



Appendices

Appendix A. Human Rights Watch Correspondence with Tobacco Companies

Alliance One International

1. Human Rights Watch Letter to Alliance One International – August 16, 2017
2. Response from Alliance One International – September 28, 2017
3. Human Rights Watch Letter to Alliance One International – December 8, 2017

Altria Group

4. Human Rights Watch Letter to Altria Group – August 31, 2017
5. Response from Altria Group – September 11, 2017

Boostafrika Traders

6. Human Rights Watch Letter to Boostafrika Traders – August 14, 2017
7. Human Rights Watch Letter to Boostafrika Traders – December 8, 2017

British American Tobacco

8. Human Rights Watch Letter to British American Tobacco – August 16, 2017
9. Response from British American Tobacco – September 14, 2017
10. Appendix to British American Tobacco's Response – September 14, 2017
11. Human Rights Watch Letter to British American Tobacco – December 8, 2017
12. Response from British American Tobacco – December 18, 2017

Chidziva Tobacco Processors

13. Human Rights Watch Letter to Chidziva Tobacco Processors – August 14, 2017
14. Response from Chidziva Tobacco Processors – September 18, 2017
15. Human Rights Watch Letter to Chidziva Tobacco Processors – December 8, 2018
16. Response from Chidziva Tobacco Processors – January 24, 2018

China National Tobacco

17. Human Rights Watch Letter to China National Tobacco – September 7, 2017

Contraf Nicotex Tobacco GmbH

18. Human Rights Watch Letter to Contraf Nicotex Tobacco GmbH – September 11, 2017

19. Response from Contraf Nicotex Tobacco GmbH – October 9, 2017
20. Human Rights Watch Letter to Contraf Nicotex Tobacco GmbH – December 8, 2017
21. Response from Contraf Nicotex Tobacco GmbH – January 12, 2018

Curverid Tobacco Limited

22. Human Rights Watch Letter to Curverid Tobacco Limited – August 14, 2017
23. Response from Curverid Tobacco Limited – September 17, 2017
24. Human Rights Watch Letter to Curverid Tobacco Limited – December 8, 2017

Imperial Brands

25. Human Rights Watch Letter to Imperial Brands – August 16, 2017
26. Response from Imperial Brands – September 29, 2017
27. Human Rights Watch Letter to Imperial Brands – December 8, 2017
28. Response from Imperial Brands – December 21, 2017

Japan Tobacco Group

29. Human Rights Watch Letter to Japan Tobacco Group – August 16, 2017
30. Response from Japan Tobacco Group – September 15, 2017
31. Human Rights Watch Letter to Japan Tobacco Group – December 8, 2017
32. Response from Japan Tobacco Group – January 15, 2018

Northern Tobacco/Rift Valley Corporation

33. Human Rights Watch Letter to Rift Valley Corporation – August 16, 2017
34. Response from Northern Tobacco – August 23, 2017
35. Human Rights Watch Letter to Rift Valley Corporation – December 8, 2017
36. Response from Northern Tobacco – December 13, 2017

Philip Morris International

37. Human Rights Watch Letter to Philip Morris International – August 16, 2017
38. Response from Philip Morris International – September 14, 2017

Premium Tobacco Group/Premium Leaf Zimbabwe

39. Human Rights Watch Letter to Premium Tobacco Group – August 14, 2017
40. Response from Premium Tobacco Group – August 28, 2017
41. Human Rights Watch Letter to Premium Tobacco Group – December 8, 2017
42. Response from Premium Tobacco Group – January 5, 2018

Universal Corporation

43. Human Rights Watch Letter to Universal Corporation – August 16, 2017

- 44. Human Rights Watch Letter to Universal Corporation – September 21, 2017
- 45. Response from Universal Corporation – September 25, 2017
- 46. Human Rights Watch Letter to Universal Corporation – December 8, 2017

Appendix B. Human Rights Watch Correspondence with Government

Office of the President and Cabinet

- 47. Human Rights Watch Letter to President Robert Gabriel Mugabe – September 6, 2017
- 48. Human Rights Watch Letter to President Emmerson Mnangagwa – January 22, 2018

Ministry of Agriculture, Mechanisation and Irrigation

- 49. Human Rights Watch Letter to Minister of Agriculture, Mechanisation, and Irrigation – September 6, 2017
- 50. Human Rights Watch Letter to Minister of Agriculture, Mechanisation, and Irrigation – January 22, 2018

Ministry of Environment

- 51. Human Rights Watch Letter to Minister of Environment – September 6, 2017
- 52. Human Rights Watch Letter to Minister of Environment – January 22, 2018

Ministry of Health and Child Care

- 53. Human Rights Watch Letter to Minister of Health and Child Care – September 6, 2017
- 54. Human Rights Watch Letter to Minister of Health and Child Care – January 22, 2018

Ministry of Justice and Legal Affairs

- 55. Human Rights Watch Letter to Minister of Justice and Legal Affairs – September 6, 2017
- 56. Human Rights Watch Letter to Minister of Justice and Legal Affairs – January 22, 2018

Ministry of Lands, Land Reform and Resettlement

- 57. Human Rights Watch Letter to Minister of Lands, Land Reform and Resettlement – September 6, 2017
- 58. Response from Minister of Lands and Rural Resettlement – October 24, 2017

Ministry of Media, Information, and Publicity

59. Human Rights Watch Letter to Minister of Media, Information and Publicity – September 6, 2017

60. Human Rights Watch Letter to Minister of Media, Information and Publicity – January 22, 2018

Ministry of Primary and Secondary Education

61. Human Rights Watch Letter to Minister of Primary and Secondary Education – September 6, 2017

62. Human Rights Watch Letter to Minister of Primary and Secondary Education – January 22, 2018

Ministry of Public Service, Labour, and Social Welfare

63. Human Rights Watch Letter to Minister of Public Service, Labour, and Social Welfare – September 6, 2017

64. Human Rights Watch Letter to Minister of Public Service, Labour, and Social Welfare – January 22, 2018

65. Response from Principal Labour Officer, Ministry of Public Service, Labour, and Social Welfare – March 6, 2018

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

August 16, 2017

J. Pieter Sikkel
President and Chief Executive Officer
Alliance One International, Inc.
8001 Aerial Center Parkway
Post Office Box 2009
Morrisville, NC 27560-2009



HRW.org

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Sikkel,

We are grateful for the sustained, constructive dialogue we have had with Alliance One International (AOI) regarding child labor and other labor concerns in tobacco farming in several countries. We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, and other human rights problems, including on some farms supplying Mashonaland Tobacco Company, an affiliate of AOI.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with Mashonaland Tobacco Company or other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We would be grateful for a response to the questions below by September 18, 2017, so that we can reflect AOI's position in our reporting.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies, including Mashonaland Tobacco Company, reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Most of the farmers we interviewed who had signed contracts with Mashonaland Tobacco Company said they were provided copies of their contracts. Among the small-scale farmers we interviewed who signed contracts with other tobacco companies, very few reported receiving copies of the

contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and would hope to reflect relevant information about the AOI's operations in Zimbabwe in our report. We are interested to learn more about AOI's purchasing of tobacco, in Zimbabwe. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing and Sales

1. We would be grateful to receive brief data on AOI's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of AOI's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is AOI's market share in Zimbabwe?
4. How many farmers were contracted with Mashonaland Tobacco Company and other AOI affiliates or suppliers in 2015, 2016, and 2017, and in which provinces?
 - a. What proportion of the total tobacco purchased by AOI in Zimbabwe in 2015, 2016, and 2017 was purchased from contracted growers?
 - b. Could AOI share a copy of a sample contract used with growers by Mashonaland Tobacco Company or other affiliates or suppliers?
5. What proportion of the total tobacco purchased by AOI in Zimbabwe in 2015, 2016, and 2017 was purchased at auction either directly or through other suppliers?
6. To which companies does AOI sell tobacco leaf purchased in Zimbabwe and what is the percentage of total tobacco leaf sold to each client?

Child Labor and Labor Rights

Through our ongoing dialogue with AOI, as well as the information AOI has made publicly available, we have basic familiarity with AOI's labor standards, including its Agricultural Labor Practices (ALP) program.

7. Have there been any significant changes to AOI's labor policies and practices since our last correspondence in 2016?

We would welcome specific information regarding AOI's implementation of that policy in Zimbabwe through affiliates, suppliers, direct contracts with growers as well as in the context of purchasing tobacco on auction floors:

8. How does AOI communicate and implement its labor policies to tobacco growers, affiliates and suppliers, as well as growers who may be selling tobacco leaf to AOI affiliates or suppliers on auction floors, including regarding hazardous work, the minimum age for work; working hours, wages, overtime, and provision of contracts to workers and growers; requirements for handling and storage of pesticides, information on and protection from nicotine poisoning and Green Tobacco Sickness, provision of personal protective equipment (PPE) to growers and workers, as well as other human rights and labor rights concerns?

9. How does AOI monitor implementation of its Agricultural Labor Practices Code in Zimbabwe including among growers, affiliates and suppliers, as well as growers who may be selling tobacco leaf to AOI affiliates or suppliers on auction floors?
 - a. Does AOI use differentiated methods for communicating, implementing and monitoring its labor standards on large commercial farms and on small-scale farms in its supply chain in Zimbabwe?
10. Has AOI identified or received any reports of child labor or other labor concerns on tobacco farms supplying tobacco to AOI affiliates and suppliers in Zimbabwe in 2015, 2016, or 2017? If so, what actions has AOI taken?
11. What steps will AOI take to publicize in comprehensive and verifiable forms the findings of its human rights due diligence procedures, in order to ensure transparency, an essential component of meaningful human rights due diligence, as specified under the UN Guiding Principles on Business and Human Rights?
12. We would welcome any additional information AOI would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 18, 2017. In addition, we would welcome the opportunity to meet with representatives of AOI to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857 with your response to these requests.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Jennifer Bailey, Corporate Communications & Compliance Manager, Alliance One International
Gary Foote, Corporate Sustainability Manager, Alliance One International
Kenneth Langley, Managing Director, Mashonaland Tobacco Company

Alliance One International, Inc.
8001 Aerial Center Parkway
Post Office Box 2009
Morrisville, NC 27560-2009
USA

Tel: 919 379 4300
Fax: 919 379 4346
www.aointl.com



Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, NY 10118-3299

September 28, 2017

Dear Ms. Buchanan and Mr. Mavhinga,

We are in receipt of your letter dated as of August 16, 2017. Thank you for your continued efforts to address hazardous child labor in connection with tobacco production. Alliance One International, Inc. (AOI or Alliance One) does not tolerate labor abuses in our supply chain in Zimbabwe or anywhere else in the world.

The elimination of child labor in tobacco production is a top priority for Alliance One and all of our subsidiaries, including our Zimbabwe subsidiary, Mashonaland Tobacco Company (MTC). Alliance One, through its predecessor companies and former partners, began directly contracting with growers in Zimbabwe more than 11 years ago through the Integrated Production System (IPS), a system of farming where a buyer and a grower of a crop work together from seed to market with the objective of producing a sustainable, traceable and compliant crop to meet the demands of the international market. By directly contracting with growers, MTC has been able to help them produce a higher quality crop that is produced in compliance with Good Agricultural Practices (GAP) and Alliance One's Agricultural Labor Practices (ALP) program.

Mashonaland Tobacco Company first introduced the ALP program to its contracted growers in 2013. At the time, we made significant changes to our grower contracts, including the addition of provisions related to the prohibition of child labor. Over the course of the past four years, MTC monitoring has increased to an average of 16 times throughout the growing season. Throughout these visits, MTC field technicians have placed a substantial emphasis on educating growers about all seven ALP principles as well as analyzing labor issues so that MTC can better understand the reasons why they occur.

Alliance One's global ALP program continues to provide meaningful, transparent and ongoing improvements to the experiences of farm workers on MTC contracted farms. MTC continues to provide substantial and on-going farm labor rights training to MTC staff, contracted growers and farm workers. This training is reinforced through regular on-farm visits, both planned and unannounced; compliance monitoring, and, as needed, recording and agreeing with the contracted grower on action plans that will protect the welfare of the worker and are in compliance with the ALP principles.

Additional support to AOI's commitment to human rights was provided earlier this year as AOI adapted a comprehensive Human Rights Policy. This policy specifically commits to respect Human Rights, as defined by the International Bill of Human Rights and the International Labor Organization (ILO) Declaration of Fundamental Principles and Rights at Work. The policy emphasizes treating individuals with dignity and respect inside our organization and throughout our supply chain.

MTC carries out numerous wide-ranging initiatives to protect labor rights on the farm and to achieve our committed goals as determined by performed risk assessments. MTC supports school programs such as our **One Child One Tree** project, which provides school children at 18 selected schools tree seedlings and inputs, and the safe agronomic training associated with raising these seedlings to maturity. To date, 20,113 school children have participated in this program, which equates to the same number of trees planted. MTC also provides **Rain Water Harvesting** to four selected schools within our growing areas, which provides clean water for the school children to assist with health and hygiene. MTC's relationship with these schools and the local community allows us to improve MTC's training of the seven ALP Principles within these areas.

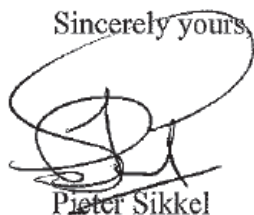
MTC's staff are encouraged to focus on helping growers to continuously improve their labor practices, including issues related to child labor. Labor incidents are rarely black and white, and our training helps the field technicians better understand how to identify the root causes of labor issues, address them, and develop the necessary course of action to correct the situation. MTC believes that growers achieving a sustainable net profit margin are at lower risk of using child labor.

MTC additionally conducts trials, such as a drip irrigation project, which aim to reduce the labor demands and the required labor days per farm, as well as the tasks that are potentially hazardous for workers to perform. With fewer labor days required to produce the crop and as a result, an increase in the grower's net profit margin, the likelihood of a grower using child labor is reduced.

As requested, you will find answers to your questions regarding Alliance One's activities in Zimbabwe in Annex A. We would welcome the opportunity to meet with you in person to discuss your research findings and recommendations as well share additional information about our child labor prevention efforts in Zimbabwe. Please provide dates for your availability to meet at either MTC's offices in Zimbabwe or your offices in New York City.

In the meantime, should you have any follow-up questions, please feel free to reach out to us. While we are moving in the right direction, much work remains to be done on the issue of child labor. AOI and its subsidiaries are committed to doing our part to eliminate child labor in the tobacco production supply chain, and we appreciate continued a constructive dialogue with Human Rights Watch.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Pieter Sikkel', with a large, loopy flourish above it.

Pieter Sikkel
President & Chief Executive Officer
Alliance One International, Inc.

Annex A

Alliance One response to the questions raised by
Human Rights Watch

Tobacco Leaf Purchasing

1. We would be grateful to receive brief data on AOI's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.

As a U.S. publicly traded company, we comply with regulations which prohibit the selective disclosure of the market-sensitive information you are requesting regarding our tobacco purchases. Therefore, we are unable to respond further to this question.

2. How does the volume of AOI's tobacco purchasing in Zimbabwe compared to the volume of tobacco purchased from other countries?

As a U.S. publicly traded company, we comply with regulations which prohibit the selective disclosure of the market-sensitive information you are requesting regarding our tobacco purchases. Therefore, we are unable to respond further to this question.

3. What is AOI's market share in Zimbabwe?

In 2017, AOI's subsidiary, Mashonaland Tobacco Company (MTC), purchased 19.7 percent of the Zimbabwe tobacco crop.

4. How many farmers were contracted with Mashonaland Tobacco Company and other AOI affiliates or suppliers in 2015, 2016, and 2017, and in which provinces?

- a. What proportion of the total tobacco purchased by AOI in Zimbabwe in 2015, 2016, and 2017 was purchased from contracted growers?**
- b. Could AOI share a copy of a sample contract used with contracted growers by Mashonaland Tobacco Company or other affiliates or suppliers?**

As a U.S. publicly traded company, we comply with regulations which prohibit the selective disclosure of the market-sensitive information you are requesting regarding our contracted farmer distribution. Therefore, we are only able to respond with regards to the total number of growers contracted directly to MTC per year:

- 2015 – 10,442
- 2016 – 10,088
- 2017 – 11,690

MTC has a history in Zimbabwe dating back to 1936, and in the last eight years, MTC's objective has been to reduce tobacco purchased over the auction system and to increase tobacco purchased directly from contracted Integrated Production System (IPS) growers. IPS is a system where a farmer and a buyer of the crop work together from seed to market with the objective of producing a sustainable, traceable and compliant crop to meet the demands of the international market.

From 2015 to 2017, MTC's proportion of total purchases by volume from contracted growers increased from 75 percent to 87 percent.

The contract purchases are made up of MTC's contracted growers and third party contracted growers. MTC's direct contract volume went from 73 percent in 2015 to 65 percent in 2017. MTC additionally purchased tobacco through third-party contractors who hold contracts directly with their growers. MTC purchases through third parties went increased from 2 percent in 2015 to 22 percent in 2017.

MTC's small-scale contracted growers all receive a copy of the contract that the grower signs between MTC and the grower. MTC's contracted growers have to show a copy of this contract along with their identification card in order to receive their tobacco inputs. MTC has supplied inputs to contracted growers since 2007. The tobacco inputs supplied include fertilizer, crop protection agents, PPE, a safe storage container for chemicals with a childproof lid, and in previous year's food crop inputs.

As a U.S. publicly traded company, we comply with regulations which prohibit the selective disclosure of the market-sensitive information you are requesting regarding our grower contract.

5. What proportion of the total tobacco purchased by AOI in Zimbabwe in 2015, 2016, and 2017 was purchased at auction either directly or through other suppliers?

As mentioned in the response to question four, MTC purchases the majority of tobacco from contracted growers.

6. To which companies does AOI sell tobacco leaf purchased in Zimbabwe and what is the percentage of total tobacco leaf sold to each client?

As a U.S. publicly traded company, we comply with regulations which prohibit the selective disclosure of the market-sensitive information you are requesting regarding our tobacco sales. Therefore, we are unable to respond further to this question.

Child Labor and Labor Rights

Through our ongoing dialogue with AOI, as well as the information AOI has made publicly available, we have a basic familiarity with AOI's labor standards, including its Agricultural Labor Practices (ALP) program.

7. Have there been any significant changes to AOI's labor policies and practices since our last correspondence in 2016?

As you know from our previous correspondence, Alliance One's global Agricultural Labor Practices (ALP) program has been implemented in all origins from which AOI or its subsidiaries source tobacco. While no significant changes have been made to our Company's policies, we do continue to improve implementation of our program based on findings of our risk assessments, third-party audits, and farm monitoring results. This includes continuing to provide substantial training to field staff, contracted growers and farmworkers; updating our farm monitoring programs and technology to be more effective for local staff, and implementing origin-specific programs that address specific needs of the local regions from which tobacco is sourced.

Additional support to AOI's commitment to the protection of human rights was provided earlier this year as AOI adapted a comprehensive [Human Rights Policy](#). This policy specifically commits to respect Human Rights, as defined by the [International Bill of Human Rights](#) and the [International Labor Organization's \(ILO\) Declaration of Fundamental Principles and Rights at Work](#). The policy emphasizes treating individuals with dignity and respect inside our organization and throughout our supply chain.

Alliance One's contracted growers, worldwide, are required to abide by the principles of our ALP program, which prohibits them from employing youth under the age of 18 for hazardous tasks. (Please reference our [Child Labor Policy](#)¹.)

¹ Please refer to Child Labor Policy

Alliance One's global ALP policy sets the minimum standards by which our contracted growers are required to abide.

We would welcome specific information regarding AOI's implementation of that policy in Zimbabwe through affiliates, suppliers, direct contracts with growers as well as in the context of purchasing tobacco on auction floors:

8. How does AOI communicate and implement its labor policies to tobacco growers, affiliates and suppliers, as well as growers who may be selling tobacco leaf to AOI affiliates or suppliers on auction floors, including regarding hazardous work, the minimum age for work; working hours, wages, overtime, and provision of contracts to workers and growers; requirements for handling and storage of pesticides, information on and protection from nicotine poisoning and Green Tobacco Sickness, provision of personal protective equipment (PPE) to growers and workers, as well as other human rights and labor rights concerns?

The identification of and addressing child labor issues on contracted growers' farms is a high priority for Alliance One. MTC's extension staff have been undergoing training and education of ALP since 2013. MTC's extension staff are encouraged to focus on helping growers to continuously improve their labor practices, including issues related to child labor. Labor incidents are rarely black and white, and our training helps the field technicians to better understand how to identify the root causes of labor issues. Topics covered at training include the ALP principles of Child Labor, Safe Work Environment and Income and Work Hours as well as general first aid training.

MTC's contracted small-scale grower receives a copy of their signed contract with MTC, which contains obligations with which grower's need to comply, including with respect to child labor, safe work practices, other labor rights, Green Tobacco Sickness (GTS) and PPE and safe chemical practices. Contracted small-scale growers also receive t-shirts displaying the seven ALP Principles to assist with the grower training, as a regular reminder to the grower and the community of the importance of these principles.

Between four and five training modules are conducted every crop season. Leaf technicians are trained in both the theories and practices of leaf production. MTC's staff roll out training to smaller groups of farmers at dedicated farm demonstration sites. The selected farm demonstration sites are centers of best practice and are located throughout our growing areas within Zimbabwe. All contracted growers, growers' workers, growers' spouses and any other growers, including auction and growers contracted by other companies, are welcome to attend these training sessions. Local government and NGO extension officers are welcome to attend our training sessions and do attend when in the area. Farmer training is interactive and conducted at demonstration farms with the use of props and literature. In 2017, average training attendance was 92 percent.

In addition to the training modules conducted each season, MTC's extension staff visit each contracted grower throughout the season, reinforcing the information communicated during seasonal training sessions and conduct on-farm monitoring, including, with respect to, the adherence of ALP principles, proper chemical application, storage, and disposal, and use the opportunity to collect or update GMS data. On-farm visits are both planned and unannounced. Any areas of concern noted on the farm are recorded, followed by additional training sessions and the development of a resolution plan at the time of the visit. Farmers also use the opportunity to discuss any crop-related concerns and receive the support of MTC staff.

All of MTC's contracted small-scale growers receive a Farmer Record Book which contains specific details on ALP principles and best practices, including child labor, hazardous work, labor rights, safe working conditions, safe chemical handling, storage, application and disposal, Grower Management System™ (GMS) and labor rights. The Farmer Record Book is a tool that MTC is confident has a positive impact on the growers as the

books are also used by growers outside of their farm environment. MTC revises the Farmer Record book each season to provide the most up-to-date and relevant information to growers.

Every contracted small-scale grower also receives PPE (multiple pairs of gloves and soap) within their input pack in relation to the chemicals supplied, and all chemicals are supplied within a safe chemical storage container that has a childproof lid and warning signage on the exterior to indicate the hazardous contents. The input pack contains details of safe chemical use, storage, and disposal.

Risk assessments are conducted annually at the end of the crop season, using GMS monitoring data, training records, and internal and external priorities. Findings from risk assessments are used to guide training programs, determine if/how monitoring questions need to be adjusted, identify focus areas for the coming season and determine budget allocation. High-risk factors become the focus areas of MTC in the coming season. In the crop year 2017, child labor, hazardous work, safe work conditions and labor rights were the primary focus areas for ALP training and on-farm monitoring visits. In addition, safe chemical application, handling, storage, and disposal; use of personal protective equipment (PPE) and GTS were additionally reviewed during training sessions.

9. How does AOI monitor implementation of its Agricultural Labor Practices Code in Zimbabwe including among growers, affiliates, and suppliers, as well as growers who may be selling tobacco leaf to AOI affiliates or suppliers on auction floors?

MTC records monitoring of its contracted growers through AOI's award-winning Grower Management System™ (GMS), an electronic data collection tool on a mobile platform². MTC's trained extension team visit each contracted grower on average 16 times throughout the growing season, collect data related to the ALP Program and tracking trends over time. The data is used to inform an annual risk assessment, which includes the detailed ALP Program, and is used to update, improve and implement annual training, as well as the ALP initiatives to be focused on annually.

The Sustainable Tobacco Program (STP) is a global roadmap towards sustainability in the tobacco industry, which MTC puts into action. The program focuses on the Agricultural Labor Practices Code through its People principle, which MTC implements and monitors on-farm. MTC submits self-assessment annually and is audited by AB Sustain, a third-party organization that is committed to driving sustainable improvement in organizations' supply chains.

Through MTC's One Child, One Tree Program and School Rainwater Harvesting Program, MTC's relationship with schools, teachers and the communities allow it to support children's education through the provision of clean water for sanitation and hygiene, as well as safe agronomic and environmental practices.

One Child, One Tree Program: (to-date) 20,113 Children in the program

- 18 schools
- Three districts
- Agricultural practices
- Silvicultural practices

District	School	Previous plantings	2015-16	2016-17	Total Trees
Karoi 1	Chitimbe Primary	400	390	150	940

² For more information regarding AOI's GMS program, please review our previous correspondence.

	Chishumba School	620	530	150	1,300
Karoi 2	Nyarumwe Primary	350	120	150	620
	Chisape Primary	700	249	105	1,054
Karoi 4	Kazangarare Primary	2,500	200	200	2,900
	Manyenyedzi Primary	1,200	60	200	1,460
Karoi 3	Nyamahapi Primary	850	600	120	1,570
	Karoi Enterprise	750	500	80	1,330
Centenary	Chiweshe School	-	300	180	480
	Nyamaridza secondary	500	361	250	1,111
Mt. Darwin	Kandeya Secondary	-	401	286	687
	Chimumvuri Secondary	-	456	280	736
Guruve	Kugotsi Secondary	-	447	400	847
	Chihwe Primary	-	440	400	840
Rusape South	Mutasa Secondary School	-	400	400	800
	Mugadza Primary School	-	600	600	1,200
Wedza	Tongogara Secondary	120	275	180	575
	Zana Primary	633	460	570	1,663
		8,623	6,789	4,701	20,113

Each child in the program received a tree and associated inputs to plant and care for it throughout their schooling career. Children learn the importance of forestry practices as well as the benefit of conservation. MTC's relationship with the schools allows for a dialogue between head teachers, teachers, students and MTC staff.

Rainwater Harvesting (trial project):

- Four schools
- Water access, sanitation, and hygiene
- (16) 5,000 Liter tanks
- (2) 2,000 Liter tanks

Each school in the program received rainwater harvesting guttering, water storage tanks, and taps. MTC intends to increase the water access project in the future.

Each of these initiatives serves to build a trusting relationship between contracted growers and MTC field staff. This collaboration allows for direct and honest communication to overcome barriers and work toward the elimination of the root causes of farm labor issues.

a. Does AOI use differentiated methods for communicating, implementing and monitoring its labor standards on large commercial farms and on small-scale farms in its supply chain in Zimbabwe?

MTC contracts a small number of large-scale commercial farms, which are visited by our senior extension staff. ALP information is provided to the growers on an annual basis through on-farm visits. Large commercial growers are additionally contractually bound by MTC to abide by the ALP Principles. ALP monitoring on commercial large-scale farms is an area that MTC has identified as requiring additional focus and improvement, to bring it in line with the small-scale grower detailed training and monitoring programs. MTC conducts annual training modules for our commercial growers. Each contracted commercial grower receives regular visits throughout the season. Commercial growers also

receive an ALP information pack which details their responsibilities, legislation and general information.

10. Has AOI identified or received any reports of child labor or other labor concerns on tobacco farms supplying tobacco to AOI affiliates and suppliers in Zimbabwe in 2015, 2016, or 2017? If so, what actions has AOI taken?

As previously mentioned, MTC introduced the ALP Principles to its contracted growers in 2013. Through farm visits and monitoring, regular training, and our school programs, MTC analyzed data to determine improvements to its ALP Program implementation.

In the case of an MTC Leaf Technician noting a Child Labor incident on a farm, the leaf technician immediately intervenes to minimize risk and works with the grower to understand the root cause of the issue and develop an action plan. Depending on the situation, the grower and workers are re-trained on the Child Labor Principles. Any reoccurring or unresolved issues during subsequent visits are referred to senior MTC management for follow-up and resolution. Any Forced Labor Incidents noted on a farm are elevated and followed up by senior extension staff and resolved through training or clarification with the grower and workers. Each of these incidents and follow-up actions is recorded in GMS for full management visibility. In the case of recurring violations or if a resolution is not able to be agreed upon, the grower's contract is terminated.

11. What steps will AOI take to publicize in comprehensive and verifiable forms the findings of its human rights due to diligence procedures, in order to ensure transparency, an essential component of meaningful human rights due diligence, as specified under the UN Guiding Principles on Business and Human Rights?

Alliance One began publishing sustainability reports in 2013, demonstrating our Company's commitment to transparency and publicly sharing the results of our sustainability programs. We are transitioning to reporting in accordance with Global Reporting Initiative (GRI) standards and a report reflecting our progress since 2015 will be published in the coming months. The report will include excerpts from independent third-party audits of our ALP program. The Company is also planning to produce an ALP progress report in the future, which will provide a deeper examination into the progress made with regards to ALP implementation worldwide.

Alliance One's ALP program implementation is regularly assessed by independent, external third-party organizations so that we can evaluate progress thus far and build action plans to continue driving improvements. These audits include transparent reporting.

The Company is committed to engaging with and sharing information with external stakeholders to drive progress and provide details of the work that is being done worldwide, as evidenced by our meeting with Human Rights Watch in March 2016 regarding our efforts to reduce child labor in tobacco production in Indonesia.

12. We would welcome any additional information AOI would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

AOI's and MTC's policies commit to the elimination of Child Labor and Forced Labor and adherence to the ALP Program. MTC carries out numerous wide-ranging initiatives in an effort to ensure the protection of labor rights on the farm and achieving its committed goals as determined by risk assessments.

Contractual obligations with MTC's contracted growers clearly set forth in grower's responsibilities, and the requirements related to the ALP program. MTC's training programs, which are open to all growers, their spouses, and workers, update growers on the best practices to allow them to produce the highest yielding, best quality crop which will result in the highest return while producing it in a sustainable manner in line with the ALP Principles. MTC believes that growers achieving a sustainable net profit margin are at lower risk of using child labor and as a result, are less likely to employ child labor on the farm. They will also be more likely to afford to send their children to school. In addition to helping contracted growers improve their profitability, MTC provides loans in the form of a bank transfer to growers at peak labor demand periods throughout the season, to assist with hiring labor and allowing for the fair remuneration of labor and the reduction of child labor.

Trained MTC staff visit all contracted farms an average of 16 times through the season, reinforcing the training and best practices and helping to resolve any areas of concern noted on the farm. These visits are in the format of both unannounced and planned visits, whereby farmers will receive no notification that MTC staff will be visiting the farm. Supporting these visits, the annually updated Farmer Record Book contains all the information to support the grower and extension staff in training on ALP Principles, inclusive of details of National Labor Regulations. Contracted small-scale growers also receive t-shirts displaying the ALP Principles to assist with the grower training.

MTC supports school programs such as our One Child One Tree project, which provides school children at 18 selected schools tree seedlings and inputs, and the safe agronomic training associated with raising these seedlings to maturity. To date, 20,113 school children have participated in this program, which equates to the same number of trees planted. MTC also provides Rain Water Harvesting to four selected schools within our growing areas, which provides clean water for the school children to assist with health and hygiene. MTC's relationship with these schools and the local community allows us to improve our training on ALP Principles within these areas, as well as increases school attendance and awareness.

MTC additionally conducts trials, such as a drip irrigation project, which aim to reduce the labor demands and the required labor days per farm, as well as the tasks that are potentially hazardous for workers to perform. These projects also aim at increasing the grower's net profit margin.

The provision of personal protective equipment (PPE) within the MTC contracted grower's loan package assists with the safe handling of chemicals on the farm, as well as providing a safe storage container for the chemicals while in use. The safe storage container has a childproof lid and a hazardous symbol on the exterior to prevent unauthorized use.

Starting in 2013, MTC rolled out an initiative of including Buying Centers within its main growing regions, which has multiple benefits such as allowing the growers to travel a shorter distance to market their tobacco, allowing them to spend more time on their farms and having an increase in their net profit margin due to reduced logistics. The growers spending less time away from their farms also reduce their need for labor and decrease their chances of child labor being used on the farm.

MTC is committed to working with growers to ensure they have the resources they need to support their families. At the beginning of the buying season, which coincides with the start of the school term, MTC enables the grower to retain a percentage of their tobacco sales for those growers who have not completed paying their loan account with MTC. This enables the grower to pay their labor a fair return and for him/her to pay for school fees, purchase books and uniforms for his/her children. This mitigates the risk of child labor and enables the children of both the farmer and his/her labor to attend school.

Conclusion

Alliance One takes the findings in your report very seriously. As evidenced by our multiple programs aimed at mitigating child labor issues, ongoing awareness initiatives and education for contracted growers, we are actively working to eliminate child labor and other labor abuses within our supply chain. While we are making progress on this issue, there are still many challenges that remain and we look forward to future discussions with Human Rights Watch as we work together to achieve our shared objective.

While child labor often results from multiple factors, our longstanding commitment to eliminate child labor from our supply chain remains. Alliance One and its subsidiaries will continue the approaches that have shown the greatest success. We will also explore and develop initiatives that may provide further positive outcomes.

Annex B


Mashonaland Tobacco Company (MTC) supporting
material

Training Literature


1. Farmer Record Book Extracts, 2017

agricultural labour practices


CHILD LABOUR




SAFE WORK ENVIRONMENT




FORCED LABOUR




FREEDOM OF ASSOCIATION




COMPLIANCE WITH THE LAW



INCOME AND WORKING HOURS



FAIR TREATMENT



NEAREST CLINIC

CLINIC NUMBER

agricultural labour practices

CHILD LABOUR
 There shall be no child labour in tobacco production.
 Child Labour is work for which the child is too young to perform.
 No child below 18 years should perform hazardous work on tobacco.

School Attendance

- Children should attend school, until they finish Primary School by law
- Any work carried out by children should not interfere with their education

Family Children

- Family children are the farmers children
- Family children below 14 years should not work on tobacco
- Family children between 14 and 17 years can only carry out **non-hazardous** work on their family farm
- Family children should be trained in the tasks they are performing
- Work should not interfere with a child's education or be mentally, physically, socially or morally harmful to the child, and children should not work at night

Employment of Children

- Farmers cannot employ workers below 18 years of age
- Farmers should check the age of all workers to ensure they are 18 years or above and keep records
- Workers below 18 years can only carry out **non-hazardous** work on tobacco
- All workers should be trained in the tasks they are performing

HAZARDOUS TASKS	NON-HAZARDOUS TASKS
Handling green tobacco	Domestic tasks
Handling tobacco in poor light and ventilation	Planting trees
Handling/Applying CPAs or fertilizers	Watering seedbeds
Curing and Exposure to extreme temperatures	
Working at heights	
Working with dangerous or sharp machinery and tools	
Tying or stringing tobacco	
Packing and sewing bales	
Driving an ox/donkey cart	
Lifting heavy loads	

CONFIRMATION OF TRAINING Farmer Sign: _____ LT Sign: _____

26
27

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

J. Pieter Sikkel
President and Chief Executive Officer
Alliance One International, Inc.
8001 Aerial Center Parkway
Post Office Box 2009
Morrisville, NC 27560-2009



CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concordel
Marie Concordel
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatkin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Sikkel,

We are writing to follow up on our communications with you regarding Human Rights Watch's research on child labor and human rights abuses on tobacco farms in Zimbabwe. Thank you for your letter of September 28, 2017. We appreciate the constructive dialogue with Alliance One International (AOI) and the opportunity to learn more about your policies and practices with respect to human rights due diligence.

We are writing now to update you on our next steps and share with you some initial recommendations that will be included in our report.

Over the last few months, we have written to 15 tobacco companies regarding human rights due diligence policies and practices in the tobacco industry in Zimbabwe. We have received responses from 13 companies. We have had constructive discussions with some company executives about their approaches to human rights in the supply chain. We also wrote to several government offices.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give AOI the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding the company's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope AOI will carefully consider these recommendations.

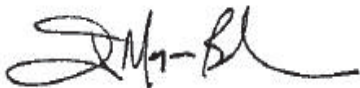
Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We appreciate our engagement with you on these issues, and look forward to discussing them with you further.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Camille Bagwell, Corporate Communications Manager, Alliance One International
Jennifer Bailey, Corporate Communications & Compliance Manager, Alliance One International
Gary Foote, Corporate Sustainability Manager, Alliance One International
Kenneth Langley, Managing Director, Mashonaland Tobacco Company

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasi Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

August 31, 2017

Martin Barrington
Chairman, CEO, and President
Altria Group
6601 W Broad St
Richmond, VA 23230



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Barrington,

We are grateful for the dialogue we have had with Altria Group regarding child labor and other labor concerns in tobacco farming in recent years. We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe.

If Altria Group purchases tobacco from Zimbabwe, including through its operating companies, affiliates, or suppliers, we would welcome your response to the questions below. We would be grateful for a response by September 25, 2017.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. This letter summarizes our findings.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers and other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, some companies' failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, and closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and if Altria Group is purchasing tobacco from Zimbabwe, including through its operating companies, affiliates, or suppliers, we would hope to reflect relevant information about Altria Group's human rights policies and practices in our report. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing

1. Does Altria Group purchase tobacco from Zimbabwe, either directly or through operating companies, affiliates, or suppliers? If so, we would be grateful to receive brief data on Altria Group's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of Altria Group's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is Altria Group's market share in Zimbabwe?
4. Does Altria Group or its operating companies, affiliates, or suppliers contract directly with tobacco farmers or groups of farmers in Zimbabwe?
 - a. If so, how many farmers were contracted with Altria Group's operating companies, affiliates, or suppliers in 2015, 2016, and 2017, and in which provinces?
 - b. What proportion of the total tobacco purchased from Zimbabwe by Altria Group in 2015, 2016, and 2017 was purchased from contracted growers?
 - c. Could Altria Group share a copy of a sample contract used by its operating companies, affiliates, or suppliers?
5. Does Altria Group or its operating companies, affiliates, or suppliers purchase tobacco from auction floors in Zimbabwe?
 - a. If so, what proportion of the total tobacco purchased from Zimbabwe by Altria Group in 2015, 2016, and 2017 was purchased through this system?

Child Labor

Through our previous correspondence with Altria Group, we are familiar with the child labor requirements the company includes in contracts with tobacco growers in the United States. We have also read the Supplier Code of Conduct available on Altria's website. Your November 2015 letter to Human Rights Watch stated, "Our suppliers of offshore tobacco are expected to have programs in place that support compliance with the minimum age requirements prescribed by applicable laws or the International Labor Conventions, whichever is higher."

6. What programs are in place to support compliance with the minimum age requirements among suppliers and others in Zimbabwe? Do these programs differ from programs in the US and other markets? We would be grateful for details about these programs.
7. Does Altria Group have an agricultural labor policy or other set of standards that apply to all operating companies, affiliates, or suppliers across geographies and markets? If not, how does Altria ensure consistency of child labor and labor protections in its global supply chain?
8. Does Altria Group have a standard definition for "hazardous work" which it requires all suppliers and others to adhere to? If so, what specific tasks are children under the age of 18 permitted to perform on farms supplying Altria Group, and at what ages?
9. Has Altria Group identified or received any reports of child labor on tobacco farms supplying the company in Zimbabwe in 2015, 2016, or 2017? If so, what actions has Altria Group taken?
10. If any tobacco leaf purchased by Altria from Zimbabwe comes through auction floor purchases, how does Altria Group address child labor and other labor rights protections among growers selling tobacco leaf on auction floors?
11. We would welcome any additional information Altria Group would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor in tobacco farming in Zimbabwe.

Labor Rights & Health and Safety

We understand from our previous correspondence that Altria Group uses the Tobacco Good Agricultural Practices (GAP) Program requirements regarding labor rights and health and safety on US farms. We are interested to learn more about Altria Group's specific policies on farms outside of the US.

