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**SWEAT AND SHADOWS: MICA'S DARK SECRETS CHILD
LABOURERS IN THE COSMETIC INDUSTRY**

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ABSTRACT

A critical period in a person's life is childhood, which is the time when they learn the fundamentals of life from their parents, other loved ones, and the physical world around them. However, it is regrettable that this does not apply to every youngster in the country. As a result of the persistent issue of poverty and unemployment in India, a significant number of children who are less than five years old are compelled to work in one of the most hazardous mining sectors, such as mica scrapping and mining for the ever-expanding beauty and cosmetic industries. Even though mica is a mineral that is regularly found in cosmetics, it has a negative connotation because it is usually obtained through the use of child labor and other forms of exploitation. After that, the article delves into the harsh realities of child labor in mica mines, discussing its prevalence and the factors that contribute to its continuation. Additionally, the report discusses the hazardous working conditions and health dangers that child laborers are forced to endure. This paper aims to bring attention to the beauty industry's role by highlighting the responsibility that cosmetic companies have to guarantee that they use ethical sourcing practices and have removed child labor from their supply chains. Furthermore, it covers the enormous repercussions that child labor has on the lives and well-being of children. These implications include the physical and psychological suffering that children experience, the denial of educational opportunities, and the overall developmental limits that children face. In conclusion, it is also intended to disseminate information regarding the dark secrets of child labor in mica mines and its particular implications for the cosmetics business.

Keywords: child labor, micamining, exploitation, working conditions, human rights, occupational hazards.

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I. INTRODUCTION:

The first thing that is looked into in this study is the significance of mica in the cosmetics industry. Particular attention is paid to the properties of mica and its application in various cosmetic products. In the following section, the study delves into the harsh realities of child labor in mica mines, discussing its prevalence, the factors that contribute to its continuation, as well as the hazardous working conditions and health dangers that child laborers are forced to endure. It examines the legislation and laws that are now in place to prevent child labor while also demonstrating the challenges that cosmetic companies confront in properly policing and eliminating such behaviors. Contractors from the surrounding area illegally occupied the mines that had been abandoned and began drilling holes to extract mica. They employed women and children not just because of the low labor cost but also because the supply hands of these individuals were perfect for the task at hand. Because they frequently put their lives in danger by descending into deep underground tunnels where there is little oxygen, children are forced to work in hazardous environments. Because the work is forbidden, accidents are not covered by insurance.²

Mica is used for sparkling natural cosmetics made by 12 multinational businesses comparable to L'Oreal and Estee Lauder. Child labor is being utilized in the eastern states of Jharkhand and Bihar to extract mica, which adds shimmer to natural cosmetics. Out of the sixteen companies and twenty brands that were investigated for the report on the exploitation of child labor in the cosmetics industry, twelve can't or won't disclose where they reference the mica that they use. An admission was made by the German business Merck, which sells mica to ornamental brands worldwide in a manner comparable to that of L'Oreal, that it obtained the raw material from exporters in Jharkhand and Bihar. Nevertheless, the corporation stated that the materials were obtained from mines that were operating legally. On the other hand, it was impossible to differentiate between mica that had been extracted from legitimate and illegal mines. These original exporters have asserted that there has been a significant decrease in the number of legal mines since the year 1990.³

² Mica scavenging in Jharkhand destroys lives and environment, Mongabay-India, <https://india.mongabay.com/2019/10/mica-scavenging-in-jharkhand-destroys-lives-and-environment/> (last visited July 11, 2023).

³ All that glitters is not gold: the dark side of the beauty industry | etui, etui, <https://www.etui.org/topics/health-safety-working-conditions/hesamag/all-that-glitters-is-not-gold-the-dark-side-of-the-beauty-industry> (last visited July 7, 2023).

II. METHODOLOGY

The research technique will be doctrinal, and the purpose of the study will be to investigate and analyze the problem of child labor in the mica mining sector within the cosmetics business. The collection of data that is both comprehensive and dependable will be accomplished through the utilization of a mix of qualitative and quantitative research approaches.

A. Objectives

One of the goals of this research is to determine whether or if there are any linkages, whether direct or indirect, between child work and other applicable violations of children's rights. According to the study, the cosmetics industry is among the businesses that consume the most mica. This is because demand is the primary factor that influences production. In addition, this research aims to evaluate the current level of risk-based due diligence methods for mica across several different companies.

B. The scope, relevance, and significance of the study

Scope: The purpose of this study is to determine whether or not children are employed in the mica supply chain of the cosmetics industry and, if so, to what extent they are engaged. The purpose of this study is to evaluate the dangers, challenges, and working conditions faced by youngsters involved in mining and processing mica. The scope of this activity has been expanded to include consideration of its adverse impacts on society, the economy, and the environment.

