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Child Labor on Tobacco Farms in Zimbabwe

August 22, 2018
by Brittany Stanek

When [Emmerson Mnangagwa](#) took over as the President of Zimbabwe in November 2017, ousting Robert Mugabe's thirty-seven-year rule, the new president [outlined a plan](#) to help the state's devastated economy. Zimbabwe's economy is dependent on agricultural production to sustain itself, [especially tobacco farming](#). Zimbabwe is one of the [top tobacco producers in the world](#) and tobacco farming provides the only hope the State has for revitalizing its economy. However, as a member of the United Nations Zimbabwe is under a responsibility to uphold human rights under the Universal Declaration of Human Rights (UDHR) and as a signatory to the Convention on the Rights of the Child (CRC). Children are facing devastating health consequences when working on these farms and the farming impacts their ability to get an education, a fundamental human right guaranteed for all children.

Tobacco is Zimbabwe's [most valuable export](#), and unfortunately the industry is tainted by child labor and other serious human rights abuses as the physical harvest of tobacco is hazardous. Child labor seems to be a [result of the poor economy](#) as local tobacco farmers often cannot afford to hire help and must thus rely on their children or other young family members to harvest. Human Rights Watch [interviewed Panashe](#), a fifty-year-old tobacco farmer who owned a half hectare of tobacco, and he completely relies on help from his sixteen-year-old daughter and twelve-year-old niece to work on the farm because he failed to earn anything from the farm the previous year and therefore could not afford to hire anyone.

In addition to the devastating health impacts, tobacco farming leads to children being [absent from school and falling behind in their schoolwork](#). [Zimbabwean law](#) prohibits anyone under the age of sixteen from working and anyone under the age of eighteen from performing hazardous work. [Hazardous work](#) is described in the law as work "[which is likely to jeopardize or interfere with the education of that child or young person](#)" and "[any work involving contact with any hazardous substance . . . or process](#)." Anyone working with the tobacco plant are exposed to nicotine and toxic pesticides and many children interviewed by Human Rights Watch described symptoms consistent with [acute nicotine poisoning and pesticide exposure](#). The future health consequences of nicotine exposure through skin absorption are currently unstudied; however, the [future impacts](#) of pesticide exposure include respiratory problems, cancer, reproductive health issues, and neurological defects. While no one should be handling tobacco plants and pesticides without the proper equipment, children are especially vulnerable because their brains and bodies are still developing.

Human Rights Watch also interviewed many teachers to discover how working on tobacco farms impacts children's educations as well. Many teachers noted that students were absent frequently during the tobacco season, [one teacher reported](#) his students showing up on average only fifteen to twenty-four days out of a sixty-three-day term. [One mother stated](#) "I hope that my children will go back to school, and become better people, because they can't do that working in tobacco farming. Tobacco growing is a very difficult field. It makes one grow old before their time."

While it is important for Zimbabwe to boost their economy, it should not be done at the expense of children's health and educations. Obviously, Zimbabwean law is being violated in the tobacco industry, but many international human rights obligations are also being violated. Child labor in these hazardous conditions violates many rights guaranteed under the Convention on the Rights of the Child (CRC). First, Article 24 guarantees children the enjoyment of the highest standard of health which is jeopardized by consistent exposure to nicotine and pesticides while working on tobacco farms. Second, under Article 28, every child is guaranteed the right to an education, something which is violated when children are forced to miss school days in order to provide for their families by working on tobacco farms. Finally, under Article 32 children are guaranteed the right to be free from economic exploitation and from performing any work that is likely to be hazardous or interfere with their education. Working in tobacco fields is inherently hazardous to a child's health and interferes with their ability to educate themselves because they are economically exploited by either providing for their families or providing free labor when farm owners cannot afford to hire workers.

In summary, Zimbabwe needs to ensure that children under eighteen are not sacrificing their right to an education in order to work in hazardous conditions. While children should not be allowed to work on tobacco farms, at the very least Zimbabwe and all tobacco farm owners should ensure children are using the proper equipment when handling tobacco and pesticides. In addition, the Zimbabwean law prohibiting anyone under the age of sixteen from working should be strictly enforced to ensure these children are able to gain an education.