12. What is Altria Group's policy regarding working hours, pay, overtime work, and breaks for hired workers on tobacco farms in countries outside of the US? How does Altria Group communicate its standards and expectations regarding labor rights to growers and suppliers, including growers who may be selling tobacco leaf on auction floors?
13. What is Altria Group's policy on freedom of association and collective bargaining rights for workers on tobacco farms outside of the US?
14. What steps does Altria Group take to protect tobacco farmers, their families, and hired workers in its global supply chain from nicotine poisoning or Green Tobacco Sickness? How does Altria Group ensure workers in the supply chain are informed about the risks of nicotine poisoning or Green Tobacco Sickness?
15. What policies does Altria Group have in place regarding handling and applying pesticides, disposal of pesticide containers, as well as the proximity of workers on tobacco farms in its global supply chain to active spraying of pesticides or other hazardous chemicals? How does Altria Group monitor the implementation of these policies? How does Altria Group ensure workers in the supply chain are informed about the risks of pesticide exposure?
16. What is Altria Group's policy concerning provision of personal protective equipment (PPE) to tobacco growers and workers in its global supply chain?

Monitoring and Human Rights Due Diligence

17. How does Altria Group monitor for child labor, labor rights abuses, health and safety violations, or other human rights problems in countries outside of the US?
18. What due diligence policies and procedures does Altria Group have in place to identify, prevent, mitigate, and account for possible impacts of your company or operating companies, affiliates, or suppliers on human rights, including child labor and labor rights?
19. How does Altria Group publish in comprehensive and verifiable ways the results of its human rights monitoring, a key component of effective human rights due diligence, as detailed in the United Nations Guiding Principles on Business and Human Rights?

http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

We would welcome a formal response to this letter by September 25, 2017. In addition, we would welcome the opportunity to meet again with representatives of Altria Group to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857 with your response to these requests.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Linwood Sykes, Director, Leaf Procurement



Altria
Altria Client Services

September 11, 2017

Margaret Wurth
Researcher, Children's Rights Division
Human Rights Watch
350 5th Ave, 34th Floor
New York, NY 10118

Dear Margaret,

Thank you for your letter dated August 31, 2017 to Martin J. Barrington regarding your recent child labor research on tobacco farms in Zimbabwe.

Altria's operating companies did not procure leaf tobacco from Zimbabwe either directly or indirectly during the years covered in your research, nor do they currently procure leaf tobacco from Zimbabwe.

As previously discussed, Altria's operating companies' offshore tobacco procurement activities are executed through third-party leaf suppliers. We require these suppliers to have programs in place that support compliance with our contracts and a third-party audit firm assesses these programs on a biennial basis.

Please refer to Altria's Supply Chain Responsibility section on our website for further details.

<http://www.altria.com/Responsibility/Supply-Chain-Responsibility/Pages/default.aspx?src=topnav>

Sincerely,

Linwood Sykes
Director, Leaf Procurement

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

August 14, 2017

Ken Machini
Director
Boost Africa Traders (Pvt) Ltd.
4 Northend Road
Highlands, Harare
Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Machini,

We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We plan to publish our research in a report in the coming months.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with representatives of some of the world's largest tobacco companies about their policies and practices for respecting human rights and addressing abuses in their global supply chains. Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. This letter summarizes our findings and includes several questions regarding Boost Africa's human rights policies and practices. We would be grateful for a response to these questions by September 18, 2017, so that we can ensure our reporting is thorough and objective.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with Boost Africa or other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children.

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*

Nicholas Dawes, *Media*

Iain Levine, *Program*

Chuck Lustig, *Operations*

Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*

Dinah PoKempner, *General Counsel*

James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*

Daniel Bekele, *Africa*

Maria McFarland Sánchez-Moreno, *United States*

Alison Parker, *United States*

José Miguel Vivanco, *Americas*

Sarah Leah Whitson, *Middle East and North Africa*

Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*

Peter Bouckaert, *Emergencies*

Zama Neff, *Children's Rights*

Richard Dicker, *International Justice*

Bill Frelick, *Refugees' Rights*

Arvind Ganesan, *Business and Human Rights*

Liesl Gernholtz, *Women's Rights*

Steve Goose, *Arms*

Diederik Lohman, *acting, Health and Human Rights*

Marcos Orellana, *Environment and Human Rights*

Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*

Louis Charbonneau, *United Nations, New York*

Kanae Doi, *Japan*

John Fisher, *United Nations, Geneva*

Meenakshi Ganguly, *South Asia*

Bénédicte Jeannerod, *France*

Lotte Leicht, *European Union*

Sarah Margon, *Washington, DC*

David Mepham, *United Kingdom*

Wenzel Michalski, *Germany*

Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*

Robert Kissane, *Co-Chair*

Michael Fisch, *Vice-Chair*

Oki Matsumoto, *Vice-Chair*

Amy Rao, *Vice-Chair*

Amy Towers, *Vice-Chair*

Catherine Zennström, *Vice-Chair*

Michael Fisch, *Treasurer*

Bruce Rabb, *Secretary*

Karen Herskovitz Ackman

Akwasi Aidoo

Jorge Castañeda

Michael E. Gellert

Leslie Gilbert-Lurie

Paul Gray

Betsy Karel

David Lakhdir

Kimberly Marteau Emerson

Alicia Miñana

Joan R. Platt

Neil Rimer

Shelley Frost Rubin

Ambassador Robin Sanders

Jean-Louis Servan-Schreiber

Sidney Sheinberg

Bruce Simpson

Joseph Skrzyński

Donna Slaight

Siri Stolt-Nielsen

Darian W. Swig

Makoto Takano

Marie Warburg

Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems, including on some farms supplying Boost Africa.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies, including Boost Africa, reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We are interested to learn more about Boost Africa's activities in Zimbabwe. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing

1. Does Boost Africa purchase tobacco from Zimbabwe, either directly or through subsidiaries or suppliers? If so, we would be grateful to receive brief data on Boost Africa's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of Boost Africa's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is Boost Africa's market share in Zimbabwe?
4. Does Boost Africa or its subsidiaries or suppliers contract directly with tobacco farmers or groups of farmers in Zimbabwe?
 - a. If so, how many farmers were contracted with Boost Africa in 2015, 2016, and 2017, and in which provinces?
 - b. What proportion of the total tobacco purchased by Boost Africa in 2015, 2016, and 2017 was purchased from contracted growers?
 - c. Could Boost Africa share a copy of a sample contract?
 - d. Does Boost Africa have a policy regarding the provision of copies of signed contracts to signatories?
5. Does Boost Africa or its subsidiaries or suppliers purchase tobacco from auction floors in Zimbabwe?
 - a. If so, which auction floors? What proportion of the total tobacco purchased by Boost Africa in 2015, 2016, and 2017 was purchased through this system?
 - b. What actions does Boost Africa take to verify that the sellers on auction floors meet the requirements under the company's human rights policies?

Child Labor

6. What is Boost Africa's policy regarding child labor in the supply chain? What specific tasks are children under the age of 18 permitted to perform, and at what ages? How does Boost Africa define "hazardous work"?
7. How does Boost Africa communicate its standards and expectations regarding child labor to growers and suppliers, including growers who may be selling tobacco leaf to Boost Africa on auction floors?
8. Has Boost Africa identified or received any reports of child labor on tobacco farms supplying tobacco to Boost Africa in Zimbabwe in 2015, 2016, or 2017? If so, what actions has Boost Africa taken?
9. We would welcome any additional information Boost Africa would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor in tobacco farming in Zimbabwe.

Labor Rights

10. What is Boost Africa's policy regarding working hours, pay, overtime work, and breaks for hired workers on tobacco farms in the supply chain? How does Boost Africa communicate its standards and expectations regarding labor rights to growers and suppliers, including growers who may be selling tobacco leaf to Boost Africa on auction floors?
11. What is Boost Africa's policy on freedom of association and collective bargaining rights for workers?

Health and Safety

12. What steps does Boost Africa take to protect tobacco farmers, their families, and hired workers in its supply chain from nicotine poisoning or Green Tobacco Sickness? How does Boost Africa ensure workers in the supply chain are informed about the risks of nicotine poisoning or Green Tobacco Sickness?
13. What policies does Boost Africa have in place regarding handling and applying pesticides, disposal of pesticide containers, as well as the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals? How does Boost Africa monitor the implementation of these policies? How does Boost Africa ensure workers in the supply chain are informed about the risks of pesticide exposure?

Monitoring and Human Rights Due Diligence

14. How does Boost Africa monitor for child labor, labor rights abuses, health and safety violations, or other human rights problems in the supply chain?
15. What due diligence policies and procedures does Boost Africa have in place to identify, prevent, mitigate, and account for possible impacts of your company or your suppliers on human rights, including child labor and labor rights?
16. How does Boost Africa ensure that all your suppliers are using rigorous human rights due diligence measures?

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect Boost Africa's policies and procedures in our report. To that end, we would welcome a formal response to this letter by September 18, 2017.

In addition, we would welcome the opportunity to meet with representatives of Boost Africa to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

Kennedy Machini
Managing Director
Boostafrica Traders
157, 2nd Street Extension, Cnr Maasdorp Ave, Belgravia
Harare
Zimbabwe



CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concorde
Marie Concorde
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatkin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Machini,

Thank you for your letter of August 18, 2017. We note that your letter requests that the document and information provided be kept confidential. We are writing today to ask that we be allowed to publish the information provided in the letter. We believe that publishing relevant information provided by Boostafrica is important to reflect the policies and measures that Boostafrica is taking in light of Human Rights Watch's research and findings on child labor and other labor concerns in Zimbabwe.

As you may know, Human Rights Watch documents human rights abuses around the world based on an institutional methodology consistent with our mandate to promote respect for human dignity and equality. We collect information, primarily through interviews with victims and witnesses of human rights abuses and analyze this information from the perspective of national and international human rights law and standards. We then publish reports with our findings.

We typically correspond with governments and private actors in advance of our reporting to share our findings, ask questions about relevant policy and practice, and seek to include a formal response in our reporting. Essential to our reporting is to reflect accurately the different elements and perspectives of the particular issue which we are researching.

With our research in Zimbabwe, this includes the perspective of government of Zimbabwe as well as companies purchasing tobacco in Zimbabwe. We will be publishing information provided by 10 other tobacco companies on their respective labor policies, training, and implementation, based on their responses to letters very similar to the one we sent to Boostafrica. We would welcome the opportunity to publish information to accurately reflect Boostafrica's position as well.

We also write to update you on our next steps and share with you some initial recommendations that will be included in our report.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give Boostafrica the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding Boostafrica's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope Boostafrica will carefully consider these recommendations.

Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

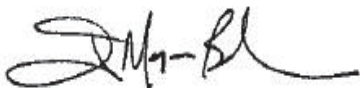
- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We welcome your reply by January 5, 2018. Should you have any questions, please do not hesitate to let us know.

Best regards,

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasi Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

August 16, 2017

Nicandro Durante
Chief Executive
British American Tobacco p.l.c.
Globe House
4 Temple Place
London WC2R 2PG
United Kingdom

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Durante,

We are grateful for the sustained dialogue we have had with British American Tobacco (BAT) regarding child labor and other labor concerns in tobacco farming in several countries. We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe.

We would welcome your response to the questions below, including information concerning the Sustainable Tobacco Programme (STP) requirements and monitoring. We would be grateful for a response by September 18, 2017.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.



HRW.org

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the

contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about BAT's purchasing of tobacco in Zimbabwe and BAT's implementation of human rights due diligence. We are interested to learn more about BAT's purchasing of tobacco in Zimbabwe. We would also welcome more information regarding the current implementation of the STP program. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing

1. Does BAT purchase tobacco from Zimbabwe, either directly or through affiliates or suppliers? If so, we would be grateful to receive brief data on BAT's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of BAT's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is BAT's market share in Zimbabwe?
4. Does BAT or any of its affiliates or suppliers contract directly with tobacco farmers or groups of farmers in Zimbabwe?
 - a. If so, how many farmers were contracted with BAT, its affiliates or suppliers in 2015, 2016, and 2017, and in which provinces?
 - b. What proportion of the total tobacco purchased by BAT in 2015, 2016, and 2017 was purchased from growers contracted with BAT affiliates or suppliers?
 - c. Could BAT share a copy of a sample contract used by affiliates or suppliers?
5. What proportion of the total tobacco purchased BAT in 2015, 2016, and 2017 was purchased at auction through affiliates or suppliers?

Child Labor and Labor Rights

6. We are aware that BAT previously used the Social Responsibility in Tobacco Production (SRTP) program to specify requirements for child labor and labor rights. We understand that in 2016 BAT replaced the SRTP and now "conduct[s] due diligence on our tobacco leaf supply chain through the Sustainable Tobacco Programme (STP), which assesses and monitors suppliers' performance in meeting industry-wide standards."
 - a. We would welcome detailed information about the key changes under the STP program concerning child labor, including: the definition of hazardous work, the minimum age for work; requirements for handling and storage of pesticides, as well as other human rights and labor rights concerns.
 - b. We would also welcome information about the current requirements under the STP for working hours, wages, and overtime; provision of contracts to workers and growers; information on and protection from nicotine poisoning or Green Tobacco Sickness; and provision of personal protective equipment (PPE) to growers and workers.
 - c. We would also welcome detailed information about the current implementation of this program globally.
 - d. How has BAT's human rights due diligence changed with the revisions to the STP program?

7. We would also welcome more information regarding the implementation of the STP program in Zimbabwe specifically:
 - a. What are the specific results of SRTP/STP suppliers' self-assessments in 2015, 2016, and 2017 with respect to child labor and labor rights?
 - b. When was the last independent on-site SRTP/STP review (AB Sustain audit) for Zimbabwe, and what were its results? When will the next STP review take place?
 - c. Aside from any AB Sustain audits in Zimbabwe, has BAT taken any other measures to monitor implementation of STP requirements in Zimbabwe?
 - d. Through the SRTP/STP program or by other means has BAT identified or received any reports of child labor on tobacco farms supplying tobacco to BAT in Zimbabwe in 2015, 2016, or 2017? If so, what actions has BAT taken?
 - e. What actions does BAT take, through the STP program or by other means, to verify that the sellers on auction floors meet the requirements under the company's human rights policies?

8. We understand from our 2016 correspondence that BAT disclosed the scores of SRTP self-assessments, but did not disclose any further detail on the content of self-assessments and also did not publish the results of AB Sustain's independent audits, and had "no current plans to extend this reporting." Have there been any changes to BAT's policy regarding public reporting on supply chain monitoring? What steps will BAT take to publicize in comprehensive and verifiable forms the findings of the STP reviews of Zimbabwe and other countries, as well as other information regarding BAT's human rights due diligence procedures, in order to ensure transparency, an essential component of meaningful human rights due diligence, as specified under the UN Guiding Principles on Business and Human Rights?

We would welcome any additional information BAT would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe. We would welcome a written response to this letter by September 18, 2017.

In addition, we would welcome the opportunity to meet again with representatives of BAT to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857 with your response to these requests.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Jennie Galbraith, Head of Sustainability & Reputation Management, British American Tobacco
Simon Cleverly, Group Head of Corporate Affairs, British American Tobacco
Ben Guest, Project Manager, British American Tobacco

14 September 2017

Ms Jane Buchanan and Mr Dewa Mavhinga
Children's Rights Division
Human Rights Watch
350 Fifth Avenue
34th floor
New York
NY 10118-3299
USA

Dear Ms Buchanan and Mr Mavhinga,

Thank you for your letter dated 16 August 2017, addressed to our Chief Executive regarding issues pertaining to human rights abuses in Zimbabwe. I am responding in my capacity as Head of Sustainability for British American Tobacco (BAT).

I note with concern the preliminary findings from your research into labour practices in tobacco farming in Zimbabwe.

As we have previously communicated to Human Rights Watch (HRW), any alleged incidences of child labour or any other labour rights abuses are clearly concerning. We understand there may be issues around confidentiality but if you are able to identify any specific farms that are likely to supply BAT and where alleged incidences have taken place we will immediately investigate and where needed, take remedial action.

In the interim, I can provide you with the detail you requested on our leaf supply chain in Zimbabwe as well as on our approach to child labour and labour rights via the industry-wide Sustainable Tobacco Programme (STP) and detail of BAT-specific initiatives.

BAT leaf purchases in Zimbabwe

In 2017, BAT purchased more than 27m kgs of tobacco from Zimbabwe; principally from Northern Tobacco with smaller volume coming from the two global leaf dealers Universal Leaf Tobacco & Alliance One.

Table 1: Volume Leaf Purchased (kgs)

Vendor Name	2015	2016	2017
Northern Tobacco (Private) Limited	23,692,800	23,405,580	21,742,760
Alliance One			1,156,800
Universal Leaf Tobacco		2,559,120	4,276,440

100% of the leaf purchased by BAT is sourced from directly contracted farmers and none is purchased at auction. In 2017 this represented 6% of all leaf purchased by the BAT Group. I am unable to disclose our market share in Zimbabwe for commercial reasons.

Table 2 (below) outlines the information Northern Tobacco has provided on the number of farmers with whom they contract directly, broken down by region. As the contracting relationship lies solely between Northern Tobacco and the Farmers I would ask that you revert to Northern Tobacco to obtain copies of the contracts.

Table 2: Number of farmers

	2015	2016	2017
Harare	1	2	3
Mash West	1113	765	805
Mash Central	317	97	116
Mash East	387	128	191

Sustainable Tobacco Programme - a global approach

Recognising the inherent challenges presented by child labour within an agricultural supply chain, BAT has had a Social Responsibility in Tobacco Production (SRTP) programme in place since 2000. Over time this was shared and utilized by most of the tobacco industry. In the interests of continual improvement and in recognition of evolving standards and expectations, AB Sustain facilitated a pan-industry committee – of which were an active participant – to revise the SRTP methodology scope, content and measurement. As a result of the work of this committee, a revised and updated industry-wide version of SRTP, known as Sustainable Tobacco Production (STP), was introduced during 2016.

The focus of STP has evolved to be more evidence and risk based with a revised scoring methodology; improved governance requirements; enhanced guidance and tools; and identification of prompt action issues. The on-site review process has also shortened to a three-year cycle. It also requires that the Suppliers consider their entire farmer base when looking at monitoring rather than just a sample and requests data to support the scores provided in the self-assessment (whereas SRTP allowed for sampling methodology to be used).

The most significant changes in STP compared to SRTP are in the sections relating to Labour Rights and Child Labour prevention practices and all the new content continues to reflect the International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work and other relevant ILO conventions. Numerous other (non-labour related) sections have also been updated, including CPA record keeping and disposal. The STP Agronomy Guide now operates under 35 guiding principles, and the areas you mention are generally covered in the People Pillar, which encompasses

- Child labour
- Forced labour
- Safe working environment
- Fair treatment
- Freedom of association
- Income, work hours and benefits
- Compliance

The precise requirements of STP for the areas you outline in your letter are lengthy so I have included them in an appendix to this letter. We would be happy to talk through them in detail when we meet in person.

STP application and monitoring in the Zimbabwean leaf supply chain

Northern Tobacco last underwent an on-site review by AB Sustain under the SRTP programme in 2015, achieving an overall Agronomy score of 51% and a score of 50% in the People Pillar under which child labour and other labour issues are reviewed. Many of the findings were around the need to improve documentation and data for the Agronomy and Social Development Sections. As with all on-site and self-assessments, an action plan was generated and the company responded to the findings.

In 2016 Northern Tobacco completed the annual self-assessment for the new STP, achieving an overall Agronomy score of 62%, with a score of 89% for the People Pillar. The current Zimbabwe Action Plan from the 2016 self-assessment includes areas of procedural change including a recommendation to undertake further unannounced audits; farmer training, monitoring and spot-checks.

The 2017 STP Northern Tobacco self-assessment is currently underway.

Northern Tobacco are scheduled for an on-site AB Sustain review in April 2018. However, given the seriousness of the outcomes of your research we are examining whether a separate assessment is necessary.

We have not received any reports from Northern Tobacco or otherwise, of child labour on tobacco farms supplying BAT in Zimbabwe.

The self-assessment and onsite audit review process for STP is the overall industry wide monitoring framework for tobacco growing practices, however all leaf suppliers also conduct ongoing due-diligence and other activities to ensure the principles and standards of STP are embedded across their operations. Northern Tobacco is no exception to this and we understand they conduct a number of activities including but not limited to:

- Distribution of a Best Practices and Agricultural Labour Practices booklet to all commercial growers. The booklet reflects all the criteria of the STP and all relevant local legal requirements;
- Training the Northern Tobacco Agronomists and Field Technicians on the requirements of STP, who in turn train contracted farmers. Additional training on Health and Safety and Wealth management has been developed and is scheduled for delivery by the end of 2017;
- Ongoing monitoring of farming practices throughout the growing season via documented questionnaires; and
- Records management procedures that farmers are required to complete regarding chemical and fertilizer application and personal protective equipment issue.

Disclosure of STP results.

We do not currently disclose any further detail than the scores we publish as part of our annual sustainability report and on bat.com and have no current plans to extend this reporting. Many of our suppliers are independent businesses and to publicly disclose scores associated with their performance, either positive or negative, is not appropriate, particularly as public disclosure of company-specific scores is not part of the agreement under which we operate the STP programme.

We operate on the principle of continuous improvement and believe that our current approach – one of working in close partnership with suppliers and farmers to ensure the highest social, environmental and agronomy standards - is one that delivers the best results for all parties involved.

Whilst we are unable to disclose further breakdown in scores without the full agreement of the rest of the industry that participate in the programme, increased transparency around STP outcomes is something we will encourage as part of our participation in the industry working group.

We appreciate that transparency around our approach to sustainable agriculture and more specifically, around the work we do to mitigate the inherent human rights risks inherent in any agricultural supply chain, is key to reassuring our stakeholders that we operate to internationally recognised standards. We are currently drafting a report, scheduled to be published in November 2017, that will further outline our approach to sustainable agriculture including:

- Details of a revised operational standard around our approach to preventing child labour in the tobacco supply chain;
- Details on our Sustainable Agriculture & Farmer Livelihoods (SAFL) programme including top-line data from our initial baseline assessments; and
- Our plans for enhanced and increased farm monitoring and the inclusion of real time data to support spot-checks and ongoing monitoring of human rights issues.

I hope the above information responds adequately to the questions posed in your letter. We would be more than happy to meet with you in person to discuss further the STP methodology and the findings of your research.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jennie Calbraith', with a stylized, wavy flourish at the end.

Jennie Calbraith
Head of Sustainability

HUMAN RIGHTS WATCH RESEARCH ON TOBACCO FARMS IN ZIMBABWE AUGUST 16, 2017

APPENDIX: STP REQUIREMENTS

Please find below an overview of the requirements of the STP programme in the areas of human and labour rights requested.

- Child Labour and Minimum Age for Work
- Hazardous Work
- Pesticides
- Working Hours
- Wages
- Overtime
- Contracts
- Green Tobacco Sickness
- PPE

These are contained within the STP Agronomy Guide which operates under 35 guiding principles. The human and labour rights areas, where further information is requested, are generally covered in the People Pillar sections below (although the exact terminology used in STP may be different).

- P2: Child labour – includes minimum age for work
- P4: Safe Working Environment – includes hazardous work, pesticides, PPE and GTS
- P7: Income, work hours and benefits – includes working hours, wages and overtime
- P8: Compliance – includes contracts
- G8: Governance Pillar – includes contracts

STP Child Labour and Hazardous Work

P2: The guiding principle is that there is no child labour. Child labour is work for which the child is too young. This means work that is mentally, physically, socially or morally harmful to children. Work that interferes with a child's schooling is also child labour. This is the case when the work deprives children of the opportunity to attend school, makes them leave school prematurely or requires children to try to combine school attendance and educational achievement with long hours and heavy work. The term 'child' means girls and boys of less than 18 years of age.

According to the ILO, not all work done by children should be seen as child labour. Children participating in light work, including help on the family farm, is generally regarded as appropriate, provided it does not affect their health and personal development or interfere with their school attendance or their participation in vocational orientation or training programmes. It is important to take into consideration the nature of the tasks that persons under 18 are doing and under what conditions.

Whether or not particular forms of 'work' can be called 'child labour' depends mostly on the child's age, the type and hours of work performed, the conditions under which it is performed and also the country's law. The basic framework for child labour has been defined in international conventions and can be summarised as below:

No person under 18 can perform **hazardous work**, which means any work which is likely to jeopardise a child's physical, mental or moral health, safety or morals. One of the worst forms of child labour, this is work that is inherently dangerous.

The Basic Minimum Age for employment in non-hazardous work should not be below the age for finishing compulsory schooling, and in any event, not less than 15 years (or the minimum employment age in the relevant country's law (whichever is higher).

Children of farmers between the ages of 13 and 15 years old or above the minimum age for light work as defined by the country's law, whichever affords greater protection, can do light work on their own family's farm, as long as it does not threaten their health and safety, or hinder their education or vocational orientation and training.

Children of farmers between the ages of 15 and 17 years old can do non-hazardous work on their own family's farm; they should not be below the age for finishing compulsory schooling, and in any event not less than 15 years (or the minimum age for work in the relevant country's law), whichever is higher.

What is ultimately defined as acceptable work for children varies from country to country, by tobacco type, the intensity of the work and agricultural practice, as well as among sectors within countries. "National governments define what is considered hazardous work through a tripartite process with employers' and workers' organisations and list the activities in "hazardous work lists". Companies may adopt policies that are more restrictive than these lists, but policies should never be more permissive than them.

P2.1 EMPLOYMENT OF CHILDREN ON FARM

There is no employment or recruitment of child labour. The minimum age for employment in non-hazardous work shall not be below the age for finishing compulsory schooling, and in any event, is not less than 15 years or the minimum employment age in the relevant country's law, whichever is higher.

- Farmers are aware of any regulatory requirements with regard to the recruitment and hiring of children
- Farmer are aware that the minimum age for admission to work should not be less than the age for the completion of compulsory schooling and, in any case, not less than 15 years of age or the minimum age provided by the country's laws, whichever is higher
- Farmers verify the ages of all people directly or indirectly recruited
- Where farmers are hiring workers who fulfil the minimum legal age requirements, but are below 18 years of age, the farmer is aware of any limits with regard to the hours and type of work that they can do

P2.2 EXPOSURE OF PEOPLE BELOW THE AGE OF 18 TO HAZARDS

No person below the age of 18 years old performs any type of hazardous work. Farmers are aware of any regulatory requirements with regard to the Exposure of People Below the age of 18 to Hazards. Children below the age of 18 years old should not undertake any dangerous or hazardous work. The Company assists its farmers in understanding what work is hazardous on their farms.

Hazardous work may include but is not limited to the following:

- Work which exposes children to physical, psychological or sexual abuse
- Work underground, underwater, at dangerous heights or in confined spaces
- Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads
- Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to extreme temperatures, noise levels or vibrations damaging to their health
- Work under particularly difficult conditions such as work for long hours or during the night—or work where the child is unreasonably confined to the premises of the employer/parent
- Physical contact with green tobacco leaves

When farmers employ a young worker under the age of 18, they need to demonstrate the steps taken to prevent them from engaging in hazardous work by:

- Clearly identifying the types of work and working situations they should not do/be in
- Stating in the contract, on posters or in other documents what types of work they should not do
- Ensuring that young workers have a good understanding of the type of work they should not do
- This Criteria applies to all people working on the farm, including family members.

Where the Company is able to confirm the farmers who are both not employing labour AND have no family children under the age of 18, the score should be based on applicable farmers only.

P2.3 CHILDREN ON FAMILY FARMS

CRITERIA: On family farms, a child may only help on his or her family's farm provided that the work is light work and that the child is between 13 and 15 years old or above the minimum age for light work as defined by the country's laws, whichever affords greater protection.

GUIDANCE: Farmers who involve their own children in part of the farm work, when the children are aged between 13 and 15 years old, should follow some basic rules:

- Any of the country's laws that may prohibit or limit such work are respected
- The work does not interfere with children's education
- The farmers' children are only given safe jobs to do that only involve light work
- The farmers' children are provided with PPE where necessary
- The farmer or another responsible adult is always present and supervising the child's work
- The work includes training, e.g. the child is learning how the family business works
- The farmers' children do not work at night
- There is a strict limit on the hours spent at work each day and week, so that the child has enough time for education (including the time needed for homework), for rest during the day and for leisure activities

Farmers need to keep copies of age documents and school attendance records of all the family children living or otherwise present on the farm

Farmers should know what work children should not do and be able to explain what kind of work their children do when they are helping on the farm

The recommended hourly limit for farmers' children aged 13-15 years old is at maximum 2 hours per day on school days and 14 hours per week for a school week. Farmers should ensure that their children attend school at least up to the minimum age for compulsory schooling required by law.

STP Crop Protection Agents (CPAs) [i.e. pesticides, GTS and PPE]

P4. SAFE WORKING ENVIRONMENT

GUIDING PRINCIPLE: Farmers provide a safe environment for their workers and family members working in tobacco to prevent accidents and injury and to minimise health risks.

P4.2 GREEN TOBACCO SICKNESS (GTS)

CRITERIA: Farmers do not permit people working at the farm (hired workers and/or family members) to top or harvest tobacco, or to load barns unless they have been trained in the avoidance of GTS.

GUIDANCE: Green Tobacco Sickness (GTS) is a potential risk to those working with the green tobacco plant. GTS is a form of nicotine poisoning that may be contracted by handling wet*, green tobacco leaves. The nicotine from the plant mixes with the moisture on the leaves, and then, upon contact, the nicotine is absorbed through the skin, causing acute nicotine poisoning and its associated symptoms.

Given the potential risk of GTS, people under 18, pregnant or breastfeeding women must not be involved in harvesting tobacco. Farmers should specifically:

- Educate people working at the farm about the causes and symptoms of GTS as well as about preventive measures
- Keep updated training records confirming that the people working at the farm involved in topping, harvesting and loading barns have received appropriate training on GTS
- Ensure that people working at the farm wear Personal Protective Equipment (PPE) to avoid skin exposure to the green leaf (e.g. long-sleeved shirts, gloves, and/or raingear)
- Advise people working at the farm to periodically change wet or tobacco-soaked clothes
- Limit harvesting work to less than seven hours a day, where possible
- When possible, restrict work to cooler, drier conditions and avoid fieldwork until leaves have dried after rain
- Allow fieldworkers to take breaks periodically
- Make drinking and clean water available to people working on the farm
- Ensure that people working at the farm wash their hands and body with warm soapy water after working with green tobacco

*The person harvesting the tobacco may contribute to making the tobacco wet through sweating; this should also be considered when assessing the likelihood of GTS occurring. GTS should be considered a risk for all tobacco types, including Oriental.

P4.3 SECURE STORAGE OF CROP PROTECTION AGENTS (CPAS)

CRITERIA: CPAs are stored in a lockable storage cabinet/cupboard and in a manner that prevents unauthorised access.

GUIDANCE: To demonstrate accordance with this Criteria, farmers should ensure that:

- CPAs are stored in accordance with the CPA manufacturers' recommendations
- CPAs are stored in a lockable storage cabinet/cupboard that prevents unauthorised access
- CPAs are stored in a manner that protects the environment in the event of spillage
- CPAs are not decanted into containers unless the decanted product is labelled correctly with all appropriate warnings and directions.
- Any redundant labels should be removed

Lockable storage requires a padlock or key fitting to ensure that only authorised personal may access the CPA locker.

P4.4 HANDLING AND USE OF CROP PROTECTION AGENTS (CPAS)

CRITERIA: No person working at the farm (hired workers and/or family members) is permitted to use, handle or apply CPAs or other hazardous substances such as fertilisers without having first received adequate training and without using the required personal protective equipment. Persons under the age of 18, pregnant women and nursing mothers must not handle or apply CPAs.

GUIDANCE:

- No person under the age of 18, pregnant women or nursing mothers can handle or apply CPAs
- Appropriate Personal Protective Equipment (PPE) should be provided to all individuals involved with the handling, storage and use of CPAs, and they are to be trained on how to use it appropriately
- CPAs should be used only in accordance with the manufacturer's written instructions and applicable regulations
- Only trained persons using PPE should handle or apply CPAs or other hazardous substances.

Training should include:

1. The appropriate use of CPAs with respect to dosage, time of application, application method, re-entry and preharvest intervals
2. Safe storage and handling of CPAs (CPA storage areas should be well ventilated. PPE and CPAs should be stored separately)

- Spraying equipment should be regularly checked and maintained in good condition.
- Leaking handheld or backpack sprayers should not be used to apply CPAs
- Safety training records for the handling and use of CPAs should be kept up-to-date
- Records should be kept for all CPA applications, confirming those who carried out the work

P4.5 RE-ENTRY TIMES AFTER CPA APPLICATION

CRITERIA: No people working at the farm (hired workers and/or family members) enter a field where CPAs have been applied, unless and until it is safe to do so.

GUIDANCE:

- Farmers should know the time interval between the application of any specific CPA to an area or crop and when people can go into that area without PPE
- The re-entry times set should be effective in protecting people (and animals) against poisoning by CPAs if they enter a treated area without PPE
- Re-entry times indicated on CPA manufacturer labels or product data sheets should be complied with as a minimum
- Signs (or other known markers) should be posted adjacent to sprayed areas warning people (including people working at the farm and members of the public) that spraying has occurred and indicating when it will be safe to enter the field without PPE

Income, Work Hours and Benefits for Workers

P7. INCOME, WORK HOURS AND BENEFITS FOR FARM WORKERS

GUIDING PRINCIPLE: Income earned during a pay period or growing season will always be enough to meet workers' basic needs and shall be of a sufficient level to enable the generation of discretionary income. Workers will not work excessive or illegal work hours.

Additional Guidance:

This Guiding Principle is applicable to farmers who employ labour. Where a proportion of the farmer base does not employ labour, the score should be based on applicable farmers only.

P7.1 WORKING HOURS

CRITERIA: Working Hours of workers are in compliance with the local laws. Excluding overtime, work hours do not exceed, on a regular basis, 48 hours per week.

GUIDANCE: Workers do not work excessive hours and meet any regulatory requirements with regard to Working Hours. Farmers should ensure that they manage their workers such that any national laws related to work hours are followed. Where the law does not specify Working Hours the farmer should ensure that:

- Acceptable limits are established for Working Hours, considering the need to have rest breaks and also proper rest and time for their own families
- Work hours, excluding overtime, do not exceed 48 hours per week on a regular basis
- Workers are provided with at least one day off in each seven-day period
- All contractors and sub-contractors are required to comply with all applicable labour regulations and ILO conventions with regard to Working Hours

Farmers should ensure that their contracts with workers clearly state the number of hours they expect them to work each week, and they should keep time records for each worker. The pay slip given to workers should also mention the number of hours or days worked so that workers can verify this for themselves. During peak harvest this might be exceeded for a limited time period, if permitted by the country's laws.

P7.2 WAGES

CRITERIA: Wages for all workers (including temporary, piece-rate, seasonal and migrant workers) meet, as a minimum, national legal standards or agricultural benchmark standards.

GUIDANCE: Farmers should meet any regulatory requirements with regard to wages for their workers. Farmers should be aware if there is:

- A national or regional minimum wage determined by law that applies to the sector
- Or a pay rate endorsed by the tobacco sector social partners (e.g. industry organizations, farmers' organizations and unions) or resulting from a collective bargaining agreement that applies to the sector.
- Or where neither of these exists an agricultural benchmark that should be met with regards to Wages for their workers
- For temporary workers, or where farmers pay workers for piecework, they must pay at least the hourly rate equivalent of the minimum wage. All workers need to have clear agreements on hours and Wages, even if they work for just one day.
- All contractors and sub-contractors are required to comply with all applicable labour regulations and ILO conventions with regard to Wages.
- Farmers should have documents showing each payment to the worker (e.g., an employee signature on a pay slip, a bank transfer slip or another written wage receipt system).
- Workers should sign or receive copies of pay slips in a form that they understand.

The legal minimum wage can act as a guide for fair payment when it is not set for agricultural labour by the country's law. When farmers hire a worker, they should be provided with written and understandable information about their Wages. Usually, such information will be part of the contract between the farmer and the worker.

The pay slip provides the worker with a record of payment for work performed over a specified period and at a given base rate. A pay slip should provide enough information to allow workers to determine whether they were paid the correct amount and were paid for all the hours that they worked. The pay slip serves as evidence that the farmer pays its workers correctly and on time, so it is an important record for both the farmer and the workers.

For piecework, farmers need to establish the reasonable time it will take a worker to complete the task and calculate the pay using the minimum wage, or other standard if higher.

Minimum wage rates are based on a regular work day (usually eight or nine hours), so piece-rate workers who have to work 10 hours to earn the daily equivalent of the daily minimum wage standard can be considered underpaid.

A good piece-rate system is one that establishes a clear and adequate rate for a task and provides adequate documentation of workers' output. Individual worker records should be kept, showing in detail the worker's individual piece-rate, the number of pieces made and overall earnings. Keeping complete and accurate records enables workers to understand how their earnings are calculated and helps the farmer manage the costs of the farm.

P7.3 REGULARITY OF PAYMENT

CRITERIA: Wages of all workers are paid regularly and, as a minimum, in accordance with the country's laws.

GUIDANCE:

Farmers should have regular paydays. Workers should be paid at least once per month and, at minimum, in line with the country's laws. Farmers should inform their workers about the timing of their paydays when hiring them. Single end-of-season payments are discouraged. However, if that is the voluntarily agreed pay arrangement between farmers and workers, and it is within the country's law, then detailed records must be kept by the farmer and verified by the worker. The contract must show that workers have the right to leave before the end of the season and how their final payments will be calculated in these circumstances. Farmers should have access to sufficient credit or have funds available to pay off workers before the final sale of the crop and honour their obligations.

P7.4 BENEFITS, HOLIDAYS AND LEAVE (TOBACCO TYPE)

CRITERIA: Workers are provided with the Benefits, Holidays and Leave to which they are entitled by the country's laws.

GUIDANCE: Farmers should be aware what Benefits, Holidays and Leave the workers are entitled to within the country's laws

Farmers should provide information (e.g. posters and hand-outs) to workers about such Benefits, Holidays and Leave Farmers' contracts with their workers should set out in detail what Benefits, Holiday and Leave they can expect All contractors and sub-contractors are required to comply with all applicable labour regulations and ILO conventions with regard to Benefits, Holidays and Leave

P7.5 OVERTIME WORK

CRITERIA: Overtime Work is voluntary and overtime wages are paid at a premium, as required by the country's laws or by any applicable collective agreement.

GUIDANCE: All applicable regulatory requirements with regard to Overtime Work should be met. Whenever farmers require workers to work overtime they should ensure that the work is voluntary and that they pay the premium rate that is defined in the country's law for these extra hours or by any applicable collective agreement.

If the law or collective agreement does not set a premium rate, it is up to the farmer to decide how to motivate workers through higher pay to gain commitment to working overtime.

In the contract, the farmer agrees with the worker that overtime hours may be required, being as specific as possible about the amount of overtime that may be needed (for example, if there will be weeks during the season that are especially busy this should be noted in the contract).

Whenever a special or unexpected need arises, farmers discuss and agree with the workers in advance (the sooner the better) on the extra hours needed on a given day or week.

Farmer payment records and the pay slips given to workers are the best way to demonstrate that a proper differential between the normal work hour rate and the premium rate has been paid.

STP Contracts

P8. COMPLIANCE WITH THE LAW

GUIDING PRINCIPLE: Farmers comply with all laws of their country relating to employment.

Additional Guidance:

This Guiding Principle is applicable to farmers who employ labour. Where a proportion of the farmer base does not employ labour, the score should be based on applicable farmers only.

P8.2 WRITTEN CONTRACTS FOR FARM WORKERS AND EMPLOYEE RECORDS

CRITERIA: Farmers and workers enter into written employment contracts when required by the country's laws and workers receive a copy of the contract.

GUIDANCE: The laws of many countries require that the terms and conditions of worker employment be put in writing and signed by both the employer and the worker.

