is observed and to minimize infringements, infractions and violations in the first place.

Lastly, the employers of Uzbekistan and indeed our Uzbek colleagues from the Union, believe it is absolutely correct that the employers of Uzbekistan would like to be observers when State Inspections are carried out so that we can guarantee that what is being done is both correct and transparent. I mentioned transparency at the beginning, and it is very important to us in every sense. It is equally important to us that our rights and duties as employers in Uzbekistan are governed by the law and that the law in respect of the Labour Inspectorate is properly observed.

Let me say in conclusion that, of course, we are unable to achieve any of this without the technical support and advice of the ILO. As employers in Uzbekistan, I would like to echo the call for support to Uzbekistan in general and to the employers' organization in Uzbekistan so that we can all work together to improve our mechanisms through tripartite dialogue and thereby, enhance the quality of the Uzbek Labour Inspectorate and its work. We do think that a strong labour Inspectorate, as I said, is a guarantee of many things including economic growth, but only if it works equally and impartially with the employer's organization, the unions and the government. We want a balanced system which does not lurch in favour of or against one side or the other. If we get it, then we'll be heading in the right direction.

Président – Je donne la parole à la représentante du gouvernement de la Pologne, M^{me} Madej Magdalena Wysocka, qui prend la parole au nom de l'Union européenne.

Government member, Poland (Ms WYSOKA-MADEJ) – I have the honour to speak on behalf of the **European Union (EU)** and its **Member States**.

The candidate countries, North Macedonia, Montenegro, Albania, Ukraine, Republic of Moldova and the country Norway, member of the European Economic Area align themselves with this statement.

The EU and its Member States are committed to the respect, protection and fulfilment of human rights including labour rights.

We promote universal ratification and effective implementation of fundamental ILO Conventions and support the ILO in developing and promoting international labour standards and supervising their application.

Labour inspection as provided for in Convention No. 81 is key in promoting and safeguarding decent working conditions.

In 2021, Uzbekistan became a beneficiary of a special incentive arrangement for sustainable development and good governance of the EU Generalized Scheme of Preferences, the GSP plus, which in addition to generous market access, offers a platform to exchange on and promote sustainable development based on Uzbekistan's commitment to the effective implementation of 27 international Conventions, particularly on human rights, including labour rights and environmental protection and climate change and good governance. Moreover, the EU and Uzbekistan concluded negotiation in 2022 on an enhanced partnership and cooperation agreement which aims to extend their relationship into new areas of cooperation.

Lastly, the EU supports Uzbekistan's reform agenda through technical and financial assistance including concerning labour rights. The moratorium placed on labour inspection in force since September 2018 is a serious violation of Conventions Nos 81 and 129.

We note with deep concern that at present no scheduled inspections are conducted in business entities due to this moratorium on inspections of the financial and economic activities of business entities.

In line with the Committee of Experts' recommendation, we urge the Government to eliminate the temporary ban on inspections and to ensure that labour inspectors are able to undertake labour inspections as often as necessary to ensure the effective application of the Conventions.

Furthermore, we note with deep concern the extensive restrictions on labour inspections. We appeal to the Government to take the necessary measures to ensure that labour inspectors are not limited in their work.

They must be empowered to make visits to workplaces liable to inspection without previous notice, to carry out any examination, test or inquiry which they may consider necessary, to choose not to notify the employer or his representative of their presence and to undertake labour inspections as often and as thoroughly as it is necessary.

We also recall the importance of ensuring that labour inspectors treat as absolutely confidential the source of any complaint and give no intimation to the employer that an inspection was made in consequence of such a complaint.

Lastly, labour inspectors should be empowered to ensure effective enforcement and adequate penalties such as administrative fines. We reiterate the Committee of Experts' call to introduce sanctions for cases of obstruction of labour inspectors in the performance of their duties. In this context, we welcome the implementation of the decent work country programme 2021–25. We also welcome the implementation of the ILO project on the improvement of labour inspection and occupation safety systems in Uzbekistan in 2024/2025.

