

Behind the Glittering Facade

Exploitation of Children
in Mica Mining in India

 terre des hommes
Help for Children in Need

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- The mineral mica is hardly known to anyone, but it is contained in many products: cars, mobile phones and computers, household appliances, cosmetics, paints and varnishes.



- Estimated 30.000 children working in the area of the so called mica-belt
- Children work on 5-6 days per week up to 8 hours

- Mining of mica in Jharkhand & Bihar is generally prohibited, but there are a handful individual licences
- bribes are paid to authorities through intermediaries
- In case the miners are caught by the authorities, their collected dhibra or mica is confiscated, resulting in loss of income and a day's work for the mining families.
- Processing units do not have any policies or code of conduct for the labourers or people that mine mica
- Third party visits and checks from the bigger manufacturing companies and processing units rarely happen at processing stages, where children are involved
- Out of 10 companies to be interviewed about mica on their procurement practices, only 2 gave an interview, 4 referred to their Code of Conduct and 4 did not give any feedback

Introduction

terre des hommes has been dealing with the topic of child labour for decades. Engaging children in the extraction of raw materials is defined in Convention 182 as one of the worst forms of child labour by the International Labour Organization (ILO) because it implies severe risks for the child's development and health. According to AK Rohstoffe – Arbeitskreis Rohstoffe – an association of various German civil society organizations – it can be assumed that around one million children worldwide have to work in raw material mines and put their lives at risk.

One of these raw materials is the largely unknown mineral mica. It is extracted in many sites around the world – like India, Brasil, China – and in predominantly illegal and unsecured shafts and mines. Due to its pearl shimmer and good electrical conductivity, mica is used by different industries in various products: in cars, mobile

phones and computers, household appliances, as craft supplies, paints and varnishes as well as in cosmetics. A severe lack of transparency along the supply chain is what unites the different forms of use of the mica mineral. Since the mineral, in contrast to other raw materials, often only occurs in small quantities, it has gained little attention in supply chains so far.

With this publication, terre des hommes wants to draw attention to the complexity of the supply chain and identify key areas which companies need to focus on so that they can detect child labor in the supply chain. The publication complements the study “Beauty and the Beast” by terre des hommes Netherlands and SOMO from 2016. Since then, the number of children working in the mines has continued to rise and living conditions have deteriorated enormously due to the COVID-19 pandemic.

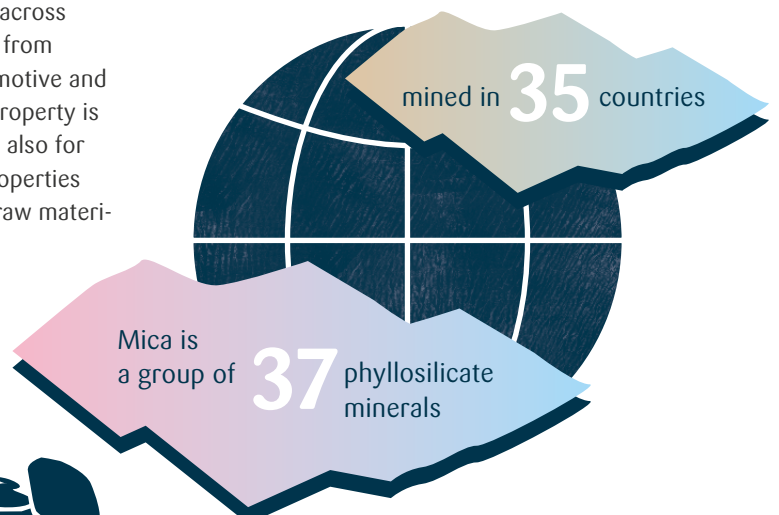
Characteristic of Mica

Mica belongs to the category of 37 phyllosilicate minerals with a layered or platy structure. Three types of mica – muscovite, phlogopite, and biotite are most used in industries. Each of them has several properties which make them indispensable across several industries and processes such as its elasticity, toughness, flexibility, and transparency. It possesses resistance to heat and sudden change in temperature and high dielectric strength. It is also chemically inert, stable and does not absorb water, making it useful across a diverse range of industries and processes, from electrical devices over cosmetic to the automotive and construction sectors. Its visually reflective property is used primarily in the cosmetics industry, but also for coatings and paints. Despite the different properties and thus the use in different industries, the raw material is declared to be of minor quality.