There may also be special legal requirements that must be included in each contract. Details of the contract a farmer signs with a worker may also need to be registered or notified to a local labour or tax authority. Workers must receive a signed copy of their contract. Even if a contract is not required by law, it is very good practice that a contract should be in place with each worker so that the terms and conditions of their employment are clear to the farmer and the worker. Contracts should include clear information on the work to be performed, working hours, agreed salary and benefits they are entitled to. For all workers on the farm the farmer should keep a file with copies of documents that relate to their employment. This can include documents such as the contract, wage payment slips or copies of worker identity, the right to work in the country and confirmation of date of birth.

P8.3 TERMS AND CONDITIONS OF EMPLOYMENT

CRITERIA: The Terms and Conditions of Employment contracts should not contravene the countries laws.

GUIDANCE: At the time of recruitment, and at the time of hire, workers are provided with a written description outlining the work to be performed, working hours, wages to be paid, the period of employment and all legally mandated benefits. The laws of many countries require that the terms and conditions of worker employment be put in writing and signed by both the employer and worker. There may also be special legal requirements that must be included in each contract. Details of the contract a farmer signs with a worker may also need to be registered or notified to a local labour or tax authority. Workers must receive a signed copy of their contract.

Even if a contract is not required by law, it is very good practice that a contract should be in place with each worker so that the terms and conditions of their employment are clear to the farmer and the worker. For all workers on the farm the farmer should keep a file with copies of documents that relate to their employment. This can include documents such as the contract, wage payment slips or copies of worker identity, the right to work in the country and confirmation of date of birth.

Additional Guidance:

The terms and conditions of a contract, whether written or not, should be consistent with the requirements of the country's laws. For instance, if the law mandates that an employment contract can be terminated only with one month of advance notice, then it is not possible for the farmer to write into the contract with the worker a notice period of only two weeks.

G8. FARMER CONTRACTS (FROM GOVERNANCE SECTION)

The Company has contracts with farmers for tobacco growing that reflect the farmers' obligation to produce sustainable tobacco.

GUIDANCE: There should be a written contract in place between the Company and farmers with effect from the start of the tobacco growing season (either the start of seedling production or the purchase of seedlings from a third party).

The contract should include the farmers' agreement to produce sustainable tobacco while complying with the relevant Company documented procedures, policies and technical advice.

The Company should provide appropriate training and support to ensure that contracted farmers understand the Criteria of sustainable tobacco production and their contractual commitment to abide by those Criteria. There does not need to be a specific reference to the STP by name in the contract but the following key elements must be included in the farmer contract:

- Commitment to continuous improvement towards the achievement of sustainable tobacco production
- Compliance with Local and National Laws
- Avoidance of the worst forms of Child Labour
- Compliance with Fair Labour Practices
- Compliance with Safe Farm Practices
- Avoidance of Green Tobacco Sickness (GTS)
- Permission for the Company to undertake periodic assessments using the Company's own personnel or nominated third parties

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

Nicandro Durante
Chief Executive
British American Tobacco p.l.c.
Globe House
4 Temple Place
London WC2R 2PG
United Kingdom



CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concordel
Marie Concordel
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatkin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Durante,

We are writing to follow up on our communications with you regarding Human Rights Watch's research on child labor and human rights abuses on tobacco farms in Zimbabwe. Thank you for your letter of September 14, 2017. We appreciate the constructive dialogue with British American Tobacco (BAT) and the opportunity to learn more about your policies and practices with respect to human rights due diligence.

We are writing now to update you on our next steps and share with you some initial recommendations that will be included in our report.

Over the last few months, we have written to 15 tobacco companies regarding human rights due diligence policies and practices in the tobacco industry in Zimbabwe. We have received responses from 13 companies. We have had constructive discussions with some company executives about their approaches to human rights in the supply chain. We also wrote to several government offices.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give BAT the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding the company's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope BAT will carefully consider these recommendations.

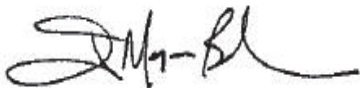
Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We appreciate our engagement with you on these issues, and look forward to discussing them with you further.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Jennie Galbraith, Head of Sustainability & Reputation Management, British American Tobacco
Simon Cleverly, Group Head of Corporate Affairs, British American Tobacco
Ben Guest, Project Manager, British American Tobacco



Globe House
4 Temple Place
London WC2R 2PG
United Kingdom

Tel +44 (0)20 7845 1000
Fax +44 (0)20 7240 0555
www.bat.com

18 December 2017

Ms Jane Buchanan and Mr Dewa Mavhinga
Children's Rights Division
Human Rights Watch
350 Fifth Avenue
34th floor
New York
NY 10118-3299
USA

Dear Ms Buchanan and Mr Mavhinga,

Thank you for your follow-up letter dated 8 December 2017, addressed to our Chief Executive regarding the next steps and initial recommendations from your human rights research on tobacco farms in Zimbabwe. I am responding in my capacity as Head of Sustainability for British American Tobacco (BAT).

As we have previously communicated to Human Rights Watch (HRW), any alleged incidences of child labour or any other labour rights abuses are of great concern to BAT. We appreciate the opportunity to provide updated information, given the change in timeframe for publication.

As you are aware, 100% of the leaf purchased by BAT in Zimbabwe is sourced from directly contracted farmers and none is purchased at auction. This is principally purchased from Northern Tobacco, whom we have ongoing liaison with on human rights and other issues. Further to the details within our previous letter, dated 14 September 2017, we can provide the following update:

Policies and Standards on Child Labour

In October 2017, BAT developed a new Operational Standard on Child Labour Prevention, with input from the Eliminating Child Labour in Tobacco Foundation (ECLT) and the ILO. It is applicable to all leaf suppliers globally. This complements our long-standing Child Labour Policy and other existing policies followed by our leaf operations and suppliers, such as the Supplier Code and Conduct and the Leaf Supplier Manual. This includes details of our standards, guidance and associated processes and will continue to be implemented in 2018. Please find this new Operational Standard enclosed as a CONFIDENTIAL document. We welcome any feedback that HRW may have on the standard?

In line with the ILO position on child labour, our child labour policy continues to prohibit anyone under 18 undertaking any work that is considered to be hazardous and we continue to support the ECLT-ILO PPP project that is underway to establish a definitive list of hazardous working as it related to tobacco growing. In the interim we continue to apply our own definition of hazardous labour as it relates to tobacco growing and that has been provided to you in previous correspondence.

Internal and External Monitoring

In our previous letter, we stated the Northern Tobacco will undergo an external on-site STP review by ABSustain in April 2018. Because of the political situation, this has now been postponed until November 2018. We have confidence in the ability of Northern Tobacco to effectively apply BAT policies and requirements and in our discussions with them, nothing has been brought to our attention that causes concern. However, we do recognise the serious nature of the allegations raised by Human Rights Watch and as a result, BAT has decided to undertake an interim review on human rights via unannounced farm visits by BAT to Zimbabwe Farmers, planned for early 2018.

In addition, the 2017 STP Northern Tobacco self-assessment scores are now available and show improvement, achieving a People Pillar Score of 94 (Vs 89 in 2016); and overall Agronomy score of 66 (Vs 62 in 2016). The incremental improvement in Northern Tobacco's self-assessment scores from 2016 to 2017 is due to improved training on human rights.

As you are aware, the self-assessment and on-site review process for STP is the overall industry wide monitoring framework, however, all leaf suppliers also conduct ongoing due-diligence and other activities to implement human rights standards across their organisation. We understand that Northern Tobacco will provide you with an update of the activities they have undertaken since our previous correspondence, which include, but are not limited to:

- Specific training (in the local language) on child labour and the issues raised by HRW. This was conducted in October and November 2017 to include all Field Technicians. This has also been cascaded to Growers.
- Updated training and monitoring records. The results are now collated monthly.
- Updated guidance documents on child labour
- Unannounced farm visits.

Publication of human rights related information

- In November 2017, BAT published its Sustainable Agriculture and Farmer Livelihood (SAFL) Focus Report. This details our overall approach and activities in areas such as human rights and child labour, including case studies of countries such as Bangladesh and Indonesia. This also includes our SAFL programme (updated as THRIVE), which is based on the 'Five Capitals' Framework, including human and social capitals which incorporate child labour and farmer monitoring. THRIVE covers nearly 80% of our leaf purchased. The 2017 data is currently being reviewed. We will use these results to inform a more holistic and collaborative approach to community projects and ways of working, to begin to address the complex root causes of such issues. http://bat.com/group/sites/UK__9D9KCY.nsf/vwPagesWebLive/DO9DCL3P
- May I also draw your attention to our Modern-Day Slavery Act Statement which will be updated on 13th March and contains details of how we manage forced and child labour and any incidents that have been identified as part of our Group-wide due-diligence. http://bat.com/group/sites/UK__9D9KCY.nsf/vwPagesWebLive/DOAK8P7C
- In addition, our 2018 Sustainability Report and our Sustainability Performance data will be also be published on 13th March 2018 and will include aggregated STP results.


- Otherwise, as previously stated we are continuing to work with the wider industry around increased transparency on STP outcomes as part of our participation in the industry working group. We understand that increased transparency is an important issue to our stakeholders and we will be actively encouraging the industry to improve its approach in this area.

As before, we understand there may be issues around confidentiality but if you are able to identify any specific farms that are likely to supply BAT and where alleged incidences have taken place we will immediately investigate and where needed, take remedial action.

I hope the above information helps to demonstrate how seriously we regard the topics raised by your research and helps to illustrate our continued activities in this area. We would be more than happy to meet with you in person to discuss this further.

Yours sincerely,



 Jennie Galbraith
Head of Sustainability

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

August 14, 2017

Kevin Butler
Managing Director
Chidziva Tobacco Processors (CTP)
7 Craster Road, Southerton
Harare
Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Butler,

We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We plan to publish our research in a report in the coming months.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with representatives of some of the world's largest tobacco companies about their policies and practices for respecting human rights and addressing abuses in their global supply chains. Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. This letter summarizes our findings and includes several questions regarding Chidziva's human rights policies and practices. We would be grateful for a response to these questions by September 18, 2017, so that we can ensure our reporting is thorough and objective.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with Chidziva or other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children.

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*

Nicholas Dawes, *Media*

Iain Levine, *Program*

Chuck Lustig, *Operations*

Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*

Dinah PoKempner, *General Counsel*

James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*

Daniel Bekele, *Africa*

Maria McFarland Sánchez-Moreno, *United States*

Alison Parker, *United States*

José Miguel Vivanco, *Americas*

Sarah Leah Whitson, *Middle East and North Africa*

Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*

Peter Bouckaert, *Emergencies*

Zama Neff, *Children's Rights*

Richard Dicker, *International Justice*

Bill Frelick, *Refugees' Rights*

Arvind Ganesan, *Business and Human Rights*

Liesl Gerntholtz, *Women's Rights*

Steve Goose, *Arms*

Diederik Lohman, *acting, Health and Human Rights*

Marcos Orellana, *Environment and Human Rights*

Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*

Louis Charbonneau, *United Nations, New York*

Kanae Doi, *Japan*

John Fisher, *United Nations, Geneva*

Meenakshi Ganguly, *South Asia*

Bénédicte Jeannerod, *France*

Lotte Leicht, *European Union*

Sarah Margon, *Washington, DC*

David Mepham, *United Kingdom*

Wenzel Michalski, *Germany*

Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*

Robert Kissane, *Co-Chair*

Michael Fisch, *Vice-Chair*

Oki Matsumoto, *Vice-Chair*

Amy Rao, *Vice-Chair*

Amy Towers, *Vice-Chair*

Catherine Zennström, *Vice-Chair*

Michael Fisch, *Treasurer*

Bruce Rabb, *Secretary*

Karen Herskovitz Ackman

Akwasi Aidoo

Jorge Castañeda

Michael E. Gellert

Leslie Gilbert-Lurie

Paul Gray

Betsy Karel

David Lakhdir

Kimberly Marteau Emerson

Alicia Miñana

Joan R. Platt

Neil Rimer

Shelley Frost Rubin

Ambassador Robin Sanders

Jean-Louis Servan-Schreiber

Sidney Sheinberg

Bruce Simpson

Joseph Skrzyński

Donna Slaughter

Siri Stolt-Nielsen

Darian W. Swig

Makoto Takano

Marie Warburg

Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems, including on some farms supplying Chidziva.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies, including Chidziva, reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We are interested to learn more about Chidziva's activities in Zimbabwe. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing

1. Does Chidziva purchase tobacco from Zimbabwe, either directly or through subsidiaries or suppliers? If so, we would be grateful to receive brief data on Chidziva's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of Chidziva's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is Chidziva's market share in Zimbabwe?
4. Does Chidziva or its subsidiaries or suppliers contract directly with tobacco farmers or groups of farmers in Zimbabwe?
 - a. If so, how many farmers were contracted with Chidziva in 2015, 2016, and 2017, and in which provinces?
 - b. What proportion of the total tobacco purchased by Chidziva in 2015, 2016, and 2017 was purchased from contracted growers?
 - c. Could Chidziva share a copy of a sample contract?
 - d. Does Chidziva have a policy regarding the provision of copies of signed contracts to signatories?
5. Does Chidziva or its subsidiaries or suppliers purchase tobacco from auction floors in Zimbabwe?
 - a. If so, which auction floors? What proportion of the total tobacco purchased by Chidziva in 2015, 2016, and 2017 was purchased through this system?
 - b. What actions does Chidziva take to verify that the sellers on auction floors meet the requirements under the company's human rights policies?

Child Labor

6. What is Chidziva's policy regarding child labor in the supply chain? What specific tasks are children under the age of 18 permitted to perform, and at what ages? How does Chidziva define "hazardous work"?
7. How does Chidziva communicate its standards and expectations regarding child labor to growers and suppliers, including growers who may be selling tobacco leaf to Chidziva on auction floors?
8. Has Chidziva identified or received any reports of child labor on tobacco farms supplying tobacco to Chidziva in Zimbabwe in 2015, 2016, or 2017? If so, what actions has Chidziva taken?
9. We would welcome any additional information Chidziva would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor in tobacco farming in Zimbabwe.

Labor Rights

10. What is Chidziva's policy regarding working hours, pay, overtime work, and breaks for hired workers on tobacco farms in the supply chain? How does Chidziva communicate its standards and expectations regarding labor rights to growers and suppliers, including growers who may be selling tobacco leaf to Chidziva on auction floors?
11. What is Chidziva's policy on freedom of association and collective bargaining rights for workers?

Health and Safety

12. What steps does Chidziva take to protect tobacco farmers, their families, and hired workers in its supply chain from nicotine poisoning or Green Tobacco Sickness? How does Chidziva ensure workers in the supply chain are informed about the risks of nicotine poisoning or Green Tobacco Sickness?
13. What policies does Chidziva have in place regarding handling and applying pesticides, disposal of pesticide containers, as well as the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals? How does Chidziva monitor the implementation of these policies? How does Chidziva ensure workers in the supply chain are informed about the risks of pesticide exposure?

Monitoring and Human Rights Due Diligence

14. How does Chidziva monitor for child labor, labor rights abuses, health and safety violations, or other human rights problems in the supply chain?
15. What due diligence policies and procedures does Chidziva have in place to identify, prevent, mitigate, and account for possible impacts of your company or your suppliers on human rights, including child labor and labor rights?
16. How does Chidziva ensure that all your suppliers are using rigorous human rights due diligence measures?

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect Chidziva's policies and procedures in our report. To that end, we would welcome a formal response to this letter by September 18, 2017.

In addition, we would welcome the opportunity to meet with representatives of Chidziva to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division



Chidziva Tobacco Processors (Pvt) Ltd

7 Craster Road, Southerton
Harare Zimbabwe
P.O. Box 66942, Kopje
Tel: +263-4-668584-5; 668565-6
Fax on demand

Jane Buchanan
Associate Director
Children's Rights Division
Human Rights Watch
350 Fifth Ave, 34th Floor
New York, NY 10118-3299
USA

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Ms Buchanan,

We refer to your letter dated August 14, 2017 which outlines your findings from 5 provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East and Manicaland.

We must emphasise that we do not directly employ any growers or farm workers, but merely provide inputs on contract with the growers. Notwithstanding, we recognize the need to contract growers and educate these growers with good policies and practices is a role for all stakeholders to follow. With this, the engagement of TIMB (Tobacco Industry Marketing Board) and Ministry of Agriculture is hugely important to monitor and regulate this process for all stakeholders.

We acknowledge your visits and would like to request that you furnish us with your findings reflecting the incidents from your report. More particular, since your description of the findings is very vague we would need to know which of the growers contracted to us is involved in the practices set out in your report summary. Ideally, we would want to know growers names, growers numbers and growers locations. This will enable us to respond more substantively to your request.

Further to the above, we wish to emphasise that CTP embraces various policies related to the elimination of child labour and promotion of other rights in the work place and through our farmer education process and training we impart knowledge to our contract growers and include clauses on the same in our contracts (see attached sample contract).

The topics that you mention in your letter are of paramount importance to CTP management and staff and although being a smaller company we do take a responsible approach to the betterment of the growers and their families.

We advise accordingly and look forward to your response.

Yours faithfully,

Kevin Butler
For **CHIDZIVA TOBACCO PROCESSORS**

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

Kevin Butler
Managing Director
Chidziva Tobacco Processors (CTP)
7 Craster Road, Southerton
Harare
Zimbabwe



CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concordel
Marie Concordel
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatskin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Butler,

Thank you for your letter of September 18, 2017. We are writing now to clarify Human Rights Watch's methodology in response to your question about Chidziva contracted growers in our research in Zimbabwe. We also write to update you on our next steps and share with you some initial recommendations that will be included in our report.

Human Rights Watch documents human rights abuses around the world based on an institutional methodology consistent with our mandate to promote respect for human dignity and equality. We collect information, primarily through interviews with victims and witnesses of human rights abuses and analyze this information from the perspective of national and international human rights law and standards. We then publish reports with our findings.

We typically correspond with governments and private actors in advance of our reporting to share our findings, ask questions about relevant policy and practice, and seek to include a formal response in our reporting. Hence, our August 2017 letter to you.

Over the last few months, we have written to 15 tobacco companies regarding human rights due diligence policies and practices in the tobacco industry in Zimbabwe. We have received responses from 13 companies. We have had constructive discussions with some company executives about their approaches to human rights in the supply chain. We also wrote to several government offices.

As noted in our letter to you of August 14, 2017, during our research on child labor and human rights issues on tobacco farms in Zimbabwe in 2016 and 2017, Human Rights Watch interviewed 125 people involved in tobacco production. We identified interviewees through outreach in tobacco farming communities, and with assistance from journalists and independent organizations. We conducted this research without having detailed information that Chidziva and other companies

possess regarding the specific names and locations of their contract farmers. Therefore, we are not in a position to conduct an audit of the nature and detail that Chidziva or any auditors contracted to work for Chidziva which would analyze Chidziva contract farms.

Our research in Zimbabwe, as with most of Human Rights Watch's research, did not use a random sampling method. However, we observed patterns and similarities across numerous farms in several different provinces that suggest the potential for human rights risks in the supply chains of Chidziva and other companies purchasing tobacco leaf from Zimbabwe.

Therefore, we are not able to provide you with the growers' names, numbers, or locations. Instead, we would welcome your response to the questions we posed regarding Chidziva's existing policies on child labor and other labor issues, implementation (including training) of those policies, monitoring of implementation, and the results of the monitoring. I attach a copy of that letter for your reference.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give Chidziva the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding Chidziva's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope Chidziva will carefully consider these recommendations.

Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We look forward to hearing from you by January 5, 2018, so that we may have the opportunity to incorporate Chidziva's response in our public reporting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jane Buchanan', written in a cursive style.

Jane Buchanan
Associate Director
Children's Rights Division

A handwritten signature in black ink, appearing to read 'Dewa Mavhinga', written in a cursive style.

Dewa Mavhinga
Southern Africa Director
Africa Division



Chidziva Tobacco Processors (Pvt) Ltd

7 Craster Road, Southerton
Harare Zimbabwe
P.O. Box 66942, Kopje
Tel: +263-4-668584-5; 668565-6
Fax on demand

24 January 2018

Jane Buchanan
Associate Director
Children's Rights Division
Human Rights Watch
350 Fifth Avenue
34th Floor
New York
NY 10118-3299
United States of America

Dear Ms Buchanan,

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Your letter of 8 December 2017 refers.

We confirm that we have taken note of your findings and reiterate our assertion that Chidziva Tobacco Processors (Private) Limited ("CTP") has put in place measures to promote fair and safe labour practices, and in particular our policies specify that child labour is prohibited.

The contracts we sign with our growers clearly state that employing children as labour is against the law, we do not condone the practice and we will take action if we find our growers employing children.

Our small scale contract includes the following clauses:

- 4.1 *It is specifically recorded that **CTP** does not condone or endorse the use of child labour in any agricultural operations.*
- 4.2 *Should **the Grower** use child labour in any capacity in his/her agricultural operation then this contract shall immediately be terminated without prejudice to **CTP's** rights.*
- 10.1 *CTP warrants that all direct grower contracts require the Grower/s to operate in compliance with all local and national laws and, with respect to labour, to abide by the International Labour Organization's minimum age standards or applicable Zimbabwe law. In the event that an audit of such contracts (in accordance with the provisions of this Agreement) reveals that any such contracts do not include the requirements set forth in*

the preceding sentence, CTP warrants that it will use its best efforts to cause such contracts to be amended to include such requirements.

Our commercial contract includes an addendum with slightly different wording, but with similar meaning.

Going forward the training of agronomy field staff, and subsequently the growers, will state categorically that child labour is not permitted. We will detail the reasons for this, the law covering this and re-iterate the CTP stance on the issue. We will also re-emphasise the procedures to be taken to safely handle any Crop Protection Agents and/or fertilisers supplied in CTP input packs.

Our field staff (supervisors and leaf technicians) have been advised to look out for and report any instances of child labour and we will be monitoring the situation going forward. We will be upgrading our mobile survey tool to include questions which will remind the field staff to be vigilant in this respect and ensure the growers are aware of our commitment.

We have taken note of the preliminary recommendations made in your letter and will take the same under consideration in the ongoing development of our Child Labour Policy.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Butler', written in a cursive style.

Kevin Butler
Managing Director
CHIDZIVA TOBACCO PROCESSORS

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gerntholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwas Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

September 7, 2017

2017年9月7日

中国国际烟草公司
中国北京西城区月坛南街 55 号(100045)
中国烟草总公司总经理
凌成兴 先生



HRW.org

Re: Human Rights Watch research on tobacco farms in Zimbabwe
主旨：人权观察关于津巴布韦烟草农场的研究

Dear Mr. Ling
尊敬的凌总经理

We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems, including on some farms supplying tobacco to Tian Ze, an affiliate of China National Tobacco.

我们谨以此函分享人权观察关于津巴布韦烟草农场人权侵犯的研究结果，期待获得您的回应。我们纪录到儿童从事危险劳动以及严重危及健康与安全、侵害劳工权利、拒不向承包农民提供合同复本，乃至其他人权问题，包括在中国烟草总公司旗下天泽烟草公司部分供应商的农场上。

Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have sought to engage with China National Tobacco regarding these concerns since 2013. Unfortunately, we have yet to receive a response from China National Tobacco to any of our letters.

人权观察是独立的非政府组织，监测并报导全球 90 国人权状况 (www.hrw.org)。我们自 2009 年起，在哈萨克斯坦、美国、巴西和印尼等国，调查烟草农场的童工和其他人权侵犯。2013 年以来，我们多次就此议题联系中国烟草总公司，可惜迄今尚未得到中国烟草公司回复我方任何函件。

This letter summarizes our findings and includes several questions regarding China National Tobacco's human rights policies and practices. We would be grateful for a response to these questions by September 18, 2017,

so that we may reflect China National Tobacco's position in our reporting. We plan to publish our research in a report in the coming months.

本函将综述我方调查结果，并就中国烟草总公司的人权政策及实践提问。我们期待贵公司在 2017 年 9 月 18 日前做出答复，以便我们在报告中反映中国烟草公司立场。调查报告预计在未来数月内发布。

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

人权观察致力消除全球烟草农场上的危险童工状况。基于我们的实地调查，并分析国际法和公共卫生文献，人权观察确认凡直接接触任何形式烟草的工作均属有害健康，应禁止未满 18 岁儿童从事。

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with Tian Ze or other tobacco companies. Families reported children working on these farms.

人权观察于 2016 年 12 月到 2017 年 4 月之间，在津巴布韦下列五个地区实施调查：哈拉雷市（Harare）、西马绍纳兰省（Mashonaland West）、中马绍纳兰省（Mashonaland Central）、东马绍纳兰省（Mashonaland East）和马尼卡兰省（Manicaland）。我们访问超过 60 名小型烟草农场主，其中有些说他们是独立生产烟叶并通过拍卖市场销售，有些则是在天泽及其他烟草公司的合同之下进行生产销售。许多家庭表示有儿童为这些农场打工。

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children.

Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

我们也访问了逾 60 名受雇劳工，他们在规模不等的烟草农场工作，其中一部分是童工或自小在烟草农场打工的年轻人。有些受访童工除了受雇劳动外，也在亲戚经营的小型农场打工。

Preliminary Findings **初步发现**

Hazardous Child Labor **危险童工**

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

许多受访者都指出，津巴布韦有儿童在烟草农场从事危险工作。

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or

extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

我们在津巴布韦访问到的小型农场主中，超过半数表示他们的烟草农场有未满 18 岁儿童打工，最常见的情况是自家或亲戚子女。只有极少数小型农场主说，他们从家族以外雇用儿童来为自己的农场打工。

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

有些人说，他们的孩子在自家烟草农场上只负担极少部分工作；也有人说，童工整个生长季都在工作，而且参与包括播种、除草、打顶、收割、搬运烟叶、烟叶分选、将烟叶传递给成人进行捆扎、捆扎、在烤房中吊挂烟草、分级、最终包装等各项工作。

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

人权观察也访问到超过 12 名受雇于不同规模烟草农场的儿童，以及数名自幼在烟草农场担任童工的青年。受雇的童工通常在烟草种植过程中从事多种不同工作。

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

所有的童工都表示，他们曾在处理烟草时发生至少一种符合急性尼古丁中毒的症状，包括恶心、呕吐、食欲不振、头痛或晕眩。

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

部分童工还曾经混搅杀虫剂或将其喷洒于烟草植株，或谈到在田间工作时有其他人在附近使用杀虫剂。许多这样的童工都曾暴露在化学药剂下工作后立即患病。

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

受访的成年受雇劳工约有半数表示曾和未满 18 岁儿童一起工作，有些同样是受雇劳工，有些则因父母为受雇劳工而非正式提供协助。非正式协助父母劳动的儿童既没有合同也无法领取工资。

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

其他受访工人表示未曾见到儿童在农场工作，因为他们知道或相信童工是受到法律禁止或雇主所不允许的。

Impacts on Education

对教育的影响

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

许多受访者都提到儿童在烟草农场工作阻碍他们求学。几乎所有受访者，不分成人或儿童，都向人权观察表示学费太高不利儿童受教育，交学费对他们而言一向十分困难。

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

部分儿童和小型农场主表示，儿童有时翘课到烟草农场打工，以便存钱交学费，或为家人分担种植烟草的工作。

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

烟草产地的学校教师告诉人权观察，他们的学生经常在烟草生长季节翘课，尤其是采收期间，导致这些学生很难跟上学习进度。

Wage and Hour Abuses on Large Farms **大型农场在工资和工时方面的侵权情况**

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

许多接受人权观察访问的受雇劳工，包括部分儿童，表示雇主逼迫他们违反合同超时工作，却没有额外补偿。部分劳工说，他们担心拒绝超时工作会受到报复，并举出同伴因不愿超时工作而被停职数日或解雇的事例。

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

许多劳工指出雇主曾拖欠工资数日、数周甚至数月。有些农场主拖欠工资时，会让劳工到他们自己经营的商店赊帐，以高于市面的价格购买基本食粮和日用品，日后再从劳工的薪资中扣除货款。

Some workers said they were paid less than they were owed or promised, without explanation.

部分劳工表示，他们领到的工资低于应得或承诺数额，雇主却不解释原因。

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

大多数劳工表示，他们的雇主允许他们每个工作日有一次或两次休息；但有些人说，每逢生长季农忙时期，雇主就会逼迫他们整天干活不得休息。

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

部分劳工表示，他们曾遭雇主或主管吼骂或威胁解雇，只因他们动作较慢、不能高效完成任务，或当他们因病、因事必须请假时。

Health and Safety

健康与安全

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

小型农场主和受雇农工在从事烟草种植中，均面临严重的健康与安全危险。

Pesticide Exposure

杀虫剂曝露

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

几乎所有小型农场主，以及许多受雇的农场劳工，包括部分儿童，都说他们在烟草农场工作时曾经处理有毒化学品。许多受访者处理化学药剂时没有任何防护装备，或防护不当、不足。部分受访者描述的做法或行为可能造成家中孩童、亲属或邻居曝露于危险的杀虫剂残留物——例如不当弃置杀虫剂容器，或回家前未换下被杀虫剂残留物污染的衣物，回家后继续穿着直到换洗。部分受访者也谈到，当他们在田间工作时，附近有人正在喷洒杀虫剂。

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

许多受访者报告，曾在接触有毒化学药剂后发生身体不适，包括恶心、呕吐、食欲不振、胃痛、头痛、晕眩、皮肤刺痛、胸痛、视力模糊、眼睛刺痛、呼吸道发炎和其他症状。

Nicotine Exposure

尼古丁曝露

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

所有受访者，不分成人或儿童，经常在处理烟草时未使用任何防护装备。我们访问的农场主和农场劳工大多都曾经历至少一种符合急性尼古丁中毒（又称烟草萎黄病）的症状，包括恶心、呕吐、食欲不振、头痛与晕眩。据受访者报告，这些症状发生在收割烟草、执行烘烤工作和分选干燥烟叶时。

Training and Information **训练与信息**

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

人权观察发现，小型农场主或受雇农场劳工对尼古丁曝露和烟草萎黄病都缺乏意识。即便绝大多数受访者都曾经历过符合尼古丁中毒的症状，却只有极少数受访者曾听说烟叶中的尼古丁可以致病。

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

部分受访者曾得到杀虫剂安全培训或相关信息，但只有极少数受访者曾获得周全信息，知道如何保护自己、家人和其他劳工避免杀虫剂曝露的危险。

Farm Monitoring and Inspection **农场监测与调查**

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies, including Tian Ze, reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

几乎所有与烟草公司，包括天泽，订定合同产销烟草的小型农场主都表示，公司代表经常访问他们的农场，传达信息和建议。有些农场主报告，公司代表曾传达关于健康和安全的消息；其他人说公司代表传达的主要是，或完全是，有关烟草种植成功诀窍的信息。

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

独立生产烟草在拍卖市场销售的小型农场主则说，他们只在销售日才会接触到收购烟草的买主或公司。

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

有些小型农场主说，有一位官方农业学家或外勤干事曾造访他们的农场传达信息。

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's

participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

部分农场主说，公司代表或官方干事曾告诉他们，未满 18 岁的儿童不得从事烟草种植工作。其他人则从未得悉有关童工或儿童从事烟草种植工作的最底年龄限制。大多数农场主，包括已知儿童参与烟草种植相关规定的，都说他们完全不了解违反儿童劳动规则将会遭到处罚。

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

部分受雇的农场劳工接受人权观察访谈时表示，曾经见过公司代表访问他们工作的农场。大多数劳工指出，公司代表只和农场管理阶层交流，从未和劳工谈话。

Problems with Contracts

合同问题

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

在我们访问的小型农场主中，极少人表示得到他们签订的合同副本。许多农场主说，他们对合同中的部分条款不解其意，或没有得到阐明。有些农场主说，他们对签订合同的过程感到过分仓促，没有足够时间充分理解合同中的规定。

Request for Information

请求提供信息

We are interested to learn more about China National Tobacco's activities in Zimbabwe, including through its affiliate Tian Ze. In particular, we would be grateful for responses to the following questions:

我们深盼多加了解中国烟草总公司在津巴布韦的活动，包括贵公司通过旗下天泽公司进行的活动。具体而言，我们盼望贵公司答复下列问题：

Tobacco Leaf Purchasing

烟叶采购

1. We be grateful to receive brief data on China National Tobacco's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
我们盼望得到简要数据，了解中国烟草总公司 2015、2016 和 2017 年在津巴布韦每一省区收购烟草的总量。
2. How does the volume of China National Tobacco's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
中国烟草公司在津巴布韦收购烟草的数量，和贵公司在其他国家收购烟草的数量相比较如何？
3. What is China National Tobacco's market share in Zimbabwe?
中国烟草总公司在津巴布韦的市场占有率？
4. How many farmers were contracted with Tian Ze in 2015, 2016, and 2017, and in which provinces?

在 2015、2016 和 2017 年，各有多少农场主与天泽公司签订合同，分布在哪些省区？

- a. What proportion of the total tobacco purchased by China National Tobacco in 2015, 2016, and 2017 was purchased from contracted growers?
在中国烟草总公司 2015、2016 和 2017 年收购的烟草总量中，向合同种植者收购的烟草数量分别占多少比例？
 - b. Could China National Tobacco share a copy of a sample contract used by Tian Ze?
中国烟草总公司能否提供一份天泽公司常用的合同范本？
 - c. Does China National Tobacco have a policy regarding the provision of copies of signed contracts to signatories?
关于合同签订后向对方提供副本事宜，中国烟草总公司有无既定政策？
5. Does China National Tobacco purchase tobacco from auction floors in Zimbabwe through Tian Ze or other suppliers?
中国烟草总公司是否通过天泽公司或其他供应商在津巴布韦拍卖市场收购烟草？
- a. If so, which auction floors? What proportion of the total tobacco purchased by China National Tobacco in 2015, 2016, and 2017 was purchased through this system?
若是，在哪些拍卖市场？中国烟草总公司 2015、2016 和 2017 年收购烟草总量中，经此途径收购者占多少比例？

Child Labor 儿童劳工

6. What is China National Tobacco's policy regarding child labor in the supply chain? What specific tasks are children under the age of 18 permitted to perform, and at what ages? How does China National Tobacco define "hazardous work"?
中国烟草总公司关于供应链童工的政策为何？未满 18 岁儿童可以担任哪些具体工作，其工资如何计算？中国烟草公司对于“危险性工作”（hazardous work）有何定义？
7. How does China National Tobacco communicate its standards and expectations regarding child labor to growers and suppliers, including growers who may be selling tobacco leaf to China National Tobacco on auction floors?
中国烟草总公司如何向种植者和供应商传达有关童工的准则和期待，包括可能通过拍卖市场向中国烟草总公司出售烟叶的种植者？
8. Has China National Tobacco identified or received any reports of child labor on tobacco farms supplying tobacco to Tian Ze or other suppliers in Zimbabwe in 2015, 2016, or 2017? If so, what actions has China National Tobacco taken?
中国烟草总公司在 2015、2016 和 2017 年是否曾经发现或接获举报，在天泽公司的供应商或其他津巴布韦供应商的农场上，有使用童工的情形？若是，中国烟草总公司的应对措施为何？
9. We would welcome any additional information China National Tobacco would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor in tobacco farming in Zimbabwe.
我们期待中国烟草总公司愿意向人权观察提供更多其他信息，说明贵公司有何政策与实践，推动消除津巴布韦烟草种植业的童工现象。

Labor Rights 劳工权利

10. What China National Tobacco's policy regarding working hours, pay, overtime work, and breaks for hired workers on tobacco farms in the supply chain? How does China National Tobacco communicate its standards and expectations regarding labor rights to growers and suppliers, including growers who may be selling tobacco leaf to China National Tobacco on auction floors?
中国烟草总公司关于供应链烟草农场雇用劳工的工时、薪资、加班和休息的政策为何？中国烟草总公司如何将其关于劳工权利的准则与期待传达到种植者和供应商，包括可能通过拍卖市场将烟叶出售给中国烟草总公司的种植者？
11. What is China National Tobacco's policy on freedom of association and collective bargaining rights for workers?
中国烟草总公司关于结社自由和劳工集体谈判权的政策为何？

Health and Safety 健康与安全

12. What steps does China National Tobacco take to protect tobacco farmers, their families, and hired workers in its supply chain from nicotine poisoning or Green Tobacco Sickness? How does China National Tobacco ensure workers in the supply chain are informed about the risks of nicotine poisoning or Green Tobacco Sickness?
中国烟草总公司采取何种措施保护供应链上的烟草农场主及其家属与雇工，免于尼古丁中毒或烟草萎黄病？中国烟草总公司如何确保供应链劳工对尼古丁中毒或烟草萎黄病的风险充分知情？
13. What policies does China National Tobacco have in place regarding handling and applying pesticides, disposal of pesticide containers, as well as the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals? How does China National Tobacco monitor the implementation of these policies? How does China National Tobacco ensure workers in the supply chain are informed about the risks of pesticide exposure?
关于处理和施用杀虫剂、丢弃杀虫剂容器，以及供应链上烟草农场劳工应与喷洒杀虫剂或其他有害化学品保持距离，中国烟草总公司有无既定政策？中国烟草总公司如何监测相关政策实施情况？中国烟草总公司如何确保供应链劳工对杀虫剂暴露的风险充分知情？

Monitoring and Human Rights Due Diligence 监测与人权尽职调查

14. How does China National Tobacco monitor for child labor, labor rights abuses, health and safety violations, or other human rights problems in the supply chain?
中国烟草总公司如何监测供应链上的儿童劳工、劳工权利侵害、健康与安全违失或其他人权问题？
15. What due diligence policies and procedures does China National Tobacco have in place to identify, prevent, mitigate, and account for possible impacts of your company or your suppliers on human rights, including child labor and labor rights?
中国烟草总公司有何既定的尽职调查政策或程序，可用来指认、预防、减轻和说明贵公司或贵公司供应商在人权方面的可能影响，包括儿童劳工和劳工权利？
16. How does China National Tobacco ensure that all your suppliers are using rigorous human rights due diligence measures?
中国烟草总公司如何确保贵公司所有供应商均实行严格的人权尽职调查措施？

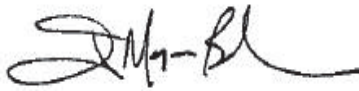
We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect China National Tobacco's policies and procedures in our report. To that end, we would welcome a formal response to this letter by September 18, 2017.

我们计划在今年内发布一份关于津巴布韦烟草农场侵犯人权的报告。我们致力维护报告内容的精确性，并期望该报告能反映中国烟草总公司的政策和程序。为此目的，我们期待贵公司在 2017 年 9 月 18 日前就本函做出正式回应。

In addition, we would welcome the opportunity to meet with representatives of China National Tobacco to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857 with your response to these inquiries.

此外，我们期望有机会与中国烟草总公司的代表会晤，讨论我们的调查发现与建议。若贵公司愿意答复上述各项询问，请以电邮：buchanj@hrw.org 或电话：+1 212-216-1857 与简·布坎南（Jane Buchanan）联系。

Sincerely,



儿童权利部副主任

简·布坎南

谨上

Jane Buchanan

Associate Director

Children's Rights Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

September 11, 2017



Dirk Siemann
Sascha Siemann
Torsten Siemann
Managing Directors
Contraf-Nicotex-Tobacco GmbH
Herbststraße 8, 74072
Heilbronn, Germany

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Sirs,

We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We plan to publish our research in a report in the coming months. Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with representatives of some of the world's largest tobacco companies about their policies and practices for respecting human rights and addressing abuses in their global supply chains.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

We understand that Contraf-Nicotex-Tobacco GmbH (CNT) may purchase tobacco from Zimbabwe. If so, we would be grateful for a detailed response to this letter, which summarizes our findings and includes several questions regarding CNT's human rights policies and practices. We would

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzyński
Donna Slaughter
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

very much welcome a response to these questions by October 11, 2017, so that we can reflect CNT's position in our reporting.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children.

Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers.

Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect CNT's policies and procedures in our report. We are interested to learn more about CNT's activities in Zimbabwe. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing and Sales

1. We would be grateful to receive brief data on CNT's tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. What is CNT's market share in Zimbabwe?
3. Does CNT purchase tobacco leaf from any other countries? If so, from where and how much?
4. How many farmers were contracted with CNT or its subsidiaries, affiliates, or suppliers, in 2015, 2016, and 2017, and in which provinces?
 - a. What proportion of the total tobacco purchased by CNT in 2015, 2016, and 2017 was purchased from contracted growers?
 - b. Could you share a copy of a sample contract used by CNT or its subsidiaries, affiliates, or suppliers with growers?
 - c. Does CNT have a policy regarding the provision of copies of signed contracts to signatories?

5. What proportion of the total tobacco purchased by CNT in Zimbabwe in 2015, 2016, and 2017 was purchased at auction either directly or through other suppliers?

Child Labor

6. What is CNT's policy regarding child labor in the supply chain? What specific tasks are children under the age of 18 permitted to perform, and at what ages? How does CNT define "hazardous work"?
7. How does CNT communicate its standards and expectations regarding child labor to growers and suppliers, including growers who may be selling tobacco leaf to CNT or its subsidiaries, affiliates, or suppliers on auction floors?
8. Has CNT identified or received any reports of child labor on tobacco farms supplying tobacco to CNT or its subsidiaries, affiliates, or suppliers or any other suppliers in Zimbabwe in 2015, 2016, or 2017? If so, what actions has CNT taken?
9. We would welcome any additional information CNT would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor in tobacco farming in Zimbabwe.

Labor Rights

10. What is CNT's policy regarding working hours, pay, overtime work, and breaks for hired workers on tobacco farms in the supply chain? How does CNT communicate its standards and expectations regarding labor rights to growers and suppliers, including growers who may be selling tobacco leaf to CNT or its subsidiaries, affiliates, or suppliers or other suppliers on auction floors?
11. What is CNT's policy on freedom of association and collective bargaining rights for workers?

Health and Safety

12. What steps does CNT take to protect tobacco farmers, their families, and hired workers in its supply chain from nicotine poisoning or Green Tobacco Sickness? How does CNT ensure workers in the supply chain are informed about the risks of nicotine poisoning or Green Tobacco Sickness?
13. What policies does CNT have in place regarding handling and applying pesticides, disposal of pesticide containers, as well as the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals? How does CNT monitor the implementation of these policies? How does CNT ensure workers in the supply chain are informed about the risks of pesticide exposure?
14. What is the CNT's policy concerning provision of personal protective equipment (PPE) to tobacco growers and workers?

Monitoring and Human Rights Due Diligence

15. How does CNT monitor for child labor, labor rights abuses, health and safety violations, or other human rights problems in the tobacco supply chain?
16. What due diligence policies and procedures does CNT have in place to identify, prevent, mitigate, and account for possible impacts of your company or your suppliers on human rights, including child labor and labor rights?
17. How does CNT publish in comprehensive and verifiable ways the results of its human rights monitoring, a key component of effective human rights due diligence, as

detailed in the United Nations Guiding Principles on Business and Human Rights?
(http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf)

We would welcome a written response to this letter by October 11, 2017. In addition, we would welcome the opportunity to meet with representatives of CNT to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857 with your response to these inquiries.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division



Dear Ms. Buchanan,

I am writing to you to acknowledge receipt of your letter, which was dated 11 September 2017 and which was received by us on 14 September 2017. The letter raises concerns as a result of your findings related to human rights and child labour within our sourcing supply chain in Zimbabwe.

I would like to thank you for your interest in Contraf Nicotex Tobacco GmbH (CNT) and its tobacco sourcing practices in Zimbabwe, and for bringing to our attention your work, enquiry and your findings.

Through our local supplier Curverid Tobacco Limited (pvt) Ltd (CTL) we also received a similar letter and we have provided a comprehensive reply to your questions therein [**email attachment: CTL response to HRW 17.09.17.pdf**]. The response from CTL addresses the enquiry that you are making to CNT, and with this you will find an opportunity for open dialogue, cooperation and transparency. If you are not satisfied with this please do not hesitate to provide further queries that we can respond to differently that you would find satisfactory.

Kindest Regards

Marcus McKay

Head of Corporate Responsibility & Communications

T: +45 60 42 74 57

E: m.mckay@cntleaf.de

W: www.cntleaf.de

▶ Contraf-Nicotex-Tobacco GmbH
Postfach 14 34
D-74004 Heilbronn
Herbststraße 8
D-74072 Heilbronn

▶ Telefon +49 (0)7131 89855-0
Telefax +49 (0)7131 89855-60
info@cntgroup.de
www.cntgroup.de

▶ Geschäftsführer:
Dirk H. Siemann
Torsten Siemann
Sascha Siemann

▶ Vorsitzender des Beirats:
Henning Siemann
V.A.T. No. DE 145 767 771
Handelsregister Stuttgart
HRB 102623

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

Dirk Siemann
Sascha Siemann
Torsten Siemann
Managing Directors
Contraf-Nicotex-Tobacco GmbH (CNT)
Herbststraße 8, 74072
Heilbronn, Germany



CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concordel
Marie Concordel
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatkin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Sirs,

We are writing to follow up on our communications with you regarding Human Rights Watch's research on child labor and human rights abuses on tobacco farms in Zimbabwe. Thank you for your letter of October 9, 2017. We appreciate the opportunity to learn more about CNT's policies and practices with respect to human rights due diligence.

We are writing now to update you on our next steps and share with you some initial recommendations that will be included in our report.

Over the last few months, we have written to 15 tobacco companies regarding human rights due diligence policies and practices in the tobacco industry in Zimbabwe. We have received responses from 13 companies. We have had constructive discussions with some company executives about their approaches to human rights in the supply chain. We also wrote to several government offices.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give CNT the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding the company's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope CNT will carefully consider these recommendations.

Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We appreciate our engagement with you on these issues, and look forward to discussing them with you further.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Marcus McKay, Head of Corporate Responsibility & Communications, Contraf Nicotex Tobacco GmbH



12th January 2018

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Ms. Buchanan,

Thank you for the feedback and the explanation regarding the understandable delay in publishing your report contained in the letter we received dated December 8, 2017. We look forward to receiving the report and hope that the cooperation that you have had from the vast majority of the companies has been able to shed more light, clarity and transparency on the area(s) of your inquiry.

As mentioned by ourselves, CNT, (Contraf-Nicotex-Tobacco GmbH) and group partner CTL (Curverid Tobacco Limited) we remain at your disposal for any further discussions and dialogue.

With regard to your preliminary recommendations we have distributed these to the team and will conduct a review of your recommendations against what we already have in place and if necessary changes will be made.

Since our last reply to you, we have no further significant developments or information to share that would require you to amend your report, other than continual developments on the ground with regards to education and training towards the elimination of inappropriate child labour and unfair labour practices within given timeframes. Facts on the ground, together with advancements through principles of continuous improvement in relation to labour practices, at the various stages of the crop calendar, continue to be clearly documented.

We look forward to the continued open dialogue.

Kindest Regards

A handwritten signature in blue ink, appearing to read 'Marcus McKay', is written over a light blue horizontal line.

Marcus McKay

Head of Corporate Responsibility & Communications

T: +45 60 42 74 57

E: m.mckay@cntleaf.de

W: www.cntleaf.de

Cc:

Dirk Siemann, Managing Director, Contraf Nicotex Tobacco GmbH
Torsten Siemann, Managing Director, Contraf Nicotex Tobacco GmbH
Sascha Siemann, Managing Director, Contraf Nicotex Tobacco GmbH
Mike Roberts, Managing Director, Curverid Tobacco Limited
Ian Duvenage, Head of Sustainable Agriculture, Contraf Nicotex Tobacco GmbH

▶ Contraf-Nicotex-Tobacco GmbH
Postfach 14 34
D-74004 Heilbronn
Herbststraße 8
D-74072 Heilbronn

▶ Telefon +49 (0)7131 89855-0
Telefax +49 (0)7131 89855-60
info@cntgroup.de
www.cntgroup.de

▶ Geschäftsführer:
Dirk H. Siemann
Torsten Siemann
Sascha Siemann

▶ Vorsitzender des Beirats:
Henning Siemann
V.A.T. No. DE 145 767 771
Handelsregister Stuttgart
HRB 102623

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

August 14, 2017

Mike Roberts
Director
Curverid Tobacco P/L
91 Coventry Road
Workington
Harare
Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Roberts,

We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We plan to publish our research in a report in the coming months.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with representatives of some of the world's largest tobacco companies about their policies and practices for respecting human rights and addressing abuses in their global supply chains. Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. This letter summarizes our findings and includes several questions regarding Curverid Tobacco's human rights policies and practices. We would be grateful for a response to these questions by September 18, 2017, so that we can ensure our reporting is thorough and objective.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with Curverid Tobacco or other tobacco companies. Families reported children working on these farms.

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*

Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasi Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzyński
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems, including on some farms supplying Curverid Tobacco.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies, including Curverid Tobacco, reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We are interested to learn more about Curverid Tobacco's activities in Zimbabwe. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing

1. Does Curverid Tobacco purchase tobacco from Zimbabwe, either directly or through subsidiaries or suppliers? If so, we would be grateful to receive brief data on Curverid Tobacco's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of Curverid Tobacco's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is Curverid Tobacco's market share in Zimbabwe?
4. Does Curverid Tobacco or its subsidiaries or suppliers contract directly with tobacco farmers or groups of farmers in Zimbabwe?
 - a. If so, how many farmers were contracted with Curverid Tobacco in 2015, 2016, and 2017, and in which provinces?
 - b. What proportion of the total tobacco purchased by Curverid Tobacco in 2015, 2016, and 2017 was purchased from contracted growers?
 - c. Could Curverid Tobacco share a copy of a sample contract?
 - d. Does Curverid Tobacco have a policy regarding the provision of copies of signed contracts to signatories?
5. Does Curverid Tobacco or its subsidiaries or suppliers purchase tobacco from auction floors in Zimbabwe?
 - a. If so, which auction floors? What proportion of the total tobacco purchased by Curverid Tobacco in 2015, 2016, and 2017 was purchased through this system?
 - b. What actions does Curverid Tobacco take to verify that the sellers on auction floors meet the requirements under the company's human rights policies?

Child Labor

6. What is Curverid Tobacco's policy regarding child labor in the supply chain? What specific tasks are children under the age of 18 permitted to perform, and at what ages? How does Curverid Tobacco define "hazardous work"?
7. How does Curverid Tobacco communicate its standards and expectations regarding child labor to growers and suppliers, including growers who may be selling tobacco leaf to Curverid Tobacco on auction floors?
8. Has Curverid Tobacco identified or received any reports of child labor on tobacco farms supplying tobacco to Curverid Tobacco in Zimbabwe in 2015, 2016, or 2017? If so, what actions has Curverid Tobacco taken?
9. We would welcome any additional information Curverid Tobacco would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor in tobacco farming in Zimbabwe.

Labor Rights

10. What is Curverid Tobacco's policy regarding working hours, pay, overtime work, and breaks for hired workers on tobacco farms in the supply chain? How does Curverid Tobacco communicate its standards and expectations regarding labor rights to growers and suppliers, including growers who may be selling tobacco leaf to Curverid Tobacco on auction floors?

11. What is Curverid Tobacco's policy on freedom of association and collective bargaining rights for workers?

Health and Safety

12. What steps does Curverid Tobacco take to protect tobacco farmers, their families, and hired workers in its supply chain from nicotine poisoning or Green Tobacco Sickness? How does Curverid Tobacco ensure workers in the supply chain are informed about the risks of nicotine poisoning or Green Tobacco Sickness?
13. What policies does Curverid Tobacco have in place regarding handling and applying pesticides, disposal of pesticide containers, as well as the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals? How does Curverid Tobacco monitor the implementation of these policies? How does Curverid Tobacco ensure workers in the supply chain are informed about the risks of pesticide exposure?

Monitoring and Human Rights Due Diligence

14. How does Curverid Tobacco monitor for child labor, labor rights abuses, health and safety violations, or other human rights problems in the supply chain?
15. What due diligence policies and procedures does Curverid Tobacco have in place to identify, prevent, mitigate, and account for possible impacts of your company or your suppliers on human rights, including child labor and labor rights?
16. How does Curverid Tobacco ensure that all your suppliers are using rigorous human rights due diligence measures?

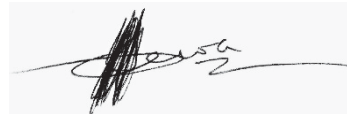
We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect Curverid Tobacco's policies and procedures in our report. To that end, we would welcome a formal response to this letter by September 18, 2017.

In addition, we would welcome the opportunity to meet with representatives of Curverid Tobacco to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division



Curverid Tobacco (Pvt) Ltd, 91 Coventry Road,
 Workington, Harare, Zimbabwe.
 Tel: +263 (0)4 667135/620243

17th September 2017

Dear Susan,

Further to the response sent to you on 14th August 2017, we have prepared a detailed response to the questions that you have asked. If there are any details that you would like us to elaborate on it would be our pleasure to expand, so please do not hesitate to contact us.

Curverid Tobacco (CTL) and its employees are well aware of the challenges that we face both in Zimbabwe and as an operating business in the agricultural production supply chain, tobacco production is not unique to these. It is because of this awareness that CTL and its clients work continuously on efforts to address, mitigate and where possible overcome particular challenges that we come up against in the contracted production and purchase of tobacco. As a minimum practice CTL cooperates in AB Sustain's STP (Sustainable Tobacco Production) Programme - the industry recognised Good Agricultural Practices guidelines.

The STP programme is an audited comprehensive programme focused on sustainability of supply chain through training, monitoring, risk assessment and continuous improvement. CTL is an active participant of this programme.

The STP focuses on 3 pillars:

- | People | Field Environment | Crop |
|---------------------|--------------------------------|-------------------------|
| - Children on Farms | - Wood Usage | - Seed Selection |
| - Grower Viability | - Pollution Control | - Variety Performance |
| - Farm Labour | - Biodiversity | - Integrated Management |
| - Company Workforce | - GHG Emissions | - Soil and Conservation |
| | - Natural Resources Management | - On-Farm NTRM |
| | | - Farm Safety |
| | | - Crop Husbandry |

Furthermore, CTL implements the industry's Agricultural Labour Practices (ALP) programme to identify and analyse areas of concern with regard to the labour component of tobacco production. This also has 3 pillars of focus:

Child Labour	Rights of Workers	Workplace Health & Safety
<ul style="list-style-type: none"> - Minimum age - Hazardous work 	<ul style="list-style-type: none"> - Respectful treatment - Forced labour - Fair remuneration - Working hours - Freedom of association 	<ul style="list-style-type: none"> - Farm Safety - Prevention of GTS - CPA management - Machinery & Hand tools - Accommodation / wellbeing - First Aid

CTL manages its engagement with its contracted growers through the use of a structured Field Management that has an internal three tier audit process following behind it. This is facilitated by 37 Field Officers, four Provincial Coordinators (oversee field officers and audit engagement and training) and two national coordinators (one field and one administration).

Field Officers are trained and examined on areas of engagement for training purposes and development of action plans. When CTL is not internally planning on direct engagement, third party expertise is used such as AGRITEX.

In response to your questions please see the attached.

1. Curverid Tobacco only purchases tobacco through growers from Zimbabwe. These farmers are both contract growers and auction growers.

Our total purchases for the 2014/15 season was 12,832 tons,
Our total purchases for the 2015/16 season was 17,496 tons,
Our total purchases for the 2016/17 season is 15,300 tons.

2. Curverid Tobacco purchases tobacco from Zimbabwe only.

3. The market share for Curverid Tobacco in Zimbabwe is as follows:

2015 season - 6.5%.
2016 season - 8.6%.
2017 season - At the time of writing our market share 8.1%.

4a. In our 2014/15 season we had 2152 growers.

2015/16 season we had 3200 growers.
2016/17 season we had 3693 farmers.

These farmers were from Mashonaland Central, Mashonaland East, Mashonaland West and Manicaland.

4b. In the 2014/15 season we purchased 70% of our tobacco through our contracted farmers. In the 2015/16 season we purchased 72% of our tobacco through our contracted farmers. In the 2016/17 season we purchased 78% of our tobacco through our contracted farmers.

4c. Please see attached for an example of our contract, which all farmers are to sign in order to sell tobacco with us.⁽¹⁾

4d. Yes we do have a policy when it comes to the provision of copies. Prior to the start of the season we have the farmer sign their contract. This is brought back to our head office. On request, if a farmer wants a copy of their contract, one is provided to them.

5a. In the 2014/15 season the total percentage of tobacco purchased from auction growers was 30%.

In the 2015/16 season the total amount of tobacco purchased from auction growers was 28%.

In the 2016/17 season the total amount of tobacco purchased from auction was 22%.

5b. In the training of auction growers, we rely on our governmental departments such as the Tobacco Industry Marketing Board (TIMB) and the National Employment Council (NEC) to ensure that all laws are followed.

6. Children aged 16 to 18 are only allowed to work on tobacco farms if the work is for the development of cultural practices or the transfer of skills through generations. This policy is derived from the ILO convention 138, Article 7, Paragraph 1 and 2, which Zimbabwe ratified in 2000. Children under the age of 16 are only permitted to do "light work" on the farms, such as helping around the house, tending to the gardens etc. Finally work that is defined as hazardous includes working at heights, high temperatures, long hours, sharp tools, heavy machinery, carrying heavy loads, applying chemicals and any work that exposes children to nicotine poisoning.

7. Workshops have been held to train Field Staff Workers in relation to the different aspects of child labour. The Field Staff Workers then transfer their knowledge to the farmers. We have also used different media to disseminate information on child labour risks and fair labour practices for example a slideshow at the tobacco floors during sales, pamphlets and magazines to all of our growers. It is stated in our grower contracts that the use of child labour is against company policy.

8. We consistently carry out surveys regarding child labour, fair labour practices and human rights integrity. Through constant monitoring and audit systems we have a documented action plan for all violation reports. This action includes finding the reasons child labour is occurring on farms, educating field staff workers and growers, reporting mechanisms are monitored and acted upon. In grave cases authorities are informed and grower contracts are cancelled.

10. Our policies on work hours, pay, overtime work, and breaks are identical to that of the Zimbabwean laws. Work hours are to be no more than 50 hours a week. Our Field Staff Workers have been provided with the National Employment Council (NEC) pay rates with each pay grade of national farm workers. Information on these rates is passed down to our growers and their workers. Farmers are obliged to pay their farmers timeously and at least at the minimum rate designated for workers of their relevant skill. Overtime work is to be paid at Zimbabwean Government's legislated rates. The worker must volunteer to work overtime and not be forced to do so by the employer. The pay rate for overtime work is 1.5 x the usual pay rate of the worker. In some instances the farmer must pay 2 x the usual rate. For instance over Christmas. Farm workers are to receive at least one hours break a day and are free to take breaks to use the bathroom or have sustenance. Also all legislated holidays/vacation/sick leave. Again this knowledge is passed through our Field Staff Workers who attend workshops and training days.

11. Every farm worker has a right to bargain collectively, we encourage the workers to join a union so that they have representation for their rights.

12. We have trained farmers on the effects of GTS. This is done through the Field Staff Workers. They have information regarding the cause/symptoms, and if suspected prevention and medical treatment actioned.

13. The policies for safe chemical use is defined by the training give out to Field Staff Workers. They are instructed on the use of PPE, timing and safe handling of the chemicals. We provide PPE to all of our contracted farmers during our distribution of inputs. All chemicals are provided by an authorized distributor. They are all registered by the Tobacco Research board and all farmers are notified about which chemicals are banned or approved for the year. We give the farmer a copy of the banned chemicals and they sign a copy that is returned to the head office. Our policy on the disposal of chemical containers at the moment is to triple rinse, puncture then burn/bury. We are also providing the farmers with safe storage containers for their chemicals, to avoid access by children and other persons on the farm. We monitor the implementation through field visits by our Field Staff Workers.

14. All issues are monitored through field visits from our Field Staff Workers. We then have Provincial Coordinators that internally audit all information brought to us. Our provincial coordinators are in turn audited by their section managers. We have created an anonymous reporting mechanisms for our farm workers and children so that they can report any violations without fear of reprisal from their employers or family members. If a human rights violation is unearthed police are notified to investigate further.

15. We have steps in place to identify human rights, child labour issues and labour rights. These are monitored through our Field Officers and district coordinators. The information is relayed through electronic surveys collected by the Field officers and audited. When issues are raised, Provincial Coordinators investigate the violation, once validated appropriate action is taken. Follow ups continue until we are satisfied that the issue has been solved.

16. We enquire whether our suppliers engage in audited processes in relation to health and safety procedures, fair labour practices and environmental protection. We enquire on their monitoring and auditing processes certifying their integrity of human rights and environmental management. As evidence, sight of certification from recognised third parties for achieving stringent human rights and environmental standards is requested.

We take the issue of human rights seriously and will welcome a chance to meet in order to ensure every opportunity is given to report accurately on on-ground happenings.

Yours sincerely,



Mike Roberts
Managing Director

References:

1. Grower contract attached to the email sent through.

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

Mike Roberts
Managing Director
Curverid Tobacco (Pvt) Ltd (CTL)
91 Coventry Road
Workington
Harare
Zimbabwe



CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concorde
Marie Concorde
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatkin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Roberts,

We are writing to follow up on our communications with you regarding Human Rights Watch's research on child labor and human rights abuses on tobacco farms in Zimbabwe. Thank you for your letter of September 17, 2017. We appreciate the opportunity to learn more about CTL's policies and practices with respect to human rights due diligence.

We are writing now to update you on our next steps and share with you some initial recommendations that will be included in our report.

Over the last few months, we have written to 15 tobacco companies regarding human rights due diligence policies and practices in the tobacco industry in Zimbabwe. We have received responses from 13 companies. We have had constructive discussions with some company executives about their approaches to human rights in the supply chain. We also wrote to several government offices.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give CTL the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding the company's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope CTL will carefully consider these recommendations.

Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We appreciate our engagement with you on these issues, and look forward to discussing them with you further.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasi Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

August 16, 2017

Alison Cooper
Chief Executive
Imperial Brands PLC
121 Winterstoke Road
Bristol BS3 2LL
United Kingdom

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Ms. Cooper,

We are grateful for the sustained dialogue we have had with Imperial Brands (Imperial) regarding child labor and other labor concerns in tobacco farming in several countries. We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe.

If Imperial purchases tobacco in Zimbabwe, including through affiliates or suppliers, we would welcome your response to the questions below. We would also be grateful for information concerning the Sustainable Tobacco Programme (STP) requirements and monitoring. We would be grateful for a response by September 18, 2017.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.



HRW.org

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the

contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about Imperial's purchasing of tobacco in Zimbabwe and Imperial's implementation of human rights due diligence. We are interested to learn more about Imperial's purchasing of tobacco in Zimbabwe. We would also welcome more information regarding the current implementation of the STP program. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing

1. Does Imperial purchase tobacco from Zimbabwe, either directly or through affiliates or suppliers? If so, we would be grateful to receive brief data on Imperial's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of Imperial's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is Imperial's market share in Zimbabwe?
4. Does Imperial or any of its affiliates or suppliers contract directly with tobacco farmers or groups of farmers in Zimbabwe?
 - a. If so, how many farmers were contracted with Imperial, its affiliates or suppliers in 2015, 2016, and 2017, and in which provinces?
 - b. What proportion of the total tobacco purchased by Imperial in 2015, 2016, and 2017 was purchased from growers contracted with Imperial affiliates or suppliers?
 - c. Could Imperial share a copy of a sample contract used by affiliates or suppliers?
5. What proportion of the total tobacco purchased Imperial in 2015, 2016, and 2017 was purchased at auction through affiliates or suppliers?

Child Labor and Labor Rights

6. We are aware that Imperial previously used the Social Responsibility in Tobacco Production (SRiTP) program to specify requirements for child labor and labor rights and to "monitor the social, environmental and economic standards in its tobacco supply chain." We understand that the SRiTP was replaced with the Sustainable Tobacco Programme (STP) in 2016.
 - a. We would welcome detailed information about the key changes under the STP program concerning child labor, including: the definition of hazardous work, the minimum age for work; requirements for handling and storage of pesticides, as well as other human rights and labor rights concerns.
 - b. We would also welcome information about the current requirements under the STP for working hours, wages, and overtime; provision of contracts to workers and growers; information on and protection from nicotine poisoning or Green Tobacco Sickness; and provision of personal protective equipment (PPE) to growers and workers.
 - c. We would also welcome detailed information about the current implementation of this program globally.
 - d. How has Imperial's human rights due diligence changed with the revisions to the STP program?

7. We would also welcome more information regarding the implementation of the STP program in Zimbabwe specifically:
 - a. What are the specific results of SRiTP/STP suppliers' self-assessments in 2015, 2016, and 2017 with respect to child labor and labor rights?
 - b. When was the last SRiTP/STP review (AB Sustain audit) for Zimbabwe, and what were its results? When will the next STP review take place?
 - c. Has an Imperial Leaf Sustainability Manager conducted country visits to Zimbabwe in 2015, 2016 or 2017? If so, how many visits and what were the specific results with respect to child labor and labor rights protections? Has Imperial taken any other measures to monitor implementation of labor protections in Zimbabwe?
 - d. Through the SRiTP/STP program or by other means has Imperial identified or received any reports of child labor on tobacco farms supplying tobacco to Imperial in Zimbabwe in 2015, 2016, or 2017? If so, what actions has Imperial taken?
 - e. What actions does Imperial take, through the STP program or by other means, to verify that the sellers on auction floors meet the requirements under the company's human rights policies?

8. What steps will Imperial take to publicize in comprehensive and verifiable forms the findings of the STP reviews of Zimbabwe and other countries, as well as other information regarding Imperial's human rights due diligence procedures, in order to ensure transparency, an essential component of meaningful human rights due diligence, as specified under the UN Guiding Principles on Business and Human Rights?

We would welcome any additional information Imperial would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe. We would welcome a written response to this letter by September 18, 2017.

In addition, we would welcome the opportunity to meet again with representatives of Imperial to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857 with your response to these requests.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Kirsty Green-Mann, Head of Corporate Responsibility, Imperial Brands



29 September 2017

Human Rights Watch
350 Fifth Avenue, 34th Floor,
New York, NY 10118-3299

IMPERIAL BRANDS PLC

121 Winterstoke Road
Bristol BS3 2LL, UK

Tel: +44 (0)117 963 6636
www.imperialbrandspkc.com

Dear Ms Buchanan and Mr Mavhinga,

I am writing in response to your letter, which was dated August 16, 2017 and passed to me for reply from the office of Mrs. Alison Cooper. We thank you for the opportunity of continued dialogue and to respond to your queries regarding our tobacco sourcing interests in Zimbabwe.

We also appreciate the opportunity to share information ahead of Human Rights Watch publishing the report and the investigative work undertaken that highlights the continued need for a collective focus on driving supply chain improvements, to which we are committed and aligned.

Tobacco Leaf Purchasing

We purchase a volume of Flue Cured Virginia tobacco from Zimbabwe through supplier companies that operate there. This is around 2% of our annual global tobacco sourcing requirement and 1% of the tobacco produced in Zimbabwe. Over the past three years (2015 – 2017) purchases originating in Zimbabwe have been through commercial entities relating to Alliance One International, Universal Leaf Tobacco Company Incorporated and Conraf-Nicotex Tobacco GbmH.

We have increasingly moved away from the Zimbabwean auction system so that in 2017 83% of the entire Zimbabwe purchase was related to contracted farmers. In order to meet volume requirements, we are sometimes required to rely on auctioned tobacco, which in 2017 was at 17% of our Zimbabwean tobacco requirement and down from 23% in 2015.

Registered in England
and Wales No: 3236483

Registered Office:
121 Winterstoke Road
Bristol BS3 2LL, UK



All of the Zimbabwe tobacco that we purchase is sourced through our merchant suppliers and has signed contracts to our stated terms and conditions. The most relevant extracts from these contracts relate to social responsibility, code of conduct and audits and are provided in Appendix 1 of this letter.

With volume changes there is some variation in the number of farmers contracted relating to our tobacco purchases year-on-year, however this is in the region of some 15,000 farmers. We understand this to be out of a contracted growing-base of over 72,000 Zimbabwean farmers who produce tobacco.

Child Labour and Labour Rights

The Sustainable Tobacco Programme (STP) was introduced in 2016 as a more robust and industry-aligned supplier programme to help focus continuous improvement. The requirements under STP include that a return and associated reviews are completed for each type of tobacco. If a market requires auction and contract purchases, a return is required for each type of sourcing. Submissions are also made at the end of every crop season, by the 30th November, and 1-month prior to an upcoming review.

Key changes under the programme that are relevant to labour practices are part of the specific 'People' pillar. The aim of the enhanced STP is to provide an increased level of detail highlighting supplier's performance by tobacco type, with suppliers being reviewed at least every 3-years, and to provide a framework for improvement.

The latest available data is used for each submission, except when it is specified that a full crop year is required. Please note that the STP requirements relating to the People pillar (P) are detailed in Appendix 2 of this letter.

The global implementation of STP has included our provision of an Imperial suppliers list to the service providers AB Sustain, detailing processing line locations and the different tobacco types purchased by each supplier. The list of suppliers is updated annually. Under STP suppliers are to be subject to a review at least every 3-years. The first STP reviews commenced in June 2016. The reviews are structured to cover every criteria with all suppliers in the same origin and year.

Performance Information

In the spirit of transparency we share with you the supplier performance information requested, however in respect of our suppliers the information is anonymized. We kindly ask this information is treated considerately as this is not information we place in the public domain per se. Self-assessment supplier performance results for Zimbabwe pertaining to child labour and labour results are detailed in the tables below which also incorporate the last AB Sustain Review for Zimbabwe (conducted in November 2015 under SRiTP):

2015 (SRiTP)	E1 Children on Farms	E3 Farm Labour – Codes and Conventions	E4 Supplier Workforce – Equal Opportunities
Supplier X Self -Assessment	55%	61%	53%
Supplier X Review	66%	62%	63%
Supplier Y Self -Assessment	63%	48%	100%
Supplier Y Review	68%	65%	100%
Supplier Z Self -Assessment	No purchase	No purchase	No purchase
Supplier Z Review	No purchase	No purchase	No purchase

Please note: Action plans were submitted following the 2015 audit review following the above non-conformances.

2016 (STP) Agronomy	P 2.2 Hazardous tasks exposure of people below 18	P2.3 Children on family farms	P 2 Child Labour
Supplier X Self -Assessment	94%	78%	82%
Supplier Y Self -Assessment	72%	66%	68%
Supplier Z Self -Assessment	27%	25%	26%

Please note: Current submissions are in progress until 30th November 2017

As can be seen in the performance results, suppliers have been considered in their assessments, and on occasion report below the performance determined by the AB Sustain Review and our own minimum standards. We understand this to be a reflection of the programme and relationships which facilitate continuous improvement. Please note that the next AB Sustain Review is scheduled to be undertaken in May 2018 and will be in relation to the new STP.

Over the past 3-years our own personnel from our Leaf Sustainability Team have undertaken work in Zimbabwe. This has included the following visits:

2015

24 th -28 th August	(Forestry audit)
21 st - 25 th September	(Sustainability audit)
24 th -30 th November	(SRiTP review)

2016

8 th -12 th February	(Sustainability visit)
23 rd -25 th May	(Forestry visit)
25 th -30 th July	(Forestry audit)

2017

5-7 th January	(Farmer visits)
9 th - 10 th March	(Farmer visits)
15 th -19 th May	(Sustainability visit)
11 th - 21 st July	(Leaf Partnership audits)
24 th -28 th July	(Forestry audits)

Whilst the visits may have a different primary focus, all visits cover general discussions on labour practices and the issue of child labour as part of the wider sustainability agenda.

Since 2013 we have furthered supplier partnerships in Zimbabwe by sponsoring and financially funding projects such as barn improvements and irrigation trials to improve farmer efficiency and productivity. We are currently conducting a study to better understand the benefits of these projects on farmer livelihoods and the wider communities. Similar partnerships are also ongoing in Malawi, Mozambique and Tanzania. The partnership projects that have been developed with our suppliers, focus on mitigating child labour risks, encouraging school attendance and increasing farmer's return.

We are aware that on occasion instances of child labour have been found through monitoring practices and that this is reflected in the STP self-assessment. In such instances where there is a non-conformance, or minimum requirements are not met, we expect prompt action to be taken by the supplier in terms of the incident being stopped and that a longer-term action plan is developed. Corrective action plans include activities such as age verification checks for workers, increase in unannounced inspections and / or monitoring visits, enhanced visit reporting and awareness session to be delivered to field workers and farm managers.

STP applies to tobacco that has been purchased by merchants from auction floors as well as tobacco purchases produced under contract. Tobacco sourced from the auction floor is expected to be traceable as growers are required to register and have registered grower's numbers. Leaf Technicians do not as a matter of course visit farmers that are not contracted but technical and compliance training is conducted throughout the growing areas and attendance of all growers is encouraged. We expect the same standards to apply, however we recognise that there can be more

challenges with this scenario and hence we favour and have been keen to progress the extension of purchases related to contracted farmers.

Reporting and Transparency

We are looking to enhance and improve our disclosures relating to STP. We are planning for this to be part of our reporting cycle whereby we publish updates in our sustainability performance in the month of December. To date we have reported the total supplier performance score with a year-on-year comparison. We understand and recognise increasing stakeholder interest for further detail and the good practice cited as part of the UN Guiding Principles on Business and Human Rights.

We are preparing to report STP performance regionally and by the different pillars relating to agronomy and processing. We continue to review the level of disclosure that we make in response to stakeholder expectations and feedback. We are mindful that as this is a collaborative programme and there is an associated reporting burden, to make disclosures that are appropriate and constructive, and aligned to an approach of continuous improvement and supplier partnership.

Support of ECLT

As another element of our commitment to address child labour, we continue our support of the Eliminating Child Labour in Tobacco Growing Foundation. We believe that ECLT has an important role in specifically focusing on the child labour issue and an ability to partner and galvanise collective action, where as a tobacco company we have additional challenges. We continue to support the ECLT and a collaborative approach within the industry and with the wider ECLT partners. We continue to consider that work-streams such as the public private partnership, initiated by ECLT, to determine an authoritative global industry reference for hazardous child labour and the Members' Pledge of Commitment are important in helping to progress further improvements and provide opportunities for further learning.

Further dialogue

We thank Human Rights Watch for the opportunity to discuss the research and the determined findings. We are pleased that we secured a mutually convenient date on 28th September 2017.



We would also like to formalise our offer to Human Rights Watch personnel or representatives to join us on an in-country visit with our Leaf Sustainability Team to better understand our commitment to enhancing supply chain standards. Please let us know if this is something that may be taken forward and with whom we should liaise?

I trust the information provided is of help and I look forward to further dialogue.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Kirsty", with a long horizontal flourish extending to the right.

Kirsty Green-Mann
Head of Corporate Responsibility



APPENDIX 1 – Wording of Leaf Supplier Contract Extract

10. Social Responsibility

10.1 Supplier shall complete the Sustainable Tobacco Production (STP) roadmaps fully and openly, and prepare a three year action plan for improvement thereof (the "Plan"). Supplier will cooperate with Imperial to implement the Plan in order to achieve the improvements. Details of Imperial Tobacco's social responsibility commitments can be found on the Imperial corporate website under Responsibility.

11. Code of Conduct

11.1 In meeting its obligations under this Agreement, Supplier shall, at all times conduct itself in a manner consistent with the principles set out in the Imperial Tobacco Tobacco's Code of Conduct which can be accessed via the corporate website.

12. Audit

12.1 Imperial reserves the right to audit the Supplier's compliance with the provisions of this Agreement upon reasonable advance notice to Supplier and during normal business hours without interfering with the business of Supplier; provided, however, that Imperial shall have no right to witness Supplier's activities for its other customers or to review Supplier's records related to Supplier's activities for its other customers.

APPENDIX 2 – STP People Pillar Requirements

P2 CHILD LABOUR ON FARMS

No person under 18 can perform hazardous work, which means any work which is likely to jeopardise a child's physical, mental or moral health, safety or morals. One of the worst forms of child labour, this is work that is inherently dangerous.

The Basic Minimum Age for employment in non-hazardous work should not be below the age for finishing compulsory schooling, and in any event not less than 15 years or the minimum employment age in the relevant country's law (whichever is higher).

Children of farmers between the ages of 13 and 15 years old or above the minimum age for light work as defined by the country's law, whichever affords greater protection, can do light work on their own family's farm, as long as it does not threaten their health and safety, or hinder their education or vocational orientation and training.

Children of farmers between the ages of 15 and 17 years old can do non-hazardous work on their own family's farm; they should not be below the age for finishing compulsory schooling, and in any event not less than 15 years or the minimum age for work in the relevant country's laws, whichever is higher.

P2.1 EMPLOYMENT OF CHILDREN ON FARM - There is no employment or recruitment of child labour.

The minimum age for employment in non-hazardous work shall not be below the age for finishing compulsory schooling, and in any event, is not less than 15 years or the minimum employment age in the relevant country's law, whichever is higher

P2.2 EXPOSURE OF PEOPLE BELOW THE AGE OF 18 TO HAZARDS ON FARMS - Farmers are aware of any regulatory requirements with regard to the Exposure of People Below the age of 18 to Hazards.

Hazardous work (ECLT Recommendation No. 190 of Convention No. 182) may include but is not limited to the following:

- Work which exposes children to physical, psychological or sexual abuse
- Work underground, underwater, at dangerous heights or in confined spaces
- Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads
- Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to extreme temperatures, noise levels or vibrations damaging to their health
- Work under particularly difficult conditions such as work for long hours or during the night—or work where the child is unreasonably confined to the premises of the employer/parent
- Physical contact with green tobacco leaves

P2.3 CHILDREN ON FAMILY FARMS - On family farms, a child may only help on his or her family's farm provided that the work is light work and that the child is between 13 and 15 years old or above the minimum age for light work as defined by the country's laws, whichever affords greater protection.

P3 FORCED LABOUR - All labour is voluntary. There is no Forced Labour or Human Trafficking.

P3.1 PREVENTION OF BOND, DEBT AND THREAT - Workers on farms do not work under bond, debt or threat and they receive wages directly from the farmer.

P3.2 FREEDOM TO LEAVE EMPLOYMENT - Workers are free to leave their employment at any time with reasonable notice.

3.3 FINANCIAL DEPOSITS - Workers on farms are not required to make Financial Deposits with employers.

P3.4 WITHHOLDING OF PAYMENTS - Worker Payments are not withheld by farmers beyond the legal and agreed payment conditions.

P3.5 RETENTION OF IDENTITY DOCUMENTS AND VALUABLES - Farmers do not retain the original identity documents or valuables of any worker

P3.6 PRISON AND COMPULSORY LABOUR - The farmer does not employ prison or compulsory labour.

P4. SAFE WORKING ENVIRONMENT - Farmers keep a safe and sanitary working environment, take reasonable measures to protect everyone working at the farm (hired workers and/or family members) from harm and provide appropriate care for them when necessary.

P4.2 GREEN TOBACCO SICKNESS (GTS) - Farmers do not permit people working at the farm (hired workers and/or family members) to top or harvest tobacco, or to load barns unless they have been trained in the avoidance of GTS.

P4.3 SECURE STORAGE OF CROP PROTECTION AGENTS (CPAS) - CPAs are stored in a lockable storage cabinet/cupboard and in a manner that prevents unauthorised access.

P4.4 HANDLING AND USE OF CROP PROTECTION AGENTS (CPAS) - No person working at the farm (hired workers and/or family members) is permitted to use, handle or apply CPAs or other hazardous substances such as fertilisers without having first received adequate training and without using the required



personal protective equipment. Persons under the age of 18, pregnant women and nursing mothers must not handle or apply CPAs.