We thank the Office for its active engagement in the promotion of labour rights and welcome that Uzbekistan avails itself of ILO technical assistance.

We took note of the written information provided by the Government of Uzbekistan including the rationale that the moratorium introduced on inspections of financial and economic activities of business entities was aimed at accelerating economic development and promoting entrepreneurship.

We encourage the Government to provide further information related to the practical application of Conventions Nos 81 and 129 in order to respond to the Committee of Experts' requests.

The EU and its Member States stand ready to support Uzbekistan with the aim to strengthen the Government's capacity to address the issues raised and in meeting its obligations under the ratified Conventions. We will continue to follow closely the situation in the country.

Président – Je donne la parole à la distinguée représentante du gouvernement de Cuba, M^{me} Yiseilis Ferrer Nariño.

Miembro gubernamental, Cuba (Sra. FERRER NARINO) - Cuba reconoce los positivos avances de Uzbekistán en la implementación de los convenios de la OIT sobre inspección laboral, en particular los Convenios núms. 81 y 129.

Desde la ratificación de estos Convenios en 2019, Uzbekistán ha trabajado activamente para fortalecer su estructura de Inspección Estatal del Trabajo, asegurando el cumplimiento de la legislación laboral y de seguridad ocupacional en todos los sectores, incluyendo la agricultura.

El país ha implementado un sistema de inspección más eficiente y transparente, con inspecciones programadas y no programadas que verifican el cumplimiento de las normas laborales y la corrección de violaciones previamente identificadas.

En el sector agrícola, la entidad de inspección del trabajo ha intensificado su supervisión para prevenir el trabajo forzoso y mejorar las condiciones laborales, especialmente durante la cosecha de algodón.

Además, ha introducido herramientas digitales para optimizar la inspección laboral. El sistema de análisis de riesgo, basado en criterios automatizados, permite identificar sectores con mayor vulnerabilidad y priorizar auditorías en organizaciones de alto riesgo.

En términos de resultados, en 2024, la organización de inspección del trabajo llevó a cabo aproximadamente 19 000 actividades de control, detectando miles de violaciones en la normativa laboral. Como consecuencia, se emitieron más de 10 000 órdenes escritas y se aplicaron sanciones a 8 281 funcionarios.

Cuba reconoce los esfuerzos de Uzbekistán en la aplicación de los Convenios núms. 81 y 129, y su compromiso con la inspección laboral como un pilar fundamental para garantizar el trabajo decente y la justicia social.

Confiamos en que este proceso continuará avanzando, con el apoyo de la OIT y la cooperación internacional.

Président – J'invite la distinguée déléguée des travailleurs de l'Allemagne, M^{me} Miriam-Lena Horn, à prendre la parole.

Worker member, Germany (Ms HORN) – Chairperson, distinguished delegates, I speak on behalf of the German Trade Unions and wish to express our concern about the violations of Conventions Nos 81 and 129 by the Government of the Republic of Uzbekistan.

In line with the Committee of Experts' findings on Conventions Nos 81 and 129, we note that current labour inspection practices in Uzbekistan do not meet the required standards of scope, frequency or impartiality. We are deeply concerned about the 2018 moratorium placed on labour inspections, which represents a serious breach with the said Conventions. Unscheduled inspections are critical to prevent workplaces from concealing hazards before inspectors arrive. The ten-day advance notice requirement for inspections is a fundamental violation of the Conventions posing serious risks to workers' health and safety.

Inspections focus on investigating and sanctioning infringements of labour standards and enterprises. Currently a significant majority of inspections are conducted in response to complaints. Regular routine inspections must be intensified. Preventive inspections are crucial to prevent workplace accidents and tragedies before they happen.

To date, labour inspectors lack the authority to impose sanctions to the detriment of their effectiveness.