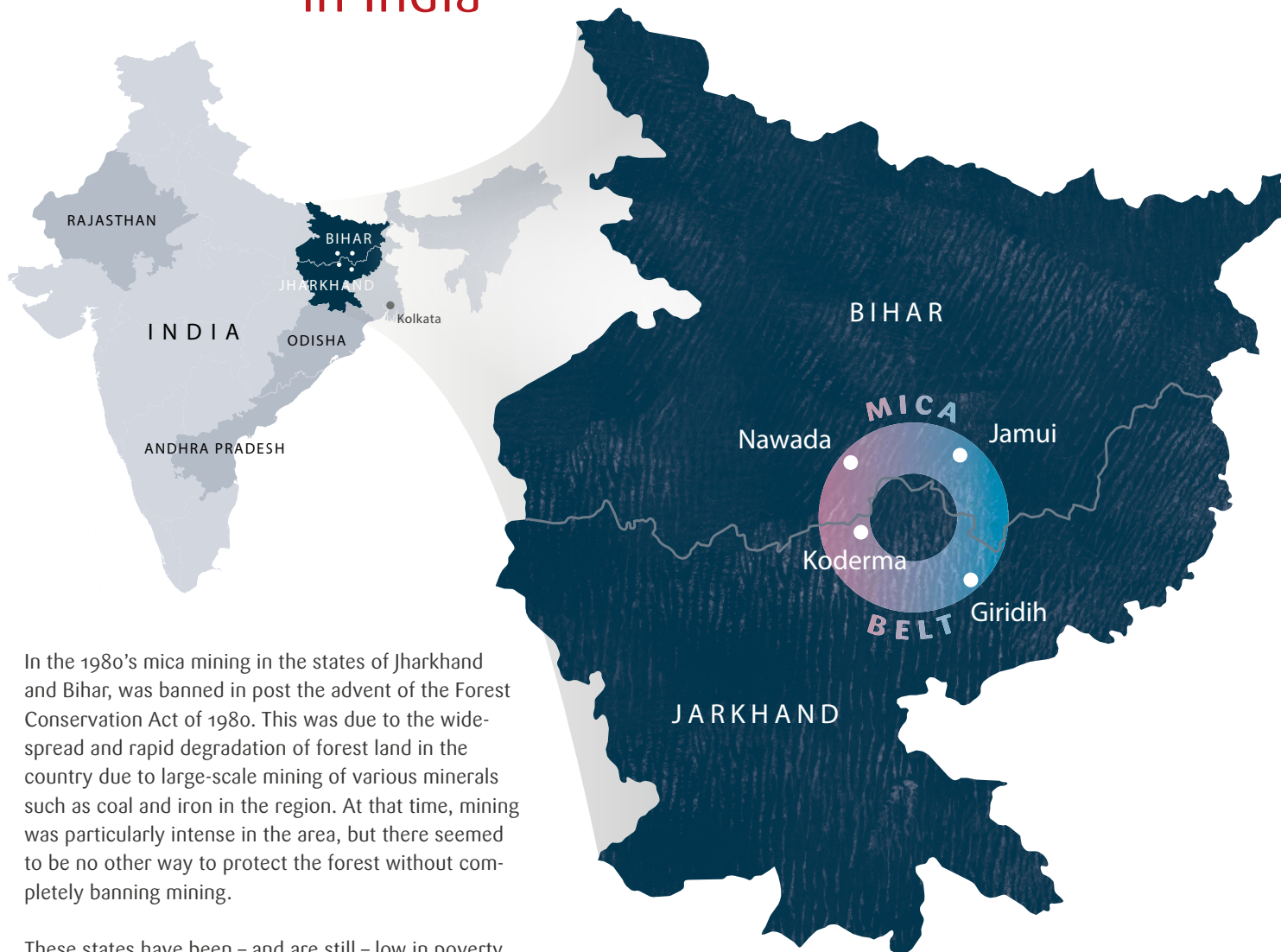
Mica is mined in 35 countries, including industrialized countries such as Canada, USA, Finland and Russia. Mica deposits can also be found in several states in India, including Andhra Pradesh, Orissa, Rajasthan, Bihar, Jharkhand, Kerala, and Maharashtra. Until the 1970's India has enjoyed monopoly in mica production and export. It's production accounted for as much as 60% of the global mica production.



MICA – USEFUL ACROSS A DIVERSE RANGE OF INDUSTRIES AND PROCESSES, FROM ELECTRICAL DEVICES OVER COSMETIC TO THE AUTOMOTIVE AND CONSTRUCTION SECTORS



States of Jharkhand and Bihar in India



In the 1980's mica mining in the states of Jharkhand and Bihar, was banned in post the advent of the Forest Conservation Act of 1980. This was due to the widespread and rapid degradation of forest land in the country due to large-scale mining of various minerals such as coal and iron in the region. At that time, mining was particularly intense in the area, but there seemed to be no other way to protect the forest without completely banning mining.

These states have been – and are still – low in poverty and other development indicators. Over the years, the relative gradual progress has failed to uplift the most marginalized communities from the shackles of poverty and deprivation. The latest baseline report by Niti Ayog¹ showcases Bihar and Jharkhand has the highest percentage of the population who are multidimensionally poor (MPI – Multidimensional Poverty Index reflects both the incidence and the intensity of multidimensional poverty).

After the 1980 legislation, the mines were closed or abandoned, leading to the current phenomenon of illegal mining. According to individual companies, there are a handful of licensed mines, but the vast majority are mined in illegal artisanal small-scale mining. Many

families live near these mineral-rich areas and do not have access to alternative income. This practice often involves individuals and families using handheld tools to excavate, scrape or simply collect flakes, scales, grit etc. referred to as mica scavenging, and making and entering shallow/deep holes for the process of mica sheet excavation. This mode of production has managed to keep up with the presenting requirements of various industrial sectors and companies worldwide, though with difficult consequences to the families involved in mining. Today, India continues to be a major producer and exporter of mica, with Jharkhand and Bihar having the largest numbers of illegal mica mines. In official statistics it is Andhra Pradesh and Rajasthan that have more leased mines and thus show up prominently.

¹ www.niti.gov.in/sites/default/files/2021-11/National_MPI_India-11242021.pdf

Global production & exports of mica

India and China are the global leaders in production of mica. India covered about 30 % of the global market in 2020² with a total value of 57 million US dollars, followed by China (46.4 million US dollars). India exports mica mainly to China, where the mineral is processed into countless components for the electronics industry. Indian export statistics indicate that 150,000 tonnes of mica are shipped through the port of Kolkata per year. Where these quantities come from remains unclear according to official figures: the Indian Bureau of Mines (IBM) states for the year 2020 that mica is only extracted in the states of Andhra Pradesh (16,822 tonnes) and Rajasthan (16,000 tonnes). As mica is declared as a “minor mineral”, which means, among other things, that companies have to report their quantities to the respective Indian state governments, but not to the IBM. Since mica mining is illegal in Bihar and Jharkhand, there are no official figures on the quantities mined there. This disparity indicates that a large amount of mica is being extracted but is not reported by the official sources.