P4.5 RE-ENTRY TIMES AFTER CPA APPLICATION - No people working at the farm (hired workers and/or family members) enter a field where CPAs have been applied, unless and until it is safe to do so.

P4.6 BREAKS AND ACCESS TO CLEAN DRINKING AND WASHING WATER - People working at the farm (hired workers and/or family members) are entitled to regular breaks, and have to have access to adequate quantities of safe drinking and washing water close to where they work and live at all times.

P4.7 ACCOMMODATION PROVIDED TO HIRED WORKERS - Hired workers' accommodation, where provided, is clean, safe, meets the basic needs of workers and conforms to the country's laws.

P5. FAIR TREATMENT - Farmers ensure Fair Treatment of workers and their families. There is no harassment, discrimination, physical or mental punishment or any other form of abuse of workers and their families.

P5.1 PHYSICAL ABUSE AND INTIMIDATION - There is no physical abuse, threat of physical abuse or any physical contact with the intent to injure or intimidate workers and their families.

P5.2 SEXUAL ABUSE AND HARASSMENT - There is no sexual abuse or harassment of workers and their families.

P5.3 VERBAL ABUSE AND HARASSMENT - There is no verbal abuse or harassment of workers and their families.

P5.4 DISCRIMINATION - Workers should be hired only on the basis of their experience and ability to perform the required tasks.

P5.5 SUPPORT MECHANISM - Workers have access to a fair, transparent, anonymous and effective Support Mechanism whereby they can raise their grievances.

P6. FREEDOM OF ASSOCIATION - Farmers recognise and respect their workers' rights to Freedom of Association and to bargain collectively without fear of reprisal, intimidation or harassment.

P7. INCOME, WORK HOURS AND BENEFITS FOR FARM WORKERS - Income earned during a pay period or growing season will always be enough to meet workers' basic needs and shall be of a sufficient level to enable the generation of discretionary income. Workers will not work excessive or illegal work hours.



P7.1 WORKING HOURS - Working Hours of workers are in compliance with the local laws. Excluding overtime, work hours do not exceed, on a regular basis, 48 hours per week.

P7.2 WAGES - Wages for all workers (including temporary, piece-rate, seasonal and migrant workers) meet, as a minimum, national legal standards or agricultural benchmark standards.

P7.3 REGULARITY OF PAYMENT - Wages of all workers are paid regularly and, as a minimum, in accordance with the country's laws.

P7.4 BENEFITS, HOLIDAYS AND LEAVE - Workers are provided with the Benefits, Holidays and Leave to which they are entitled by the country's laws.

P7.5 OVERTIME WORK - Overtime Work is voluntary and overtime wages are paid at a premium, as required by the country's laws or by any applicable collective agreement.

P8.1 FARM WORKERS' LEGAL RIGHTS - When farmers employ workers they need to verify, before the workers start work, that they know and understand the legal requirements regarding the terms of employment.

P8.2 WRITTEN CONTRACTS FOR FARM WORKERS AND EMPLOYEE RECORDS - Farmers and workers enter into written employment contracts when required by the country's laws and workers receive a copy of the contract.

P8.3 TERMS AND CONDITIONS OF EMPLOYMENT - At the time of recruitment, and at the time of hire, workers are provided with a written description outlining the work to be performed, working hours, wages to be paid, the period of employment and all legally mandated benefits.

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

Alison Cooper
Chief Executive
Imperial Brands PLC
121 Winterstoke Road
Bristol BS3 2LL
United Kingdom



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Ms. Cooper,

We are writing to follow up on our communications with you regarding Human Rights Watch's research on child labor and human rights abuses on tobacco farms in Zimbabwe. Thank you for our call on September 28, 2017 and your letter of September 29, 2017. We appreciate the constructive dialogue with Imperial Brands (Imperial) and the opportunity to learn more about your policies and practices with respect to human rights due diligence.

We are writing now to update you on our next steps and share with you some initial recommendations that will be included in our report.

Over the last few months, we have written to 15 tobacco companies regarding human rights due diligence policies and practices in the tobacco industry in Zimbabwe. We have received responses from 13 companies. We have had constructive discussions with some company executives about their approaches to human rights in the supply chain. We also wrote to several government offices.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give Imperial the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding the company's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope Imperial will carefully consider these recommendations.

CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concordel
Marie Concordel
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatkin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We appreciate our engagement with you on these issues, and look forward to discussing them with you further.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Kirsty Green-Mann, Head of Corporate Responsibility, Imperial Brands



21 December 2017

Human Rights Watch
350 Fifth Avenue, 34th Floor,
New York, NY 10118-3299

IMPERIAL BRANDS PLC

121 Winterstoke Road
Bristol BS3 2LL, UK

Tel: +44 (0)117 963 6636
www.imperialbrandsplc.com

Dear Ms Buchanan and Mr Mavhinga,

I am writing in response to your letter, which was dated December 8, 2017 and passed to me for reply from the office of Mrs. Alison Cooper. We thank you for clearly articulating the recommendations from Human Rights Watch and giving us the opportunity to update you on our activities and to reply.

We have not specifically updated our operations, policies or practices since we last engaged with you on the 28th September 2017. In relation to the Zimbabwe investigation we did ask for more detailed information from our suppliers, who operate there.

We have also now updated our corporate website to include more information on the Sustainable Tobacco Programme (STP) and our approach to tackling child labour. We have also included further performance information in our Sustainability Report for 2017 and provided a child labour case-study. You can find the relevant documents and pages within the Responsibility section of our corporate website www.imperialbrandsplc.com

Policy Recommendation

We recognize the need for Imperial Brands to have a global human rights policy and this is something we are currently working to address. This will be in addition to our Code of Conduct and the supplier standards where we have clearly specified our requirements aligned to ILO conventions.

Registered in England
and Wales No: 3236483

Registered Office:
121 Winterstoke Road
Bristol BS3 2LL, UK



We therefore clearly agree with your recommendation that this prohibits the use of child labour anywhere in the supply chain and that hazardous work for children under 18 is prohibited.

We note in your recommendation that this should apply to any work where an under 18 may have direct contact with tobacco in any form, rather than as per our current approach, which is task specific. We understand this recommendation relates to certain deduced findings, based on the qualitative interviews, that any contact with tobacco is hazardous.

We may or may not take this policy position as we wait to be guided by the Eliminating Child Labour in Tobacco Growing Foundation and the ILO Public Private Partnership, which through scientific review and stakeholder engagement will provide an authoritative reference for what constitutes hazardous working.

Field Level Monitoring Recommendation

We understand the important role that field level monitoring and farmer education has in the address of child labour. We see that we have a greater opportunity to communicate the current levels of monitoring that is undertaken particularly by the Leaf Technicians who work for our suppliers. We see that we have an opportunity to further disclose metrics in this regard. This is something that we are exploring with a view to enhance reporting.

With regard to the call for increased third-party monitoring this is something that we are willing to explore. We can see that there may be benefit in terms of using specialist organisations to conduct specific assessments to identify improvement opportunities, the potential further enhancement of STP and the third-party reviews. We are however mindful that we can not practically police child labour out of the supply chain and that the root causes of child labour need tackling and sustainable solutions sought, with collective stakeholder will.

Enhanced Reporting Recommendation

We have taken some initial steps to enhance our reporting of STP and child labour. This is something on which we will build noting your points for information around non-compliance, remediation and results.



We recognize that we have a wealth of information within STP and in terms of how our suppliers manage labour practices. We will give thought to how information pertaining to the child labour issue is meaningfully extracted and then disclosed. We expect this will now be part of our next reporting cycle in December 2018.

I trust the information provided is of help and we look forward to further dialogue.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Kirsty Green-Mann".

Kirsty Green-Mann
Head of Corporate Responsibility

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzyński
Donna Slight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

August 16, 2017

Mitsuomi Koizumi
President and CEO and Representative Director
Japan Tobacco Inc.
2-1, Toranomon 2-chome, Minato-ku,
Tokyo, 105-8422
Japan

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Koizumi,

We are grateful for the sustained, constructive dialogue we have had with Japan Tobacco Group (JT Group) regarding child labor and other labor concerns in tobacco farming in several countries. We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe.

If Japan Tobacco International (JTI) purchases tobacco in Zimbabwe, including through affiliates or suppliers, we would welcome your response to the questions below. We would be grateful for a response by September 18, 2017.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. This letter summarizes our findings.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers and other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, some companies' failure to provide copies of contracts to contracted farmers, and other human rights problems.



Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies, reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the

contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and if JTI is purchasing tobacco from Zimbabwe, would hope to reflect relevant information about the implementation of the ALP in Zimbabwe in our report. We are interested to learn more about JTI's purchasing of tobacco, if any, in Zimbabwe. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing

1. Does JTI purchase tobacco from Zimbabwe, either directly or through affiliates or suppliers? If so, we would be grateful to receive brief data on JTI's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of JTI's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is JTI's market share in Zimbabwe?
4. Does JTI or its affiliates or suppliers contract directly with tobacco farmers or groups of farmers in Zimbabwe?
 - a. If so, how many farmers were contracted with JTI's affiliates or suppliers in 2015, 2016, and 2017, and in which provinces?
 - b. What proportion of the total tobacco purchased by JTI in 2015, 2016, and 2017 was purchased from contracted growers?
 - c. Could JTI share a copy of a sample contract used by its affiliates or suppliers?
5. Does JTI or its affiliates or suppliers purchase tobacco from auction floors in Zimbabwe?
 - a. If so, which auction floors? What proportion of the total tobacco purchased by JTI in 2015, 2016, and 2017 was purchased through this system?
 - b. What actions does JTI take to verify that the sellers on auction floors meet the requirements under the company's human rights policies?

Child Labor and Labor Rights

Through our sustained dialogue with JT Group, we are familiar with JTI's Agricultural Labor Practices (ALP) program.

6. Have there been any substantive changes to JTI's Agricultural Labor Practices since our last correspondence with you in 2016 or since the policy as published in JTI's 2017 Agricultural Labor Practices report, found on the JTI website?

We would welcome specific information regarding JTI's implementation of that policy in Zimbabwe through affiliates, suppliers, direct contracts with growers as well as in the context of purchasing tobacco on auction floors:

7. Has JTI begun to implement the ALP in Zimbabwe, including through affiliates or suppliers? If so, when did implementation begin? If it has not begun, when is it scheduled to begin?
8. How does JTI communicate and implement its labor policies to tobacco growers, affiliates and suppliers, as well as growers who may be selling tobacco leaf to JTI affiliates or suppliers on auction floors, including regarding hazardous work, the minimum age for work; working hours, wages, overtime, and provision of contracts to workers and growers; requirements for handling and storage of pesticides, information on and protection from

- nicotine poisoning and Green Tobacco Sickness, provision of personal protective equipment (PPE), as well as other human rights and labor rights concerns?
9. How does JTI monitor implementation of its ALP in Zimbabwe including among growers, affiliates and suppliers, as well as growers who may be selling tobacco leaf to JTI affiliates or suppliers on auction floors?
 - a. Does JTI use differentiated methods for communicating, implementing and monitoring its labor standards on large commercial farms and on small-scale farms in its supply chain in Zimbabwe?
 10. Has JTI identified or received any reports of child labor or other labor concerns on tobacco farms supplying tobacco to JTI or its affiliates and suppliers in Zimbabwe in 2015, 2016, or 2017? If so, what actions has Japan Tobacco International taken?
 11. What steps is JTI taking to publish comprehensive and verifiable information regarding its ALP and human rights due diligence procedures, including in each country in which it operates, in order to ensure transparency, an essential component of meaningful human rights due diligence, as specified under the UN Guiding Principles on Business and Human Rights?

We would welcome a formal response to this letter by September 18, 2017.

In addition, we would welcome the opportunity to meet with representatives of Japan Tobacco International to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857 with your response to these requests.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Bilgehan Anlas, Senior Vice President, Global Supply Chain & Global Leaf, JTI
Maarten Bevers, Vice President, Corporate Affairs & Communications, Global Leaf, JTI
Elaine McKay, Global Social Programs Director, Global Leaf, Corporate Affairs and Communications, JTI
Yukiko Seto, Senior Manager, CSR Division, Japan Tobacco Inc.



Human Rights Watch
350 Fifth Avenue, 34th floor
New York, NY 10118-3299
USA

Geneva, 15 September 2017

Dear Jane, Mr. Mavhinga,

Thank you for your letter of 16 August, outlining your preliminary findings on child labor issues in Zimbabwe. We are pleased to continue our constructive and valuable dialogue with Human Rights Watch on how to improve human rights and labor standards in agriculture. We provide our information in the hope that it will not only supplement your research, but also explain our approach.

As you are aware from our previous meetings and correspondence, the JT Group takes the issues referred to in your letter very seriously. We have high standards for the respect of human rights and the fair treatment of people, and we expect our partners to abide by these standards. Our commitment to upholding human rights throughout our business has been formalized in the [JT Group Human Rights Policy](#). This policy is aligned with the United Nations Guiding Principles on Business and Human Rights and was developed in consultation with stakeholders. We also have a wide range of measures that ensure that we are adhering to business principles and ethical standards which can be found in our [Code of Conduct](#), and have established grievance mechanisms whereby employees, customers, distributors and suppliers are all able to report suspected human rights violations. Where breaches are reported, or identified and are validated, our efforts focus on remediation. Regarding labor rights specifically, as you know JTI's [Agricultural Labor Practices \(ALP\)](#) support our approach worldwide.

In response to your questions on our tobacco leaf purchasing in Zimbabwe, we are sure that you will understand that whilst we will furnish you with as much detail as possible, there are commercial sensitivities that restrict us from providing detailed data with regards to quantities and values purchased from third party suppliers. We are pleased however to provide you with the following:

- Tobacco procurement from Zimbabwe is part of our sourcing strategy, however the volumes equate to a relatively small percentage of our global purchase at approximately 6% of global planned purchase, estimated to be 5% of the total volume grown in Zimbabwe in 2017. We are of the understanding that of all the tobacco grown in Zimbabwe, an estimated 83% is sold through direct contracts between third-party suppliers and growers, and the remaining 17% through auction systems, which is non-contracted.

- JTI have no directly-contracted growers in Zimbabwe. Instead, we source our requirements from Zimbabwe through third party leaf suppliers.
- JTI sources approximately 95% of its Zimbabwean requirements from three key third-party suppliers, Universal, AOI and Premium. The majority of the tobacco they source for JTI is purchased through a direct grower contract system with both independent growers and grower groups. They also participate on the auction floors, together with 15 other buying companies, and 33 registered auction buyers.
- Regardless of whether the commercial arrangements are direct or third-party, the requirement of compliance with our ALP standards remains. The way in which the standards are implemented however differs depending on the nature of the agreement. If we directly contract with growers, the ALP standards are embedded in the contracts we have with them. If we procure tobacco from a third-party, our level of influence with the farmers is indirect, so we require our third-party suppliers to embed ALP standards into their local agreements. This ensures that ALP standards will be adhered to further down the supply chain. We have copies of grower supply agreements from our third-party suppliers and are happy to share these with you.
- As part of the ALP implementation, our suppliers are required to submit reports and action plans to us every six months using templates we provide. This includes our suppliers in Zimbabwe. Our mandatory reporting process enables us to identify gaps, suggest improvements, and refine the implementation approach. We are now in our third round of reporting, and are able to analyze year-on-year findings. This analysis supports our discussions on improvements with suppliers. In addition to reporting, we regularly engage with our suppliers, which helps us understand the main labor issues. In 2016, these issues were Health & Safety, Rights of Workers and Child Labor.
- JTI's confirmed purchases¹ in Zimbabwe during 2015, 2016 and 2017 seasons were as follows:
 - 2015: 19,049 tons
 - 2016: 15,662 tons
 - 2017: latest estimate 8,496 tons
- As part of our annual plan, we will visit Zimbabwe this year, to follow up with our suppliers and conduct field visits and interviews with the farmers and ALP teams.
- We are yet to analyze data from 2017, but key issues from Zimbabwe observations in 2016 are listed below. We have included improvement measures that our suppliers have implemented in response to the observations:
 - Health & Safety: Lack of access to first aid accounted for 51% of health & safety-related observations. In response, an action plan to ensure that farmers and workers are made aware of their nearest medical facility was developed. Other observations relate to farm safety (31%), Green Tobacco Sickness (GTS) prevention (4%), Crop Protection Agent (CPA) management (5%) and machinery and hand tools (6%). Improvement measures include distribution of Personal Protective Equipment, CPA storage solutions, training, and distribution of information and pamphlets to farmers and supplier field staff.
 - Child Labor: Underage children working accounted for 40% of child labor-related observations, and almost 60% relate to hazardous work. Improvement measures include programs to improve school attendance (rainwater

¹ Please note that our volume calculation is based on a packed basis, where lamina and by-products are separated at the leaf processing factory, re-dried and packed.

harvesting² and student sponsorship), training and distribution of information to farmers and supplier field staff.

- Rights of Workers: Freedom of Association accounted for 73% of related observations. Further investigation resulted in additional training for field staff on understanding this issue, and subsequent reporting shows a decrease in observations in this category.

In response to your questions on child labor and labor rights, we are pleased to share the following information:

- As you are aware from previous conversations and communications, JTI's Agricultural Labor Practices (ALP) supports our approach to leaf supply chain management and labor standards. They were developed with the support and guidance of the International Labor Organization (ILO), and include internationally recognized labor standards regarding child labor, rights of workers, and workplace health and safety. We communicate our ALP standards to our directly-contracted and indirectly-contracted growers, and provide them with guidance and training for implementation.
- The global implementation of ALP takes time and its effectiveness depends on the understanding and commitment of both the growers and the farming experts who work for our third-party suppliers. There needs to be a strong understanding of local conditions and challenges in each country and comprehensive and customized training programs. It is important that those who must uphold the ALP standards also understand how to implement them. We therefore meet country teams, discuss implementation, visit farms, and agree actions plans with local entities. To date, the prioritization of countries in which JTI rolls out the ALP has largely been dependent on the size of operation, and on pre-mapped potential risks.
- In 2017 we asked our leaf suppliers what we could do to better understand and address the challenges they face in implementing the ALP. This resulted in the development of guidance to support suppliers regarding extreme breaches of the ALP standards. This process incorporates three key elements: protection for the victim and observer, a clear escalation route and remediation plan, and access to specialist support. This guidance is due to be shared with all suppliers.

Child Labor remains a major challenge in agriculture, and we therefore place special importance on this issue. We have introduced the ARISE Program in countries where our tobacco leaf is procured through directly-contracted growers. We specifically promote education as the way to prevent and eliminate child labor. The program is delivered in partnership with Winrock International and the ILO. In 2016, we had placed 9,742 children into formal education in four countries. Although ARISE is not active in Zimbabwe, the Program's materials and guidelines are shared with our third party suppliers to ensure consistency of approach. In addition, as members of the Eliminating Child Labor in Tobacco Growing (ECLT) Foundation, we continue to explore ways to scale up our efforts.

² As an afterschool activity, one of our suppliers has implemented a program called "one child one tree", whereby children from selected schools benefit from learning about rainwater harvesting as a form of irrigation to improve efficiencies around the use of water and labor. This activity reduces the risk of children falling into child labor.

We have already expressed our unequivocal commitment to respecting human rights, improving labor conditions and ending child labor. Regardless of the size of our purchases, or whether we purchase tobacco ourselves directly or through third party, we remain determined to creating positive change and a long-term future for tobacco growers. We hope that you will recognize that our approach toward tackling issues such as child labor and workers' health and safety is globally harmonized and is applied with the same thoroughness and diligence worldwide.

We welcome the publication of a more detailed report, as we believe that Human Rights Watch's work in this area continues to raise public awareness of the complexities around business and human rights, in particular, child labor in farming. We look forward to future opportunities for us to continue to work together in making a difference.

We also welcome your suggestion for another face to face meeting. Due to organizational changes it would allow us to introduce Mike Roach, who has replaced me as Head of Corporate Affairs and Communications in our Leaf Department. We therefore look forward to a meeting where we can discuss our approach to ALP in our tobacco leaf supply chain in more detail.

Yours sincerely,

p.p. 

Maarten Bevers
Vice President Corporate Social Responsibility
Corporate Development



Mike Roach
Vice President Global Supply Chain and Global Leaf
Corporate Development

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

Mitsuomi Koizumi
President and CEO and Representative Director
Japan Tobacco Inc.
2-1, Toranomon 2-chome, Minato-ku,
Tokyo, 105-8422
Japan



CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concordel
Marie Concordel
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatkin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Koizumi,

We are writing to follow up on our communications with you regarding Human Rights Watch's research on child labor and human rights abuses on tobacco farms in Zimbabwe. Thank you for your letter of September 15, 2017 and our meeting on November 30, 2017. We appreciate the constructive dialogue with JT Group and the opportunity to learn more about your policies and practices with respect to human rights due diligence.

We are writing now to update you on our next steps and share with you some initial recommendations that will be included in our report.

Over the last few months, we have written to 15 tobacco companies regarding human rights due diligence policies and practices in the tobacco industry in Zimbabwe. We have received responses from 13 companies. We have had constructive discussions with some company executives about their approaches to human rights in the supply chain. We also wrote to several government offices.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give JT Group the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding the company's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope JT Group will carefully consider these recommendations.

Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We appreciate our engagement with you on these issues, and look forward to discussing them with you further.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Maarten Bevers, Vice President, Corporate Affairs & Communications, Global Leaf, JTI
Elaine McKay, Global Social Programs Director, Global Leaf, Corporate Affairs and Communications, JTI
Mike Roach, Global Supply Chain and Global Leaf VP, Corporate Development, JTI
Yukiko Seto, Senior Manager, CSR Division, Japan Tobacco Inc.
Wataru Uriu, Director, CSR Division, Japan Tobacco Inc.



Human Rights Watch

350 Fifth Avenue, 34th floor
New York, NY 10118-3299
USA

Geneva, 15 January 2018

Dear Jane, Dewa,

Thank you for your letter of 8 December 2017, in which you outline your preliminary recommendations to all companies purchasing tobacco from Zimbabwe. We appreciate the opportunity to engage with you again, following on from the constructive meeting, we had on November 30, 2017. We also welcome your preliminary recommendations, and believe that we already meet these recommendations or are making significant progress towards meeting them. We enjoyed the good discussion around the topic of monitoring and follow up on observations with our third party suppliers. We will certainly look into further improvements along the lines we discussed.

As you already know from our previous correspondence and meetings, the JT Group has high standards for the respect of human rights in all countries where we operate. We are committed to upholding internationally recognized labor standards, and our Human Rights Policy and Agricultural Labor Practices (ALP) standard, supports this approach.

As a recap, you will recall from our most recent meeting that just 6% of our total tobacco purchases is sourced from Zimbabwe (5% of the country's total grown), and we procure all from three third party suppliers. In September, we visited the suppliers and conducted workshops with them, and undertook field visits and meetings with some of their contracted farmers to assess the alignment of their ALP programs to JTI's expectations. All three have ALP programs in place, with one (Premium) having introduced the program in the last 12 months. They have trained their Leaf Technicians on ALP standards, and have recorded observations. They report to JTI on a six-monthly basis, informing of the issues and improvement measures being implemented. Furthermore, one supplier, Universal, is leading efforts with the

Tobacco Industry Marketing Board to implement ALP in the auction system, representing 20% of tobacco purchased in Zimbabwe.

In response to your first recommendation, as you are aware, our policies and standards prohibit the use of child labor in our supply chain. Developed with the support and guidance of the International Labour Organization (ILO), our ALP has specific provisions regarding child rights, workplace health and safety, and other labor rights. More specifically, our hazardous work list in the ALP states that: "Handling green tobacco leaves and harvesting, topping and suckering of tobacco should not be performed by children under 18." This is in alignment with the Sustainable Tobacco Production (STP) Program, which states that "No person below the age of 18 years old performs any type of hazardous work", and explicitly mentions one of the activities is "Physical contact with green tobacco leaves". As we shared with you in our meeting, we believe that the best way forward is through an industry wide initiative such as STP, because we cannot address the entire sector's challenges alone nor in isolation. We will consider your request to extend the definition of hazardous to include the dust aspect of handling dried tobacco leaf.

During 2017, we amended our ALP by adding a transport category to our Health and Safety pillar, and by adding a reference to third party leaf suppliers, which is particularly relevant to Zimbabwe. ALP standards are embedded into contracts with third party suppliers, and are communicated to directly contracted and indirectly contracted growers. Guidance and training is also provided for implementation.

In response to the second recommendation, which suggests regular and rigorous monitoring at field level, and engaging third party monitoring, we believe that external verification is an important and inseparable element of sustainable and responsible sourcing. However, we also believe that there is no room for a traditional approach with certification methodologies, especially in family, smallholder farming. Our social programs in the field, such as Achieving Reduction of Child Labor in Support of Education (ARISE), Grower Support Programs (GSP), and ALP, aim to be relevant to local communities. They are not compliance driven, but improvement, impact and value driven. They respect local context and culture. We have several initiatives to measure, or that will measure, the impact we make or that of our suppliers.

In 2017, we began piloting an Impact Assessment (IA) methodology with the ILO in Malawi and Brazil, which is based on a tailor-made IA Framework and Theory of Change. The pilot is expected to be completed in 2018, and depending on results, the approach could be applied to third party leaf suppliers. In Zimbabwe, we continue to monitor ALP closely and are providing feedback on our visit to our Zimbabwean suppliers and their respective head offices. The suppliers are expected to provide us with reports on observations and improvement actions in Zimbabwe at the end of January and July 2018. We will review these reports closely, and follow-up with feedback to encourage continuous improvement in their ALP programs and enhanced impact. We have planned a follow up visit during the harvest in Q1 2019, to review supplier progress and observe the conditions on farms. Furthermore, we

are providing our suppliers with access to our guidance and training materials covering additional steps to observe Rights of Workers breaches; Extreme Breaches management processes; and Child Labor training, which has been developed with the ILO.

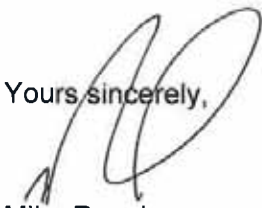
We are also currently working with ABSustain on the STP program to improve the current assessment methodology, and to provide impact assessment based, reliable, less complex, yet meaningful verification. All our leaf suppliers are assessed via STP, but we also currently considering other IA methodologies and approaches with human rights and sustainability experts. As we mentioned in our November meeting, we are committed to having ALP fully implemented across our entire tobacco sourcing base by 2019, and an Impact Assessment or credible external verification is part of that commitment.

In response to your third recommendation to regularly publish information about results of our monitoring, our suppliers are required to submit bi-annual reports and action plans to us. To date there have been three rounds of reporting: two in 2016; and one in the first half of 2017. We are yet to receive the report for the second half of 2017, and are yet to analyse the 2017 data, which will only be done regionally at the end of every crop cycle. We share this information internally with those in the position to improve things. We also have separate monitoring and evaluation of our ARISE and GSP, which we report each year, in the public domain, via our [ARISE annual review](#).

In addition, the JT Group Sustainability Report FY2016 and its ancillary document include information about our grievances around labor practices in general. The report, which is in accordance with the GRI core level, mentions the number of grievances concerning labor practices (excluding human rights) as well as those relating to human rights impacts, which were filed and addressed through our formal grievance mechanism. For more information, please see our [GRI G4 Content Index](#).

We welcome the publication of the Human Rights Watch report mid-2018, because we believe that it will raises awareness of the complexities around business and human rights in general, and those in the tobacco industry specifically. We appreciate opportunities for us to continue to work together in making a difference.

Yours sincerely,



Mike Roach

Global Supply Chain Vice President

Corporate Development

Japan Tobacco International

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gerntholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzyński
Donna Slaughter
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

August 16, 2017

Tobs Strong
Chief Executive Officer
Rift Valley Corporation
12 - 14 Paisley Road
Southerton, Harare
Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Strong,

We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We plan to publish our research in a report in the coming months. Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with representatives of some of the world's largest tobacco companies about their policies and practices for respecting human rights and addressing abuses in their global supply chains.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems, including on some farms supplying to Northern Tobacco, which we understand from the Rift Valley Corporation's website to be a Rift Valley Corporation company.

This letter summarizes our findings and includes several questions regarding Rift Valley Corporation's human rights policies and practices. We would be grateful for a response to these questions by September 18, 2017, so that we can reflect Rift Valley Corporation's position in our reporting.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with Northern Tobacco or other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before

washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies, including Northern Tobacco, reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect Rift Valley Corporation's policies and procedures in our report. We are interested to learn more about Rift Valley Corporation's activities in Zimbabwe through Northern Tobacco. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing and Sales

1. We would be grateful to receive brief data on Northern Tobacco's tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. Does Rift Valley Corporation or Northern Tobacco purchase tobacco leaf from any other countries? If so from where and how much?
3. What is Northern Tobacco's market share in Zimbabwe?
4. To which companies does Northern Tobacco sell tobacco leaf and what is the percentage of total tobacco leaf sold to each client?
5. How many farmers were contracted with Northern Tobacco in 2015, 2016, and 2017, and in which provinces?
 - a. What proportion of the total tobacco purchased by Northern Tobacco in 2015, 2016, and 2017 was purchased from contracted growers?
 - b. Could you share a copy of a sample contract used by Northern Tobacco with growers?
 - c. Does Rift Valley Corporation have a policy regarding the provision of copies of signed contracts to signatories?
6. What proportion of the total tobacco purchased by Northern Tobacco in Zimbabwe in 2015, 2016, and 2017 was purchased at auction either directly or through other suppliers?

Child Labor

7. What is Rift Valley Corporation's policy regarding child labor in the supply chain? What specific tasks are children under the age of 18 permitted to perform, and at what ages? How does Rift Valley Corporation define "hazardous work"?
8. How does Rift Valley Corporation communicate its standards and expectations regarding child labor to growers and suppliers, including growers who may be selling tobacco leaf to Northern Tobacco on auction floors?
9. Has Rift Valley Corporation identified or received any reports of child labor on tobacco farms supplying tobacco to Northern Tobacco in Zimbabwe in 2015, 2016, or 2017? If so, what actions has Rift Valley Corporation taken?
10. We would welcome any additional information Rift Valley Corporation would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor in tobacco farming in Zimbabwe.

Labor Rights

11. What is Rift Valley Corporation's policy regarding working hours, pay, overtime work, and breaks for hired workers on tobacco farms in the supply chain? How does Rift Valley Corporation communicate its standards and expectations regarding labor rights to growers and suppliers, including growers who may be selling tobacco leaf to Northern Tobacco on auction floors?
12. What is Rift Valley Corporation's policy on freedom of association and collective bargaining rights for workers?

Health and Safety

13. What steps does Rift Valley Corporation take to protect tobacco farmers, their families, and hired workers in its supply chain from nicotine poisoning or Green Tobacco Sickness? How does Rift Valley Corporation ensure workers in the supply chain are informed about the risks of nicotine poisoning or Green Tobacco Sickness?
14. What policies does Rift Valley Corporation have in place regarding handling and applying pesticides, disposal of pesticide containers, as well as the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals? How does Rift Valley Corporation monitor the implementation of these policies? How does Rift Valley Corporation ensure workers in the supply chain are informed about the risks of pesticide exposure?
15. What is the Rift Valley Corporation's policy concerning provision of personal protective equipment (PPE) to tobacco growers and workers?

Monitoring and Human Rights Due Diligence

16. How does Rift Valley Corporation monitor for child labor, labor rights abuses, health and safety violations, or other human rights problems in the tobacco supply chain?
17. What due diligence policies and procedures does Rift Valley Corporation have in place to identify, prevent, mitigate, and account for possible impacts of your company or your suppliers on human rights, including child labor and labor rights?
18. How does Rift Valley Corporation publish in comprehensive and verifiable ways the results of its human rights monitoring, a key component of effective human rights due diligence, as detailed in the United Nations Guiding Principles on Business and Human Rights?
(http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf)

We would welcome a written response to this letter by September 18, 2017. In addition, we would welcome the opportunity to meet with representatives of Rift Valley Corporation to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857 with your response to these inquiries.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: James Egremont-Lee, Head of Corporate Affairs, Rift Valley Corporation

4 – 12 Paisley road
Southerton, Harare
Zimbabwe

www.riftvalley.com



23rd August 2017

The Associate Director
Children's Rights Division
Human Rights Watch
34th Floor
350 Fifth Avenue
New York
NY10118 – 3299
UNITED STATES OF AMERICA

Attention: Ms. Jane Buchanan

Dear Ms. Buchanan

HUMAN RIGHTS WATCH RESEARCH ON TOBACCO FARMS

Thank you for your letter dated 16th August 2017 with your preliminary findings with respect to the above. We take this very seriously and will endeavor to work together to provide both the information requested and address any alleged issues as necessary. We understand the sensitivities around confidentiality but would ask if further details could be provided on precise locations of the alleged incidents to facilitate our ability to investigate further and/or put any necessary actions in place.

We recognize the impacts and risks associated with agricultural supply chains and tobacco growing on farmers, their families and local communities. As of 2017, 80% of our tobacco volume is provided by Commercial Growers and 20% by small-scale farmers. The information we have provided covers both groups.

We are responding as Northern Tobacco (Private) Limited (NT) and the processes we follow and cannot speak for the other tobacco companies operating Zimbabwe.

This letter provides an overview of the sector wide Sustainable Tobacco Programme (STP) and supporting policies and practices. It then addresses the questions you have asked specifically, including the provision of a range of supporting documentation.

Directors: R. W. J. Strong; P.W. West

SUSTAINABLE TOBACCO PROGRAMME

NT follows the requirements of the STP which supports the production of tobacco using good agricultural practices; good environmental practices and good labour practices. The STP is divided into the Crop Pillar, the Environment Pillar, the Facilities Pillar and the People Pillar. Each pillar sets out criteria that either the grower or NT or both has to be compliant with. The concerns raised are covered by the criteria of the STP programme. We are required to monitor on-going compliance from the data gathered, to complete an on-line assessment in November each year; and then once every three years we are independently audited. This process is similar to the previous Social Responsibility in Tobacco Production (SRTP).

We are provided with a guide to the STP requirements which details the criteria, guidance notes and the indicators. A copy of the STP Guide (Annexure "A") is attached. We have provided every Commercial grower with an electronic copy as well as a hard copy of the STP Guide. We have visited all the Commercial growers to discuss and provide an overview of the STP requirements an overview of the Best Practices and Agricultural Labour Best Practices Booklet and associated Monitoring processes. After each discussion the grower signs an acknowledgement confirming that the matters were discussed and that they understand the requirements. A copy of the acknowledgement (Annexure "B") is attached.

For the Small-Scale growers, we do not think that an electronic version is necessarily the most appropriate method to communicate and we have undertaken more focused training sessions. In our training sessions, small scale growers were provided with an overview of the STP and copies of the training material. 500 small scale farmers have received training so far (Copies of the Training Reports are attached) (Annexure "C").

SUSTAINABLE TOBACCO PROGRAMME POLICY DOCUMENT

One of the requirements of the STP is a Company Policy document. We have prepared a STP Policy Document that are placed throughout the NT offices. This makes reference to NT's commitment to the production of quality tobacco in Zimbabwe and recognizes that its operations have an impact on the local communities and environment at all levels. The document makes reference to elimination of child labour and health and safety issues. A copy of the Policy Document (Annexure "D") is attached.

BEST PRACTICES AND AGRICULTURAL LABOUR PRACTICES.

There are twenty-one (21) criteria in the STP that requires Best Practices. We have prepared a booklet called the Best Practices and Agricultural Labour Practices Booklet. The labour practices are in line with the requirements of the Labour Act of Zimbabwe and the National Employment Council for the Agricultural Sector Collective Bargaining requirements. The Commercial growers received an electronic copy and a hard copy which they are required to sign that they have read and understood the requirements during our visits.

Although a large number of our small-scale growers do speak English (and have been provided a copy of the Booklet that has been discussed during the training sessions

mentioned earlier); we recognize recognize the need to improve communications in local languages and the booklet is being translated into Shona (vernacular) for distribution to the Small-Scale growers by 18th September 2017.

A copy of the booklet (Annexure "E") is attached.

BIODIVERSITY STUDY

One of the requirements of the STP is that we carry out a Biodiversity Survey to assess the impact of tobacco production on biodiversity. This survey was carried out between May and July in the following areas:

Guruve (Mashonaland Central)
Nyazura/Odzi (Manicaland)
Marondera (Mashonaland East)
Karoi (Mashonaland West)
Beatrice/Goromonzi (Harare South)

This is a multi-stakeholder exercise and we engaged with Commercial and Small Scale growers, schools, , hospitals and clinics, NT Assessors, the Environmental Managements Agency, District Councils etc. This includes topics of relevance to your research, such as child labour, chemical storage, use and disposal, personal protective equipment, etc. The purpose of the survey is to collect data on the impact of tobacco on the biodiversity and develop and implement an action plan to mitigate the risks and monitor progress. Having collected the baseline data, we have started identifying the key risks with the view to develop a plan for implementation by 1st October 2017.

A Copy of the Biodiversity Survey (Annexure "F") is attached.

TRAINING

We have provided training to the NT Agronomists on the understanding of the STP and part of their role is to provide training to their Commercial growers. and assist them should they require help with any of the STP criteria and Best Practice requirements.

We also have a training programme that applies specifically to the Small-Scale growers. Phase 1 has identified approximately 500 growers that have received training to facilitate the understanding of the STP and associated best practice requirements. This involved provision of materials in Shona (vernacular), and discussion of topics such as child labour, use and storage of chemicals, disposal of chemical containers, personal protection equipment, etc. Copies of the training material on the Implementation of the STP (Annexure "G"), the Phase One Monitoring (Annexure "H") and Certificates of Attendance (Annexure "I") are attached.

In addition to the training above, we have identified other training such as Occupational Health & Safety, First Aid and Wealth Management Courses to small scale farmers and attendance Registers are kept,

MONITORING

Monitoring of the STP is carried out in four phases throughout the season i.e. seedbeds, transplanting, reaping and curing, grading and presentation. Before each phase we provide training to the Commercial Growers in respect of the requirements of each phase. Each phase questionnaire will include questions on labour that encompasses the issues raised by your research. A copy of the Phase One Monitoring Questionnaire (“J”) is attached.

Small scale farmers STP monitoring is done vis the Field Technicians that visit the small-scale farmers at least 4 times a year.

CONTRACT GROWER AGREEMENTS

Both the Commercial and Small Scale Contract Grower Agreement (CGA) make provision for the compliance with the criteria of the STP as follows:

- a) The NT Sustainable Tobacco Programme Guidelines have been made available to me;
- b) I have read the NT Sustainable Tobacco Programme Guidelines and understand how they apply to me and are committed to abide by the Criteria of the Programme;
- c) I authorise NT to undertake periodic assessments of our compliance with the criteria of the Sustainable Tobacco Programme using NT personnel or nominated third parties.

STANDARDS OF BUSINESS PRACTICE

We have a document which we require suppliers of goods and services to NT sign which make provision for human rights issues, child labour, health and safety etc. A copy of the Standards of Business Practice (Annexure “K”) is attached.

AGROCHEMICAL POSTERS

Agrochemical posters have been designed, printed and distributed amongst Commercial and small scale growers. A copy of the poster (Annexure “L”) is attached.

FORMS

We have designed the following forms for use by Commercial and small scale growers:

- Chemical Application Record
- Fertilizer Application Record
- PPE Issue Record

Copies of the Chemical Application Form (Annexure “M”), Fertilizer Application Form (Annexure “N”) and PPE Issue Record (Annexure “O”) are attached.

REQUEST FOR INFORMATION (further answer to questions)

Tobacco Leaf Purchasing and Sales

Please note that we believe that the majority of information requested for under Tobacco Leaf Purchasing and Sales (q1-6) to be commercially sensitive in nature. As stated previously all our Commercial and Small Scale farmers have a contract and sign that they have read and understood the requirements of STP. We can provide blank copies of contracts if required (completed contracts would require further permission). All our tobacco comes from Zimbabwe and only a small proportion is via auction.

