



## **Workers raise alarm over poor working conditions at Ming Chang Sino Africa Investments in Odzi, Mutare.**

### **As UN 107th Session of the Committee on the Elimination of Racial Discrimination (CERD) warns government on Chinese Labour Practices in Zimbabwe.**

Workers employed by a Chinese gold mining company in Odzi farming community which falls under Mutare Rural District, have accused the Chinese company of subjecting them to unsafe and degrading treatment. Information gathered from mining officials indicate that the Chinese company is registered as Odzi Resources Zimbabwe Private Limited but trading as Ming Chang Sino Africa Investments. Workers also indicated that the company's activities also spread to Mashava, Mbalabala, Bulawayo, Kwekwe and Mazowe areas of Zimbabwe. The company has a staff complement of 15 Chinese, 28 semi-skilled workers and 10 general hands who are drawn from the Odzi community on a rotational basis according to the company's Chinese mining manager. The manager also pointed out that the company acquired gold mining blocks at Odzi from Bilboes Holding Private Limited. CRD learned that the company was processing gold through heap leaching, a process that uses chemicals such as caustic soda, lime and cyanide.

Mine workers accused Chinese management of forcing them to work without Personal Protective Equipment (PPE). CRD interviewed 3 workers who had sustained burns on their face and hands from handling chemicals at the gold leaching site without protective clothing. CRD observed that the majority of the workers including excavator and tipper truck drivers were working at the mining site without protective clothing. Some of them were wearing worn out slippers. The workers told CRD that there was no first aid facility to respond to medical emergencies at the mine. Moreover, the company did not provide beds and blankets for the workers. The workers also complained of sleeping on the floors in poorly ventilated metal cabins erected at the mining site. The workers bemoaned working on empty stomachs whilst working from as early as 6 30am and finishing as late as 5 30 pm. The company doesn't provide workers with food. The workers also complained that were finding it punishing to walk about 3kilometres every day to the nearest shops in the village to buy foodstuffs and prepare meals after a long day's work. They expressed anger at the failure by the company to provide them with meals; worse the company was not paying them in time. They pointed out that the company was in the habit of paying them 2 to 3 weeks after their month's end. Workers also complained of poor sanitation facilities at the mine.

The workers informed CRD that they face harassment and intimidation daily from Chinese management. They pointed out that they are often accused of stealing diesel from tipper trucks and taken to Odzi Police station. They explained that Chinese management was using the police as a weapon to intimidate and cow workers into submission. The workers also highlighted that they were not allowed to form workers' committees at the mine. CRD was also informed that the majority of the workers did not have signed contracts with their employer. A few that had signed one month contracts told CRD that they did not understand the contents of their contracts because they were mostly written in Chinese. They pointed out that the company had high employee turnover because of constructive dismissals that are orchestrated by the Chinese to avoid paying workers.

Speaking through their Chinese interpreter who identified himself as Liu, the Chinese manager dismissed issues raised by the workers as false in a meeting held with CRD. He argued that his company was paying higher wages compared to other companies in the gold mining sector. He also reiterated that his workers were receiving good salaries regardless of their lack of skills. The manager accused workers of forming crime syndicates that were draining diesel from operating machines resulting in the company facing huge operational costs. Asked to comment on mineral production at the mine, the Chinese manager produced nil returns he had submitted to the Ministry of Mines as evidence that production had not started. He also argued that the ore grade they were processing was very low to expect meaningful returns. However, workers maintained their position on ill treatment by the Chinese company when they were called to join the meeting. When asked to respond to reasons for his company's failure to provide workers with PPE, the manager argued that it was against the company's policy to provide PPE to workers who have not worked for more than a month at the mining site. When his response was rebuked by workers the manager resorted to violence. He mobilized his Chinese team and began to threaten everyone with arrest. Liu the interpreter who had introduced himself earlier as having worked for Anjin diamond mining company for 10 years and bragged of his links to political and military executives in government also started to make violent outbursts. The meeting was aborted following the Chinese threat of violence.

Information received by CRD later after the aborted meeting indicated that 3 of the employees who had pleaded with the company to provide PPE and food for the workers in the meeting had been dismissed. Two of the workers confirmed with CRD that they had been dismissed for raising workers' concerns at the meeting. The workers also informed CRD that 7 of the workers had also been hurriedly called to sign new contracts soon after the meeting. CRD has since alerted the Ministry of Mines, NSSA and EMA on the ongoing violations of workers' rights by the Chinese mining company. In 2016 the High Court of Zimbabwe ordered Ming Chang Sino Africa Mining Investments to pay US\$ 32 000 compensation for injuries sustained to one of its workers. The High Court ruled that the company was negligent by "failing to provide adequate and safe working conditions at work which entails that employees are appropriately dressed for the tasks they are about to perform. "The recently held 107th Session of the Committee on the Elimination of Racial Discrimination (CERD) held in Geneva, Switzerland produced a report (section 33 and 34) which raised concern on Zimbabwe government's failure to investigate reports of abuse in Chinese labour practices in Zimbabwe.

From the findings CRD concluded that Chinese mining operations in Odzi were in flagrant violation of the legislative instruments that regulate health and safety issues in mining operations such as Section 403 (h-q) of the Mines and Minerals Act [Chapter 21:05]; Statutory Instrument 109 of 1990-Mining (Management and Safety) Regulations, 1990; Mining (Health and Sanitation) Regulations, 1995 and the Zimbabwe National Occupational Health and Safety policy. According to Section 47 (1) and 48 (1) of Statutory Instrument 109 of 1990 Mining (Management and Safety) Regulations, no person shall enter or remain in or be caused or permitted to enter or remain in the workings of a mine or at any place at a mine where there is danger from falling objects unless one wears a hard hat in good condition or of an approved type. Also Section 48 (1) stipulates that every person shall wear footwear designed to provide adequate

protection for the type of work or activity being performed. The footwear shall be provided by the manager.

Section 17 (1) states that there shall be kept at every mine a supply of drugs, dressings and appliances as specified in the second schedule for the immediate treatment of all accidents, burns and other injuries likely to occur on such a mine. Section 19 (1), stipulates that provision shall be made for the medical supervision of hospital by a medical practitioner.



*Employees for Ming Chang Sino Africa Investments at Odzi working without PPE on leaching site exposed to hazardous chemicals with long term health effects.*



*Workers demanded Chinese company to respect their rights to occupational health and safety in a heated meeting with Chinese management.*

To watch the video click the link below ----->

<https://drive.google.com/file/d/1BurbxX2hXEjp1hPfvQ8-PDY8k21uSH2b/view?usp=sharing>



**A**



**B**



**C**

*Workers complain of sleeping on the floor whilst inhaling dust from mining operations*

To watch the video click the link below ----->

<https://www.dropbox.com/s/y21ufgc4okm9qcl/Video.mp4?dl=0>