



FAO:

The Committee on the Rights of the Child (CRC)
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais Wilson – 52, Rue des Pâquis
CH-1201 Geneva
Switzerland

[7th] February 2022

RE: SECOND SUBMISSION REGARDING ARTICLE 6 VIOLATION IN KABWE, ZAMBIA, BY ANGLO AMERICAN SOUTH AFRICA LIMITED

Dear Committee Members,

This correspondence follows our initial letter, dated 30 December 2020, to which we were disappointed to not receive a response. We are writing once again to request the Committee to investigate urgently the ongoing and serious violations to health and development suffered by children living in Kabwe, Zambia.

The situation in Kabwe continues to represent an egregious violation of Article 6 of the Convention on the Rights of the Child in that the development of thousands of children's physical and mental capacities has suffered serious and widespread ongoing damage.

We estimate that since our last letter to the Committee, over 7,000 babies have been poisoned by lead pollution in Kabwe¹. These children have no opportunity to fully develop and their chances of maximum survival are compromised by the polluted environment in which they are conceived, born, and raised.

The reasons for our submission are outlined in our initial communication and are also summarized below.

Seeking Justice for the Children of Kabwe

Anglo American South Africa's (AASA) 50-year involvement in the Kabwe mining operation caused, and is continuing to cause, widespread environmental lead contamination for and lead poisoning of generations of children in Kabwe district.

A class action lawsuit has been filed against AASA, seeking to achieve justice for the people of Kabwe by pursuing remedies in the form of compensation for the children, as well as girls and women with lead poisoning who have or may become pregnant in the future. Also sought is (a) blood lead screening for children and pregnant women in Kabwe, and (b) clean up and remediation of the area to ensure the health of future generations of children and pregnant women is not jeopardised. The claimants are represented

¹ Estimate base on reported population of Kabwe (270,389) [http://www.cen.gov.zm/?page_id=4780] and Zambia's Central province population growth per annum of 2.7% [<https://zambia.opendataforafrica.org/raigrdf/population-growth-rate>], these being the latest publicly available figures. According to the *CIA World Factbook*, Zambia's population is youthful. Last accessed 12 January 2022.

by South African attorneys Mbuyisa Moleele in collaboration with Leigh Day, the international human rights law firm.

The Kabwe case continues to attract widespread media coverage in Zambia, South Africa, and internationally – across publications such as the *Financial Times*, *The Guardian*, *The Daily Mail*, *Reuters*, *Bloomberg*, *Business Day*, *The Times of Zambia*, and *Lusaka Times*.

Further information – including a repository of court filings and expert evidence – is available via the dedicated website: www.childrenofkabwe.com.

Our Urgent Plea to the Committee

We implore the Committee to independently investigate whether violations of the UN Convention on the Rights of the Child have and are being committed by Anglo American.

We are grateful in advance for your consideration and look forward to hearing from you.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Emmanuel Umpula Nkumba', with a long horizontal flourish extending to the right.

Emmanuel Umpula Nkumba

Executive Director

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