Table 1 (below) outlines the number of farmers, broken down by region:

Table 1.

	2015	2016	2017
Harare	1	2	3
Mash West	1113	765	805
Mash Central	317	97	116
Mash East	387	128	191

Child Labour

7. **What is Rift Valley Corporation's policy regarding child labour in the supply chain? What specific tasks are children under the age of 18 permitted to perform, and at what ages? How does the Rift Valley Corporation define "hazardous work?"**

As mentioned above, the following documentation all refer to child labour:

- The STP Guide provides criteria relating to child labour
- The NT STP Policy Document,
- The Best Practices and Agricultural Best Practices Booklet, and
- The Standards of Business Practice

Insofar as tasks that children under the age of 18 are permitted to perform, the Best Practices and Agricultural Best Practices Booklet details as follows:

*"In terms of Section 11 of the Labour Act [Chapter 28:01], no employer shall cause any person under the age of 18 years to **perform any work which is likely to jeopardise that person's health, safety or morals** such as:*

- *Exposure to physical, psychological or sexual abuse;*
- *Working underground, under water, at dangerous heights or in confined spaces;*
- *Working with dangerous machinery, equipment and tools or which involves the manual handling or transport of heavy loads;*
- *Working in unhealthy environments which may expose them to hazardous substances, agents or processes or temperatures, noise levels or vibrations, which may damage their health;*

- *Working under particularly difficult conditions such as working for long hours or during the night or where they are unreasonably confined to the premises of the employer or parent;*
- *Having physical contact with wet green tobacco.”*

Hazardous work is defined as “**any work which is likely to jeopardise that person’s health, safety or morals**”, which is in line with hazardous child labour is defined by Article 3 (d) of ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182) as:

(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

8. How does Rift Valley Corporation communicate its standards and expectations regarding child labour to growers and supplier, including growers who may be selling tobacco leaf to Northern Tobacco on auction floors.

As mentioned above, Commercial growers are provided with an electronic copy of the STP Guide and the Best Practices and Agricultural Labour Practices. For the Small-Scale growers are concerned, we do not think that an electronic version is necessarily the most appropriate method to communicate and have focused upon training sessions. In our training sessions, small scale growers were provided with an overview of the STP and copies of the training material. 500 number of small scale farmers have received training so far (see Annexure “C”).

Small Scale Growers will also receive a copy of the Best Practices and Agricultural Best Practices Booklet translated into Shona (vernacular).

9. Has Rift Valley Corporation identified or received reports of child labour on tobacco farms supplying tobacco to Northern Tobacco in Zimbabwe in 2015, 2016 or 2017? If so what actions has Rift Valley Corporation taken?

To our knowledge we have not received any reports of child labour via STP or other on-going monitoring processes such as the Biodiversity Survey or via Field Technicians.

10. We would welcome any additional information Rift Valley Corporation would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labour in tobacco farming in Zimbabwe

- Contract Grower Agreements for Commercial and small scale growers refer to the compliance by growers of the criteria of the Sustainable Tobacco Programme.
- The STP Agronomy Guide detailing the criteria for the elimination of child labour is provided to Commercial Growers both electronically and in hard copy.
- The NT Best Practices and Agricultural Labour Practices Booklet is provided to Commercial growers both electronically and in hard copy and an acknowledgement of receipt is obtained from the grower. The booklet is currently being translated into Shona (vernacular) for distribution to Small Scale Growers.
- The NT Sustainable Tobacco Programme Policy document is displayed in the NT Offices and is reviewed annually.

- NT suppliers are required to sign the Standards of Business Conduct document which makes provision for Human Rights, and child labour issues.
- The biodiversity survey included discussions on child labour.

Labour Rights

11. What is Rift Valley Corporation's Policy regarding working hours, pay, overtime work and breaks for hired workers on tobacco farms in the supply chain? How Does Rift Valley Corporation communicate its standards and expectations regarding labour rights to growers and suppliers, including growers who may be selling tobacco leaf to Northern Tobacco on auction floors?

- The STP Guide;
- The Best Practices and Agricultural Labour Practices; and
- The Labour Act and the Collective Bargaining Agreement for the Agricultural Sector,

all make provision for working hours, pay, overtime work and breaks for workers on farms. Insofar as Zimbabwe is concerned, the Labour Act and the Collective Bargaining Agreement for the Agricultural Sector are what the growers and their workers abide by.

The NT STP Policy documents refers to the compliance of all local and national laws and regulations relevant to its activities and the activities of its growers.

These requirements are also contained within the contracts with the Commercial Growers and Small scale farmers. (Annexure "P" and "Q" in respect of Annex One of the Contracts)

12. What is Rift Valley Corporation's policy on freedom of association and collective bargaining rights for workers?

- The Labour Act;
- The Collective Bargaining Agreement for the Agricultural Sector;
- The Best Practices and Agricultural Labour Practices;

provides for freedom of association and collective bargaining rights.

As far as collective bargaining rights are concerned, most if not all commercial grower workers are members of the National Employment Council for the Agricultural Sector who bargain on behalf of the workers.

Health and Safety

13. What steps does the Rift Valley Corporation take to protect tobacco farmers, their families and hired workers in its supply chain from nicotine poisoning or Green Tobacco Sickness? How does Rift Valley Corporation ensure workers in the supply chain are informed about risks of nicotine poisoning or Green Tobacco Sickness?

The Best Practices and Agricultural Labour Practices booklet make provision as follows:

“Green Tobacco Sickness (GTS) is a potential risk to those working with the green tobacco plant. GTS is a form of nicotine poisoning that may be contracted by handling wet green tobacco leaves. The nicotine from the plant mixes with the moisture on the leaves and upon contact, the nicotine is absorbed through the skin, causing acute nicotine poisoning and its associated symptoms.

Given the potential risk of GTS, pregnant or breastfeeding woman must not be involved in reaping tobacco. Growers should train and inform workers about GTS preventative measures specifically:

- *Informing workers about the causes and symptoms of GTS;*
- *Ensuring workers wear long-sleeved shirts, gloves and/or raingear to minimise skin exposure to the green plant;*
- *Advising workers to periodically change wet or tobacco-soaked clothes;*
- *Limit harvesting work to less than seven hours a day, where possible;*
- *When possible, restrict work to cooler, drier conditions and avoid fieldwork until leaves have dried after rain;*
- *Allow workers to take breaks periodically;*
- *Ensuring the workers wash their hands and body with warm soapy water after working with green tobacco;*
- *Keep updated training records confirming that the workers involved in topping, reaping and loading barns have received appropriate training on GTS.”*

Managing the risk associated with GTS and implementation of policies is part of the monitoring process in line with the STP or as an unannounced visit and also forms parts of the role of field technicians when they are visiting the farms.

14. **What does the Rift Valley Corporation have in place regarding the handling and applying pesticides, disposal of pesticides containers as well as the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides and other hazardous chemicals? How does Rift Valley Corporation monitor the implementation of these policies. How does Rift Valley Corporation ensure that workers in the supply chain are informed about the risks of pesticide exposure?**

- The STP Agronomy Guide
- The NT Best Practices and Agricultural Labour Booklet
- The Rift Valley Corporation Health and Safety Policy.

The Best Practices and Agricultural Labour Practices Booklet make provision as follows:

- *No person under the age of 18, pregnant woman or nursing mothers can handle or apply CPAs;*
- *Appropriate Personal Protective Equipment (PPE) must be provided to all workers involved in the handling, storage and use of CPAs and they are trained on how to use it appropriately;*
- *CPAs should only be used in accordance with the manufacturer’s written instructions and applicable regulations;*
- *Only trained workers using PPE should handle or apply CPAs or other hazardous substances. Training should include:*

- *The appropriate use of CPAs with respect to dosage, time of application, application method, re-entry, and pre-harvest intervals;*
 - *Safe storage and handling of CPAs.*
- *Spraying equipment should be regularly checked and maintained in good condition. Leaking handheld or knapsack sprayers should not be used to apply CPAs.*
 - *Safety training records for handling and use of CPAs should be kept up-to-date;*
 - *Records should be kept for all CPA applications, confirming those who carried out the work.*

The implementation of the policies is monitored by visits to growers either as part of the monitoring process in line with the STP or as an unannounced visit where physical examination of the chemical storage facilities is carried out. In the case of Small Scale growers as a result of our biodiversity survey, we identified that most growers do not have adequate facilities to store and lock chemicals away. We are therefore in the process of having lockable containers made for this purpose.

In addition, we review the chemical application records, which we have designed for use by the growers. We have also had posters for the use and storage of agrochemicals made for distribution among both Commercial and small scale growers.

15. What is the Rift Valley Corporation’s Policy concerning provision of personal protective equipment (PPE) to tobacco growers and workers.

- The STP Agronomy Guide
- The NT Best Practices and Agricultural Labour Booklet
- The Rift Valley Corporation Health and Safety Policy.

The Best Practices and Agricultural Labour Practices Booklet makes provision as follows:

“Appropriate Personal Protective Equipment (PPE) must be provided to all workers involved in the handling, storage and use of CPAs and they are trained on how to use it appropriately;”

“Only trained workers using PPE should handle or apply CPAs or other hazardous substances.”

During the STP monitoring process the grower will be asked to present training records to confirm that training on the use, storage etc. of chemicals. The implementation of the policies is monitored by visits to growers either as part of the monitoring process in line with the STP or as an unannounced visit.

We have designed a form for growers to use when issuing PPE to their workers. During the training of the Small Scale growers the issue of storage and used of chemicals as well as the issue of PPE was discussed and the training records are available.

Monitoring and Human Rights Diligence

- 16. How does Rift Valley Corporation monitor for child labour, labour rights abuses, health and safety violations, or other human rights problems in the tobacco supply chain?**

There are 85 criteria within the STP that requires monitoring. The process is divided into four phases with the first one being seedbed production, the second being transplanting and crop development, the third being reaping and curing and the fourth being grading and presentation. All four phases have a labour element so during each phase the labour criteria are monitored during each phase. The growers are asked specific questions as contained in the questionnaire and where positive responses are given evidence is required to support the response.

As stated previously, the STP process requires completion of an annual self-assessment, where the results are collated and entered into the on-line assessment, which is externally validated. There is a full external audit every 3 years, that includes field visits and evidence review. The next external audit is due April 2018. However, given the seriousness of your research we will consider with our partners whether this is sufficient.

In addition to the STP process there are visits by field technicians and unannounced visits which cover these issues.

- 17. What due diligence policies and procedures does Rift Valley Corporation have in place to identify, prevent, mitigate and account for possible impacts of your company or your suppliers on human rights, including child labour and labour rights?**

See above.

- Monitoring process
- Unannounced visits
- Risk assessments on each criteria within the STP
- Biodiversity survey

- 18. How does Rift Valley Corporation publish in comprehensive and verifiable ways the results of its human rights monitoring, a key component of effective human rights due diligence, as detailed in the United Nations Guiding Principles on Business and Human Rights?**

Rift Valley Corporation publishes a Sustainability Report alongside its Annual Report each year. The purpose of this report is to consider the material economic, environmental and social impacts and opportunities of our business, and to explore the main ways in which our agricultural and energy footprint is contributing to transforming lives and sustainable living where we operate.

The report focuses on 3 sustainability pillars that best reflect how we manage our business:

- 1 Our operating standards and efficiencies
- 2 Our innovation and developmental ambition
- 3 Our value to society

Pillar 1 describes the following, which relates directly to our human rights monitoring and evaluation:

- a Human Rights
- b Good governance
- c Our people
- d Health & Safety performance
- e Environmental performance
- f Sustainable operations
- g Certification & standards

Reporting chapter a. (Human Rights), covers:

- I Grievance resolution
- II Discrimination
- III Preventing child labour
- IV Stakeholder engagement
- V Indigenous people's rights

Data to verify the above reporting is collected from business operations by means of our Environmental and Social Management System (ESMS), which closely follows the International Finance Corporation's performance standards. Our ESMS toolkit is applied to businesses as a means of monitoring and evaluation on a continual basis. Human Rights performance is therefore embedded in this process.

We trust we have answered your questions satisfactorily and should you require further information, please do not hesitate to contact us.

Yours sincerely

for **RIFT VALLEY SERVICES**



R STRONG
GROUP CHIEF EXECUTIVE OFFICER

APPENDICES

ANNEXURE "A"	Sustainable Tobacco Programme Guide
ANNEXURE "B"	Acknowledgement of Receipt From Grower
ANNEXURE "C"	Small Scale Grower Training Report
ANNEXURE "D"	Sustainable Tobacco Programme Policy Document
ANNEXURE "E"	Best Practices and Agricultural Labour Practices Booklet
ANNEXURE "F"	Biodiversity Survey Report
ANNEXURE "G"	Training Material on Implementation of STP
ANNEXURE "H"	Training Material on Phase One Monitoring
ANNEXURE "I"	Attendance Certificate
ANNEXURE "J"	Phase One Monitoring Questionnaire
ANNEXURE "K"	Standards of Business Practice
ANNEXURE "L"	Agrochemical Posters
ANNEXURE "M"	Chemical Application Record
ANNEXURE "N"	Fertilizer Application Record
ANNEXURE "O"	PPE Issues Record
ANNEXURE "P"	Blank Copy of ANNEX 1 of Contract Grower Agreement (Commercial)
ANNEXURE "Q"	Blank Copy of ANNEX 1 of Contract Grower Agreement (Small Scale)

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

Tobs Strong
Chief Executive Officer
Rift Valley Corporation
12 - 14 Paisley Road
Southerton, Harare
Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Strong,

We are writing to follow up on our communications with you regarding Human Rights Watch's research on child labor and human rights abuses on tobacco farms in Zimbabwe. Thank you for your letter of August 23, 2017. We appreciate the opportunity to learn more about Rift Valley Corporation's policies and practices with respect to human rights due diligence.

We are writing now to update you on our next steps and share with you some initial recommendations that will be included in our report.

Over the last few months, we have written to 15 tobacco companies regarding human rights due diligence policies and practices in the tobacco industry in Zimbabwe. We have received responses from 13 companies. We have had constructive discussions with some company executives about their approaches to human rights in the supply chain. We also wrote to several government offices.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give Rift Valley Corporation/Northern Tobacco the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding the company's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope Rift Valley Corporation/Northern Tobacco will carefully consider these recommendations.

CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concordel
Marie Concordel
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatskin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We appreciate our engagement with you on these issues, and look forward to discussing them with you further.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: James Egremont-Lee, Head of Corporate Affairs, Rift Valley Corporation
Kevin Beattie, Sustainability Compliance Manager, Northern Tobacco

13th December 2017

The Associate Director
Children's Rights Division
Human Rights Watch
34th Floor
350 Fifth Avenue
New York
NY10118 – 3299
UNITED STATES OF AMERICA

Attention Ms. Jane Buchanan

Dear Ms. Buchanan

HUMAN RIGHTS WATCH RESEARCH ON TOBACCO FARMS IN ZIMBABWE

We refer to your letter 8th December 2017 in respect of the above, and would like to respond as follows:

May we remind you, we are responding as Northern Tobacco (Private) Limited (NT) and the processes we follow and therefore cannot speak for the other tobacco companies operating in Zimbabwe.

Subsequent to our response to your letter dated 16th August 2017, we have carried out further training, paying particular attention to the issues raised by you. We have enclosed herewith copies of the training presentations in both English and Shona (vernacular) (Annexures "A" and "B") and you will note that insofar as some of the criteria is concerned, you will see the letters (HRW). These criteria were given particular attention during the training sessions to ensure that the Field Technicians understood the importance of the eradication of Child Labour.

Following the training given to the Field Technicians, they were tasked with visiting the growers with the purpose of training them in line with the training they received above. Following each training session with the growers, each field Technician was required to completed a Monthly Reporting Tool, a copy of which I have attached hereto (Annexure "C"), which is also consolidated monthly. Commercial growers were also monitored and questionnaires completed. A copy of the relevant section is attached hereto ("Annexure "D").

We have also prepared a guide on child labour in tobacco grower where information extracted from Understanding, Identifying and Eliminating Child Labour in Tobacco Growing

- Eliminating Child Labour in Tobacco Growing Foundation. The guide has been provided to the growers and the field technicians. A copy of both documents is attached (Annexure "E" and "F").

Insofar as Child Labour Policies are concerned, firstly, all employers are required to meet the requirements of Section 11 of the Labour Act [Chapter 28:01]. This section as well as other sections of the Act comply with the International Labour Organisation (ILO) Conventions. Secondly, as mentioned in our letter dated 23rd August 2017, we are required to comply with the requirements of the Sustainable Tobacco Programme (STP) Guide. The People Pillar of the STP Guide provides various criteria including criteria relating to Child Labour. These criteria are all in line with the ILO Conventions. Thirdly, we are required to comply with the requirements of the BAT Leaf Supplier Manual which require us to meet certain standards in relation to Child Labour. The requirements of the BAT Leaf Supplier Manual are also in line with ILO Conventions. We are also working on the preparation of a Child Labour Guide. The process is at an advanced stage and we hope to have its development finalized early next year.

In addition to the follow up visits by Field Technicians following training on the People Pillar which covers the criteria relating to Child Labour, we also carry out monitoring exercises covering all criteria relating to the particular phase of the crop. The monitoring exercise always include elements of the People Pillar as outlined in the questionnaires (Annexure "D"). You will note from the questionnaire there is provision for unannounced visits, a series of which will be carried out in the Chiweshe area the week commencing 18th December 2017.

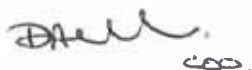
As far as third party monitoring is concerned, as mentioned in our letter dated 23rd August 2017, we are reviewed independently by abSustain. They will review both NT and will carry out unannounced visits to growers to ensure their compliance with the criteria of the STP. The date of the next review is November 2018 (this has been delayed from April 2018 due to the political situation). In addition, we conduct self-assessments each year.

In terms of the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights we have taken your recommendations under consideration.

We trust we have answered your questions satisfactorily and should you require further information, please do not hesitate to contact us.

Yours sincerely
for **RIFT VALLEY SERVICES (ZIMBABWE) (PRIVATE) LIMITED**

pp.



R W J STRONG
GROUP CHIEF EXECUTIVE OFFICER

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwas Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

August 16, 2017

André Calantzopoulos
Chief Executive Officer
Philip Morris International, Inc.
120 Park Avenue
New York, NY 10017

Av. de Rhodanie, 50
1007 Lausanne
Switzerland

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Calantzopoulos,

We are grateful for the sustained, constructive dialogue we have had with Philip Morris International (PMI) regarding child labor and other labor concerns in tobacco farming in several countries. We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe.

If PMI purchases tobacco in Zimbabwe, including through affiliates or suppliers, we would welcome your response to the questions below. We would be grateful for a response by September 18, 2017.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. This letter summarizes our findings.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers and other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, some companies' failure to provide copies of contracts to contracted farmers, and other human rights problems.



Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies, reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not

understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We are interested to learn more about PMI's purchasing of tobacco, if any, in Zimbabwe. We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and if PMI is purchasing tobacco from Zimbabwe would hope to reflect relevant information about the implementation of the Agricultural Labor Practices code in Zimbabwe in our report. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing

1. Does PMI purchase tobacco from Zimbabwe, either directly or through subsidiaries or suppliers? If so, we would be grateful to receive brief data on PMI's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of PMI's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is PMI's market share in Zimbabwe?
4. Does PMI or its affiliates or suppliers contract directly with tobacco farmers or groups of farmers in Zimbabwe?
 - a. If so, how many farmers were contracted with PMI, its affiliates or suppliers in 2015, 2016, and 2017, and in which provinces?
 - b. What proportion of the total tobacco purchased by PMI in 2015, 2016, and 2017 was purchased from contracted growers?
 - c. Could PMI share a copy of a sample contract used by its affiliates or suppliers?
5. What proportion of the total tobacco purchased by PMI in Zimbabwe in 2015, 2016, and 2017 was purchased at auction?

Child Labor and Labor Rights

Through our sustained dialogue with PMI, we are familiar with PMI's Agricultural Labor Practices code. We would welcome specific information regarding PMI's implementation of that policy in Zimbabwe through affiliates, suppliers, direct contracts with growers as well as in the context of purchasing tobacco on auction floors:

6. How does PMI communicate and implement its labor policies to tobacco growers, affiliates and suppliers, as well as growers who may be selling tobacco leaf to PMI affiliates or suppliers on auction floors, including regarding hazardous work, the minimum age for work; working hours, wages, overtime, and provision of contracts to workers and growers; requirements for handling and storage of pesticides, information on and protection from nicotine poisoning and Green Tobacco Sickness, provision of personal protective equipment (PPE), as well as other human rights and labor rights concerns?
7. How does PMI monitor implementation of its Agricultural Labor Practices code in Zimbabwe including among growers, affiliates and suppliers, as well as growers who may be selling tobacco leaf to PMI affiliates or suppliers on auction floors?

8. Does PMI use differentiated methods for communicating, implementing and monitoring its labor standards on large commercial farms and on small-scale farms in its supply chain in Zimbabwe?
9. Has PMI identified or received any reports of child labor or other labor concerns on tobacco farms supplying tobacco to PMI affiliates and suppliers in Zimbabwe in 2015, 2016, or 2017? If so, what actions has PMI taken?
10. We would welcome any additional information PMI would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a formal response to this letter by September 18, 2017.

In addition, we would welcome the opportunity to meet with representatives of PMI to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Miguel Coleta, Sustainability Officer, Philip Morris International
Jose Vitor Grencho, Manager Social Sustainability, Philip Morris International



September 14, 2017

Dear Ms. Buchanan and Mr. Mavhinga

We refer to your letter to Mr. Andre Calantzopoulos, Chief Executive Officer of Philip Morris International, Inc., dated August 16, 2017, regarding Human Rights Watch' (HRW) preliminary findings from research conducted regarding human rights abuses on tobacco farms in Zimbabwe.

The facts that you bring to our attention are of concern but PMI has stopped purchasing tobacco from Zimbabwe over ten years ago. As we do not source tobacco from Zimbabwe (directly or indirectly) we are not in a position to comment on the local production conditions nor on the specific findings highlighted in your letter.

As you know, PMI takes these issues very seriously and is committed to eliminate child labor and other labor related abuses from all farms where we source tobacco. Through the implementation of PMI's Agricultural Labor Practices (ALP) program we are actively working in every country where we source from to achieve fair and safe working conditions on farms supplying to PMI. We continue to report on our progress and challenges with the implementation of the ALP program, regularly updating our website with country-specific external assessment reports as well as our global progress reports.

The next global ALP progress report is due in 2018 but we have recently included a short overview of our efforts in PMI's Communication on Progress to the UNGC¹, and included an update on the developments of the last season in Indonesia, where HRW has also conducted research.

We appreciate and look forward to continue our very constructive dialogue.

Sincerely,

Miguel Coleta
Sustainability Officer

CC: Mr. Andre Calantzopoulos, Chief Executive Officer
Mr. Marco Mariotti, Senior Vice President, Corporate Affairs
Mr. Huub Savelkouls, Vice President Value Chain Transform and Sustainability
Mr. Nicolas Denis, Vice President, Leaf

¹ PMI's 2016 Communication on Progress to the UN Global Compact: https://www.pmi.com/resources/docs/default-source/pmi-sustainability/ungc_report_2016.pdf?sfvrsn=c12a81b5_4 (see in particular pp. 49-55)

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

August 14, 2017

John A.H. Paker, Group Chairman & CEO
Premium Tobacco International
Plot No W1
Jumeirah Lake Towers
Dubai
United Arab Emirates



Cc: Mr A Mackay
Director
Premium Leaf Zimbabwe
376 Limpopo Way
Willowvale, Harare
Zimbabwe

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Mackay,

We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We plan to publish our research in a report in the coming months.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with representatives of some of the world's largest tobacco companies about their policies and practices for respecting human rights and addressing abuses in their global supply chains. Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. This letter summarizes our findings and includes several questions regarding Premium Leaf Zimbabwe's human rights policies and practices. We would be grateful for a response to these questions by September 18, 2017, so that we can ensure our reporting is thorough and objective.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzyński
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

some who produced and sold tobacco leaf through contracts with Premium Leaf Zimbabwe or other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children.

Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems, including on some farms supplying Premium Leaf Zimbabwe.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies, including Premium Leaf Zimbabwe, reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We are interested to learn more about Premium Leaf Zimbabwe's activities in Zimbabwe. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing

1. Does Premium Leaf Zimbabwe purchase tobacco from Zimbabwe, either directly or through subsidiaries or suppliers? If so, we would be grateful to receive brief data on Premium Leaf Zimbabwe's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of Premium Leaf Zimbabwe's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is Premium Leaf Zimbabwe's market share in Zimbabwe?
4. Does Premium Leaf Zimbabwe or its subsidiaries or suppliers contract directly with tobacco farmers or groups of farmers in Zimbabwe?
 - a. If so, how many farmers were contracted with Premium Leaf Zimbabwe in 2015, 2016, and 2017, and in which provinces?
 - b. What proportion of the total tobacco purchased by Premium Leaf Zimbabwe in 2015, 2016, and 2017 was purchased from contracted growers?
 - c. Could Premium Leaf Zimbabwe share a copy of a sample contract?
 - d. Does Premium Leaf Zimbabwe have a policy regarding the provision of copies of signed contracts to signatories?
5. Does Premium Leaf Zimbabwe or its subsidiaries or suppliers purchase tobacco from auction floors in Zimbabwe?
 - a. If so, which auction floors? What proportion of the total tobacco purchased by Premium Leaf Zimbabwe in 2015, 2016, and 2017 was purchased through this system?
 - b. What actions does Premium Leaf Zimbabwe take to verify that the sellers on auction floors meet the requirements under the company's human rights policies?

Child Labor

6. What is Premium Leaf Zimbabwe's policy regarding child labor in the supply chain? What specific tasks are children under the age of 18 permitted to perform, and at what ages? How does Premium Leaf Zimbabwe define "hazardous work"?
7. How does Premium Leaf Zimbabwe communicate its standards and expectations regarding child labor to growers and suppliers, including growers who may be selling tobacco leaf to Premium Leaf Zimbabwe on auction floors?
8. Has Premium Leaf Zimbabwe identified or received any reports of child labor on tobacco farms supplying tobacco to Premium Leaf Zimbabwe in Zimbabwe in 2015, 2016, or 2017? If so, what actions has Premium Leaf Zimbabwe taken?
9. We would welcome any additional information Premium Leaf Zimbabwe would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor in tobacco farming in Zimbabwe.

Labor Rights

10. What is Premium Leaf Zimbabwe's policy regarding working hours, pay, overtime work, and breaks for hired workers on tobacco farms in the supply chain? How does Premium Leaf Zimbabwe communicate its standards and expectations regarding labor rights to growers and suppliers, including growers who may be selling tobacco leaf to Premium Leaf Zimbabwe on auction floors?
11. What is Premium Leaf Zimbabwe's policy on freedom of association and collective bargaining rights for workers?

Health and Safety

12. What steps does Premium Leaf Zimbabwe take to protect tobacco farmers, their families, and hired workers in its supply chain from nicotine poisoning or Green Tobacco Sickness? How does Premium Leaf Zimbabwe ensure workers in the supply chain are informed about the risks of nicotine poisoning or Green Tobacco Sickness?
13. What policies does Premium Leaf Zimbabwe have in place regarding handling and applying pesticides, disposal of pesticide containers, as well as the proximity of workers on tobacco farms in its supply chain to active spraying of pesticides or other hazardous chemicals? How does Premium Leaf Zimbabwe monitor the implementation of these policies? How does Premium Leaf Zimbabwe ensure workers in the supply chain are informed about the risks of pesticide exposure?

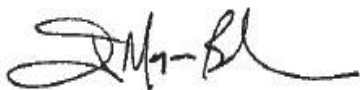
Monitoring and Human Rights Due Diligence

14. How does Premium Leaf Zimbabwe monitor for child labor, labor rights abuses, health and safety violations, or other human rights problems in the supply chain?
15. What due diligence policies and procedures does Premium Leaf Zimbabwe have in place to identify, prevent, mitigate, and account for possible impacts of your company or your suppliers on human rights, including child labor and labor rights?
16. How does Premium Leaf Zimbabwe ensure that all your suppliers are using rigorous human rights due diligence measures?

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect Premium Leaf Zimbabwe's policies and procedures in our report. To that end, we would welcome a formal response to this letter by September 18, 2017.

In addition, we would welcome the opportunity to meet with representatives of Premium Leaf Zimbabwe to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division



28th August 2017

Jane Buchanan
Associate Director
Children's Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, NY 10118-3299

Reference: Human Rights Watch "documents received" research on tobacco farms in Zimbabwe

Dear Jane Buchanan,

We write to acknowledge receipt for your email and dhl package, both containing a copy of the document outlining your research conducted in Zimbabwe.

In copy to our response, our CEO for the Tobacco Industry Marketing Board, Dr. Andrew Matibiri. We are inclined to communicate such information with our Governing body. TIMB are responsible for all registered tobacco farmers and regulatory for all practices through tobacco production.

We would appreciate you share with us all validations for interviews conducted. The information will serve to provide us background support for the farmers and labor interviewed and to identify they are contracted to Premium or not?

We believe it would have been beneficial to have held formal meetings with the governing body and trade representatives to present you a detailed understanding of our policies and procedures for tobacco production, prior to all interviews?

We welcome your African representative to formal dialogue covering your **Preliminary Findings**; i) Hazardous Child Labor ii) Impacts on Education, iii) Wage and Hour Abuse on large farms iv) Health and Safety v) Pesticide Exposure vi) Nicotine Exposure vii) Training and information viii) Farm monitoring and inspection ix) Problems with Contracts

At the same, we would cover your **Request for Information** covering such highlighted topics; i) Tobacco Leaf Purchasing ii) Child Labor iii) Labor Rights iv) Health and Safety v) Monitoring and Human Rights Due Diligence

We would like take the opportunity to meet and suggest the 28th to 30th August 2017 at our offices in Harare, Zimbabwe to walk you through our programs and policies we have in place.

Sincerely,



Alexander Mackay
Managing Director,
Premium Leaf Zimbabwe (Pvt) Ltd
+263 784928562



Jeff Kockott
Agronomy Director
Premium Leaf Zimbabwe (Pvt) Ltd
+263 772254090

A MEMBER OF THE PREMIUM TOBACCO GROUP

Premium Leaf Zimbabwe (Pvt) Ltd, 376 Limpopo Way, Willowvale, Harare, Zimbabwe
Tel: +263 4 669735-8, Fax: +263 4 669715
Registration No. 4429/2016

Directors: AR Mackay, RBD Holmes, GCB Campbell, PJ Kockott

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

Alexander Mackay
Managing Director
Premium Leaf Zimbabwe
376 Limpopo Way
Willowvale, Harare
Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Mackay,

We are writing to follow up on our communications with you regarding Human Rights Watch's research on child labor and human rights abuses on tobacco farms in Zimbabwe. Thank you for your letter of August 28, 2017 and our call on November 27, 2017. We appreciate the constructive dialogue with Premium and the opportunity to learn more about your policies and practices with respect to human rights due diligence.

We are writing now to update you on our next steps and share with you some initial recommendations that will be included in our report.

Over the last few months, we have written to 15 tobacco companies regarding human rights due diligence policies and practices in the tobacco industry in Zimbabwe. We have received responses from 13 companies. We have had constructive discussions with some company executives about their approaches to human rights in the supply chain. We also wrote to several government offices.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give Premium the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding the company's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope Premium will carefully consider these recommendations.

CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concorde
Marie Concorde
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatkin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We appreciate our engagement with you on these issues, and look forward to discussing them with you further.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Jeff Kockott, Agronomy Director, Premium Leaf Zimbabwe



5th January 2018

Jane Buchanan
Associate Director
Children's Rights Division
Human Rights Watch
350 5th Ave, 34th Floor
New York, NY 10118

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Jane,

Thank you for giving us the opportunity to share any updated information regarding our operations in Zimbabwe.

In addition to the data already submitted to your office we would like to expand further on the areas you have made recommendations on.

As per your preliminary recommendations to all companies purchasing tobacco from Zimbabwe we have attached the Premium Tobacco Holdings Child Labour Policy as well as the Agricultural Labour Practices Code. Premium Tobacco Holdings is the parent company of Premium Leaf Zimbabwe and have advised us that the Child Labour Policy will be updated in 2018 to include any recommendations you suggested which are not currently stated.

With regards to the monitoring of child labour, Premium Leaf Zimbabwe employs over 100 field staff who are provided with an ALP Standards brochure to assist them in monitoring and training farmers on our recommended labour practices. (Please see the attached Field Staff ALP Standards document)

Along with providing agronomic assistance to growers, Field staff constantly monitor our contracted growers and record the relevant survey data on mobile devices which is then automatically uploaded to the Agronomy Technology Limited data base. Premium Leaf Zimbabwe have a contract with Agronomy Technology Limited for data collection, monitoring and evaluation of all contracted growers.

Details of the ATL system are outlined below:

- Mobile data gathering application for near real-time data
- The application is combined with a project specific data management system
- Application loaded with project specific surveys which can be adjusted and updated at any time
 - PLZ have designed a list of surveys which are relevant to the growing process as well as the Sustainable Tobacco Program and Agricultural Labour Practices requirements
 - These surveys include information with regards to the use of child labour.
- Survey results are uploaded to the ATL server via mobile data

A MEMBER OF THE PREMIUM TOBACCO GROUP

Premium Leaf Zimbabwe (Pvt) Ltd 376 Limpopo Way Willowvale Harare Zimbabwe
Tel: +263 4669735-8 Fax: +263 4669715
Registration No: 4429/2016
Directors: Alexander Mackay (Managing Director), Jeff Kockott, Robert Holmes, Grant Campbell



- qqqATL compile all the data which is then presented in report form on their data management system

With regards to the internal and external monitoring, Premium Leaf Zimbabwe are compliant with the Japan Tobacco International Agricultural Labour Practices Program and the Sustainable Tobacco Program. The JTI ALP program is managed by an independent company, namely TwentyFifty Ltd, which is based in the United Kingdom. We are required to submit reports every 6 months with independent in-country reviews conducted annually or every 2 years.

The Sustainable Tobacco Program is managed by AB Sustain. The STP program has a “People Pillar” which specifically covers all aspects of Labour including Child Labour, Rights of Workers and Health and Safety. PLZ is required to submit a report annually and an independent in-country audit is then conducted every 2 to 3 years.

Premium Leaf Zimbabwe’s company policies, farmer training and awareness programs, as well as the in field monitoring and auditing systems are geared to the reduction and hopefully the final eradication of the use of Child labour in the Zimbabwe tobacco industry.

Premium Tobacco Holdings as a group is fully aware of all the issued raised in your original letter, and we believe that we have the systems in place to deal with all your concerns and hope our efforts will cascade right through the global tobacco industry.

Sincerely.

Jeff Kockott
Agronomy Director

A MEMBER OF THE PREMIUM TOBACCO GROUP

Premium Leaf Zimbabwe (Pvt) Ltd 376 Limpopo Way Willowvale Harare Zimbabwe
Tel: +263 4669735-8 Fax: +263 4669715
Registration No: 4429/2016
Directors: Alexander Mackay (Managing Director), Jeff Kockott, Robert Holmes, Grant Campbell

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

August 16, 2017

George C. Freeman III
Chairman, President, and Chief Executive Officer
Universal Corporation
9201 Forest Hill Avenue
Richmond, Virginia 23235



HRW.org

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Freeman,

We are grateful for the sustained, constructive dialogue we have had with Universal Corporation (Universal) regarding child labor and other labor concerns in tobacco farming in several countries. We are writing to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems, including on some farms supplying Zimbabwe Leaf Tobacco, an affiliate of Universal Corporation.

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with Zimbabwe Leaf Tobacco or other tobacco companies. Families reported children working on these farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We would be grateful for a response to the questions below by September 18, 2017, so that we can reflect Universal's position in our reporting.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies, including Zimbabwe Leaf Tobacco, reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the

contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights violations on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and would hope to reflect relevant information about the Universal's operations in Zimbabwe in our report. We are interested to learn more about Universal's purchasing of tobacco, in Zimbabwe. In particular, we would be grateful for responses to the following questions:

Tobacco Leaf Purchasing and Sales

1. We would be grateful to receive brief data on Universal's total tobacco purchases in each province of Zimbabwe in 2015, 2016, and 2017.
2. How does the volume of Universal's tobacco purchasing in Zimbabwe compare to the volume of tobacco purchased from other countries?
3. What is Universal's market share in Zimbabwe?
4. How many farmers were contracted with Zimbabwe Leaf Tobacco and other Universal affiliates or suppliers in 2015, 2016, and 2017, and in which provinces?
 - a. What proportion of the total tobacco purchased by Universal in Zimbabwe in 2015, 2016, and 2017 was purchased from contracted growers?
 - b. Could Universal share a copy of a sample contract used with growers by Zimbabwe Leaf Tobacco or other affiliates or suppliers?
5. What proportion of the total tobacco purchased by Universal in Zimbabwe in 2015, 2016, and 2017 was purchased at auction either directly or through other suppliers?
6. To which companies does Universal sell tobacco leaf purchased in Zimbabwe and what is the percentage of total tobacco leaf sold to each client?

Child Labor and Labor Rights

Through our ongoing dialogue with Universal, as well as the information Universal has made publicly available, we have basic familiarity with Universal's labor standards, including its Fair Labor Practices Policy and its Agricultural Labor Practices Code published on Universal's website.

7. Have there been any significant changes to Universal's labor policies and practices since our last correspondence in 2016?

We would welcome specific information regarding Universal's implementation of that policy in Zimbabwe through affiliates, suppliers, direct contracts with growers as well as in the context of purchasing tobacco on auction floors:

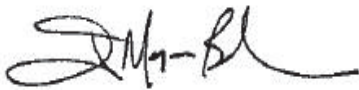
8. How does Universal communicate and implement its labor policies to tobacco growers, affiliates and suppliers, as well as growers who may be selling tobacco leaf to Universal affiliates or suppliers on auction floors, including regarding hazardous work, the minimum age for work; working hours, wages, overtime, and provision of contracts to workers and growers; requirements for handling and storage of pesticides, information on and protection from nicotine poisoning and Green Tobacco Sickness, provision of personal protective equipment (PPE) to growers and workers, as well as other human rights and labor rights concerns?
9. How does Universal monitor implementation of its Fair Labor Practices Policy and its Agricultural Labor Practices Code in Zimbabwe including among growers, affiliates and

suppliers, as well as growers who may be selling tobacco leaf to Universal affiliates or suppliers on auction floors?

- a. Does Universal use differentiated methods for communicating, implementing and monitoring its labor standards on large commercial farms and on small-scale farms in its supply chain in Zimbabwe?
10. Has Universal identified or received any reports of child labor or other labor concerns on tobacco farms supplying tobacco to Universal affiliates and suppliers in Zimbabwe in 2015, 2016, or 2017? If so, what actions has Universal taken?
11. What steps will Universal take to publicize in comprehensive and verifiable forms the findings of its human rights due diligence procedures, in order to ensure transparency, an essential component of meaningful human rights due diligence, as specified under the UN Guiding Principles on Business and Human Rights?
12. We would welcome any additional information Universal would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 18, 2017. In addition, we would welcome the opportunity to meet with representatives of Universal to discuss our research findings and recommendations. Please contact Jane Buchanan at buchanj@hrw.org or +1 212-216-1857 with your response to these requests.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Preston Wigner, Vice President, General Counsel & Secretary, Universal Corporation
H. Michael Ligon, Vice President, Universal Corporation
A. Bganya, Director, Zimbabwe Leaf Tobacco Company (Private) Limited

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwas Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

September 21, 2017

Preston Wigner
Vice President, General Counsel & Secretary
Universal Corporation
9201 Forest Hill Avenue
Richmond, Virginia 23235



HRW.org

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Preston,

We are writing to share some additional details from our interviews with tobacco farmers in Zimbabwe contracted with Zimbabwe Leaf Tobacco (ZLT), an affiliate of Universal Corporation (Universal). We hope these additional details will be useful to Universal's assessment of its human rights impacts, and its due diligence policies and practices in Zimbabwe.

