



Cotton Campaign Submission to the UN Committee on the Elimination of Discrimination Against Women

87th session (29 January – 16 February 2024)

Sixth Periodic Report of Turkmenistan

Executive summary

The Cotton Campaign¹ submits the following information in advance of the forthcoming review of Turkmenistan by the UN Committee on the Elimination of Discrimination Against Women (hereafter “the Committee”) regarding its adherence to the International Convention on the Elimination of All Forms of Discrimination Against Women (hereafter “the Convention”).

This submission presents evidence on the prevalence of widespread and systematic state-imposed forced labour in the annual cotton harvest and its specific impacts on women, who make up the majority of citizens mobilised in the harvest. This information is relevant to Article 6 (trafficking) and Article 11 (employment) of the Convention. It specifically responds to question 12 of the List of Issues on steps taken to prohibit the practice of unpaid work during the cotton harvest.

We call on the Government of Turkmenistan to take immediate and effective measures to end state-imposed forced labour in the cotton harvest and to incorporate gender-responsive policies and practices in the reform process. The Government has an obligation to respect, protect, and fulfil the human and labour rights of women in Turkmenistan, including the right to free choice of profession and employment, as laid out in Article 11.1 (c) of the Convention, and the right to be free from trafficking for the purposes of forced labour, as relevant to Article 6 of the Convention. We ask that the Committee’s recommendations to the State party support this call.

Suggested questions for the state-party review

1. What measures have been taken by the Government to eliminate forced labour in the cotton harvest, including to eliminate production quotas for cotton, ensure that state employees are protected from forced mobilisation, prosecute perpetrators, and provide remedy to victims?
2. What measures will the Government take to ensure that women have the right to free choice of profession and employment, including in relation to the annual cotton harvest?

¹ The Cotton Campaign is a coalition of human rights NGOs, independent trade unions, brand associations, responsible investors, and academics, united to end forced labour in cotton production in Central Asia: <https://www.cottoncampaign.org>.

3. What measures have been taken by the Government to encourage the organising of women, including the creation of women's associations and organisations to represent their interests and defend their rights, in and outside of work?
4. What measures have been taken by the Government to create the space for women's rights activists, civil and human rights defenders, and independent journalists, to operate without risking harassment and detention for doing their work, including to report on conditions of forced labour in the cotton harvest?

Recommendations for the Government of Turkmenistan:

Ensure that women have the right to free choice of profession and employment, including in relation to the annual cotton harvest, including by:

- Developing a time-bound and gender-responsive plan to eliminate state-imposed forced labour in the cotton sector and its disproportionate impact on women workers by addressing the root causes and ensuring that reforms are lasting and sustainable, in consultation with independent women's rights organisations.
- Enforcing national laws that prohibit the use of forced and child labour.
- Instructing government representatives at all levels on the prohibition of forced labour and strengthening law enforcement – including by prosecuting or sanctioning appropriately officials found to be mobilising forced labour.
- Facilitating the organising of women, including through the creation of women's associations and organisations to represent their interests and defend their rights.
- Allowing women's rights independent monitors, journalists, and human rights defenders to document and report labour conditions without fear of reprisal.
- Fully cooperating with UN agencies and human rights bodies, including by facilitating all visit requests by Human Rights Council special procedure mandate holders – including the Working Group on discrimination against women and girls, the Special Rapporteur on trafficking in persons, especially women and children, and the Special Rapporteur on contemporary forms of slavery – and allowing unhindered access to the country to the ILO.

Methodology

The information in this submission is based on direct evidence of forced mobilisation of public sector employees during the annual cotton harvest in Turkmenistan. This evidence is documented annually by a network of independent monitors working with Cotton Campaign member organisations Turkmen.News and the Turkmen Initiative for Human Rights.²

Background to state-imposed forced labour in Turkmenistan

Turkmenistan's cotton industry has long been underpinned by a state-imposed forced labour system. During each year's harvest, the Government forces tens of thousands of public sector

² Cotton Campaign et al., Time for Change: Forced Labor in Turkmenistan Cotton 2022 (June 2023), https://static1.squarespace.com/static/618550501fe9be0ff3428860/t/64834274d914c53c30fc4538/1686323839498/Forced_labor_Turkmenistan_2023_report+_LR.pdf.

workers to pick cotton or pay for replacement pickers under threat of penalty, such as loss of employment or reduced work hours or pay. This forced labour system disproportionately affects women, who comprise the majority of employees in the health, education, and childcare sectors and the vast majority of lower wage employees in these sectors, including nurses, hospital orderlies, cleaners, and kindergarten nannies.³ Annually, the Government mobilises employees from these sectors to pick cotton. Lower wage workers – also overrepresented among women⁴ – are less able to afford to pay for replacement pickers to harvest cotton in their place.