Further, we emphasize that independent labour unions are essential for effective labour inspection and occupational safety. Therefore, it is impossible to address Conventions Nos 81 and 129 in isolation. The lack of truly independent labour unions is fundamental to commenting on the present case.

The FPU remains the sole workers' federation in the country and serious concerns persist regarding its independence.

The union is state funded, and its leadership frequently includes individuals who hold government positions. For example, the current head of the FPU is a senator. The first deputy is head of the Prime Minister's Secretariat. As a result, the distinction between Government and trade unions remains blurry. In 2019, the adoption of the law on trade unions aimed to strengthen and clarify union rights. However, six years later, the law has failed to address

concerns about union independence. Workers attempting to form independent unions remain unprotected and efforts to establish an independent union as attempted in the cotton sector in 2021 were thwarted by state repression.

We noted that a German organization was approached to support the formation of a trade union in the country's important textile sector. The German organization witnessed that the endeavour was driven by commercial actors and therefore declined the request to support said trade union formation. German workers' representatives remain firmly committed to the principles enshrined in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and call upon the Uzbek Government to take meaningful step towards implementation. We welcome the Government's intention to increase the number of inspectors.

However, to ensure truly independent and effective labour inspections, Uzbekistan must fundamentally improve with regards to freedom of association, as occupational safety is indispensably linked to independent unions. Keeping the general situation of trade unions in mind, we call for immediate action by the Uzbek Government to immediately lift the 2018 moratorium on labour inspections, and to abolish the mandatory pre-registration of labour inspections. We call for a shift in the approach to labour inspections placing greater emphasis on prevention. Also, we call for the authority to issue sanctions for labour inspectors and lastly and most importantly we call for the full implementation of Convention No. 87 in Uzbekistan.

Président – J'invite le distingué représentant du gouvernement du Pakistan, M. Zulfiqar Ahmad, à prendre la parole.

Government member, Pakistan (Mr AHMAD) – Pakistan acknowledges the constructive efforts of the Republic of Uzbekistan to enhance its labour inspection system in line with Conventions Nos 81 and 129. We have noted the substantial progress made in strengthening

legal frameworks, improving institutional capacities and promoting compliance in both general and agricultural sectors.

Uzbekistan continued engagement with the ILO supervisory mechanisms reflects its commitment to international labour standards.

Pakistan supports a fair, balanced and forward-looking assessment of this case and encourages ongoing dialogue and cooperation to further consolidate these achievements.

Interprétation de l'arabe: **Président** – Je donne maintenant la parole à la représentante d'Oman, M^{me} Maha Sultan Al Alawi.

Interpretation from Arabic: **Government member, Oman (Mr AL KHANJARI)** – Oman would like to commend Uzbekistan for their efforts to bring themselves into compliance with international labour standards, particularly with regards to Conventions Nos 81 and 129.

We also pay tribute to Uzbekistan's cooperation with the Committee in order to strengthen constructive dialogue with the ILO. As a result we have seen that there has been technical assistance in order to enhance the implementation of these Conventions, improving the drawing up of reports and statistics and ensuring the capacities of inspectors.

We welcome these efforts and we would like to reiterate how important our Committee is with regard to helping countries to comply with international labour standards, particularly with regard to allowing for sustainable development.

Président – Je donne la parole au distingué représentant du gouvernement de la Suisse, M. Quentin Durig.

Membre gouvernemental, Suisse (M. DURIG) – Tout en saluant les efforts déployés par le gouvernement ouzbek, la Suisse reste néanmoins préoccupée par les observations de la commission d'experts concernant la situation de l'inspection du travail en Ouzbékistan. Celle-ci

se caractérise par des périodes de suspension des inspections du travail, ainsi que par de nombreuses restrictions imposées à l'exercice des fonctions et pouvoirs des inspecteurs du travail.