UNDERSTANDING THE SUPPLY CHAIN PART

The supply chain begins with the local mica mining families. Mica is collected by the men, women, and children of mining families who walk to the forest regions or abandoned mines in the villages. The digging and clobbering are usually done by the adults in the family, while the children separate the mica pieces from the sand. The second step in the mica supply chain is the intermediaries, or “middlemen”. These middlemen purchase mica from miners and sell it to factory agents or to another intermediary. In the absence of formal regulations and laws, buying and selling usually takes place at multiple levels. The mica factories and processing units are the third and final phase in the mica supply chain in Bihar and Jharkhand. These factories or processing units have commission agents who purchase mica from them at the intermediary or the middleman level. Major operations such as sorting, cleaning, cutting, and milling take place in the processing unit. The form, colour, and refractivity of mica determine its quality and grade. This mica is transported to bigger manufacturing and exporting companies, via road to Giridih in Jharkhand and Kolkata in West Bengal. From there, it is exported and sold to various industries.

**»WE GIVE THE MONEY TO OUR
PARENTS AND WITH THE MONEY
THAT IS LEFT WE BUY CLOTHES,
COSMETICS SOMETIMES WE DRINK
TEA AND EAT SWEETS«.**

FGD – Child, Jharkhand

2 Indian Minerals Yearbook 2020 (Part- III: Mineral Reviews) 59 thEdition MINOR MINERALS 30.16 MICA, 07132021132508Mica 2020.pdf (ibm.gov.in)

SMALL-SCALE MINING
in Bihar and Jharkand



Mica supply chain

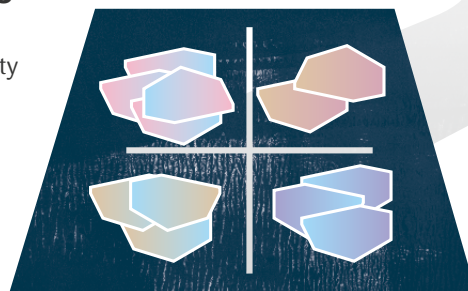
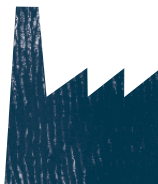
THEKEDARS

Intermediaries who buy within the villages



PROCESSING UNITS & FACTORIES

Presorting according to quality



Bihar / Jharkand



Shipment via
KOLKATA



EXAMPLES OF USE

MICA USED FOR ELECTRONICS



MICA USED FOR PAINTS, COATINGS, PRINTING INKS, COSMETIC

Including automotive applications



Further processing depending on use:

- Pressing into panels, mixing with other raw materials etc.
- Subcontracting to electronics manufacturers in
- China and all over the world
- Installation in products
- Sale

- Sale to mica importers all over the world
- Portioning and resale to manufacturers of paints, lacquers and cosmetics
- Manufacture
- Sale

Mica Mining

LOCAL MICA MINING FAMILIES

The local residents of the villages in the Koderma, Giridih, Jamui and Nawada – so called mica-belt – districts are engaged in mining and collecting mica from the forest regions and the abandoned and overburdened mines. A large majority of these households are marginalized and belong to scheduled casts and tribes. Generationally, they have been deprived access to basic amenities such as water, housing, education, etc.; and thus, they rely on the forests or their livelihoods. These households depend on mica collection as a primary source of livelihood and have been the worst affected by the injunction on mining of mica in these regions. They form the starting point of the mica supply chain.

»THE COMMUNITY MEMBERS KNOW THAT CHILD SHOULD NOT BE INVOLVED IN SUCH ACTIVITIES, THAT IS ILLEGAL BUT THEY ARE COMPELLED TO DO SO BECAUSE OF POVERTY AND AS THERE IS NO OTHER MAJOR SOURCE OF LIVELIHOOD OPPORTUNITIES.«

FGD with SMC members, Kamahriya, Koderma, Jharkhand

The men, women and children of the mining families walk to the forest regions or the abandoned mines in the villages to collect mica. In some cases, where the children attend schools, they join their parents after school to extend help in mica collection. Since the schools were not functioning in-person due to the lockdown, the children have accompanied their parents to the mining regions during this period. All the mica miners are self-employed and are not attached to any mica manufacturing or processing units. They work on a commission basis, and receive payment based on the quantity of mica that they are able to collect.

Primitive and rudimentary equipment such as a hammer and a shovel are used to loosen the upper layer of the ground, and extract mica. The miners generally dig anywhere between 5 to 10 feet. Once the mica is visible, the miners cob the mica deposit to extract it

»THE CHILDREN HAVE FORGOTTEN WHAT THEY WERE TAUGHT IN SCHOOL, YES, NOW MORE CHILDREN ARE GOING FOR MICA MINING WORK.«

(SMC Member, Giridih, Jharkhand)

»CHILDREN DO NOT WORK WITH THEIR WILL, PARENTS SEND THEM TO WORK IN THE MINE, IF THE CHILD HAS SOME PROBLEM, THEN NO ONE FOLLOWS HIS WORDS IN THE FAMILY.«

Parent, FGD Jamui Bihar

from the ground. The families do not have access to any basic protective gear such as gloves or masks, and they often have to work for more than 7 to 8 hours to collect enough mica to support themselves.

The adults in the family usually undertake the digging and the cobbing, whereas the children separate the mica pieces from the sand. These collected pieces are often less than 15 cm in size and are therefore classified as “dhibra” or scrap mica. A preliminary cleaning of the scrap mica is done to separate any impurities. At the end of the day, when substantial mica is collected by the family, it is carried back home. Currently, the deeper mining caves or the openings to the pits have been sealed with sand by the local authorities to prevent access to the miners. Prior to this, the adult male members and adolescents would enter these pits to cob mica. In these pits, the presence of loose soil around the rocks is used as an indicator to locate mica. From time to time the members of the Child Protection Committees and the NGOs visit these mining sites to initiate dialogue with mining families and encourage them to not bring their children to the sites. The families are obliged to do so, in order to earn the income. Some small initiatives such as supplying ration to families who are in extreme poverty for a short duration of time are undertaken by the CPCs. These are only temporary solutions. In case the miners are caught by the authorities, their collected dhibra or mica is confiscated, resulting in loss of income and a day’s work for the mining families.