The Promise and Peril of the Internet of Things in Epidemic Modelling

November 10, 2018
by Ryan Stevenson

Among the myriad consequences of climate change is the threat posed by the increasing frequency of [epidemics](#). Sub-Saharan Africa has proven [especially susceptible](#) to the new paradigm of climate-driven disease transmission, and while a global response to human-caused climate change remains [tenuous](#) and [unreliable](#), technologies and practices must be pursued to mitigate the devastation caused by ever more frequent outbreaks. Emerging communication technologies are making increasingly effective humanitarian responses to disease outbreaks possible, most notably through the [Internet of Things](#) (or IoT). IoT allows for increased connectivity between users and devices and is accelerating the seamless integration of everyday objects, the Internet, and users. Many already make use of IoT applications when they adjust their home thermostat remotely through their smartphone, but technologists predict that with the advent of the widespread deployment of 5G networks, a host of new applications will be possible. One of the most promising applications of IoT technology will likely be in medicine, enabling a vast expansion of remote medical treatment and self-monitoring options for patients.

These technologies hold immense promise in developing nations, especially for the monitoring of epidemic outbreaks. The potential impact on healthcare access throughout the developing world could be extraordinary, paving the way for wearable medical devices, mobile doctor consultations, or even remotely-operated medical procedures. However, serious consideration must be given to the potential ramifications for individual privacy rights and their abuse. While international health organizations and African governments [are poised to expand](#) their use of these new methods of epidemic modelling and emergency response, the global community must ensure that individual privacy and political freedom are protected against the possibility of government surveillance of citizens and corporate ownership of generated data.

As of 2018, roughly forty-one percent of those living in sub-Saharan Africa have [Internet access](#), and eighty percent own a mobile phone. The lack of access to mobile phones and the Internet limits the effectiveness of these techniques, as does the persisting [reliance on 3G](#) networks. Effective deployment of IoT technology requires 5G networks, which enable a [dramatic increase in the speed](#) of information transfer between devices. However, Chinese firms like Huawei are looking to [invest heavily](#) in the development of [IoT](#) and 5G-capable infrastructure throughout the region, which will enable widespread access to IoT devices. These would also naturally serve to aid in combatting the worst effects of a climate-driven epidemic.

Access to healthcare has been enshrined as a fundamental human right in numerous international instruments, including Article 25 of the [Universal Declaration of Human Rights](#) and the [constitution](#) of the World Health Organization. In addition, Article 15 of the [International Covenant on Economic, Social and Cultural Rights](#) (ICESCR) affirmed a universal right “[t]o enjoy the benefits of scientific progress and its applications.” With the [exception](#) of Botswana,

Mozambique, Cape Verde, and Comoros, all Sub-Saharan African countries have ratified the ICESCR and are thereby bound by its principles. It is essential that the international community facilitate the deployment of these revolutionary technologies to ensure that Sub-Saharan Africans are able to “enjoy the benefits of scientific progress,” especially in healthcare and public health. The development of the telecommunication and medical infrastructure necessary to the deployment of IoT-based medical devices, both for individual and public health, is a human rights question under international law. However, the right of access to healthcare and the benefits of scientific progress, in the context of IoT-based epidemic modelling, may conflict with the guarantee of individual privacy. The right to individual privacy as a core human right was articulated in Article 17 of the [International Covenant on Civil and Political Rights \(ICCPR\)](#) before the advent of the Internet, but was [explicitly extended to an individual’s digital activities in 2013](#).

Concerns have been raised by human rights groups over the abuse of individual privacy in [several sub-Saharan nations](#) that have [begun developing advanced](#) surveillance systems with assistance the [Chinese government](#). Companies like [ZTE](#) that have strong ties to the Chinese government are also making [investments](#) in 5G telecom technology throughout the region.. Human rights organizations [have repeatedly condemned](#) the Chinese government’s disregard for individual privacy, but such [repressive policies and capabilities are likely to increase](#) in sub-Saharan Africa if pre-emptive steps are not taken by the international community. Considered side-by-side, the ICESCR and ICCPR suggest that the need to ensure healthcare access for Sub-Saharan Africans must be balanced with the guarantee of an individual’s right to privacy.