Relevance: Child labor is a severe problem that hurts the well-being of children all over the world and has to be addressed immediately. Mica, a mineral widely used in cosmetics, is a mineral that the beauty industry relies on, which raises concerns about the ethical sourcing of materials and the production processes utilized. This paper aims to shed light on the unseen realities of child labor in the mica mining sector and urge all relevant stakeholders to act quickly and jointly to address this common problem. Through the promotion of responsible sourcing practices, transparency, and accountability, the cosmetics industry has the potential to play an essential part in safeguarding the rights and well-being of child laborers. If this is done, it will assist in ensuring that the sector as a whole will have a more ethical and sustainable future.

Significance:

❖ Ethical issues: The study brings attention to the ethical dilemmas that businesses, consumers, and politicians must face by publishing the information that child labor is present in the cosmetic industry. A reassessment of the methods involved in the supply chain is stimulated, and an increased emphasis on accountability and responsibility is advocated.

❖ Human rights and social justice: Children who are coerced into working as children are deprived of their rights to a secure childhood, as well as their rights to education and good health. The writers favor ongoing measures to rectify human rights violations, advance social justice, and protect vulnerable individuals.

The study has a significant impact since it brings attention to a substantial problem, inspires people to take action, and supports the larger goals of eradicating child labor and promoting moral standards in the cosmetics industry.

A. Research Questions

1. How are children involved in micamining?

Even though it is theoretically illegal to employ children in India, the Mica Belt is where it occurs more frequently than it does in other parts of the country. This is primarily because there is a shortage of laborers in the area who cannot find alternative earning options, as well as the fact that the business requires further oversight. Because mining operations yield very little return, a sizeable sum is necessary to cover one's living expenditures. There have been reports of children as young as five years old working in hazardous conditions.⁴ These children extract mica for five to six days per week and put in nearly seven to eight hours of work each day. However, they are only paid a pitiful amount. When they utilize dangerous sharp tools, they put themselves in danger of being injured by falling stones.⁵ Additionally, they are susceptible to dust inhalation and respiratory problems due to stone-cutting practices. To add insult to injury, these children are compelled to travel a considerable distance to reach the intermediaries in the towns while carrying more than 15 kilograms of mica.⁶

Children who are working alongside their parents frequently become trapped and die as a result of the collapse of the roof or the wall of the mine. Among these are sorting, collecting

⁴ Your Voice: Mica and the exploitation behind shiny make-up (long letters), Young Post, <https://www.scmp.com/yp/discover/your-voice/letters-editors/article/3208970/your-voice-mica-and-exploitation-behind-shiny-make-rebuilding-relationships-after-covid-long-letters> (last visited July 11, 2023).

⁵ <https://www.reuters.com/article/idUSKCN10E0CV/>

⁶ <https://www.indiancurrents.org/article-child-mica-mines--dark-secret-behind-beautiful-faces-m-l-satyan-127.php>

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"Debra," and often manipulating potentially hazardous instruments such as hammers and chisels. Many children working in mica mines first begin their employment by collecting, loading, or transporting scrap metal. As time passes, they gradually gain the confidence to descend in quest of larger stones or sheets sold at more fantastic prices. Although there is a considerable risk of injury from sharp-edged minerals, snake bites, and falls, children should avoid working in abandoned locations because of the dangerous nature of the environment.

2. What are child laborers' illiteracy rates and health problems?

With high percentages of both unemployment and illiteracy, the Mica belt of India is considered to be one of the most impoverished regions in the country. Processing scrap is the primary occupation of the majority of children. Younger children accompany their parents to mines and pits since, in many instances, there is no creche, schools, or other institutions of a similar nature, and they are involved in various procedures.

Many children are forced to work alongside their parents in mines to make ends meet. Even though some families have little land to cultivate, the soil is so worn down that it produces very little. Asthma, silicosis, and tuberculosis are just some of the respiratory ailments that can be caused by breathing in microscopic particles, which are also a common source of injuries. In addition, the mines that were dug without proper care had the potential to collapse unexpectedly. In just two months, seven children were discovered to have died of suffocation in mica mines.⁷

3. Where did mica's supply chain begin?

Most of India's exports were shipped to China,⁸ where several significant cosmetic businesses received them from the United States and Europe. The wholesalers and store owners in Koderma, Jhumri Telaiya, and Tisri are familiar with the local industries and mica processing facilities. These customers are also regular with the mica processing facilities. These purchasers store information regarding the contact information of the local mining families in the file, comparable to how children involved in mining are familiar with the buyers and agents who supply the processing facilities and manufacturers. Those who purchase mica at the village level then sell it to the processing unit and factory agents, which are the locations

⁷ <https://www.reuters.com/article/idUSKCN10E0CV/#:~:text=KODERMA%2FBHILWARA%2FSYDAPURAM%2C%20India,Thomson%20Reuters%20Foundation%20investigation%20has>

⁸ Calculations International Trade Center (ITC), HS code 2525 group. Based on UN Comtrade statistics, <http://bit.ly/225jy52>

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where additional operations are carried out. The miners will not enter until they have accumulated a sufficient amount of mica.⁹

B. Hypothesis

The mining of mica for use in the cosmetic industry is heavily influenced by various factors, including socioeconomic conditions, regulatory enforcement, and corporate accountability. These factors play a significant role in determining whether or not child labor is used in the mining process. In many areas where mica is mined, poverty and lack of economic opportunity can lead families to rely on their children for income. Additionally, weak or nonexistent regulations can make it easier for companies to exploit child labor without consequence. Finally, corporate accountability also plays a role; companies that prioritize profits over ethical practices may disregard the use of child labor in their supply chains. Hence, it is hypothesized that socioeconomic conditions, regulatory enforcement, and corporate accountability significantly influence the extent of child labor in mica mining for the cosmetic industry.