The families sell the mica to the local village-level buyers or “thekedars”, either daily or on a weekly basis, depending on their requirement of money. Some of the miners prefer to sell the mica on a daily basis, as they have to physically carry it and walk to the nearest thekedar or buyer’s location. Others own a bicycle and are able to carry the mica collected on it. If the mica is sold on a weekly basis, the miners are not able to carry the entire quantity at once, and so they are required to pay for transport costs of a lorry or a tempo. In some cases, the miners deposit the mica to the local buyer on a daily basis, but receive the payment for it on a weekly basis. The miners claimed that this helps them in saving the money that they earn and avoid unnecessary expenses.

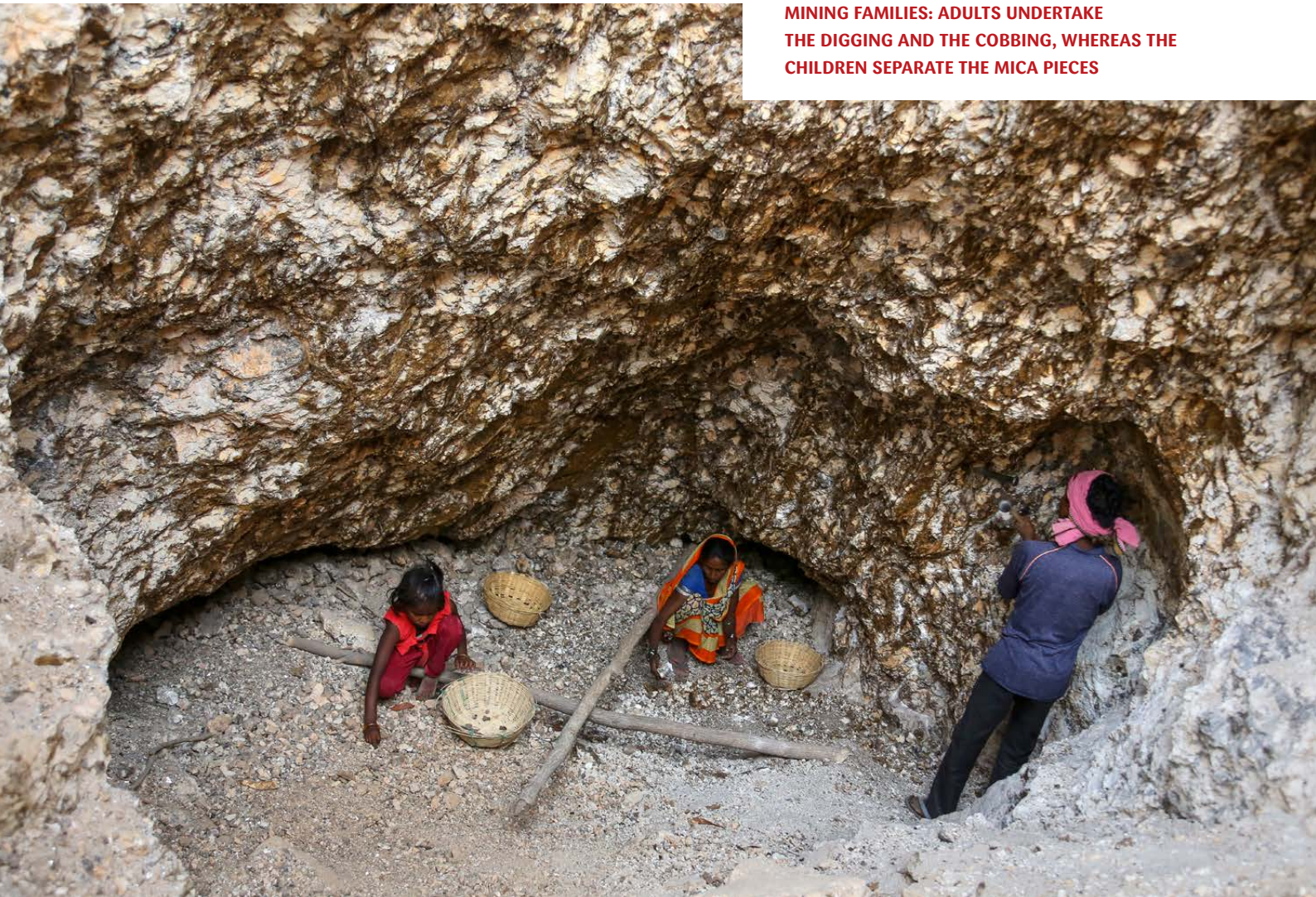
Most of these families do not have any substantial alternative occupations. Small-scale farming of vegetables and tubers, along with animal husbandry is undertaken by a few of the mining families. However, it is not enough to give up mica collection. The miners sell their mica for a per kg cost: it varies on the size, clarity, and refractivity of the mineral; it is less if the

mica is not cleaned. The price is often influenced by the market demand and supply. The miners do not have any say in ascertaining or fixing the minimum price per kg for the mica collected.

In the monsoon season, the supply of mica is relatively low, as the risk of accidents and collapse of mine roofs is higher. One such accident, in which four local miners lost their lives, occurred in Koderma in January 2021. In 2015 and 2016, such accidents in which children were trapped in a collapsed mine were not uncommon. Miners have become more vigilant after these incidents. In such accidents, the child protection committees intervene and file a complaint when the manufacturing company or processing plants are located and compensation is demanded.

The government does not support the collection of mica and no compensation is offered to the relatives of the deceased. Alternatively, the authorities take measures to ensure that the mining site is closed or increase vigilance in the area to ensure that miners do not have access to it.