Cotton picking is difficult physical labour, and labourers work in hazardous and unsanitary conditions without medical care. Workers are not afforded protection from extreme temperatures, ranging from 40 degrees Celsius to below freezing over the course of the harvest, which lasts from August to November or December. They are not advised on or protected from agricultural chemicals sprayed from planes or tractors. These public employees often must provide their own food, water, and shelters for shifts that can last anywhere from a day to multiple weeks.

The Government of Turkmenistan exerts control over all aspects of public life and severely represses all civic freedoms, which are crucial to combating forced labour. All civil society organisations that are publicly critical of the repressive regime in Turkmenistan, including Cotton Campaign partners Turkmen.News and the Turkmen Initiative for Human Rights, must work from exile, and the independent labour monitors and informants who provide evidence of forced labour conditions during the harvest do so at great personal risk. Throughout the country, this also means that organisations cannot defend the rights of women and girls.⁵

Forced labour of women in the cotton harvest

Relevant to Trafficking and exploitation of prostitution (Art 6) and Free choice of profession and employment (Art 11.1 c)

In its 2018 Concluding Observations on the fifth periodic report of Turkmenistan, the Committee expressed its concern at “[t]he practice of imposing on citizens unpaid activities during the cotton harvest season” and recommended that the State repeal this practice.⁶

In paragraph 12 of its 2023 List of Issues in relation to the sixth periodic report of Turkmenistan, the Committee asked the Government of Turkmenistan to “Please provide

³ For example, a 2016 UNDP study reported the high prevalence of women in the public sector (which is the workforce mobilised for forced labour in Turkmenistan), detailing that the female shares in education were at that time 69, 74, and 64 percent and in healthcare 78, 77, and 70 percent of wage workers, respectively – Tamar Khitarishvili, ‘Gender inequalities in labor markets in Central Asia’, UNDP (2016), <https://www.undp.org/eurasia/publications/gender-inequalities-labor-markets-central-asia>.

⁴ UNFPA, ‘Taking action to promote gender equality in Turkmenistan’ (2015), <https://eeeca.unfpa.org/en/news/taking-action-promote-gender-equality-turkmenistan>; see also US Department of State, ‘2022 Country Reports on Human Rights Practices: Turkmenistan’ which notes that civil society report a strong cultural bias against women in positions of power and leadership, making it difficult for some women to secure better paid and managerial positions, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/turkmenistan>.

⁵ This issue is more thoroughly addressed in the submission to the Committee by the Turkmen Initiative for Human Rights, a member of the Cotton Campaign, and International Partnership for Human Rights, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FICO%2FTKM%2F52446&Lang=en. The Cotton Campaign fully endorses this submission.

⁶ UN Committee on the Elimination of Discrimination against Women, Concluding observations on the fifth periodic report of Turkmenistan, CEDAW/C/TKM/CO/5 (25 July 2018), para. 24.

information on any steps taken to repeal the practice of unpaid work during the cotton harvest season.⁷ However, the State response did not provide any information related to this question or otherwise address unpaid work during the cotton harvest season.⁸ The State's failure to provide a direct response on measures it has taken to eliminate unpaid work during the cotton harvest season raises serious questions about the commitment of the Turkmen Government to addressing forced labour in the cotton sector, including its disproportionate impact on women.

The practice of unpaid work during the cotton harvest season has an outside impact on women's rights. Women account for the majority of public sector workers, including being heavily represented in the workforces of schools, kindergartens and hospitals, and are thus disproportionately forcibly mobilised into forced labour during the cotton harvest.⁹ Furthermore, women are overrepresented in low-wage support roles which do not require special education or qualifications, such as caretakers in residential buildings, school janitors, hospital orderlies, which means they cannot afford to hire replacements and are therefore more likely than male public sector employees to engage directly in cotton picking.¹⁰ On this point, the ILO Committee of Experts on the Application of Conventions and Recommendations has identified a significant gender wage gap in almost all economic sectors in Turkmenistan, which may be a contributing factor to the higher mobilisation of women in the cotton harvest.¹¹

Other women have also been forcibly mobilised for the harvest, and in 2021 included migrants, service workers with registered addictions, and women accused of prostitution or other sex work.¹² Women are also targeted for *subbotniki*, or days of free public labour, that can range from planting trees and weeding to tidying public spaces.¹³

Although some people pick cotton voluntarily, including rural people who live near the farms, people seeking work as replacement pickers hired by public sector employees forced to pick or pay do so out of economic desperation, due to high levels of poverty and unemployment in Turkmenistan. These factors, paired with the gender wage gap, has resulted in women – particularly those of pension age – being particularly vulnerable to economic exploitation. As a result, many women who work as replacement pickers during the cotton season endure strenuous conditions for minimal pay.¹⁴

⁷ UN Committee on the Elimination of Discrimination against Women, 'List of issues and questions in relation to the sixth periodic report of Turkmenistan', CEDAW/C/TKM/Q/6 (5 June 2023), para. 12.