We believe Universal is already familiar with Human Rights Watch's research methodology. We did not use a random sampling method, and the farmers we interviewed may not be representative of the broader population of tobacco farmers across Zimbabwe. Given the unique political context in Zimbabwe, our team had to take security measures that limited the scope and reach of our research. Even with these limitations, we interviewed more than 120 people involved in tobacco production in Zimbabwe, and we observed patterns and similarities across several provinces that suggest serious human rights risks in Universal's supply chain, as well as the supply chains of other companies purchasing tobacco leaf from Zimbabwe.

As we discussed on our call, we interviewed six farmers contracted with ZLT. We offer the following summary of the specific findings of these six interviews. All observations below specifically reflect the accounts of the six farmers we interviewed who were contracted with ZLT:

- All interviewees contracted with ZLT farmed three hectares of tobacco or less. Two interviewees grew tobacco in Mashonaland West, two in Mashonaland Central, and two in Mashonaland East;
- Two of the six farmers—both in Mashonaland East—said company representatives did not provide them with copies of their contracts; one farmer—in Mashonaland West—was unsure whether they had received a copy of their contract. Three farmers—one in Mashonaland West and two in Mashonaland Central—said they were provided copies of their contracts;
- Three interviewees—one in Mashonaland Central and two in Mashonaland East—said they were part of a group of 10 to 16 farmers who received inputs in one central location. The other three ZLT farmers were not asked whether they were part of a group of farmers;

- Four of the farmers—two in Mashonaland Central, one in Mashonaland West, and one in Mashonaland East—reported illness after handling pesticides or other chemicals. Four farmers—two in Mashonaland East, one in Mashonaland West, and one in Mashonaland Central—said company representatives advised them to use protective equipment when handling chemicals. Two farmers—one in Mashonaland West and one in Mashonaland Central—said they had never received any kind of pesticide training. None of the farmers described receiving comprehensive information about the dangers of pesticide exposure and methods for preventing acute and long-term health effects. One farmer in Mashonaland Central said the company provided personal protective equipment; other farmers said they purchased protective equipment themselves;
- Four farmers—two in Mashonaland East, one in Mashonaland West, and one in Mashonaland Central—said that they or other members of their families had experienced symptoms consistent with acute nicotine poisoning, including headaches, dizziness, weakness, nausea, stomach pain, and vomiting. Interviewees said they experienced these symptoms when harvesting or curing tobacco. Five of the interviewees said they had never heard of Green Tobacco Sickness (GTS) or received any information about how nicotine can be absorbed through the skin and cause illness; one interviewee in Mashonaland Central said that he had learned about GTS through an agricultural course he took at the Blackfordby Institute, but he did not describe a thorough or accurate understanding of GTS. None of the ZLT contracted farmers said they had received any type of information from the company about GTS;
- Four interviewees—two in Mashonaland East and two in Mashonaland West—said children under the age of 18 worked on their tobacco farms, with the tobacco crop. One interviewee in Mashonaland Central had children who were now over age 18 but had worked on the tobacco farm as children. Another interviewee in Mashonaland Central said children worked on his farm but did not perform any tasks involved in tobacco production. Of the four interviewees that said children under 18 worked on their tobacco farms, three interviewees—one in Mashonaland West and two in Mashonaland East—described children performing tasks that involved direct contact with tobacco, including harvesting tobacco and carrying harvested tobacco leaves. Based on our understanding of Universal’s child labor policy as described in your letters to Human Rights Watch, we believe Universal would also consider these tasks as hazardous work for children. One interviewee in Mashonaland West said children under 18 weeded in tobacco fields, a task which could, in many circumstances, involve direct contact with tobacco (if, for example, a child was weeding under tobacco plants and brushed up repeatedly against leaves). As we have stated many times in our calls and correspondence with Universal, Human Rights Watch’s position regarding hazardous child labor in tobacco farming is that the most protective and practical policy for tobacco companies to adopt would be to prohibit children under 18 from any work involving direct contact with tobacco. We understand that Universal has not adopted this policy;
- Two farmers—one in Mashonaland West and one in Mashonaland Central—said no one from the company had ever told them anything about any rules or restrictions regarding children’s work on tobacco farms. Two other farmers—one in Mashonaland West and one in Mashonaland Central—said company representatives informed them that children should not work in tobacco farming, but they were not given any guidance regarding specific ages or tasks. Two farmers in Mashonaland East said they were told school-going children should not work on tobacco farms;
- All six farmers said that field officers, agronomists, or other ZLT representatives visited their farms.

We look forward to Universal's response to our August 16 letter, and we hope to continue the constructive dialogue with you and your colleagues.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: H. Michael Ligon, Vice President, Universal Corporation
A. Bganya, Director, Zimbabwe Leaf Tobacco Company (Private) Limited



September 25, 2017

Ms. Jane Buchanan
Associate Director, Children's Rights Division
Mr. Dewa Mavhinga
Southern Africa Director, Africa Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, New York 10118-3299

Dear Jane and Mr. Mavhinga,

Thank you for your letter dated August 16, 2017, regarding Human Rights Watch's research on certain tobacco farms in Zimbabwe. George Freeman asked me to respond to your letter on behalf of the Universal group.

We appreciate the open dialogue that we share with you and your team at Human Rights Watch. Speaking with you directly on child labor and other agricultural labor topics helps us better understand what Human Rights Watch has seen during your visits and allows us to discuss methods by which such issues can best be addressed. As you are aware, our discussions with your group to date have primarily focused on the United States, and we are hopeful that our discussions with you regarding Zimbabwe will also be productive. As we move forward and in the spirit of cooperation, we thank you for speaking with us earlier this month and providing us with additional information concerning the subset of growers who indicated that they had contracts with our Zimbabwe subsidiary, Zimbabwe Leaf Tobacco Company (Pvt) Limited ("ZLT"). We hope the discussion helped HRW better understand our engagement in Zimbabwe. The information you shared will benefit ZLT as they analyze the information they collect in their labor practices program.

We have discussed the U.S. tobacco market with your group on several occasions, including detailed discussions regarding the implementation of the Agricultural Labor Practices ("ALP") program with our flue-cured and burley tobacco grower base. The overwhelming majority of our purchases in the U.S. are from our contracted growers, all of whom receive ALP training and materials. Our employees visit each contracted grower to communicate ALP standards and monitor compliance, and those growers are concentrated primarily in only two states.

The dynamics of the Zimbabwe tobacco market and our operations there are different than the United States. Some tobacco is grown on large commercial farms in Zimbabwe, but the majority

Ms. Jane Buchanan
Mr. Dewa Mavhinga
Human Rights Watch
September 25, 2017
Page 2 of 6

of Zimbabwe's tobacco is grown on farms that are much smaller than those in the U.S. Zimbabwe tobacco production is more geographically dispersed across the country than in the U.S., and the economic conditions for Zimbabwe growers are not as favorable as in the U.S. Also, direct contracting in Zimbabwe is an important component of the tobacco market, as it is in the U.S. Zimbabwe government data indicates that 83% of tobacco in the last crop year was sold directly to buyers through contracts with growers (approximately 156 million kgs).

Zimbabwe, like the U.S., was once totally reliant on auction markets for the sale of its tobacco. Over the past 14 years, the Zimbabwe market has changed and direct purchasing is now the dominant form of marketing tobacco. Unlike the U.S., however, there remains a large auction market in Zimbabwe. Seventeen percent of Zimbabwe's tobacco was sold at auction during the last crop year (approximately 31 million kgs). The number of buyers in the respective markets is also different. In the U.S., a limited number of buyers purchase the bulk of the tobacco crop, but there are many more participants in the Zimbabwe markets. In the last Zimbabwe crop year, there were 20 licensed companies that purchased at auction, and 23 licensed companies that purchased directly from growers.

Regarding our own operations in Zimbabwe, ZLT purchases a little more than half of its tobacco directly from growers ("direct contract purchases"), approximately a quarter at auction ("auction purchases"), and approximately a quarter from intermediaries who themselves purchase most or all of their tobacco directly from growers ("indirect contract purchases"). We sell our Zimbabwe tobacco to customers who produce cigarettes and dark tobacco products, and the majority of our leaf sales is used in the international cigarette market. Some of those customers, such as Imperial Brands and Japan Tobacco International, have social responsibility and labor programs that are similar to our ALP program. You are already familiar with our ALP program and with other labor programs adopted by large multinational manufacturers. As they relate to the labor issues addressed in your letter, there is little difference in approach between those programs so we simply refer to them collectively as "Labor Standards" throughout this response. The Labor Standards limit work that can be performed by children under 18 years old, they prohibit anyone under 18 from performing "hazardous work", they prohibit employment of children below 15 (or the minimum age provided by the relevant country's laws), and with respect to children on family farms they only permit children between the ages of 13 and 15 to perform "light work", and they do not allow for exceptions. With regard to the proper and safe use of crop protection agents and regarding other safety and health requirements, the Labor Standards require proper training, compliance with the law, and promote the use of personal protection equipment when handling CPAs or engaging in activities that increase the risk of green tobacco sickness. Our ALP standards are posted on our corporate website, and they have been adopted by ZLT in its operations (http://www.universalcorp.com/Resources/Policies/ULT_ALP_Code.pdf). Our program promotes continuous improvement and requires significant time, resources and commitment for implementation around the world.

Direct Contracted Growers: During the last crop year, ZLT entered into agreements with approximately 5,800 growers for the purchase of their tobacco. Approximately 50 were very large,

commercial farms and the remainder were small scale growers. This is also referred to as the “integrated production system” or “IPS”, which is similar in nature to what we have described to you in the U.S. market (except in the U.S. we do not provide inputs and growers are permitted to have multiple contracts per season). In Zimbabwe, we maintain strong ties to growers under the IPS model by providing growers with agronomy support as well as the inputs they need to grow the crop, such as “green label” (i.e., less harmful) crop protection agents and personal protection equipment for handling CPAs. In return, we expect our growers to deliver all their tobacco to us. Growers also benefit from the fact that we purchase their tobacco on a “run-of-crop” basis, meaning we purchase all the tobacco produced by their plants as opposed to only purchasing a few desired grades of tobacco. Our field technicians visit the growers numerous times during the crop year to communicate practices and expectations and also to monitor the growers’ progress with respect to the same. The field technicians provide agronomy advice, communicate Labor Standards, collect information regarding the grower’s operations and Labor Standards compliance, and report violations of the Labor Standards to our local team for follow up and remediation.

ZLT has devoted considerable time and resources to developing a platform to implement the Labor Standards with our direct contract growers. We believe these efforts help ZLT educate growers regarding effective and sustainable labor practices and monitor growers’ commitment and compliance. The IPS model presents commercial risk to our company, however. The environment in Zimbabwe makes it difficult to strictly enforce contracts with the growers, so growers may not deliver all their tobacco to our company despite receiving inputs from us. Growers may engage in “side-selling” whereby the grower will sell part of their tobacco production to other entities. In markets like Zimbabwe where there are many buyers and multiple markets in which a grower can sell his tobacco, IPS production carries commercial risks because growers may default on their contract and deliver to someone else. Despite those risks, we generally prefer to purchase tobacco through IPS systems in all our growing regions in the world because direct grower access promotes sustainability and quality production and affords us the best opportunity to monitor progress on labor issues.

For the past two crop years, ZLT has been implementing a multi-phased ALP program in Zimbabwe with its contracted growers. ZLT trains its Field Technicians annually on the ALP standards and related labor risks. Much of the training uses comprehensive information and materials developed by our agronomy teams in other African subsidiaries that have previously implemented ALP. ZLT’s program, like the program previously implemented in our other tobacco countries, uses our Mobileaf agronomy data system to create grower profiles and populate a database with labor practices and observations. ZLT’s Field Technicians collect grower information for each contracted grower during their farm visits, assess ALP risks and, if any ALP issues are observed during any of their visits to the farm, the Field Technician discusses the observations with the grower and helps to develop a remediation plan. In addition, during the farm visits the Field Technicians explain the ALP standards, including those related to minimum age and hazardous tasks. Starting this crop year, Field Technicians are distributing materials to growers that have been developed to address key risks identified by ZLT’s Field Technicians.

Ms. Jane Buchanan
Mr. Dewa Mavhinga
Human Rights Watch
September 25, 2017
Page 4 of 6

These include the proper handling of crop protection agents (CPA's), prevention of green tobacco sickness, and prevention of child labor.

As ZLT's ALP program advances, they will be expanding their activities with contracted growers in the implementation process. In addition to the Field Technicians' on-farm educational activities, ZLT has developed a formal training program that was initiated in October 2016 in advance of the current crop year. This program includes training sessions with growers and grower groups regarding the ALP standards and related labor practice risks, and uses enhanced training materials for Field Technician training. As more growers attend formal training sessions and Field Technicians become more proficient with the ALP standards, ZLT will update their program to reflect the most critical and prevalent risks identified within their grower base. ZLT's ALP program is periodically audited by AB Sustain, the independent firm used by several multinational manufacturers to monitor and assess compliance with their own Labor Standards programs. Such audits will continue to provide ZLT with valuable feedback that they can use to improve their program.

Indirect Contract Purchases: In addition to direct contract purchases, ZLT also purchases indirectly from growers. These purchases are made from smaller companies that hold contracts with small and large scale growers. Purchases are often run-of-crop, like our direct contract purchases. As the contracting system has evolved in Zimbabwe, companies such as ZLT have used indirect contracting to supplement their leaf requirements without having to use the auction system. Over the past five crop years, ZLT has reduced its auction purchases and shifted more volume to direct and indirect contract purchases in order to promote traceability and sustainability in the Zimbabwe market.

ZLT intends to include their indirect contract purchases in their ALP program. ZLT will utilize the work they have done to date with their direct contract growers to prepare communications and training materials for the companies from whom they purchase additional volumes. They will also include ALP language in their purchase contracts with the sellers and will distribute ALP materials to sellers for use with their own contracted growers. ZLT will also develop a training program designed to train and educate the sellers on ALP requirements and labor risks, so the sellers can in turn train and educate their own growers.

In order to reach growers outside ZLT's direct contract grower base, ZLT has been active in working with relevant stakeholders to raise awareness among Zimbabwe growers of the importance of responsible labor practices. For example, ZLT has worked closely with Zimbabwe's Tobacco Industry and Marketing Board (TIMB), the primary regulatory body for Zimbabwe tobacco, to develop and establish a national agricultural labor practices program consistent with ALP, including the formation of an ALP office within TIMB. We believe such a program could be successful in Zimbabwe, particularly if it involves the participation of the relevant government ministries, local farmer unions and farmer associations. ZLT has offered to assist with the training and communication plan associated with a TIMB program. In that regard, ZLT has been involved

with other market participants in communicating its support for labor practice standards during grower field day events and other training events open to all growers.

Auction Purchases: A significant number of tobacco growers in Zimbabwe produce tobacco on their own, without the use of contracts, corporate financing or agronomy assistance. They harvest their tobacco and sell it on the auction market. Most auction growers transport and sell their tobacco to the auction floors themselves or through logistical intermediaries. Auction growers rely on free market demand to bring them the highest price from among the many buyers who attend the auctions. The buyers of auction tobacco have little to no contact with the growers and, to the extent there is contact, it is typically limited to whatever can occur on the days the growers' tobacco is sold at auction. ZLT purchases tobacco at auction in order to fulfill customer volume requirements for certain grades of tobacco. ZLT purchases run-of-crop from its direct contract growers but it only purchases certain grades at auction as necessary based on the results of the current crop and the current needs of our customers.

ZLT's ability to communicate with growers in auction purchases is limited to what can be communicated to the growers who are present at the auction floors. To date, that information has been limited because ZLT has no recurring relationship with auction growers. The efforts described above with respect to multistakeholder engagement and raising broad awareness will also help improve labor practices by auction growers. Government involvement is critical to developing programs, expanding training and communication, and monitoring on-farm practices of non-contracting growers. ZLT's discussions with TIMB, in particular, are important to expanding labor practice standards to those growers.

Labor efficiencies and social responsibility programs: In addition to the market-based approaches described above, ZLT supports efforts to improve labor practices by making farming more efficient and by supporting the growers' communities. For example, ZLT promotes good agricultural practices designed to reduce the need for labor on farms, which relieves the labor pressures that result in increased risks of child labor and other labor hazards. By following these techniques, it is possible for growers to reduce their labor needs by approximately 10% during the course of the season. Such promoted practices include:

- The resetting of seedbeds, which involves transplanting the seedlings from one seedbed to another, when they are 3 to 4 weeks old in order to ensure sturdy growth of seedlings by the time of planting. This avoids the production of additional seedlings and the need to transplant additional seedlings in the field to replace those which may have wilted.
- Planting practices which involves planting the new crop on the ridges of the previous rotational one, without having to rebuild the ridges which are necessary for moisture retention.
- The use of Kurt reaping machines, which are very simple machines with a handlebar, a wheel and a system of strings which allow growers to tie the leaves in the field while they harvest so that the leaves are already ready to be hung in the curing barn.

Ms. Jane Buchanan
Mr. Dewa Mavhinga
Human Rights Watch
September 25, 2017
Page 6 of 6

- The use of clips to hang tobacco in the curing barns. The clips have a spring lock at the end which traps the petioles. Using clips saves time compared to stringing the leaves manually one by one before hanging them in the curing barns.

ZLT also supports various school programs focused on child labor. Such programs promote education for children and allow for monitoring of child activity in the fields and child attendance at school. These initiatives include the construction of school facilities in tobacco growing areas and donations of desks and books (in the last season 12 schools benefitted from these initiatives). In addition, in order to fully promote the importance of the protection of the environment and the conservation of trees, an important part of ZLT's forestry program is centred on the promotion of school woodlots. Tree planting is organized around a school and includes the involvement of children. Their families and communities are encouraged to ensure the survivability of those trees by competing for prizes awarded to the best performing schools. ZLT's focus on tree planting at tobacco farms and in the communities not only benefits the environment, but it also has a strong labor focus by reducing the need for labor to transport heavy piles of wood over long distances.

* * *

In order to address the challenges present in Zimbabwe and to promote a broader adoption of Labor Standards across the Zimbabwe market, we will continue to work within our existing purchase models to communicate the need for sustainable tobacco production that addresses child labor, worker safety and health, and other labor issues. In the meantime, we await the distribution of your Zimbabwe report. We appreciate the opportunity to discuss these issues with you, and please let us know if you have any further questions about our operations.

Sincerely,



H. Michael Ligon
Vice President

cc: George C. Freeman, III
Chairman, President and Chief Executive Officer
Universal Corporation

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299, USA
Tel: +1-212-290-4700
Fax: +1-212-736-1300; +1-917-591-3452

December 8, 2017

CHILDREN'S RIGHTS DIVISION

Zama Neff, *Executive Director*
Jo Becker, *Advocacy Director*
Bede Sheppard, *Deputy Director*
Jane Buchanan, *Associate Director*
Juliane Kippenberg, *Associate Director*
Michael Bochenek, *Senior Counsel*
Elizabeth Calvin, *Senior Advocate*
Bill Van Esveld, *Senior Researcher*
Elin Martinez, *Researcher*
Margaret Wurth, *Researcher*
Helen Griffiths, *Coordinator*
Susan Raqib, *Senior Associate*

Leslie Estrada, *Associate*

Lois Whitman,
Senior Advisor, *Founder, Director (1994-2012)*

ADVISORY COMMITTEE

Robert G. Schwartz, *Chair*
Bernardine Dohrn, *Vice-Chair*
Goldie Alfasi-Siffert
Ishmael Beah
Mark Allen Belsey
Rachel Brett
Pam Bruns
Dana Burde
Gilles Concorde
Marie Concorde
Joanne Csete
Loubna Freih
Judy Gaynor
Michael Gibbons
Leslie Gilbert-Lurie
Alice H. Henkin
Janet Kagan
Rhoda Karpatkin
Miriam Lyons
Sarah Martin
Wendy Smith Meyer
Joy Moser
Elena Nightingale
Bruce Rabb
Dalia Said
Dina Said Dwyer
Elizabeth Scott
Javier Stauring
Anne Studzinski
Ramona Sunderwirth
Tony Tate
Veronica Yates

Roland Algrant, *Vice-Chair (1998-2008)*

Human Rights Watch

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

George C. Freeman III
Chairman, President, and Chief Executive Officer
Universal Corporation
9201 Forest Hill Avenue
Richmond, Virginia 23235



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Mr. Freeman,

We are writing to follow up on our communications with you regarding Human Rights Watch's research on child labor and human rights abuses on tobacco farms in Zimbabwe. Thank you for our call on September 7, 2017 and your letter of September 25, 2017. We appreciate the constructive dialogue with Universal and the opportunity to learn more about your policies and practices with respect to human rights due diligence.

We are writing now to update you on our next steps and share with you some initial recommendations that will be included in our report.

Over the last few months, we have written to 15 tobacco companies regarding human rights due diligence policies and practices in the tobacco industry in Zimbabwe. We have received responses from 13 companies. We have had constructive discussions with some company executives about their approaches to human rights in the supply chain. We also wrote to several government offices.

Human Rights Watch has been following the political situation in Zimbabwe in recent weeks. Due to the change in administration, we plan to publish our report in the first half of 2018, rather than publishing the report this year.

With the change in timeframe for our report, we wanted to give Universal the opportunity to share with us any updated information regarding its operations in Zimbabwe, or any updates regarding the company's policies and practices for addressing child labor and other human rights risks in the supply chain. To be reflected in our report, we would need to receive information on any actions taken or planned by January 5, 2018.

Below we share some preliminary recommendations to companies purchasing tobacco from Zimbabwe. We hope Universal will carefully consider these recommendations.

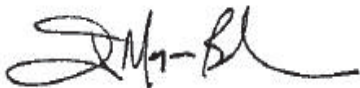
Preliminary Recommendations To All Companies Purchasing Tobacco from Zimbabwe

- Adopt or revise a global human rights policy prohibiting the use of child labor anywhere in the supply chain, if the company has not yet done so. The policy should specify that hazardous work for children under 18 is prohibited, including **any work in which children have direct contact with tobacco in any form**. The policy should also include specific provisions regarding labor rights and occupational safety and health, consistent with international standards.
- Conduct regular and rigorous monitoring, including regular field level monitoring, in the supply chain for child labor and other human rights risks, and engage entities with expertise in human rights and child labor to conduct regular third-party monitoring in the supply chain.
- Regularly publish detailed information about internal and external monitoring, including issues of non-compliance, remediation and results, in a form and frequency consistent with the guidelines on transparency and accountability in the United Nations Guiding Principles on Business and Human Rights.

We welcome any additional information you would like to share with us, in particular information on steps you are taking or planning to take within a defined time frame to address our recommendations above.

We appreciate our engagement with you on these issues, and look forward to discussing them with you further.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

Cc: Preston Wigner, Vice President, General Counsel & Secretary, Universal Corporation
H. Michael Ligon, Vice President, Universal Corporation
A. Bganya, Director, Zimbabwe Leaf Tobacco Company (Private) Limited

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

September 6, 2017

President Robert Gabriel Mugabe
Office of the President and Cabinet
Private Bag 7700
Causeway
Munhumutapa Building
Corner Samora Machel Avenue and Sam Nujoma
Street
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear President,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Office of the President and Cabinet's activities. We would be grateful for a response to these questions by September 22, 2017. We plan to publish our full research findings, along with recommendations to the

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*

Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasi Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our report.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. We have sent the following questions to the relevant ministries. We would appreciate your cooperation in securing answers from these ministries, as well as any of the presidential cabinet's own views on the issues raised in this letter. In particular, we would be grateful for responses to the following questions:

Ministry of Public Service, Labour and Social Welfare

1. How many labor inspectors were employed by the Ministry of Public Service, Labour and Social Welfare in 2015, 2016, and 2017? How many workplace inspections were carried out on tobacco farms? What types of violations were documented on tobacco farms? What actions were taken to remedy the violations?
2. How many violations of child labor law were documented in 2015, 2016, and 2017 by the Ministry of Public Service, Labour and Social Welfare or other government entities? In what sectors did these violations occur? What were the penalties issued?

3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. If possible, kindly provide such data or estimates in each province.
4. Does the government of Zimbabwe have a list of occupations that are considered "hazardous work" and therefore prohibited for children under age 18? Is tobacco farming considered hazardous work? We would be grateful if you could share a copy of the government's regulations regarding hazardous work.
5. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address child labor in Zimbabwe? Does the Ministry of Public Service, Labour and Social Welfare have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
6. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address other types of human rights violations on tobacco farms in Zimbabwe?

Ministry of Health and Child Care

1. What types of programs or initiatives does the Ministry of Health and Child Care have in place to address child labor in agriculture? Does the Ministry of Health and Child Care have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
2. What types of programs or initiatives does the Ministry of Health and Child Care have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country.
4. Kindly provide data on the number of occupational illnesses, injuries, and deaths among tobacco farmers annually. If possible, kindly provide data on the number of occupational illnesses, injuries, and deaths among children working in tobacco farming. We would be grateful if you could specify the causes of these illnesses, injuries, and deaths.
5. Kindly provide data on the number or frequency of pesticide-related illnesses among tobacco farmers annually, and among children working in tobacco farming.

Ministry of Primary and Secondary Education

1. Kindly provide recent data on the total rates of primary school completion and secondary school completion in Zimbabwe, as well as primary and secondary school completion in both rural and urban populations in each province of Zimbabwe. We would be grateful for data from 2015, 2016, and 2017, if possible.
2. What is the government's policy regarding non-payment of school fees? What actions are school administrators required to take if a student has not paid his or her school fees? Does the government have any estimates on the number of children who miss school because they cannot afford school fees?

3. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to support children who are unable to pay school fees? How many pupils are covered by these programs, and in which provinces?
4. What is the government's policy regarding corporal punishment in schools?
5. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to ensure children working in agriculture remain in school and complete their education? Does the Ministry of Primary and Secondary Education have programs or initiatives to reach out to children who leave school or frequently miss school because they work? If so, kindly provide some background and information on these programs.

Ministry of Agriculture, Mechanisation and Irrigation

1. What types of programs or initiatives does the Ministry of Agriculture, Mechanisation and Irrigation have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the Ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, or the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country. What types of agricultural extension services are offered to independent (non-contract) tobacco farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?

Ministry of Lands, Land Reform and Resettlement

1. What types of policies and programs does the government have in place to educate to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the government share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. What types of agricultural extension services are offered to independent (non-contract) tobacco farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?

Ministry of Justice and Legal Affairs

1. Does the law in Zimbabwe require tobacco companies to provide contract farmers with copies of the contracts they sign?
2. What do Zimbabwe's occupational safety and health regulations require regarding work with pesticides and provision of protective clothing to workers on tobacco farms?
3. Do Zimbabwean law and regulations permit children under 18 to handle pesticides?

4. What are the current minimum wage and maximum hour regulations for agricultural workers?
5. Are there any aspects of the Labour Law that are not applicable to small-scale family farms?

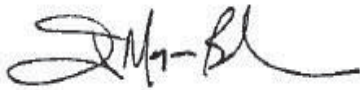
Ministry of Environment

1. What types of policies and programs does the Ministry of Environment have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.

We would welcome any additional information the Office of the President and Cabinet would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 22, 2017. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

January 22, 2018

President Emmerson Mnangagwa
Office of the President and Cabinet
Private Bag 7700
Causeway
Munhumutapa Building
Corner Samora Machel Avenue and Sam Nujoma
Street
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear President,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. We sent a similar letter to your predecessor, President Robert Gabriel Mugabe, in September 2017, but we did not receive a response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Office of the President and Cabinet's activities. We would be grateful for a response to these questions by February 9, 2018. We plan to

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*

Nicholas Dawes, *Media*

Iain Levine, *Program*

Chuck Lustig, *Operations*

Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*

Dinah PoKempner, *General Counsel*

James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*

Daniel Bekele, *Africa*

Maria McFarland Sánchez-Moreno, *United States*

Alison Parker, *United States*

José Miguel Vivanco, *Americas*

Sarah Leah Whitson, *Middle East and North Africa*

Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*

Peter Bouckaert, *Emergencies*

Zama Neff, *Children's Rights*

Richard Dicker, *International Justice*

Bill Frelick, *Refugees' Rights*

Arvind Ganesan, *Business and Human Rights*

Liesel Gernholtz, *Women's Rights*

Steve Goose, *Arms*

Diederik Lohman, *acting, Health and Human Rights*

Marcos Orellana, *Environment and Human Rights*

Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*

Louis Charbonneau, *United Nations, New York*

Kanae Doi, *Japan*

John Fisher, *United Nations, Geneva*

Meenakshi Ganguly, *South Asia*

Bénédicte Jeannerod, *France*

Lotte Leicht, *European Union*

Sarah Margon, *Washington, DC*

David Mepham, *United Kingdom*

Wenzel Michalski, *Germany*

Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*

Robert Kissane, *Co-Chair*

Michael Fisch, *Vice-Chair*

Oki Matsumoto, *Vice-Chair*

Amy Rao, *Vice-Chair*

Amy Towers, *Vice-Chair*

Catherine Zennström, *Vice-Chair*

Michael Fisch, *Treasurer*

Bruce Rabb, *Secretary*

Karen Herskovitz Ackman

Akwasi Aidoo

Jorge Castañeda

Michael E. Gellert

Leslie Gilbert-Lurie

Paul Gray

Betsy Karel

David Lakhdir

Kimberly Marteau Emerson

Alicia Miñana

Joan R. Platt

Neil Rimer

Shelley Frost Rubin

Ambassador Robin Sanders

Jean-Louis Servan-Schreiber

Sidney Sheinberg

Bruce Simpson

Joseph Skrzyński

Donna Slaight

Siri Stolt-Nielsen

Darian W. Swig

Makoto Takano

Marie Warburg

publish our full research findings, along with recommendations to the government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our publications.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. We have sent the following questions to the relevant ministries. We would appreciate your cooperation in securing answers from these ministries, as well as any of the presidential cabinet's own views on the issues raised in this letter. In particular, we would be grateful for responses to the following questions:

Ministry of Public Service, Labour and Social Welfare

1. How many labor inspectors were employed by the Ministry of Public Service, Labour and Social Welfare in 2015, 2016, and 2017? How many workplace inspections were carried out on tobacco farms? What types of violations were documented on tobacco farms? What actions were taken to remedy the violations?
2. How many violations of child labor law were documented in 2015, 2016, and 2017 by the Ministry of Public Service, Labour and Social Welfare or other government entities? In what sectors did these violations occur? What were the penalties issued?

3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. If possible, kindly provide such data or estimates in each province.
4. Does the government of Zimbabwe have a list of occupations that are considered "hazardous work" and therefore prohibited for children under age 18? Is tobacco farming considered hazardous work? We would be grateful if you could share a copy of the government's regulations regarding hazardous work.
5. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address child labor in Zimbabwe? Does the Ministry of Public Service, Labour and Social Welfare have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
6. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address other types of human rights violations on tobacco farms in Zimbabwe?

Ministry of Health and Child Care

1. What types of programs or initiatives does the Ministry of Health and Child Care have in place to address child labor in agriculture? Does the Ministry of Health and Child Care have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
2. What types of programs or initiatives does the Ministry of Health and Child Care have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country.
4. Kindly provide data on the number of occupational illnesses, injuries, and deaths among tobacco farmers annually. If possible, kindly provide data on the number of occupational illnesses, injuries, and deaths among children working in tobacco farming. We would be grateful if you could specify the causes of these illnesses, injuries, and deaths.
5. Kindly provide data on the number or frequency of pesticide-related illnesses among tobacco farmers annually, and among children working in tobacco farming.

Ministry of Primary and Secondary Education

1. Kindly provide recent data on the total rates of primary school completion and secondary school completion in Zimbabwe, as well as primary and secondary school completion in both rural and urban populations in each province of Zimbabwe. We would be grateful for data from 2015, 2016, and 2017, if possible.
2. What is the government's policy regarding non-payment of school fees? What actions are school administrators required to take if a student has not paid his or her school fees? Does the government have any estimates on the number of children who miss school because they cannot afford school fees?

3. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to support children who are unable to pay school fees? How many pupils are covered by these programs, and in which provinces?
4. What is the government's policy regarding corporal punishment in schools?
5. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to ensure children working in agriculture remain in school and complete their education? Does the Ministry of Primary and Secondary Education have programs or initiatives to reach out to children who leave school or frequently miss school because they work? If so, kindly provide some background and information on these programs.

Ministry of Agriculture, Mechanisation and Irrigation

1. What types of programs or initiatives does the Ministry of Agriculture, Mechanisation and Irrigation have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the Ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, or the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country. What types of agricultural extension services are offered to independent (non-contract) tobacco farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?

Ministry of Lands, Land Reform and Resettlement

1. What types of policies and programs does the government have in place to educate to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the government share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. What types of agricultural extension services are offered to independent (non-contract) tobacco farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?

Ministry of Justice and Legal Affairs

1. Does the law in Zimbabwe require tobacco companies to provide contract farmers with copies of the contracts they sign?
2. What do Zimbabwe's occupational safety and health regulations require regarding work with pesticides and provision of protective clothing to workers on tobacco farms?
3. Do Zimbabwean law and regulations permit children under 18 to handle pesticides?

4. What are the current minimum wage and maximum hour regulations for agricultural workers?
5. Are there any aspects of the Labour Law that are not applicable to small-scale family farms?

Ministry of Environment

1. What types of policies and programs does the Ministry of Environment have in place to educate to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.

We would welcome any additional information the Office of the President and Cabinet would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by February 9, 2018. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*

Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwas Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

September 6, 2017

Hon. Min. J. Made

Minister of Agriculture, Mechanisation and
Irrigation
Ministry of Agriculture, Mechanisation and
Irrigation
2nd Floor Ngungunyana Building
Borrowdale Rd
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Agriculture, Mechanisation and Irrigation's activities. We would be grateful for a response to these questions by September 22, 2017. We plan to publish our full research findings, along

with recommendations to the government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our report.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

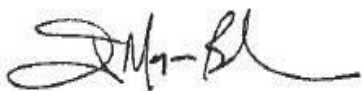
1. What types of programs or initiatives does the Ministry of Agriculture, Mechanisation and Irrigation have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the Ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, or the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country. What types of agricultural extension services are offered to independent (non-contract) tobacco

farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?

We would welcome any additional information the Office of the President and Cabinet would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 22, 2017. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

January 22, 2018



Hon. Min. Perrance Shiri
Minister of Agriculture, Mechanisation and
Irrigation
Ministry of Agriculture, Mechanisation and
Irrigation
2nd Floor Ngungunyana Building
Borrowdale Rd
Harare, Zimbabwe

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. We sent a similar letter to your predecessor, Honourable Minister Joseph Made, in September 2017, but we did not receive a response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Agriculture, Mechanisation and Irrigation's activities. We would be grateful for a response to these questions by

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*

Nicholas Dawes, *Media*

Iain Levine, *Program*

Chuck Lustig, *Operations*

Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*

Dinah PoKempner, *General Counsel*

James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*

Daniel Bekele, *Africa*

Maria McFarland Sánchez-Moreno, *United States*

Alison Parker, *United States*

José Miguel Vivanco, *Americas*

Sarah Leah Whitson, *Middle East and North Africa*

Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*

Peter Bouckaert, *Emergencies*

Zama Neff, *Children's Rights*

Richard Dicker, *International Justice*

Bill Frelick, *Refugees' Rights*

Arvind Ganesan, *Business and Human Rights*

Liesl Gernholtz, *Women's Rights*

Steve Goose, *Arms*

Diederik Lohman, *acting, Health and Human Rights*

Marcos Orellana, *Environment and Human Rights*

Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*

Louis Charbonneau, *United Nations, New York*

Kanae Doi, *Japan*

John Fisher, *United Nations, Geneva*

Meenakshi Ganguly, *South Asia*

Bénédicte Jeannerod, *France*

Lotte Leicht, *European Union*

Sarah Margon, *Washington, DC*

David Mepham, *United Kingdom*

Wenzel Michalski, *Germany*

Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*

Robert Kissane, *Co-Chair*

Michael Fisch, *Vice-Chair*

Oki Matsumoto, *Vice-Chair*

Amy Rao, *Vice-Chair*

Amy Towers, *Vice-Chair*

Catherine Zennström, *Vice-Chair*

Michael Fisch, *Treasurer*

Bruce Rabb, *Secretary*

Karen Herskovitz Ackman

Akwasi Aidoo

Jorge Castañeda

Michael E. Gellert

Leslie Gilbert-Lurie

Paul Gray

Betsy Karel

David Lakhdir

Kimberly Marteau Emerson

Alicia Miñana

Joan R. Platt

Neil Rimer

Shelley Frost Rubin

Ambassador Robin Sanders

Jean-Louis Servan-Schreiber

Sidney Sheinberg

Bruce Simpson

Joseph Skrzyński

Donna Slaight

Siri Stolt-Nielsen

Darian W. Swig

Makoto Takano

Marie Warburg

February 9, 2018. We plan to publish our full research findings, along with recommendations to the government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our publications.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. What types of programs or initiatives does the Ministry of Agriculture, Mechanisation and Irrigation have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the Ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, or the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country.

3. What types of agricultural extension services are offered to independent (non-contract) tobacco farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?


We would welcome any additional information the Ministry of Agriculture, Mechanisation and Irrigation would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by February 9, 2018. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

September 6, 2017

Hon. O.C.Z. Muchinguri, M.P.
Minister of Environment
Ministry of Environment
Kaguvi Building, 11th Floor
Central Avenue (Between 4th and 5th Street)
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Environment's activities. We would be grateful for a response to these questions by September 22, 2017. We plan to publish our full research findings, along with recommendations to the government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our report.

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasi Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. What types of policies and programs does the Ministry of Environment have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.

We would welcome any additional information the Ministry of Environment would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 22, 2017. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Buchanan', with a long horizontal flourish extending to the right.

Jane Buchanan
Associate Director
Children's Rights Division

A handwritten signature in black ink, appearing to read 'Dewa Mavhinga', with a long horizontal flourish extending to the right.

Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

January 22, 2018

Hon. O.C.Z. Muchinguri, M.P.
Minister of Environment
Ministry of Environment
Kaguvi Building, 11th Floor
Central Avenue (Between 4th and 5th Street)
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. We sent a similar letter to you on September 6, 2017, but we have not received a response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Environment's activities. We would be grateful for a response to these questions by February 9, 2018. We plan to publish our full research findings, along with recommendations to the government of

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Benedicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzyński
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our publications.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. What types of policies and programs does the Ministry of Environment have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.

We would welcome any additional information the Ministry of Environment would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by February 9, 2018. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Buchanan', written in a cursive style.

Jane Buchanan
Associate Director
Children's Rights Division

A handwritten signature in black ink, appearing to read 'D Mavhinga', written in a cursive style.

Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwas Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaughter
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

September 6, 2017

Hon. Min. David Parirenyatwa
Minister of Health and Child Care
Ministry of Health and Child Care
Kaguvi Building, 4th Floor
Central Avenue
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Health and Child Care's activities. We would be grateful for a response to these questions by September 22, 2017. We plan to publish our full research findings, along with recommendations to the

government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our report.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. What types of programs or initiatives does the Ministry of Health and Child Care have in place to address child labor in agriculture? Does the Ministry of Health and Child Care have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
2. What types of programs or initiatives does the Ministry of Health and Child Care have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.

3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country.
4. Kindly provide data on the number of occupational illnesses, injuries, and deaths among tobacco farmers annually. If possible, kindly provide data on the number of occupational illnesses, injuries, and deaths among children working in tobacco farming. We would be grateful if you could specify the causes of these illnesses, injuries, and deaths.
5. Kindly provide data on the number or frequency of pesticide-related illnesses among tobacco farmers annually, and among children working in tobacco farming.