The role of foreign actors like China in encouraging surveillance programs in the region requires an energetic international campaign to disincentivize similar instances of foreign complicity in the surveilling of citizens. The scientific research community has begun to recognize community [ownership](#) and [decision-making](#) in the collection and use of genetic resources, which may suggest a model for protecting data privacy while expanding access to individual and public healthcare. International stakeholders (corporate and public) would be required to engage and consult with communities in which IoT-linked health devices operate, and to invest in [technical educational opportunities](#) to encourage both technological self-sufficiency and informed democratic decision-making. The deployment of these technologies is crucial, but the empowerment of citizens must be made a priority equal to stemming the effects of famine and disease.

Child Labor and the Global Competition for Rare Earth Elements

December 7, 2018
by Ryan Stevenson

The extraction of mineral resources has long been a prime motivation behind the colonial exploitation of developing nations, and this is no less the case today. The batteries that power our cellphones, computers, and emerging renewable energy technologies require cobalt and several other metals that belong to a group collectively known as [Rare Earth Elements \(REEs\)](#). China is among the top producers of cobalt and currently [produces over ninety percent](#) of the world's REEs, and [dominating the REE market is crucial](#) to China's goal of becoming the [global leader in renewable energy and computer technology](#). As fears of a [potential cobalt shortage](#) begin to concern investors, China is looking abroad to meet its cobalt and REE needs. Sub-Saharan Africa has some of the [richest reserves](#) of these metals, and the Democratic Republic of Congo (DRC) is currently the [top producer of cobalt globally](#).

To meet its technology and energy goals, [China has begun investing heavily](#) in cobalt and REE mines in the DRC. While roughly eighty percent of the cobalt mined in the DRC is produced by mining operations that make use of heavy machinery, the remaining twenty percent of cobalt production comes from hand-dug [mining operations that rely on child labor](#).

Since the 1970s, the goal of eliminating child labor has achieved near-universal consensus. In 1989, the UN adopted the [Convention on the Rights of the Child](#) (CRC), which expanded on the child labor protections in the [International Covenant on Economic, Social and Cultural Rights](#) (ICESCR). Article 32 of the CRC recognized a child's right to be protected from any work that "is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development." Some of this language is drawn from the International Labor Organization's 1973 [Minimum Age Convention](#) which requires that state parties adopt a minimum age requirement for employment: fifteen years of age for "developed" nations, and fourteen years of age for "developing" nations. Article 7 of the Convention allows children between the ages of thirteen and fifteen to engage in "light work" that will not negatively impact the child's health or impair their access to education. No reasonable interpretation of Article 7 would extend the definition of "light-work" to include labor at hand-dug mines.

For its part, the DRC has recently adopted a [revised mining code](#) that includes, *inter alia*, penalties for the use of child labor. The DRC has established a minimum working age of [sixteen](#) and taken institutional steps to comply with the Minimum Age Convention and CRC, including the establishment of several government agencies to specifically address child labor law violations. However, these meager steps are rendered entirely ineffective as the DRC has not conducted any legal observations of mining sites. In its 2018 report on child labor in the county, the US Department of Labor noted that such [direct observation and oversight is essential](#) to the successful elimination of child labor abuses. The failure of the DRC to properly investigate these

abuses is a violation of the [Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law](#) (Basic Principles). Article Two of the Basic Principles obligates a nation to “[i]nvestigate violations effectively, promptly, thoroughly and impartially.” Furthermore, Article Four of the [CRC](#) requires that all Parties to the Convention pursue all necessary measures to ensure the “*economic, social and cultural rights*” of the child “to the *maximum extent* of their available resources and, where needed, within the framework of international co-operation.” If the DRC’s inaction is a consequence of inadequate resources, signatories to the CRC must coordinate to provide the DRC with the resources to regularly observe and investigate.

The scramble to acquire extractable REEs and cobalt is encouraging the use of child labor throughout Sub-Saharan Africa—a rush largely driven by China’s ambitious economic plans and disregard for international labor standards. As mechanisms for the international prosecution of private, non-state human rights violators [are still nascent](#), effectively tackling the issue of child labor in REE and cobalt mines will require a multifaceted approach involving national governments, international corporations profiting from these practices, and a robust public response to hold these actors accountable. However, developing the capacity for nations such as the DRC to conduct on-site labor observations is a crucial first step towards the abolition of child labor. REEs will continue to be a critical part of technological development and the move towards renewable forms of energy, but a framework for ensuring international labor and human rights standards in the mining process is essential.