

Anglo American Sued on Behalf of Children and Women Poisoned by the World's Biggest Toxic Lead Mine

- *Mbuyisa Moleele Attorneys, with the Assistance of Leigh Day, Files Class Action Lawsuit Against Anglo American South Africa Limited*
- *Serious Corporate Human Rights Abuse Resulting in Multi-Generational Lead Poisoning of Children and Women in Kabwe, Zambia*
- *Seeks Financial Compensation for Claimants in Addition to Medical Screening of Children and Pregnant Women and Clean-Up of Polluted Land*
 - *More Information and Visual Media Available at www.childrenofkabwe.com*

LONDON AND JOHANNESBURG – 21 October 2020 – Lawyers from Mbuyisa Moleele and Leigh Day today announced that a class action lawsuit has been filed against Anglo American South Africa Limited (“AASA”), a subsidiary of London-headquartered multinational mining company Anglo American Plc (LSE: AAL, JSE: AGL), in the Gauteng Division of the High Court of South Africa. The action has been filed on behalf of a class estimated to comprise more than 100,000 individuals in the Kabwe District of Zambia who are believed to have been poisoned by lead. The application is brought by 13 representative plaintiffs on behalf of children under 18, and girls and women who have been or may become pregnant in the future.

The claimants – principally young children – are suffering from alarming levels of lead poisoning which, depending on various factors including the blood lead level (“BLL”), causes a range of significant conditions, from psychological, intellectual and behavioural damage to serious and permanent physical damage to their bodily organs, neurological systems and fertility. In extreme cases, serious brain damage and deaths occur. In pregnant women, lead they ingested as children is absorbed into their bones and released during pregnancy. Women are also exposed to lead during pregnancy from the surrounding environment. Lead is known to cross the placenta, resulting in the unborn child being subjected to the same concentration of lead as the mother. Not only can the baby’s health be damaged, lead causes pregnant women to have a higher risk of pre-eclampsia; gestational hypertension and miscarriage.

Generations of children have been poisoned by the operations of the Kabwe mine, originally known as Broken Hill, which caused widespread contamination of the soil, dust, water, and vegetation. The main sources of this poisonous lead were from the smelter, ore processing and tailings dumps. The BLLs of the vast majority of children in Kabwe exceed the BLL limit of 5 micrograms per decilitre set by the U.S. Center for Disease Control. A substantial proportion of the children have BLLs in excess of 45 ug/dl, the limit at which medical treatment is required. There are numerous cases of young children (including among the representative plaintiffs) with BLLs in excess of 100 ug/dl, at which serious brain damage and death may occur.

The Kabwe mine was part of AASA group from 1925 until 1974 and was one of the world’s most productive lead mines during this time. It is alleged in the class action that AASA is liable, including

for the following, because of AASA's role in controlling, managing, supervising and advising on the technical, medical and safety aspects of the mine's operations:

- a) Substantial emissions of lead into the local environment were due to deficiencies in the design and systems of operation and control of lead, which AASA failed to ensure were rectified;
- b) AASA failed to ensure the clean-up of the communities' contaminated land; and
- c) According to experts¹, around two thirds of the lead currently in the local environment is likely to have been deposited there between 1925 and 1974 when the mining operation was transferred to ZCCM, a Zambian state-owned company, in 1974.

The class action seeks to pursue remedies in the form of compensation for these 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.

Richard Meeran, Partner & Head of the International Department at Leigh Day, said: *"From the 1950s, Anglo American publicly committed to making a lasting contribution to communities in which it operated. Its current human rights policy is to contribute to remediation when its business has contributed to adverse human rights impacts. This ongoing public health disaster is the result of a flagrant disregard for the health of the local community, which is totally at odds with those grand public pronouncements."*

Zanele Mbuyisa, Partner at Mbuyisa Moleele, added: *"AASA is considered a mining giant that has been instrumental in building the economies of various countries, but it also has to be acknowledged that their operations have caused the decimation of communities and long-lasting damage to the health of those communities."*

Mbuyisa Moleele is a Johannesburg-based law firm led by Zanele Mbuyisa, and Leigh Day is a leading international law firm specialising in human rights and mass environmental tort claims. Both firms have a proven track record of litigating complex international class actions on behalf of victims from disadvantaged backgrounds. The case is being funded by Augusta Ventures, the UK's largest litigation fund by volume of claims.

More information about this matter can be found at www.childrenofkabwe.com.

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¹ A complete index of expert evidence can be found at www.childrenofkabwe.com.



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