MINING FAMILIES: ADULTS UNDERTAKE THE DIGGING AND THE COBBING, WHEREAS THE CHILDREN SEPARATE THE MICA PIECES



INTERMEDIARIES – BUYERS & SELLERS OF MICA

The intermediaries or the middlemen form the second step of the mica supply chain. They are also referred to by the local mica miners as the thekedars. These intermediary buyers buy from the people who mine mica, and sell it to the factory agents, or to the shopkeepers in Jhumri Telaiya, Koderma, and Giridih. Since there are no regulations, buying and selling at this stage happens in multiple stages. In most cases, there are two levels of buyers – at the local village level, and at the agents or buyers which supply to the factories. The first level of buyers comprises the people who buy directly from the local miners. These buyers have been doing this business over generations and are also engaged in some small-scale family businesses such as owning salon shops, ration and grocery shops, and tailoring. They are aware of the local mining terrain, as well as the local mica processing units and factories, along with the wholesalers and shopkeepers in the towns of Koderma, Jhumri Telaiya and Tisri. Contact details of the mining families in the neighbouring regions are maintained by these buyers. Similarly, the mining families also have the contacts of the buyers and agents who supply to the factories and processing units. Once the miners have collected enough mica, they contact these buyers, and go to them to sell their mica. The village level buyers then inspect the mica that the miners are selling. If the mica is above 15 cm in size, then it fetches a higher price. The more transparent and brighter the collected minerals are, the higher the price paid for them. The so-called ruby-mica, in red tones, is less highly traded. Collectors get a single-digit cent amount per kilo, the middlemen make a profit of about 2 cents per kilo, and there is usually no difference between the colour shades. These village level buyers of mica sell it to the factory and processing unit agents, where further processes take place. In most cases, the purchased mica is transported in vans or trucks. The vans or trucks are booked by a few shopkeepers and buyers together, in order to reduce the cost of transportation, and to supply mica sooner. The sale of mica is done more frequently, either daily or twice or thrice a week, as the buyers pose the risk of storing the mica for a longer period of time.

»THESE PEOPLE KEEP ON WORKING IN MICA TUNNELS EVEN IN IN THE RAINY SEASON BECAUSE THAT TIME DUE TO MOISTURE PRESENT IN THE TUNNELS MAKES MINING EASY.«

(DCPU member, Jamui, Bihar)

The intermediary buyers of mica face several challenges in transporting the mica. Sometimes the transport takes place in the nighttime to avoid inspection of the police officials. Some buyers believe that the trade in mica scrap or dhibra is not illegal because it is collected and not mined. But local authorities and the police consider it illegal. As there are no specific guidelines or regulations for collecting Dhibra at the sites, the law is interpreted differently, leading to many grey areas. This forces them to work in secret. Third-party visits and inspections by the larger producers and processors rarely take place at this stage.

MICA PROCESSING UNITS & FACTORIES

The mica factories and the processing unit form the third and the last step in the mica supply chain in Bihar and Jharkhand. These factories or processing units work with sellers on a commission basis. These commissioned sellers buy mica from local traders and supply them to the processing units.

THE PROCESSING UNITS ARE MOSTLY LOCATED IN THE TISRI BLOCK AND ARE FAMILY OWNED. THEY DO NOT HAVE ANY POLICIES OR CODE OF CONDUCT FOR THE LABOURERS OR THEIR FUNCTIONING.

As of now, they do not have any formal registrations for the processing units.

TO ENSURE THAT THE WORK IS BEING DONE SEAMLESSLY, PROCESSING UNITS HAVE TO RELY ON UNETHICAL MECHANISMS SUCH AS MAKING MONTHLY PAYMENTS TO THE LOCAL AUTHORITIES AND THE POLICE.

In case the payments are not made, there is higher inspection, and the mica can be confiscated from the units and from the traders. The processing units do receive some support from the local elected representatives to carry out their activities. Some of the larger processing units are also involved in the local NGO initiatives, and they make donations periodically. The capacity of the processing units has large variations. Since some of the units have been operational over generations, they can process anywhere between 500 to 1000 tons of mica per month. Some of the smaller units process much smaller quantities of 5 to 7 tons of mica per month. On an average there are 15 to 20 labourers who work in the processing unit. The number of workers at the unit are influenced by the workload. In case there is less work, there are fewer labourers working at the unit, while there are more labourers working if the workload is more. These labourers are employed on a contractual basis and not employed by the processing unit. There is no paperwork main-



IN PROCESSING UNITS AND FACTORIES THE MINERAL IS SORTED BY WORKERS ACCORDING TO SIZE AND COLOUR, NO CHILD LABOUR TAKES PLACE IN THIS STEP.



THE TECHNICAL EQUIPMENT IN THE INTERMEDIATE PROCESSING STEPS VARIES ACCORDING TO THE SIZE OF THE INTERMEDIARIES.

tained for the labourers. They usually work 5 to 6 days every week for almost 8 hours. At the processing unit, there are no lunchbreaks, but the workers can take a 15-minute tea break. The payment is usually made on a daily or weekly basis. The work at the processing units is undertaken by adult labourers, and no children were spotted in the premises. The unit managers or owners mentioned that they do not employ children, as there are heavy repercussions for it.

At the processing unit, major steps such as sorting, cleaning, cutting, and milling take place. The mica purchased from the commissioned agents is cleaned manually at a preliminary level. Then large iron sieves or nets are used to clean and filter the mica. The mica is manually cut into small pieces with scissors, and the fine and coarse pieces are segregated. The coarse mica pieces are beaten to make them finer. To make powder, a grinding machine is used to mill the flakes and pieces; splitting or the powder is cut or milled as per the requirements of the companies who place orders. To check the quality of mica, it is heated at a high temperature. If it comes out clean, it is presumed to be of a higher quality. The processing units have personal

contacts with the exporting and manufacturing companies. A sample of the mica splitting, or powder is sent to the exporting and manufacturing companies that are based in Koderma and Giridih. These companies then quote a price and place the order. The processing unit fulfills the order as per their specifications. The quality and grade of mica is decided based on the shape, colour, and refractivity.

MICA WHICH IS TRANSLUCENT, CLEAN AND FREE FROM IMPURITIES, AND WITH MORE SHINE AND LUSTRE FETCHES A HIGHER PRICE IN THE MARKET.