⁸ UN Committee on the Elimination of Discrimination against Women, 'Replies of Turkmenistan to the list of issues and questions in relation to its sixth periodic report', CEDAW/C/TKM/RQ/6 (27 September 2023).

⁹ Mia Tarp Nurmagambetova, *Turkmenistan remains unsafe for women*, Global Voices (5 December 2023), <https://globalvoices.org/2023/12/05/turkmenistan-remains-unsafe-for-women/>.

¹⁰ Turkmen. News & Turkmen Initiative for Human Rights, Review of the Use of Forced Labor in Turkmenistan During the 2020 Cotton Harvest (March 2021), https://en.turkmen.news/wp-content/uploads/2021/03/TURKMENISTAN_COTTON_2020_WEB_ENG.pdf, p. 26.

¹¹ ILO Committee of Experts on the Application of Conventions and Recommendations, C100 - Direct Request (CEACR) - adopted 2021, published 110th ILC session (2022).

¹² Turkmen.News et al., Review of the Use of Forced Labor During the 2021 Cotton Harvest in Turkmenistan (July 2022), https://static1.squarespace.com/static/618550501fe9be0ff3428860/t/62de40eed701ff144dd891c4/1658732787144/CC_TKM_2021_HARVEST_REPORT.pdf, p. 40.

¹³ *Turkmenistan: Increasing internet censorship and ongoing persecution of dissent, despite welcome releases*, International Partnership for Human Rights (15 January 2023), <https://www.iphronline.org/turkmenistan-increasing-internet-censorship-and-ongoing-persecution-of-dissent.html>.

¹⁴ Cotton Campaign et al., Time for Change: Forced labor in Turkmenistan Cotton 2022, op.cit.

It should also be noted that there has been increased suppression of women in public life¹⁵ more generally in Turkmenistan which has a direct, negative impact on the economic and employment opportunities for women and girls. Travel restrictions, such as the implicit ban on women driving or riding in a car driven by a male to whom they are not related, limit women's choice of employment and resign women to more time spent at home, and significantly curb their potential for financial independence.¹⁶ Reports of new restrictions on cosmetics, beauty treatments, and women's dress also suggest an increased policing of women's bodies and personal choices that can create a chilling effect on women's ability to fully and freely participate in public life.¹⁷ This not only shrinks civic space for women to speak out against forced labour, but could also increase the risk of gender-based violence such as sexual harassment, including during cotton picking.¹⁸

International reporting

There is a strong record of reporting and communication from international observers regarding the ongoing use of forced labour in the cotton harvest, further establishing the need for urgent action. These include:

- **2023:** the ILO Committee on the Application of Standards “deplored the persistence of the widespread use of forced labour in relation to the annual state-sponsored cotton harvest in Turkmenistan and the Government’s failure to make any meaningful progress on the matter since the Committee discussed the case in 2016 and 2021.”¹⁹
- **2023:** the UN Human Rights Committee concluded that the Government of Turkmenistan “should intensify its efforts to eliminate forced labour... particularly in the cotton sector and involving women and child labour” and “improve the working and living conditions in the cotton industry, including through targeted measures to protect women and children.”²⁰
- **2022:** The U.S. State Department 2022 Tracking in Persons report found that “there was a government policy or pattern of forced labor” in Turkmenistan and that “the

¹⁵ Akja Kepderi, *Turkmenistan Takes Policing Women’s Bodies to the Next Level*, *Diplomat* (3 May 2022), <https://thediplomat.com/2022/05/turkmenistan-takes-policing-womens-bodies-to-the-next-level/>; *Undervaluing women’s work in Central Asia contributes to economic slowdown and poverty*, *Progres* (6 Apr. 2023), <https://progres.online/regional-news/undervaluing-womens-work-in-central-asia-contributes-to-economic-slowdown-and-poverty/>.