We would welcome any additional information the Ministry of Health and Child Care would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 22, 2017. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwas Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaughter
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

January 22, 2018

Hon. Min. David Parirenyatwa
Minister of Health and Child Care
Ministry of Health and Child Care
Kaguvi Building, 4th Floor
Central Avenue
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. We sent a similar letter to you on September 6, 2017, but we have not received a response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Health and Child Care's activities. We would be grateful for a response to these questions by February 9, 2018. We plan to publish our full research findings, along with recommendations to the

government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our publications.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. What types of programs or initiatives does the Ministry of Health and Child Care have in place to address child labor in agriculture? Does the Ministry of Health and Child Care have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
2. What types of programs or initiatives does the Ministry of Health and Child Care have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.

3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country.
4. Kindly provide data on the number of occupational illnesses, injuries, and deaths among tobacco farmers annually. If possible, kindly provide data on the number of occupational illnesses, injuries, and deaths among children working in tobacco farming. We would be grateful if you could specify the causes of these illnesses, injuries, and deaths.
5. Kindly provide data on the number or frequency of pesticide-related illnesses among tobacco farmers annually, and among children working in tobacco farming.

We would welcome any additional information the Ministry of Health and Child Care would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by February 9, 2018. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

September 6, 2017

Hon. Min. Emmerson Mnangagwa
Vice President and Minister of Justice and Legal
Affairs
Ministry of Justice and Legal Affairs
New Government Complex
Cnr Samora Machel / Fourth Street
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Vice President & Minister of Justice,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Justice and Legal Affairs' activities. We would be grateful for a response to these questions by September 22, 2017. We plan to publish our full research findings, along with recommendations to the

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasi Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our report.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

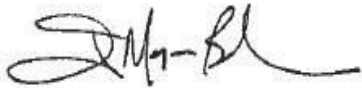
We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. Does the law in Zimbabwe require tobacco companies to provide contract farmers with copies of the contracts they sign?
2. What do Zimbabwe's occupational safety and health regulations require regarding work with pesticides and provision of protective clothing to workers on tobacco farms?
3. Do Zimbabwean law and regulations permit children under 18 to handle pesticides?
4. What are the current minimum wage and maximum hour regulations for agricultural workers?
5. Are there any aspects of the Labour Law that are not applicable to small-scale family farms?

We would welcome any additional information the Ministry of Justice and Legal Affairs would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 22, 2017. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

January 22, 2018

Hon. Min. Ziyambi Ziyambi
Minister of Justice and Legal Affairs
Ministry of Justice and Legal Affairs
New Government Complex
Cnr Samora Machel / Fourth Street
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister ,,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. We sent a similar letter to your predecessor, former Honourable Minister and Vice President Emmerson Mnangagwa, in September 2017, but we did not receive a response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Justice and Legal Affairs' activities. We would be grateful for a response to these questions by February 9, 2018. We plan to publish our full research findings, along with recommendations to the

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwas Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaughter
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our publications.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. Does the law in Zimbabwe require tobacco companies to provide contract farmers with copies of the contracts they sign?
2. What do Zimbabwe's occupational safety and health regulations require regarding work with pesticides and provision of protective clothing to workers on tobacco farms?
3. Do Zimbabwean law and regulations permit children under 18 to handle pesticides?
4. What are the current minimum wage and maximum hour regulations for agricultural workers?
5. Are there any aspects of the Labour Law that are not applicable to small-scale family farms?

We would welcome any additional information the Ministry of Justice and Legal Affairs would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by February 9, 2018. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

September 6, 2017

Hon. Min. Douglas Mombeshora

Minister of Lands, Land Reform and Resettlement
Ministry of Lands, Land Reform and Resettlement
Block 2 Makombe Complex. Cnr Harare Street and
Herbert Chitepo
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Lands, Land Reform and Resettlement's activities. We would be grateful for a response to these questions by September 22, 2017. We plan to publish our full research findings, along with recommendations to the government of Zimbabwe, tobacco companies,

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzyński
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

and other groups in a report this year, and we would hope to reflect the government's position in our report.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

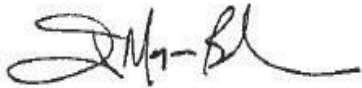
We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. What types of policies and programs does the government have in place to educate to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the government share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. What types of agricultural extension services are offered to independent (non-contract) tobacco farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?

We would welcome any additional information the Ministry of Lands, Land Reform and Resettlement would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 22, 2017. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

OFFICE OF THE MINISTER

Telephone: 797325/30



ZIMBABWE

Reference:

Ministry of Lands and Rural Resettlement

Private Bag 7779

24 October 2017

B/54

Human Rights Watch
Southern Africa

Dear Mr. Mavhinga

Re: Human Rights Watch research on tobacco farms in Zimbabwe

I acknowledge receipt of your letter dated 6 September 2017 in respect of the above issue. The delay in responding to your letter is sincerely regretted.

I wish to advise that the issues you raised fall outside of my Ministry's mandate. I suggest that you engage the Ministries of Public Service, Labour and Social Welfare and Agriculture, Mechanization and Irrigation Development.

Sincerely

A handwritten signature in blue ink, appearing to read 'D.T. Mombeshora'.

Hon. Dr. D.T. Mombeshora; MP
Minister of Lands and Rural Resettlement



350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

September 6, 2017

Hon. Min. Christopher Mushohwe
Minister of Media, Information and Publicity
Ministry of Media, Information and Publicity
Box CY 1122
Causeway
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Media, Information and Publicity's activities. We would be grateful for a response to these questions by September 22, 2017. We plan to publish our full research findings, along with recommendations to the government of Zimbabwe, tobacco companies, and other groups in a

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaight
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

report this year, and we would hope to reflect the government's position in our report.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. We have sent the following questions to the relevant ministries. We would appreciate your cooperation in securing answers from these ministries. In particular, we would be grateful for responses to the following questions:

Ministry of Public Service, Labour and Social Welfare

1. How many labor inspectors were employed by the Ministry of Public Service, Labour and Social Welfare in 2015, 2016, and 2017? How many workplace inspections were carried out on tobacco farms? What types of violations were documented on tobacco farms? What actions were taken to remedy the violations?
2. How many violations of child labor law were documented in 2015, 2016, and 2017 by the Ministry of Public Service, Labour and Social Welfare or other government entities? In what sectors did these violations occur? What were the penalties issued?

3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. If possible, kindly provide such data or estimates in each province.
4. Does the government of Zimbabwe have a list of occupations that are considered “hazardous work” and therefore prohibited for children under age 18? Is tobacco farming considered hazardous work? We would be grateful if you could share a copy of the government’s regulations regarding hazardous work.
5. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address child labor in Zimbabwe? Does the Ministry of Public Service, Labour and Social Welfare have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
6. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address other types of human rights violations on tobacco farms in Zimbabwe?

Ministry of Health and Child Care

1. What types of programs or initiatives does the Ministry of Health and Child Care have in place to address child labor in agriculture? Does the Ministry of Health and Child Care have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
2. What types of programs or initiatives does the Ministry of Health and Child Care have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country.
4. Kindly provide data on the number of occupational illnesses, injuries, and deaths among tobacco farmers annually. If possible, kindly provide data on the number of occupational illnesses, injuries, and deaths among children working in tobacco farming. We would be grateful if you could specify the causes of these illnesses, injuries, and deaths.
5. Kindly provide data on the number or frequency of pesticide-related illnesses among tobacco farmers annually, and among children working in tobacco farming.

Ministry of Primary and Secondary Education

1. Kindly provide recent data on the total rates of primary school completion and secondary school completion in Zimbabwe, as well as primary and secondary school completion in both rural and urban populations in each province of Zimbabwe. We would be grateful for data from 2015, 2016, and 2017, if possible.
2. What is the government’s policy regarding non-payment of school fees? What actions are school administrators required to take if a student has not paid his or her school fees? Does the government have any estimates on the number of children who miss school because they cannot afford school fees?

3. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to support children who are unable to pay school fees? How many pupils are covered by these programs, and in which provinces?
4. What is the government's policy regarding corporal punishment in schools?
5. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to ensure children working in agriculture remain in school and complete their education? Does the Ministry of Primary and Secondary Education have programs or initiatives to reach out to children who leave school or frequently miss school because they work? If so, kindly provide some background and information on these programs.

Ministry of Agriculture, Mechanisation and Irrigation

1. What types of programs or initiatives does the Ministry of Agriculture, Mechanisation and Irrigation have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the Ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, or the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country. What types of agricultural extension services are offered to independent (non-contract) tobacco farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?

Ministry of Lands, Land Reform and Resettlement

1. What types of policies and programs does the government have in place to educate to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the government share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. What types of agricultural extension services are offered to independent (non-contract) tobacco farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?

Ministry of Justice and Legal Affairs

1. Does the law in Zimbabwe require tobacco companies to provide contract farmers with copies of the contracts they sign?
2. What do Zimbabwe's occupational safety and health regulations require regarding work with pesticides and provision of protective clothing to workers on tobacco farms?
3. Do Zimbabwean law and regulations permit children under 18 to handle pesticides?

4. What are the current minimum wage and maximum hour regulations for agricultural workers?
5. Are there any aspects of the Labour Law that are not applicable to small-scale family farms?

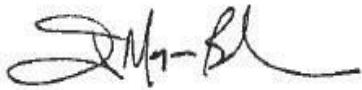
Ministry of Environment

1. What types of policies and programs does the Ministry of Environment have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.

We would welcome any additional information the Ministry of Media, Information and Publicity would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 22, 2017. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

January 22, 2018

Hon. Min. Chris Mutsvangwa
Minister of Media, Information and Publicity
Ministry of Media, Information and Publicity
Box CY 1122
Causeway
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. We sent a similar letter to your predecessor, Honourable Minister Christopher Mushohwe, in September 2017, but we did not receive a response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Media, Information and Publicity's activities. We would be grateful for a response to these questions by February 9, 2018. We plan to publish our full research findings, along with recommendations to

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwas Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaughter
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

the government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our publications.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. We have sent the following questions to the relevant ministries. We would appreciate your cooperation in securing answers from these ministries. In particular, we would be grateful for responses to the following questions:

Ministry of Public Service, Labour and Social Welfare

1. How many labor inspectors were employed by the Ministry of Public Service, Labour and Social Welfare in 2015, 2016, and 2017? How many workplace inspections were carried out on tobacco farms? What types of violations were documented on tobacco farms? What actions were taken to remedy the violations?
2. How many violations of child labor law were documented in 2015, 2016, and 2017 by the Ministry of Public Service, Labour and Social Welfare or other government entities? In what sectors did these violations occur? What were the penalties issued?

3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. If possible, kindly provide such data or estimates in each province.
4. Does the government of Zimbabwe have a list of occupations that are considered "hazardous work" and therefore prohibited for children under age 18? Is tobacco farming considered hazardous work? We would be grateful if you could share a copy of the government's regulations regarding hazardous work.
5. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address child labor in Zimbabwe? Does the Ministry of Public Service, Labour and Social Welfare have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
6. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address other types of human rights violations on tobacco farms in Zimbabwe?

Ministry of Health and Child Care

1. What types of programs or initiatives does the Ministry of Health and Child Care have in place to address child labor in agriculture? Does the Ministry of Health and Child Care have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
2. What types of programs or initiatives does the Ministry of Health and Child Care have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country.
4. Kindly provide data on the number of occupational illnesses, injuries, and deaths among tobacco farmers annually. If possible, kindly provide data on the number of occupational illnesses, injuries, and deaths among children working in tobacco farming. We would be grateful if you could specify the causes of these illnesses, injuries, and deaths.
5. Kindly provide data on the number or frequency of pesticide-related illnesses among tobacco farmers annually, and among children working in tobacco farming.

Ministry of Primary and Secondary Education

1. Kindly provide recent data on the total rates of primary school completion and secondary school completion in Zimbabwe, as well as primary and secondary school completion in both rural and urban populations in each province of Zimbabwe. We would be grateful for data from 2015, 2016, and 2017, if possible.
2. What is the government's policy regarding non-payment of school fees? What actions are school administrators required to take if a student has not paid his or her school fees? Does the government have any estimates on the number of children who miss school because they cannot afford school fees?

3. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to support children who are unable to pay school fees? How many pupils are covered by these programs, and in which provinces?
4. What is the government's policy regarding corporal punishment in schools?
5. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to ensure children working in agriculture remain in school and complete their education? Does the Ministry of Primary and Secondary Education have programs or initiatives to reach out to children who leave school or frequently miss school because they work? If so, kindly provide some background and information on these programs.

Ministry of Agriculture, Mechanisation and Irrigation

1. What types of programs or initiatives does the Ministry of Agriculture, Mechanisation and Irrigation have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the Ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, or the number of children working in agriculture more broadly. Kindly provide such data or estimates in each province of the country. What types of agricultural extension services are offered to independent (non-contract) tobacco farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?

Ministry of Lands, Land Reform and Resettlement

1. What types of policies and programs does the government have in place to educate to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the government share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.
2. What types of agricultural extension services are offered to independent (non-contract) tobacco farmers in Zimbabwe? How many farmers are reached by these services? How often do extension workers visit farms? What types of information do they share?

Ministry of Justice and Legal Affairs

1. Does the law in Zimbabwe require tobacco companies to provide contract farmers with copies of the contracts they sign?
2. What do Zimbabwe's occupational safety and health regulations require regarding work with pesticides and provision of protective clothing to workers on tobacco farms?
3. Do Zimbabwean law and regulations permit children under 18 to handle pesticides?

4. What are the current minimum wage and maximum hour regulations for agricultural workers?
5. Are there any aspects of the Labour Law that are not applicable to small-scale family farms?

Ministry of Environment

1. What types of policies and programs does the Ministry of Environment have in place to educate farmers and farmworkers about occupational safety and health on tobacco farms, including the risks of nicotine poisoning (Green Tobacco Sickness) and pesticide exposure, safe storage of pesticides, disposal of pesticide containers, use of personal protective equipment, and other issues? How does the ministry share this information with tobacco farmers and farmworkers? We would be grateful if you could share copies of any materials that are provided to farmers or farmworkers on these topics.

We would welcome any additional information the Ministry of Media, Information and Publicity would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by February 9, 2018. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

September 6, 2017

Hon. Min. Lazarus Dokora
Minister of Primary and Secondary Education
Ministry of Primary and Secondary Education
88 Kwamenkrumah Ambassador House
Harare CY 121 Causeway
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Primary and Secondary Education's activities. We would be grateful for a response to these questions by September 22, 2017. We plan to publish our full research findings, along with recommendations to the government of Zimbabwe, tobacco companies, and other groups in a

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzynski
Donna Slaughter
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

report this year, and we would hope to reflect the government's position in our report.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

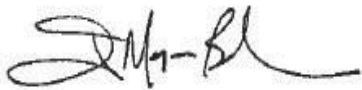
1. Kindly provide recent data on the total rates of primary school completion and secondary school completion in Zimbabwe, as well as primary and secondary school completion in both rural and urban populations in each province of Zimbabwe. We would be grateful for data from 2015, 2016, and 2017, if possible.
2. What is the government's policy regarding non-payment of school fees? What actions are school administrators required to take if a student has not paid his or her school fees? Does the government have any estimates on the number of children who miss school because they cannot afford school fees?
3. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to support children who are unable to pay school fees? How many pupils are covered by these programs, and in which provinces?
4. What is the government's policy regarding corporal punishment in schools?

5. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to ensure children working in agriculture remain in school and complete their education? Does the Ministry of Primary and Secondary Education have programs or initiatives to reach out to children who leave school or frequently miss school because they work? If so, kindly provide some background and information on these programs.

We would welcome any additional information the Ministry of Primary and Secondary Education would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 22, 2017. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

January 18, 2018

Hon. Min. Paul Mavhima
Minister of Primary and Secondary Education
Ministry of Primary and Secondary Education
88 Kwamenkrumah Ambassador House
Harare CY 121 Causeway
Harare, Zimbabwe



Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. We sent a similar letter to your predecessor, Honourable Minister Lazarus Dokora, in September 2017, but we did not receive a response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Primary and Secondary Education's activities. We would be grateful for a response to these questions by February 9, 2018. We plan to publish our full research findings, along with recommendations to

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*
Nicholas Dawes, *Media*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Maria McFarland Sánchez-Moreno, *United States*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liesl Gernholtz, *Women's Rights*
Steve Goose, *Arms*
Diederik Lohman, *acting, Health and Human Rights*
Marcos Orellana, *Environment and Human Rights*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*
Louis Charbonneau, *United Nations, New York*
Kanae Doi, *Japan*
John Fisher, *United Nations, Geneva*
Meenakshi Ganguly, *South Asia*
Bénédicte Jeannerod, *France*
Lotte Leicht, *European Union*
Sarah Margon, *Washington, DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*
Robert Kissane, *Co-Chair*
Michael Fisch, *Vice-Chair*
Oki Matsumoto, *Vice-Chair*
Amy Rao, *Vice-Chair*
Amy Towers, *Vice-Chair*
Catherine Zennström, *Vice-Chair*
Michael Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Herskovitz Ackman
Akwasí Aidoo
Jorge Castañeda
Michael E. Gellert
Leslie Gilbert-Lurie
Paul Gray
Betsy Karel
David Lakhdir
Kimberly Marteau Emerson
Alicia Miñana
Joan R. Platt
Neil Rimer
Shelley Frost Rubin
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Sidney Sheinberg
Bruce Simpson
Joseph Skrzyński
Donna Slaughter
Siri Stolt-Nielsen
Darian W. Swig
Makoto Takano
Marie Warburg

the government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our publications.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. Kindly provide recent data on the total rates of primary school completion and secondary school completion in Zimbabwe, as well as primary and secondary school completion in both rural and urban populations in each province of Zimbabwe. We would be grateful for data from 2015, 2016, and 2017, if possible.
2. What is the government's policy regarding non-payment of school fees? What actions are school administrators required to take if a student has not paid his or her school fees? Does the government have any estimates on the number of children who miss school because they cannot afford school fees?
3. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to support children who are unable to pay school fees? How many pupils are covered by these programs, and in which provinces?
4. What is the government's policy regarding corporal punishment in schools?

5. What types of programs or initiatives does the Ministry of Primary and Secondary Education have in place to ensure children working in agriculture remain in school and complete their education? Does the Ministry of Primary and Secondary Education have programs or initiatives to reach out to children who leave school or frequently miss school because they work? If so, kindly provide some background and information on these programs.

We would welcome any additional information the Ministry of Primary and Secondary Education would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by February 9, 2018. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*

Nicholas Dawes, *Media*

Iain Levine, *Program*

Chuck Lustig, *Operations*

Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*

Dinah PoKempner, *General Counsel*

James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*

Daniel Bekele, *Africa*

Maria McFarland Sánchez-Moreno, *United States*

Alison Parker, *United States*

José Miguel Vivanco, *Americas*

Sarah Leah Whitson, *Middle East and North Africa*

Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*

Peter Bouckaert, *Emergencies*

Zama Neff, *Children's Rights*

Richard Dicker, *International Justice*

Bill Frelick, *Refugees' Rights*

Arvind Ganesan, *Business and Human Rights*

Liesl Gernholtz, *Women's Rights*

Steve Goose, *Arms*

Diederik Lohman, *acting, Health and Human Rights*

Marcos Orellana, *Environment and Human Rights*

Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*

Louis Charbonneau, *United Nations, New York*

Kanae Doi, *Japan*

John Fisher, *United Nations, Geneva*

Meenakshi Ganguly, *South Asia*

Bénédicte Jeannerod, *France*

Lotte Leicht, *European Union*

Sarah Margon, *Washington, DC*

David Mepham, *United Kingdom*

Wenzel Michalski, *Germany*

Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*

Robert Kissane, *Co-Chair*

Michael Fisch, *Vice-Chair*

Oki Matsumoto, *Vice-Chair*

Amy Rao, *Vice-Chair*

Amy Towers, *Vice-Chair*

Catherine Zennström, *Vice-Chair*

Michael Fisch, *Treasurer*

Bruce Rabb, *Secretary*

Karen Herskovitz Ackman

Akwasi Aidoo

Jorge Castañeda

Michael E. Gellert

Leslie Gilbert-Lurie

Paul Gray

Betsy Karel

David Lakhdir

Kimberly Marteau Emerson

Alicia Miñana

Joan R. Platt

Neil Rimer

Shelley Frost Rubin

Ambassador Robin Sanders

Jean-Louis Servan-Schreiber

Sidney Sheinberg

Bruce Simpson

Joseph Skrzynski

Donna Slaight

Siri Stolt-Nielsen

Darian W. Swig

Makoto Takano

Marie Warburg

September 6, 2017

Hon. Min. Mupfumira, M.P.

Minister of Public Service, Labour and Social Welfare

Ministry of Public Service, Labour and Social Welfare

9th Floor Kaguvi Building

P.O. Box CY 17 Causeway

Harare, Zimbabwe



HRW.org

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Public Service, Labour and Social Welfare's activities. We would be grateful for a response to these questions by

September 22, 2017. We plan to publish our full research findings, along with recommendations to the government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our report.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. How many labor inspectors were employed by the Ministry of Public Service, Labour and Social Welfare in 2015, 2016, and 2017? How many workplace inspections were carried out on tobacco farms? What types of violations were documented on tobacco farms? What actions were taken to remedy the violations?
2. How many violations of child labor law were documented in 2015, 2016, and 2017 by the Ministry of Public Service, Labour and Social Welfare or other government entities? In what sectors did these violations occur? What were the penalties issued?
3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. If possible, kindly provide such data or estimates in each province.
4. Does the government of Zimbabwe have a list of occupations that are considered "hazardous work" and therefore prohibited for children under age 18? Is tobacco

- farming considered hazardous work? We would be grateful if you could share a copy of the government's regulations regarding hazardous work.
5. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address child labor in Zimbabwe? Does the Ministry of Public Service, Labour and Social Welfare have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
 6. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address other types of human rights violations on tobacco farms in Zimbabwe?

We would welcome any additional information the Ministry of Public Service, Labour and Social Welfare would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by September 22, 2017. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

January 22, 2018



Hon. Min. Clever Nyathi
Minister of Public Service, Labour and Social Welfare
Ministry of Public Service, Labour and Social Welfare
9th Floor Kaguvi Building
P.O. Box CY 17 Causeway
Harare, Zimbabwe

Re: Human Rights Watch research on tobacco farms in Zimbabwe

Dear Honourable Minister,

Please accept our regards on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, nongovernmental organization that monitors and reports on human rights in 90 countries around the world (www.hrw.org). We are writing today to share preliminary findings from research that Human Rights Watch has carried out regarding human rights abuses on tobacco farms in Zimbabwe, and to seek your response. We sent a similar letter to your predecessor, Honourable Minister Mupfumira, M.P., in September 2017, but we did not receive a response.

Since 2009, we have conducted research on child labor and other human rights abuses on tobacco farms in Kazakhstan, the United States, Brazil, and Indonesia. We have met and corresponded with government officials and representatives of some of the world's largest tobacco companies regarding human rights problems on tobacco farms in these countries.

Human Rights Watch is committed to the elimination of hazardous child labor on tobacco farms worldwide. Based on our field research and analysis of international law and public health literature, Human Rights Watch has concluded that any work involving direct contact with tobacco in any form is hazardous and should be prohibited for children under 18.

Human Rights Watch conducted research between December 2016 and April 2017 in five provinces in Zimbabwe: Harare, Mashonaland West, Mashonaland Central, Mashonaland East, and Manicaland. We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

This letter summarizes our findings and includes several questions regarding the Ministry of Public Service, Labour and Social Welfare's activities. We would be grateful for a response to these questions by

Kenneth Roth, *Executive Director*

Deputy Executive Directors

Michele Alexander, *Development and Global Initiatives*

Nicholas Dawes, *Media*

Iain Levine, *Program*

Chuck Lustig, *Operations*

Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*

Dinah PoKempner, *General Counsel*

James Ross, *Legal and Policy Director*

Division and Program Directors

Brad Adams, *Asia*

Daniel Bekele, *Africa*

Maria McFarland Sánchez-Moreno, *United States*

Alison Parker, *United States*

José Miguel Vivanco, *Americas*

Sarah Leah Whitson, *Middle East and North Africa*

Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*

Peter Bouckaert, *Emergencies*

Zama Neff, *Children's Rights*

Richard Dicker, *International Justice*

Bill Frelick, *Refugees' Rights*

Arvind Ganesan, *Business and Human Rights*

Liesl Gernholtz, *Women's Rights*

Steve Goose, *Arms*

Diederik Lohman, *acting, Health and Human Rights*

Marcos Orellana, *Environment and Human Rights*

Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

Advocacy Directors

Maria Laura Canineu, *Brazil*

Louis Charbonneau, *United Nations, New York*

Kanae Doi, *Japan*

John Fisher, *United Nations, Geneva*

Meenakshi Ganguly, *South Asia*

Bénédicte Jeannerod, *France*

Lotte Leicht, *European Union*

Sarah Margon, *Washington, DC*

David Mepham, *United Kingdom*

Wenzel Michalski, *Germany*

Elaine Pearson, *Australia*

Board of Directors

Hassan Elmasry, *Co-Chair*

Robert Kissane, *Co-Chair*

Michael Fisch, *Vice-Chair*

Oki Matsumoto, *Vice-Chair*

Amy Rao, *Vice-Chair*

Amy Towers, *Vice-Chair*

Catherine Zennström, *Vice-Chair*

Michael Fisch, *Treasurer*

Bruce Rabb, *Secretary*

Karen Herskovitz Ackman

Akwasi Aidoo

Jorge Castañeda

Michael E. Gellert

Leslie Gilbert-Lurie

Paul Gray

Betsy Karel

David Lakhdir

Kimberly Marteau Emerson

Alicia Miñana

Joan R. Platt

Neil Rimer

Shelley Frost Rubin

Ambassador Robin Sanders

Jean-Louis Servan-Schreiber

Sidney Sheinberg

Bruce Simpson

Joseph Skrzyński

Donna Slaight

Siri Stolt-Nielsen

Darian W. Swig

Makoto Takano

Marie Warburg

February 9, 2018. We plan to publish our full research findings, along with recommendations to the government of Zimbabwe, tobacco companies, and other groups in a report this year, and we would hope to reflect the government's position in our publications.

Methodology

We interviewed more than 60 small-scale tobacco farmers, including some who said they produced tobacco leaf independently and sold it on auction floors, and some who produced and sold tobacco leaf through contracts with international leaf suppliers or other tobacco companies. Families reported children working on both independent and contract farms.

We also interviewed more than 60 hired workers on tobacco farms of various sizes, including some child workers, and some young adults who started working on tobacco farms as children. Some of the child workers we interviewed also worked on small farms operated by members of their families, in addition to their work as hired laborers.

We documented hazardous child labor, as well as serious health and safety risks, labor rights abuses, failure to provide copies of contracts to contracted farmers, and other human rights problems.

Preliminary Findings

Hazardous Child Labor

Many interviewees stated that children perform hazardous work on tobacco farms in Zimbabwe.

More than half of the small-scale farmers we interviewed in Zimbabwe said that children under 18 worked on their tobacco farms. This most frequently included their own children or extended family members. A few small-scale farmers said that they hired children from outside of their families to work on their farms.

Some said that their own children working on their farms performed only a few tasks on tobacco farms, while others said that children worked throughout the growing season and performed tasks including planting, weeding, topping, reaping, carrying harvested tobacco leaves, sorting leaves, passing leaves to adults for tying, tying (i.e. stringing), hanging tobacco in barns, grading, closing bales.

Human Rights Watch also interviewed more than a dozen children who worked for hire on tobacco farms of various sizes, as well as several young adults who started working in tobacco farming as children. Children working for hire often performed a range of tasks involved in tobacco cultivation.

All of the child workers reported that they had experienced at least one symptom consistent with acute nicotine poisoning, including nausea, vomiting, loss of appetite, headaches, or dizziness while handling tobacco.

Some child workers also mixed or applied pesticides to tobacco plants, or described working in fields while someone else applied pesticides nearby. Many of these children experienced immediate illness after working near the chemicals.

About half of the adult hired workers interviewed said children under 18 worked with them, either also as hired workers, or informally assisting their parents, who were hired workers. Children who informally assisted their parents did not receive employment contracts or wages.

Other workers stated that children did not work with them on the farms, either because they understood or believed that the law or their employers prohibited it.

Impacts on Education

Many interviewees described how children's work in tobacco farming interfered with their education. Nearly all interviewees, both adults and children, told Human Rights Watch that school fees posed a barrier to children's education, and that they struggled to pay school fees consistently.

Some children and small-scale farmers said children sometimes skipped school to work for hire on tobacco farms to raise money for their school fees or to help their own families with tobacco farming tasks.

Teachers in tobacco growing regions told Human Rights Watch that their students often missed classes during the tobacco growing season, particularly during the harvest, making it difficult for them to keep up with their school work.

Wage and Hour Abuses on Large Farms

Many of the hired workers interviewed by Human Rights Watch, including some children, said employers pressured them to work past the working hours specified in their contracts without additional compensation. Some workers said they feared reprisals for refusing to work overtime, citing examples of fellow employees who had been dismissed from work for several days, or permanently, after declining to work overtime.

Many workers reported that employers paid them with delays, from a few days up to weeks or months. On some farms, when employers delayed wage payments, they offered employees to buy basic foodstuffs and household goods in shops they owned at inflated prices. The money spent in these shops was then deducted from their wages.

Some workers said they were paid less than they were owed or promised, without explanation.

Most workers said their employers permitted them to take one or two breaks during the workday, but some said employers pressured them to work without breaks during busy times of the growing season.

Some workers said their employers or supervisors shouted at them or threatened to dismiss them for not working quickly enough or completing tasks effectively, or for missing days of work due to sickness or other factors.

Health and Safety

Small-scale farmers and hired farmworkers faced serious health and safety hazards while working in tobacco farming.

Pesticide Exposure

Nearly all small-scale farmers, and many hired farmworkers, including some children, said they handled toxic chemicals while working on tobacco farms. Many interviewees handled chemicals without any protective equipment, or with improper or incomplete protection. Some interviewees described practices or behaviors that likely exposed their children, family members, or other members of their community to dangerous pesticide residues – such as improper disposal of empty pesticide containers or returning home wearing clothing contaminated with pesticide residues and continuing to wear them at home before washing them. Some interviewees also described working in fields while another person applied pesticides nearby.

Many interviewees reported illness after coming into contact with toxic chemicals, including nausea, vomiting, loss of appetite, stomach pain, headaches, dizziness, skin irritation, chest pain, blurred vision, eye irritation, respiratory irritation, and other symptoms.

Nicotine Exposure

All interviewees, including adults and children, regularly handled tobacco without protective equipment. Most farmers and farmworkers we interviewed had experienced at least one symptom consistent with acute nicotine poisoning, also known as Green Tobacco Sickness (GTS) including nausea, vomiting, loss of appetite, headaches, and dizziness. Interviewees reported these symptoms while harvesting tobacco, performing tasks involved in the curing process, and sorting dried tobacco leaves.

Training and Information

Human Rights Watch found very low awareness among small-scale farmers or hired farmworkers about the risks of nicotine exposure and GTS. Very few interviewees had ever heard that nicotine in tobacco leaves can cause illness, even though the majority of interviewees had experienced symptoms consistent with nicotine poisoning.

Some interviewees had received information or training about pesticide safety, but very few interviewees had been given comprehensive information about how to protect themselves, their families, and other workers from the risks of pesticide exposure.

Farm Monitoring and Inspection

Nearly all small-scale farmers who were producing and selling tobacco under contracts with tobacco companies reported that company representatives regularly visited their farms to share information and advice. Some farmers reported that the company representatives

shared information about health and safety; others said that company representatives largely, or exclusively, shared information related to successful tobacco cultivation.

The small-scale farmers who produced tobacco independently and sold it on the auction floors said they had no contact with the individuals or companies that purchased their tobacco until the day of sale.

Some small-scale farmers said a government agronomist or extension worker had visited their farm to share information.

Some farmers said that company representatives or government workers had told them children under 18 were prohibited from working in tobacco farming. Others had never received information about child labor or the minimum age for children to work in tobacco farming. Most farmers, even those who were aware of a rule regarding children's participation in tobacco farming, said they were not aware of any penalties associated with child labor violations.

Some hired farmworkers interviewed by Human Rights Watch said company representatives visited the farms where they worked. Most workers said the company representatives spoke only with farm management, and did not speak to workers.

Problems with Contracts

Among the small-scale contract farmers we interviewed, very few reported receiving copies of the contracts they signed. Many farmers said there were provisions of the contract that they did not understand or that were not explained to them. Some farmers said they felt rushed during the contract-signing process and did not have sufficient time to understand fully their contractual requirements.

Request for Information

We plan to publish a report on human rights problems on tobacco farms in Zimbabwe this year. We are committed to accuracy in our reporting, and hope to reflect relevant information about the government's efforts to address human rights problems on tobacco farms. In particular, we would be grateful for responses to the following questions:

1. How many labor inspectors were employed by the Ministry of Public Service, Labour and Social Welfare in 2015, 2016, and 2017? How many workplace inspections were carried out on tobacco farms? What types of violations were documented on tobacco farms? What actions were taken to remedy the violations?
2. How many violations of child labor law were documented in 2015, 2016, and 2017 by the Ministry of Public Service, Labour and Social Welfare or other government entities? In what sectors did these violations occur? What were the penalties issued?
3. Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. If possible, kindly provide such data or estimates in each province.
4. Does the government of Zimbabwe have a list of occupations that are considered "hazardous work" and therefore prohibited for children under age 18? Is tobacco

- farming considered hazardous work? We would be grateful if you could share a copy of the government's regulations regarding hazardous work.
5. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address child labor in Zimbabwe? Does the Ministry of Public Service, Labour and Social Welfare have programs or initiatives to address child labor in tobacco farming specifically? If so, kindly share some background and information on these programs.
 6. What types of programs or initiatives does the Ministry of Public Service, Labour and Social Welfare have in place to address other types of human rights violations on tobacco farms in Zimbabwe?

We would welcome any additional information the Ministry of Public Service, Labour and Social Welfare would like to provide to Human Rights Watch regarding its policies and practices toward eliminating child labor and ensuring other labor rights protections in tobacco farming in Zimbabwe.

We would welcome a written response to this letter by February 9, 2018. Please contact Dewa Mavhinga at mavhind@hrw.org or +27-73-521-1813 with your response to these requests. Thank you.

Sincerely,



Jane Buchanan
Associate Director
Children's Rights Division



Dewa Mavhinga
Southern Africa Director
Africa Division

GOVERNMENT RESPONSE TO QUESTIONS RAISED BY HUMAN RIGHTS
WATCH RESEARCH ON TOBACCO FARMS IN ZIMBABWE

Question 1	<i>How many labour inspections were held by the Ministry of Labour and Social Welfare in 2015, 2016, and 2017? How many workplace inspections were carried out on tobacco farm? What types of violations were documented on tobacco farms? What actions were taken to remedy the violations?</i>
Response	<ul style="list-style-type: none">• Government has 120 labour inspectors throughout the whole country.• Labour inspections which were carried out between 2015, 2016 up to date are around 2 500.• There were no violations which were documented.
Question 2	<i>How many violations of child labour law were documented in 2015, 2016 and 2017 by the Ministry of Labour and Social Welfare or other government entities? In what sectors did these violations occur? What were the penalties issued?</i>
	<ul style="list-style-type: none">• No record of any violations were received. <p>The last study was the labour force survey of 2014 which showed that child labour prevalence rate in all sectors is +/- 4.6% throughout the country.</p>
Question 3	<i>Kindly provide data or estimates on the number of children working in tobacco farming in Zimbabwe, and the number of children working in agriculture more broadly. If possible, kindly provide such data or estimates in each province.</i>
Response	<ul style="list-style-type: none">• No cases of child labour in the Tobacco sector which the government is aware of.
Question 4	<i>Does the government of Zimbabwe have a list of occupations that are considered "hazardous work" and therefore prohibited for children under age 18? Is tobacco farming considered "hazardous work"? We</i>

Response	<p><i>would be grateful if you could share a copy of the government's regulations regarding hazardous work.</i></p> <ul style="list-style-type: none"> • The government of Zimbabwe has a list of occupations that are considered as hazardous as provided in the statutory Instrument 72 of 1997 and section 11 of the Labour Act 28:01. • Tobacco farming is not considered as hazardous work, but the use of chemicals and any objects or the farming of tobacco under the circumstances or environment which is listed as hazardous makes it subjective to violations.
Question 5	<p><i>What types of programs or initiatives does the Ministry of, Labour and Social Welfare have in place to address child labour in Zimbabwe? Does the Ministry of Labour and Social Welfare have programs or initiatives to address child labour in tobacco farming specifically? If so kindly share some background and information on those programs.</i></p>
Response	<ul style="list-style-type: none"> • National Employment Council for the Tobacco Industry which is responsible for ensuring compliance with the labour standards. • Dispute resolution System and Inspection to resolve disputes and ensure compliance. • Basic Education Assistance Module to assist children to pay school fees. • National Action Plan for Orphans and Vulnerable Children is a social security measure.

Question 6 ***What types of programs or initiatives does the Ministry of Labour and Social Welfare have in place to address other types of human rights violations on tobacco farms in Zimbabwe?***

Response

- The Government of Zimbabwe has put in place legislation which prohibits any form of human rights violations.
- Human Rights Commission which is a Government arm which is responsible to ensure that there is zero tolerance to human rights violations.
- The Decent Work Agenda Country Programme priorities ensure that there is maintenance of high labour standards and practices.

**GOVERNMENT RESPONSE TO QUESTIONS RAISED BY HUMAN RIGHTS
WATCH RESEARCH ON TOBACCO FARMS IN ZIMBABWE**

Recommended/ Not recommended

.....
Deputy Director – Labour Relations

.....
Date

Recommended/ Not recommended

.....
Director- Labour Relations

.....
Date

Recommended/ Not recommended

.....
The Legal Advisor

.....
Date

Recommended/ Not recommended

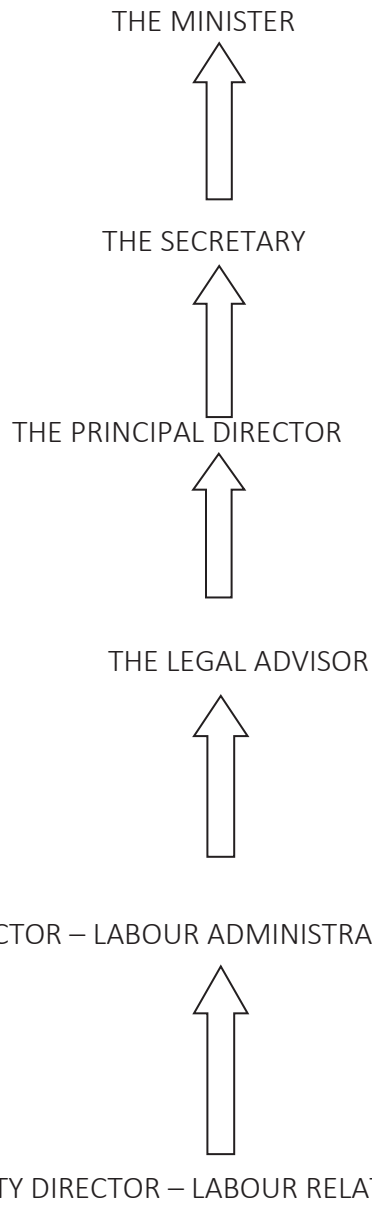
.....
Principal Director

.....
Date

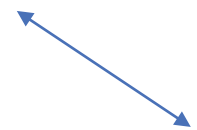
Recommended/ Not recommended

.....
Secretary

.....
Date



**GOVERNMENT RESPONSE TO QUESTIONS RAISED BY HUMAN RIGHTS
WATCH RESEARCH ON TOBACCO FARMS IN ZIMBABWE**



E Chako

**GOVERNMENT RESPONSE TO QUESTIONS RAISED BY HUMAN RIGHTS
WATCH RESEARCH ON TOBACCO FARMS IN ZIMBABWE**

Approved/not approved

.....
Minister

.....
Date