In some cases, the exporting companies ask the processing units to use their packaging and deliver the mica bags on behalf the exporting company's name. There is no formal or registered billing between the processing unit and the manufacturing company or the exporting company which buys from them. The billing is done using the GST number (tax number) of the exporting companies which buy from these processing units. They are primarily based out of Jhumri Telaiya and Koderma. From the processing unit, the mica is packed in plastic bags and sacks which sometimes

have the branding, names, and GST details of the manufacturing and exporting companies who placed the orders with the processing units. This helps in avoiding unnecessary involvement of the police and the local authorities. It is transported by road via trucks and containers to Giridih, from where it is taken to the port of export. The exports made by the manufacturing and exporting companies in Jharkhand and Bihar are operated through Kolkata seaport. The processing units face challenges in transporting the mica to the exporters as the work is being done without a registration or a license. They always have the risk of being caught by the authorities and being fined.

IT CAN BE CONCLUDED THAT THE SUPPLY CHAIN OF MICA IN THE STATES OF BIHAR AND JHARKHAND PRE-DOMINANTLY FUNCTIONS ON A COMMISSION BASIS, WITH NO FORMAL EMPLOYMENT AND SOCIAL SECURITY.

In the absence of proper frameworks, guidelines, and laws there is a greater scope of exploitation. This exploitation usually is most severe at the initial stages of the supply chain. The mica miners and collectors do not benefit much from the little profit that the local mica industry is making and have no agency in receiving fair income.

MICA EXPORT FROM INDIA TO GERMANY

In 2020, India was reported to be the third largest importer of mica to Germany. The mica imported from India primarily comprises crude mica, mica flakes, mica powder, and mica scrap – also known as “dhibra”. Other forms of mica such as sheets and blocks are exported in relatively smaller quantities. Due to the ongoing COVID-19 pandemic, the exports have been affected, and the quantity exported in 2020 has been lesser as compared to 2019.

Out of the five categories of mica, the quantity of mica flakes exported from India to Germany is the largest. The mica flakes include coarse as well as fine flakes, as per the requirement of the buyers from Germany. It was also exported in the form of plates, discs, wafers and electronic components.

In 2019 and 2020, a large majority of the mica exports were through seaports, while a small quantity was through air cargos. The Kolkata Seaport dominated the majority of sea exports, although small quantities of mica were shipped through the Chennai port.

Considering that Germany boasts a vibrant automotive and electronics sector, mica has been a significant raw material used in the various processes, and thus Germany has been an important consumer of mica. Out of the mica imported by Germany, 85% comprises of mica powder and flakes, whereas 15% comprises of crude mica, mica blocks, and sheets.



ACTOR IN THE SUPPLY CHAIN

SELLING PRICE FOR PER KG. OF MICA

Mining Families	IRR 4 to 7 per Kg. (4 to 8 \$ cent)
Thekedars	IRR 6 to 8 per Kg. (6 to 10 \$ cent)
Processing Unit Agents	IRR 11 to 15 per Kg. (14 to 20 \$ cent)

Child labour in Mica Mining

LAW, SCHEMES AND GOVERNMENT INITIATIVES

The involvement of children in mining of any type has always been restricted under the Mines Act, of 1952. As part of the original schedule under the Child Labour (Prohibition and Regulation) Act, 1986, work was prohibited for children in case of underground and underwater mining operations. Under the listing of industrial processes, children's work in mica cutting and splitting was also disallowed. The Child and Adolescent Labour (Prohibition and Regulation) Act 1986 (amended in 2016) also lists mines as one of the hazardous occupations under the schedule and adolescents are prohibited from working therein. It is to be noted that children below 14 shall not work except for under specific clauses, as detailed in the said Act.

MAIN CAUSES OF CHILD LABOUR

Although child labour is in principle prohibited in India, it occurs with above-average frequency in the Mica Belt. This is mainly because the sector is not regulated and there are hardly any alternative income opportunities in the region that adults can pursue. The profit from mining activities is very low, so a large amount is needed to cover the cost of living. In our household survey with 498 samples within 30 project villages of terre des hommes 95 % respondents reported that their income was significantly affected by the lockdown imposed due to COVID-19 pandemic; 35 % respondents mentioned that their income has been affected by as much as 50%. In this emergency situation, families exploit the barely controlled mines and take their children

to mine. Most of the children are engaged in scrap processing. Younger children accompany their parents to the mines and pits – in many cases because there is no crèche (anganwadi), school or similar facilities – and are involved in various processes. Some of these are sorting, collecting “dhibra” and often handling simple tools such as hammers and chisels. Many children whose families work in the rat holes start by collecting, loading or transporting scrap metal and slowly gain the confidence to go underground to look for bigger/bigger stones or sheets that fetch better prices. Working in the abandoned areas is dangerous, especially for the children: injuries from the sharp-edged mineral are commonplace, along with snake bites and falls. In the long run, the lungs also take a breathing problems from working in and around the dusty mines. Most families have difficulty paying for adequate medical treatment for accidents and late health effects. At the same time, families face reprisals from the authorities and the police when they find out that mica was mined illegally and that children were involved. The mines are filled in and the families are doubly punished for trying to make a living.

ESTIMATING CHILDREN INVOLVED IN MICA MINING

It can be assumed that the number of working children has grown in recent years. The study by SOMO and terre des hommes: “Beauty and a Beast” in 2016 estimates about 22,000 children in around 300 villages. In 2018, the Kailash Satyarthi Children's Foundation's Study: “Eradication of Child Labour in Mica Mining Areas” already estimated more exploitation of children. In 2020 and 2021, when the region was affected by school closures and closed Anganwadi Centres due to COVID-19, it can be assumed that more children will be involved in the mining of mica. In the meantime, the project partners of terre des hommes and other organisations assume that there are around 800 villages that are dependent on mica mining to varying degrees. Depending on the location in the region, mica is the main source of income or only a small sideline when it is not harvest time. If the figures are extrapolated to 800 villages in the mica region, it can be assumed that more than 30,000 children are employed in mica mining in the four focal districts of Nawada, Jamui in Bihar and Giridh, Koderma in Jharkhand. This figure is an estimate based on certain assumptions and the actual number of children engaged in mica mining could be much higher.