¹⁶ Farangis Najibullah, *Beauty Ban: Turkmenistan Puts Severe Restrictions On Women’s Appearance, Ability To Travel*, *RadioFreeEurope & RadioFree Liberty* (4 May 2022), <https://www.rferl.org/a/turkmenistan-restrictions-women-appearance-travel/31834476.html>.

¹⁷ Amnesty International, ‘Turkmenistan 2022’ <https://www.amnesty.org/en/location/europe-and-central-asia/turkmeni-stan/report-turkmenistan/>.

¹⁸ In Turkmenistan, no law specifically prohibits sexual harassment and reports suggests that sexual harassment continue to take place in the workplace - US Trafficking in Persons report 2022, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/turkmenistan/>. A survey conducted by the Government of Turkmenistan in 2020 found that 16 percent of surveyed women had experienced some form of violence from their husbands/partners at some point in their lives, and that 41 percent had encountered some form of controlling behaviour from their husbands/partner, such as restrictions on leaving the house - UN Group of Experts on Gender Statistics, ‘Gender Statistics in Turkmenistan in the light of Survey on the Health and Status of a Woman in the Family’ (April 2023), https://unece.org/sites/default/files/2023-04/E3_WP17_Yamatov_EN.pdf.

¹⁹ ILO Committee on the Application of Standards, CAN/PV.15/Turkmenistan-C.105 (12 June 2023), p. 20.

²⁰ UN Human Rights Committee, Concluding observations on the third periodic report of Turkmenistan, CCPR/C/TKM/CO/3 (12 April 2023), para 33.

government continued to direct policies that perpetuated the mobilization of adults and children for forced labor in the annual cotton harvest, in public works projects, and in other sectors in some areas of the country.²¹

- **2022:** The ILO Committee of Experts on the Application of Conventions and Recommendations expressed “deep concern at the continued practice of forced labour in the cotton sector,” and urged the Government “to pursue its efforts to ensure the complete elimination of the use of compulsory labour of public and private sector workers as well as students in cotton production.”²²
- **2021:** The communication of the UN Special Rapporteur on contemporary forms of slavery to the Government of Turkmenistan expressed “deep concern about the working and living conditions of cotton workers, including of children subjected to child labour, in Turkmenistan.” It noted that according to the information received, the Government forces tens of thousands of citizens to harvest cotton – all of whom are subjected to forced labour, as they are coerced to working in the cotton fields under threat of dismissal.²³
- **2018:** The Committee on the Elimination of All Forms of Discrimination Against Women expressed concern at the “practice of imposing on citizens unpaid activities during the cotton harvest season” and recommended the State party to “[r]epeal the practice of unpaid work during the cotton harvest season.”²⁴
- **2018:** The UN Committee on Economic, Social and Cultural Rights’ Concluding Observations expressed concern “about the reported continued widespread use of forced labour among workers and students under threat of penalties during the cotton harvest”, and recommended the Government to “strengthen its measures to stop forced labour, including by enforcing existing laws and policies prohibiting forced labour and increasing the monitoring of compliance, in particular in the cotton sector”, alongside ensuring prosecutions and commensurate sanctions for employers violating labour rights, and full reparations for victims.²⁵
- **2017:** The UN Human Rights Committee’s Concluding Observations expressed concern about “the reported widespread use of forced labour of farmers, students, public and private sector workers during the cotton harvest under threat of penalties” and recommended the Government to promptly put an end to forced labour in the cotton sector, inter alia, by fully enforcing the legal framework prohibiting forced labour.²⁶

²¹ U.S. Department of State, 2022 Tracking in Persons Report: Turkmenistan,

<https://www.state.gov/reports/2022-tracking-in-persons-report/turkmenistan/>.

²² ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR), ‘Observation adopted 2021, published 110th ILC session (2022) Abolition of Forced Labour Convention, 1957 (No. 105) - Turkmenistan (Ratification: 1997).

²³ UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, ‘Concerns raised regarding allegations of forced labour in the cotton picking harvest of 2019 and 2020’ (30 August 2021), AL TKM 2/2021.

²⁴ UN Committee on the Elimination of Discrimination against Women, ‘Concluding observations on the fifth periodic report of Turkmenistan’ CEDAW/C/TKM/CO/5 (25 July 2018).

²⁵ UN Committee on Economic, Social and Cultural Rights, ‘Concluding observations on the second periodic report of Turkmenistan’ (31 October 2018), E/C.12/TKM/CO/2, paras 23-24.

²⁶ UN Human Rights Committee, ‘Concluding observations on the second periodic report of Turkmenistan’ (20 April 2017), CCPR/C/TKM/CO/2, paras 26-27.