Tout en prenant note des informations fournies par le gouvernement ouzbek, notamment concernant la levée du moratoire sur les inspections du travail, nous invitons le gouvernement à intensifier ses efforts pour assurer le bon fonctionnement du système d'inspection du travail. Nous rappelons que les inspections du travail doivent pouvoir être menées sans avertissement préalable et aussi souvent et soigneusement que nécessaire, et encourageons par conséquent le gouvernement ouzbek à lever les restrictions résultant des décrets présidentiels adoptés il y a plusieurs années et encore en vigueur. Ceux-ci prévoient notamment:

- l'obligation de notifier les inspections au moins dix jours ouvrables à l'avance;
- la nécessité d'obtenir une autorisation préalable, et le droit des établissements de refuser une inspection en cas de non-respect de cette procédure;
- l'interdiction de mener des réinspections;
- l'impossibilité pour les inspecteurs du travail d'interroger l'employeur ou les employés, ni de prélever et emporter des échantillons à des fins d'analyse.

Nous prenons note avec intérêt des informations selon lesquelles des travaux sont en cours pour établir des sanctions légales en cas d'obstructions faites aux inspecteurs du travail dans l'exercice de leurs fonctions, et pour assurer leur application effective dans la pratique.

Enfin, la Suisse encourage le gouvernement ouzbek à continuer sa coopération avec le BIT, dans le cadre du Programme national pour le travail décent 2021-2025, en vue de se conformer, en droit et en pratique, à ses obligations internationales découlant des conventions n^{os} 81 et 129.

Président – Je donne la parole à la distinguée représentante du gouvernement de la Chine, M^{me} Wenjing Li.

Interpretation from Chinese: **Government member, China (Ms LI)** – We thank the President and the representative of the Government of Uzbekistan for the presentation.

We have carefully reviewed the report of the Committee of Experts and the written materials submitted by Uzbekistan Government to the Committee.

We note with appreciation that Uzbekistan attaches great importance to fulfilling its obligations under ILO Conventions, actively engages in cooperation with all parties, continues to advance reforms and promotes decent work and social justice.

The State Labour Inspectorate of Uzbekistan conducts regular and ad hoc inspections of employers in accordance with the law. The inspectors retain the authority to carry out unannounced inspections without prior approval and are unaffected by the Uzbek Government's 2018 suspension of inspection measures.

In response to comments from relevant parties, the Government of Uzbekistan provided detailed and targeted replies including information on recent inspections and handling of complaints.

In 2024, Uzbekistan issued a Presidential Decree increasing the staffing of the State Labour Inspectorate by 16 per cent and at the beginning of this year, it conducted a comprehensive certification for all inspectorate personnel.

The Government's proactive and constructive approach deserves recognition by this Committee.

We welcome the ILO project on the improvement of labour inspection and occupational safety systems in Uzbekistan which supports the analysis of existing national legislation at Uzbekistan's request.

We support the ILO in continuing to provide technical assistance to Uzbekistan to enhance the labour inspection capacity of relevant departments and help the country to better fulfil its obligations under the Conventions.

Président – Je donne la parole à la distinguée représentante de la République bolivarienne du Venezuela, M^{me} Yoliangel Rivas Orta.

Miembro gubernamental, República Bolivariana de Venezuela (Sra. RIVAS ORTA) - La República Bolivariana de Venezuela expresa su agradecimiento al Gobierno de Uzbekistán por compartir una visión integral respecto a los avances y desafíos que enfrentan en el ámbito de la vigilancia y regulación laboral en su país. Valoramos la voluntad del Gobierno de Uzbekistán de cumplir con estas responsabilidades, promoviendo reformas que fomenten el trabajo decente, la justicia social y la protección de los derechos de los trabajadores y las trabajadoras.

Tomamos nota de las medidas recientes implementadas para fortalecer la capacidad inspectora del país, incluyendo el aumento de personal en el servicio de inspección del trabajo y la capacitación continua de su recurso humano. Asimismo, reconocemos que la digitalización de los procesos, la aplicación de análisis de riesgos y la simplificación de procedimientos administrativos serán fundamentales para mejorar la eficiencia y la transparencia de las labores de supervisión.

