

(Translated from Chinese)

Receipt is hereby acknowledged of the communication of 22 May 2018 from the relevant mechanisms of the United Nations Human Rights Council [*translator's note: next line illegible*].

China Tobacco's Tian Ze Company, Inc. (hereunder referred to as Tian Ze) was founded in 2005 in response to an invitation from the Government of Zimbabwe, when China Tobacco established a wholly owned subsidiary with the aim of helping to revive the Zimbabwean tobacco production industry.

The main cultivation method employed by Tian Ze in the Zimbabwean tobacco industry is the company-farm holding household cooperation model, whereby each farm holding household is an independent legal entity. Tian Ze is currently working in cooperation with farm holdings that are, on average, over 50 hectares. As it is impossible on such farms to rely solely on the work of members of the farm holder's household, each farm holder may look at the actual needs of the holding and hire a certain number of additional workers to fill in. The 195 agricultural workers referred to in the communication must be 195 contract farm families, as Tian Ze does not directly hire workers. Moreover, the figure 195 is an error. In 2017 Tian Ze actually signed contracts with 196 farming households.

Tian Ze and the farming households operate using a cooperation model based on annual contracts. The decision about whether to continue cooperation the following year is taken on the basis of how a contract agreement is honoured the year before. Tian Ze clearly stipulates in the contract clauses that (1) the farm holder is obliged to use high efficiency, low toxicity, low residue pesticides and is encouraged to make use of organic fertilizers and to reduce pollution; and (2) the farm holder must provide agricultural workers with a fair, just and safe working environment, with labour protection and strict observance of the prohibition of child labour.

Tian Ze has always supported a pro-development management concept, in keeping with the law and regulations, and has always observed local laws and regulations for the protection of labour rights and interests. It supports regular occupational health and safety training for personnel. To protect the legal rights and interests of staff, the company [*translator's note: illegible*] purchases medical insurance and provides the entire staff with free breakfast and lunch during working hours, and in disbursing remuneration it regularly pays wages on schedule and in full.

Tian Ze has been operating in Zimbabwe for over a dozen years and strictly abides by the country's laws and regulations. Since its founding, it has paid the Government of Zimbabwe accumulated taxes of over US\$ 40 million and has made regular annual contributions of US\$ 2 million for administrative costs to the country's Ministry of Agriculture and the Tobacco Industry and Marketing Board. Tian Ze has also taken initiatives to carry out socially responsible activities. It initiated funding to set up a tree planting and reforestation association that has planted a total of over 8,000 hectares of forest and invested a total of US\$ 1 million in assistance to build the China Tobacco Ma Bo Hope Primary School in the country, thus earning unanimous approval and praise from the local authorities and society.

The situation referred to in the communication is unrelated to the actual situation of the Tian Ze company.



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中华人民共和国常驻联合国日内瓦办事处和瑞士其他国际组织代表团

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The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the latter's communication [AL CHN 9/2018] dated 22 May 2018, has the honour to transmit the reply by the Chinese Government.

The Permanent Mission of the People's Republic of China avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 19 July 2018



Office of the High Commissioner for Human Rights
Geneva

联合国人权理事会有关特别机制 2018 年 5 月 22 日来函
LAL CHINA 的回复。中国政府对来函答复如下。

中国烟草天泽有限公司（以下简称“天泽公司”）成立于 2005 年，是应津巴布韦政府邀请，由中国烟草在津设立的全资子公司，旨在帮助津恢复烟草产业生产。截至目前，在天泽公司的帮助下，津烟草生产已由本世纪初的年产 4 万吨恢复到当前的年产近 20 万吨，接近历史最高水平，有力地支持了津经济社会发展和人民生活水平改善。

天泽公司在津烟草生产主要采用公司加农户的合同种植模式，每一户农户都是拥有农场的独立法人实体。目前天泽公司合作农户农场平均规模在 50 公顷以上，农场的经营仅依靠农户家庭劳动力是不可能实现的，因此每个农户会视农场实际需求雇佣一定数量的工人作为补充。来函中提到的 195 个农业工人应为 195 家合同农户，天泽公司不直接雇佣工人。另，195 的数字也有误，2017 年天泽公司实际签约农户为 196 户。

天泽公司和合同农户采取一年一签合同的合作模式，根据上年度的合同履行情况，决定下年度是否继续进行合作。在合同条款中，天泽公司明确规定：一是要求农户必须按照

津政府规定使用高效低毒低残留农药，鼓励使用有机绿色肥，减少环境污染；二是要求农户必须为农业工人提供公平公正的安全劳动环境，提供劳动保护，并严格禁止使用童工。

天泽公司一直以来都坚持依法合规促发展的经营理念，严格遵守劳动权益保护在内的当地法律法规，坚持对员工进行定期的健康和安全教育。为了保护员工合法权益，公司为员工购买了医疗保险，为全体员工在工作时间提供免费的早餐和午餐，在工资发放上也定期足额发放。

天泽公司在津经营十几年，严格遵守所在国的法律法规，成立至今已累计向津政府纳税 4000 多万美元，每年还定期向津农业部和烟草工业营销署缴纳 200 万美元的管理费用。天泽公司还积极履行社会责任，发起资助成立植树造林协会，累计植树造林 8000 多公顷，累计出资 100 万美元在津援建了中国烟草马波希望小学，得到了当地政府和社会的一致肯定和好评。

来函中提到的相关情况与天泽公司实际情况不符。