»MOSTLY CHILDREN IN THE AGE GROUP OF 6-7 YEARS ARE ENGAGED FOR 6 DAYS IN COLLECTING MICA SCRAPS AND ON THE SEVENTH DAY OF THE WEEK THEY SELL THE COLLECTED PRODUCE.«

(NGO Worker, Koderma, Jharkhand)



CHILDREN AND YOUTHS OF DIFFERENT AGES COME TO THE MINES WITH THEIR PARENTS AND GRANDPARENTS TO INCREASE THE YIELD – MOSTLY COLLECTING MICA SCRAP CALLED DHIBRA.

IMPACT OF COVID-19 ON EDUCATION

COVID-19 has had a profound impact on preschool in the Anganwadi centers. These centers remained closed, and the children were given rations or take-away food at home, resulting in a complete impairment of preschool education.

For almost 15+ months, children aged 3 to 6 years missed the crucial stimulation and basic learning in the Anganwadi centers. Schools also remained closed, especially for the younger children, allowing them

»THE CHILDREN SHOULD GO TO SCHOOL BUT DUE TO LOCKDOWN SCHOOL IS CLOSED AN ATTEMPT WAS MADE TO CONDUCT ONLINE BUT THIS COULD NOT BRING SUCCESS AS THE SCHOOL IS IN REMOTE LOCATION AND STUDENTS ARE NOT POSSESSING SMARTPHONE AND THE ACCESS OF INTERNET CONNECTIVITY IS POOR.«

(SMC Member, Giridih, Jharkhand)

to enter the “world of work” much earlier than their peers. The household surveys revealed that boys (83%) were significantly more likely to attend school than girls (54%), and the pandemic increased the drop-out rate by 20%. According to the 2022 study³ “Building back better after COVID-19 – together with children as protagonists” by terre des hommes, children have not only missed out on basic education due to the pandemic, but have also been affected in their social learning by not being able to meet their friends. The long-term consequences are not yet foreseeable (worldwide). In addition to these psychological effects, physical consequences are not absent: due to the lack of school meals and the physically demanding work, many children are malnourished.

After Covid, the anganwadis and schools remain closed, leaving children and parents with little choice but to continue to engage in mica-related activities. The poor learning situation of children in the region as a whole is reflected in the miserable results of the ASER reports⁴ of the individual states: Only a few children, even at primary level, are able to demonstrate the required linguistic and computational skills.

3 www.tdh.de/fileadmin/user_upload/inhalte/04_Was_wir_tun/Themen/Kinderarbeit/TDHIF_Child-Labour-Report_2022.pdf

4 www.asercentre.org/Wave/p/372.html#cel7n

Requirements and solutions

Although mica mining has been banned in the state of Bihar and Jharkhand since the 1980s, shallow mining and mica collection continues unabated in these regions. Families, mostly belonging to tribal communities, rely on mica collection as the main source of employment, as there are no other essential livelihood opportunities. In addition, it is obvious that there is a huge demand for mica from the paint, cosmetics and automotive industries, both in the Indian and global markets. This demand is partly met by the supply of mica sourced from Jharkhand and Bihar.

During the research for this publication, terre des hommes randomly asked 10 German companies in the automotive and electrical industries, as well as drugstore chains and cosmetics companies that import mica as a raw material or use precursors containing mica to explain the background to their supply chain. Of the ten

companies surveyed, two responded to the questions we asked, four merely referred to their behaviour and four did not respond at all. Two companies confirmed to terre des hommes that they are aware that mica is contained in components, but that they do not know the origin or that they can trace the raw material to the exporter, but not to the mining area in India.

We would like to call on companies and politicians to actively oppose exploitative work, especially by children. Against the background of the „Act on Corporate Due Diligence in Supply Chains“ in Germany and the development of a directive at European level, it is important to set a good example. A good, social and sustainable corporate culture of the industrialized nations in the 21st century must not be carried on the backs of children. Transparent and fair supply chains must become the standard.

COMPANIES THAT IMPORT OR USE MICA IN THEIR PRODUCTS:

- Companies that import or use mica should trace 100 % of their own supply chain, i.e. all the way back to the miners
- urge business partners and the government in India to legalise mica mining in Bihar and Jharkhand and regulate the sector.
- should work together with the Responsible Mica Initiative to promote transparent supply chains and end child labour.
- A boycott, replacement by mica from other countries or replacement by synthetic mica would not provide any relief for the affected children and their families, as they would lose their only source of income.

GOVERNMENT OF INDIA, BIHAR AND JHARKHAND STATE GOVERNMENTS:

- Mica mining in Bihar and Jharkhand must be legalised. Mining licences should be given to local companies and cooperatives of miners. In order to effectively protect the forest in the region, alternative sources of income must be discussed with the people and effective support must be provided.
- The governments of the two states must regulate the sector, set legal minimum wages and basic labour rights and protection standards, and monitor compliance.
- Widespread corruption in the police and authorities must be ended.
- State programmes for poor families and disadvantaged regions must be implemented immediately (such as building kindergartens in villages, improving public schools, guaranteeing 100 days of work in public projects or free health care and cheaper basic food for poor families).

GERMAN FEDERAL GOVERNMENT AND AGENCIES:

- The German government and the Federal Ministry for Economic Cooperation and Development should raise the issue of exploitative child labour in talks with the Indian government and press for redress.
- The Federal Office of Export Control, which is responsible for implementing the Supply Chain Act, should take note of studies and research on child labour and other violations of fundamental labour rights in the extraction of mica, demand information from companies, assess remedial measures and, if necessary, sanction companies. In this context, membership in the Responsible Mica Initiative (RMI, see below) alone should not be accepted as sufficient for compliance with the Supply Chain Act, as the RMI makes progress in joint lobbying and project work, but does not monitor or certify companies for compliance with binding standards.