Resaltamos la importancia del diálogo social y de la cooperación con los distintos actores sociales, quienes, además de desempeñar funciones representativas, participan activamente en actividades de inspección, complementando y fortaleciendo los esfuerzos del Gobierno en este ámbito.

Para concluir, exhortamos a la OIT a propiciar la cooperación y la asistencia técnica que puedan establecer con el Gobierno de Uzbekistán, con el propósito de continuar fortaleciendo los sistemas de inspección laboral y de seguridad en dicho país. Todo ello en línea con los convenios internacionales, en favor de un sistema laboral más justo, seguro y sostenible.

Président – J'invite le distingué représentant du gouvernement de la Türkiye, M. Ahmet Tunç Demirtas, à faire sa déclaration.

Government member, Türkiye (Mr DEMIRTAS) – Türkiye commends Uzbekistan's ratification of all fundamental and governance Conventions and notes with appreciation the recent reforms including the ratification of 11 ILO instruments within the last five years which reflects a strong political commitment to labour rights and institutional development.

In light of Uzbekistan's comprehensive reforms, Türkiye welcomes the Government's clear political will to integrate Conventions Nos 81 and 129 into national practice.

We note that the adoption of the new labour code in April 2023 coupled with the development of digital inspection systems and nationwide inspectors' training supported by the ILO and Germany reflects a holistic strategy aimed at sustainable compliance and institutional capacity-building.

The full eradication of forced and child labour in agriculture, internationally recognized in 2022, demonstrates the tangible impact of these reforms. Uzbekistan's model offers valuable lessons for rights-based governance and digital transformation in labour inspection systems across the region. We particularly welcome the recent removal of the requirement for Business Ombudsman approval for inspections, as well as the reintroduction of both planned and unannounced inspections in 2024, and the active enforcement efforts during the 2024 cotton harvest.

Türkiye notes with appreciation the progress made in institutional capacity-building, including the expansion of the state labour inspectorate staff, enhanced digital inspections such as the risk-based analysis system, and the increased transparency enabled by electronic sanctioning procedures.

We further highlight the strong record of performance in 2024, with nearly 50,000 violations identified, over 12,000 workers' rights restored, and more than 8,000 officials held accountable.

At the same time, we encourage the Government of Uzbekistan to further align the powers of the State Labour Inspectorate with the full scope of Conventions Nos 81 and 129, including the ability to interrogate witnesses, collect samples, and act with independence and without undue procedural constraints.

We welcome the ongoing ILO technical cooperation project and support Uzbekistan's request for continued assistance, particularly in the areas of legislative alignment, statistical capacity-building, and inspector training.

Finally, we believe that Uzbekistan's continuing reforms coupled with open engagement with ILO's supervisory system will further advance the protection of workers and the realization of social justice.

Interprétation de l'arabe: **Président** – Je donne maintenant la parole à la représentante du Royaume d'Arabie saoudite, M^{me} Manal Alkhaibary.

Interprétation de l'arabe: **Représentante gouvernementale, Arabie saoudite (M^{me} ALKHAIBARY)** – Notre délégation a pris note des éclaircissements apportés par la République d'Ouzbékistan s'agissant de l'évolution des développements en matière de régime national d'inspection du travail.

Nous nous félicitons de la coopération constructive avec les mécanismes techniques de l'OIT et des informations exhaustives qui montrent un engagement précis pour le dialogue et la transparence.

Nous nous félicitons des progrès réalisés pour ce qui concerne le renforcement des capacités institutionnelles d'inspection par le renforcement de la réglementation, le renforcement des capacités, etc.

Nous saluons aussi l'approche graduelle de l'Ouzbékistan qui se fonde sur une évaluation progressive, une approche participative et la coordination avec les partenaires sociaux.

Nous insistons sur l'importance de la coopération technique avec le BIT.

En conclusion, l'Arabie saoudite réitère son appui complet aux efforts de l'Ouzbékistan, et nous l'encourageons à poursuivre les réformes pour la mise en place d'un régime d'inspection équilibré et efficace pour faciliter la conformité et améliorer la réalité du travail, compte tenu des priorités nationales et des engagements internationaux.

Président – Je donne à présent la parole au distingué représentant de l'Union internationale des travailleurs de l'alimentation, de l'agriculture, de l'hôtellerie-restauration, du tabac et des branches connexes, M. Kirill Buketov.

Observer, International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) (Mr BUKETOV) – Speaking on behalf of the IUF, we thank the Committee of Experts for the information provided and we thank the Government of the Republic of Uzbekistan for the detailed and honest report on the implementation of Convention No. 81.

Unfortunately, we cannot say that sufficient information is provided on Convention No. 129. Each member of the ILO for which this Convention is in force, shall

maintain a system of labour inspection in agriculture. The competent authority shall define the line which separates agriculture from industry and commerce, etc.

We regret to say that the figures given in the Government's written and oral reports do not indicate in which sectors the inspections and the work of the labour inspectorate were carried out. It does not separate agriculture, and it is impossible to see from the report if and to what extent the agricultural sector specifically referred to in Convention No. 129 is covered by this work. We would like to remind that agriculture has one of the worst fatal accidents and occupational ill health records of any major employment sector.

Uzbekistan is one of the key suppliers of cotton to the international market and the issues of labour protection and respect for fundamental rights of workers in agriculture are of great importance here, especially for the companies planning to invest in this industry after a long period of distrust and boycott of Uzbek cotton which was caused by the systematic and massive use of forced labour of children in cotton farming.

It was only three years ago, in March 2022, that the international boycott of Uzbek cotton was lifted. This was done due to a remarkable effort of the Government to reform the industry and eliminate systematic child and forced labour.

Amid the general improvement, we still cannot ignore the regular reports from the country about problems with violations of human rights of agricultural workers and small farmers. This unfinished work keeps hindering the sustainability of the sector.

An example of this is the recent assessment of the European bank of their funded projects by one of the agro companies in Uzbekistan to which the Government allocated about 55,000 hectares for cotton cultivation in Kashkadarya and Syrdarya regions.

The cotton workers at these plantations made several attempts to unite but all of them ended in the same way.

The labour inspectorate approached the situation concerning poor working conditions and safety standards in this area but was not able to do anything simply because the workers were afraid to contact the labour inspectors and to openly and freely complain about the problems.

The situation perfectly illustrates the futility of efforts to strengthen inspections in the absence of freedom of expression, assembly and association.

The IUF submitted the complaint to the Committee of Freedom of Association which is registered under No. 3487.

We urge the Government of Uzbekistan to restore the right to Freedom of Association under Convention No. 87 and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

Président – Je ne vois pas d'autres orateurs inscrits dans la liste.

J'ai donc l'honneur de donner à nouveau la parole à l'honorable représentant du gouvernement de l'Ouzbékistan, M. Zakhidov, ministre de l'Emploi et de la Réduction de la pauvreté, pour sa déclaration finale.

Interpretation from Russian: **Government representative (Mr ZAKHIDOV)** – Ladies and gentlemen, as speakers have pointed out, over the last two years the Uzbek Government has made quite a few changes to its legislation and that included the adoption of the new Code I mentioned and the various other laws which have been put on the statute books. The moratorium that people have been talking about was withdrawn last year and so have certain other inappropriate procedures.

As I said, the system for carrying out inspections has now been improved. Having said that, the comments you have made both positive and negative, the suggestions you have put forward will all be taken into account by our authorities.

We understand your concern and we are quite happy to go back and check our legislation again and make changes and amendments where those are necessary in order for us to be fully compliant with Conventions Nos 81 and 129.

We are coming to the final stages of the adoption of the separate document which will improve the effectiveness and the solidity of our labour inspectorate and as I said, in so far as possible, we will increase the number of inspectors, the quality of inspections and set appropriate levels for fines when they need to be levied. We also intend to improve training and retraining provided to our inspectors.