A glimmer of hope

In the first quarter of 2022, the Cabinet of the Prime Minister of Jharkhand, following the mandate of the Prime Minister of Jharkhand, has adopted an Initiative to strengthen Jharkhand State Mineral Development Corporation (JSMDC) for the disposal of “dhibra” (mica waste) and take decisive steps towards the development of a conductive mica ecosystem in the state. How exactly the design of this initiative looks like is still unknown, but it brings the topic of the preservation of children from exploitative work into the challenge.

RESPONSIBLE MICA INITIATIVE

The Responsible Mica Initiative (RMI) is a global alliance formed with the intention of establishing a fair, sustainable, and a responsible mica supply chain in the states of Bihar and Jharkhand, which aims to end the inhumane working conditions and abolish child labour. RMI comprises of various cosmetics, pigments, paints, and electrical industries, along with civil society organizations. It emerges as a need for a collective and a collaborative effort towards abolishing child labour in mica mining was felt by the mica using and processing companies. It was established in 2017 and is registered as a not-for-profit organization under the French law of 1901.

RMI has adopted a threefold strategy, which includes –

1. Adopting workplace standards and mapping of mica supply chain by the member organizations;
2. Implementing community empowerment projects through appointed NGOs and CSOs in villages which are heavily dependent on mica mining; and
3. Review and advocacy with respect to the legal framework of mica mining.

To effectively implement these strategies, RMI works closely with multiple stakeholders such as members, programme partners, community leaders, and industry leaders. To attain its objective of eradicating child labour in mica mining, RMI conforms to various conventions and codes such as the International Labour Organization’s Minimum Age Convention and Worst Forms of Child Labour Convention; United Nation’s Guiding Principles on Business and Human Rights; alignment with United Nations Sustainable Development Goals; and OECD’s Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict Affected and High-Risk Areas.

What does terre des hommes do

In 100 villages in the mica mining areas of India, terre des hommes ensures that all children can go to school and, above all, that women are trained so that they can find other sources of income. A special concern for us is the participation of children and young people, we support them in being able to articulate their wishes and needs themselves. The current projects are also about absorbing the consequences of the COVID-19 pandemic, including health care and psychosocial support. In order to improve the situation in the long term, our project partners in India are calling for the legalization of mica mines. The competent authorities must control mines and working conditions and ensure

that no children work there and that adults receive minimum wages and social security. Equally important is that all children in the region go to school: that is why government programs for poor families must be implemented. Schools need to be better equipped to reach all school-age children. Children from poor families must be able to benefit from free school meals, regular check-ups and medical care.

terre des hommes is actively involved in the RMI and calls on manufacturers and retailers to join the RMI and act responsibly.

DURING THE LOCKDOWN, THE TERRE DES HOMMES PROJECT PARTNERS SET UP BRIDGE CLASSES, THESE WERE GLADLY ATTENDED BY THE CHILDREN



RESEARCH METHODOLOGY

The research methodology followed the following mixed research techniques, largely building on qualitative interviews and triangulation of data from stakeholders, to indicate systemic readiness for change and progress.

- **Desk Research:** Desk Research involved secondary data research online, review of project reports and field reports, district and block-level data from official sources, policy review and analysis, media articles on mica mining in the relevant districts, and COVID-19 scenario details from State Government statistics.
- **Direct observation:** Direct observation was applied across all field activities, during interactions with the subjects' in-depth interviews, focus group discussions and collecting case stories.
- **Household survey** with 498 samples within the 30 project villages of terre des hommes underneath the GIZ project.
- **In-depth interviews (IDIs):** with children, parents, health personnel, education personnel, representatives of mica processing units, local mica buyers & sellers, district mining officers, Gram Panchayats, local CSOs and NGOs (key staff members and field project staff, members of Child Protection Committee, members of School Management Committee, Responsible Mica Initiative)
- **Focus group discussions (FGDs):** Focus group discussions were carried out with several stakeholders such as parents, SMC members, Child Protection Committee (CPC) committee members and children. Following the principles of appreciative inquiry, participants were initially made comfortable and thereafter open discussions were facilitated to elicit varied responses and sharing of experiences from the participants of the groups (refer to Annexure).
- **Case studies:** The inquiry also looked at collecting some stories from the group which elicits the struggle of the children and communities in the intervention area.
- **Enquiry** to 10 companies with headquarters in Germany from different sectors about their procurement practices.

DEFINITION OF CHILD LABOR

Terre des Hommes International Federation refers to the legal framework set out in the UN Convention on the Rights of the Child (CRC) and Conventions 138 and 182 of the International Labour Organisation (ILO) when defining child labour. It makes a distinction between child work and child labour, and gives top priority to eradicating the latter. Child work refers to the participation of children in any paid or unpaid economic activity, or activities to support families and family caregivers, which are not detrimental to their health and mental and physical development. On the contrary, child labour refers to all kinds of labour which jeopardise a child's physical, mental, educational or social development. Hazardous child labour is prohibited or all children, in line with Convention 182 on the worst forms of child labour. Child labour in dangerous jobs, such as in prostitution and bonded labour, should be directly eliminated.

Link to TDHIF Position on Child Labour:

www.terredeshommes.org/wp-content/uploads/2022/04/TDHIF-CL-Position-Paper-1.pdf

LIST OF ACRONYMS

ASER	Annual Status of Education Report
Anganwadi centre	creche
CACL	Campaign Against Child Labour
COVID-19	Coronavirus disease of 2019
CSO	Central Statistics Office
DCPU	District Child Protection Unit
FGD	Focus Group Discussion
Gram Panchayats	Village Council
GST number	Tax number
IBM	Indian Bureau of Mines
NGO	Non-governmental organisation
RMI	Responsible Mica Initiative
SMC	School Management Committee

 terre des hommes
Help for Children in Need