We hope that in taking into account the comments which have been made today and making the necessary amendments to our legislation and our procedures and practices, we will be able to improve the situation and bring ourselves fully in compliance with ILO standards.

Of course, we are open to constructive criticism and comments from the Committee of Experts and express willingness to engage in a dialogue with this Committee as and when necessary, and we hope that our needs will be taken into account and the assistance we need will be forthcoming in future technical cooperation from this Organization.

Président – Je vous remercie, Monsieur le ministre, ainsi que les membres de votre délégation, d'avoir participé aux travaux de la commission et de fournir toutes ces informations.

Je donne la parole à M^{me} Khoury, porte parole des employeurs, pour sa déclaration finale.

Employer members – Chairperson, the Employers thank the various speakers who took the floor and notably the Government of the Republic of Uzbekistan for their intervention and information.

The employers remind the Committee that Conventions Nos 81 and 129 are governance Conventions. The two Conventions ensure the effectiveness of the governance of the application of labour standards in practice.

As noted by the Employers in our opening remarks, the Government of the Republic of Uzbekistan has been working with the ILO to improve labour inspections and occupational health and safety systems in the Republic of Uzbekistan. The employers acknowledge recent technical cooperation efforts between the Government and the ILO including inspector training and study visits. However, these initiatives alone are insufficient to address the serious legislative and administrative barriers to effective labour inspections identified by the Committee of Experts.

The Employers also acknowledge the request from the Government of the Republic of Uzbekistan first made on 8 May 2025 to the ILO Director General for the ILO to provide technical assistance to ensure the full implementation of Conventions Nos 81 and 129.

On the basis of our earlier statements and in light of the observations of the Committee of Experts, the Employers recommend that the Government of the Republic of Uzbekistan do the following.

Number one, take the necessary measures to ensure that labour inspections are undertaken as often and as thoroughly as is necessary to ensure the effective application of legal provisions including by ensuring that labour inspectors enter a workplace without prior notice. Labour inspectors carry out any examination, test or inquiry which they may consider necessary in order to satisfy themselves that the legal provisions are being strictly observed.

This also includes interrogating alone or in the presence of witnesses the employer or their staff on any matters concerning the application of legal provisions, as well as labour inspectors notifying employers of their presence unless they consider that such notification may be prejudicial to the performance of their duties.

Number two, for the Government to take necessary measures in order to ensure that effective and adequate enforcement and penalties are in place. This includes ensuring that labour inspectors have the power to exercise their discretion to give warning and advice instead of instituting or recommending proceedings and establishing adequate penalties for obstructing labour inspectors in the performance of their duties.

Number three, provide the Committee of Experts with the various information requested.

Number four, be granted technical assistance as per the request from the Government of the Republic of Uzbekistan.

We trust that the Government of the Republic of Uzbekistan will provide their requested information by 1 September 2025 and adopt the measures indicated by this Committee in a timely manner.

Président – M^{me} Vermergen, porte-parole des travailleurs, vous avez la parole.

Membres travailleurs – Nous remercions le représentant du gouvernement pour les informations écrites et orales qu'il nous a transmises.

Nous avons, au cours de nos discussions, pu constater que les manquements au respect des conventions sont nombreux en Ouzbékistan.

L'application récurrente de moratoires aux inspections est un motif de profonde préoccupation. Il s'agit d'une violation grave des conventions. Il conviendra que le

gouvernement lève durablement tout moratoire sur les inspections dans le pays et veille à ne plus réintroduire de tels moratoires à l'avenir.

Il nous apparaît fondamental de renforcer les services d'inspection. Nous avons noté les efforts du gouvernement pour augmenter le nombre d'inspecteurs du travail et l'encourageons à redoubler d'efforts en la matière. Il ne faudra toutefois pas se contenter d'augmenter le nombre d'inspecteurs. Il faudra aussi veiller à les former et à les doter de toutes les ressources matérielles et financières nécessaires.

Nous avons déjà passé en revue la liste des restrictions qui s'imposent aux inspecteurs du travail. Sans revenir sur cette liste, nous demandons néanmoins au gouvernement qu'il modifie les législations pertinentes afin de supprimer toutes les restrictions identifiées.

Ainsi, le gouvernement veillera à prendre les mesures nécessaires pour que les inspecteurs du travail:

- soient autorisés à effectuer des visites sans avertissement préalable dans tout établissement assujetti au contrôle de l'inspection;
- soient autorisés à procéder à tous examens, contrôles ou enquêtes jugés nécessaires pour s'assurer que les dispositions légales sont effectivement observées;
- puissent choisir de ne pas notifier leur présence à l'employeur ou à son représentant, s'ils estiment qu'une telle notification risque de porter préjudice à l'efficacité du contrôle;
- puissent inspecter les établissements aussi souvent et aussi soigneusement que nécessaire pour assurer l'application effective des dispositions légales.

La réalisation d'un nombre suffisant de visites d'inspection sans avertissement préalable est nécessaire pour permettre aux inspecteurs de s'acquitter de leur obligation de confidentialité à l'égard de la source de toute plainte, mais aussi pour éviter l'établissement de

tout lien entre l'inspection et une plainte. C'est pourquoi nous demandons au gouvernement d'indiquer les mesures adoptées pour garantir que les inspecteurs traitent comme absolument confidentielle la source de toute plainte et s'abstiennent de révéler à l'employeur ou à son représentant qu'il a été procédé à une visite d'inspection suite à une plainte.

Le gouvernement indiquera également le nombre d'inspections programmées effectuées sur la base de l'autorisation du Commissaire pour la protection des droits et des intérêts légitimes des entreprises, ainsi que le nombre de ces inspections effectuées à la suite d'une plainte.

Le gouvernement fournira également des informations sur le nombre de demandes d'inspection soumises au commissaire et le nombre de cas où cette autorisation a été refusée, en indiquant les motifs de ce refus. Dans ses informations écrites, le gouvernement transmet des chiffres sur le nombre d'inspections réalisées et le nombre de violations constatées sans toutefois ventiler ces chiffres comme demandé par la commission d'experts.

Le gouvernement veillera également à ce que les inspecteurs du travail soient seuls libres de décider de plutôt donner des avertissements ou des conseils que d'intenter ou de recommander des poursuites. Il fournira également des informations sur la nature et le nombre de violations détectées au cours des inspections, le nombre et la nature des procédures portées devant les tribunaux et les sanctions imposées par la suite, y compris le montant des amendes.

Enfin, nous demandons que le gouvernement veille à prévoir des sanctions en cas d'obstruction aux inspecteurs du travail dans l'exercice de leurs fonctions.

Comme le gouvernement le suggère lui-même, il sera important qu'il continue à recourir à l'assistance technique de l'OIT pour réaliser l'ensemble des recommandations qui lui seront adressées. Nous demandons au gouvernement qu'il le fasse en acceptant la venue d'une

mission de contacts directs de l'OIT. Nous l'invitons à envisager dans ce cadre la reconduction du projet «Improvement of Labour Inspection and Occupational Safety Systems in Uzbekistan» mis en place en collaboration avec l'OIT et qui arrivera à échéance à la fin de cette année.

Président – Nous avons maintenant terminé la discussion de ce cas.

Les conclusions seront adoptées dans la matinée du jeudi 12 juin.

Le procès-verbal verbatim (PV 19) concernant la discussion de ce cas sera disponible sur la page Web de la commission demain mercredi, autour de 13 heures. Les délégués pourront proposer des amendements à leurs propres interventions jusqu'à jeudi 12 juin à 13 heures.

La séance est levée à 18 h 00.

The sitting closed at 6 p.m.

Se levantó la sesión a las 18 horas.