C. Sources of data

There are approximately 22,000 children who are employed in mica mines in the states of Jharkhand and Bihar.¹⁰ However, because miners whose children do not disclose their employment, it is impossible to provide specific data. The Department of Labour of the United States of America discovered that the mica industry in Madagascar employs around 10,000 children under the age of 18. Children working in mica mining in India receive approximately fifty rupees daily for their labor.¹¹ This is equivalent to less than seventy cents in American currency. As the mica travels through the supply chain, distributors can earn more than one thousand dollars in the United States for a kilogram of the material. The severity of the violations of human rights that are taking place in the mica mines is demonstrated by this, which proves how unjust the industry is. Although the Indian Bureau of Mines reports that the country produces approximately 15,000 tonnes of raw and waste mica

⁹ Ending Child Labor in Mica Mines in India and Madagascar – Stop Child Labor – The Child Labor Coalition, Stop Child Labor – The Child Labor Coalition – the Website of the Child Labor Coalition, <https://stopchildlabor.org/ending-child-labor-in-mica-mines-in-india-and-madagascar/#:~:text=The%20scal>
e%20of%20the%20problem&text=It%20is%20estimated%20that%2022,000,work%20in%20the%20mic
a%20sector(lastvisitedJuly11,2023).

¹⁰ <https://stopchildlabor.org/ending-child-labor-in-mica-mines-in-india-and-madagascar/#:~:text=It%20is%20estimated%20that%2022%2C000,work%20in%20the%20mica%20sector>.

¹¹ <https://www.fairplanet.org/story/child-labour-in-mica-mines-the-beauty-industrys-dark-secret/>

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yearly, it is essential to note that India has exported more than 150,000 tonnes of mica over the past several years, eight times the quantity officially reported.¹²

D. Literature Review

In recent years, there has been a significant increase in the amount of attention paid to the problem of child labor in the cosmetic business, particularly about mica mining. With the help of this literature review, we hope to provide an overview of the legislation and research that are currently available concerning child labor. There is a significant amount of child labor within the regions where mica is mined. According to several studies and research projects carried out by Terre des Hommes in 2016, a significant number of children were involved in mica mining.¹³ In India alone, there were over 20,000 children who were working in hazardous conditions. Studies have highlighted the risks that child laborers face on a physical and psychological level, including injuries, respiratory illnesses, and long-term health problems.¹⁴ These concerns include the fact that child laborers are exploited. Refusing to provide these children with an education contributes to the perpetuation of the cycle of poverty and diminishes the opportunities available to them in the future.¹⁵ The issue of child labor in mica mining is a matter that is answerable to several different parties. Companies that manufacture cosmetics must take measures to guarantee ethical sourcing practices and enhance supply chain transparency. To put an end to the use of child labor in the mica mining sector, it is essential to have legislation, monitoring mechanisms, government policies, and enforcement that are effective.

A quick rundown of the constitutional requirements and international rules that pertain to the protection and employment of children-

Under the United Nations Conventions, it is against the law for children under 14 to work in the mining industry. The International Labour Organization has stated that mining is the most egregious type of child exploitation. Yet the fact that child labor is used to mine mica in India appears to be well given indeed, though the government looks the other way towards the

¹²

CHILDMICAMINES:DarkSecretbehindBeautifulFaces,Indianmagazinesonline,MagazinesinIndia,TopStories|IndianCurrents,

<https://www.indiancurrents.org/article-child-mica-mines--dark-secret-behind-beautiful-faces-m-l-satyan-12>

¹³ https://www.tdh.de/fileadmin/user_upload/inhalte/04_Was_wir_tun/Themen/Kinderarbeit/Mica/2022-06_Exploitation-of-Children-in-Mica-Mining.pdf

¹⁴ <https://www.hrw.org/reports/1996/India3.htm>

¹⁵ Team Insight, Small hands, big burdens: Child labour in supply chains, Deccan Herald (Nov. 12, 2022), <https://www.deccanherald.com/specials/small-hands-big-burdens-child-labour-in-supply-chains-1161838.html> (last visited July 12, 2023).

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problem; Bachpan Bachao Andolan's author Kailash Satyarthi has called Merck's efforts "window dressing" and stated that they don't have a sustainable program for mica mining to advance human rights and environmental sustainability in supply chains, policymakers worldwide are attempting to go beyond voluntary pledges to corporate social responsibility.¹⁶ Under specific conditions, the European Commission intends to implement legal sanctions for violations of human rights or environmental regulations and ensure that enterprises with more than 500 employees and annual sales of more than 150 million euros are held accountable for their actions.¹⁷ Guidelines for Multinational Enterprises from the Organization for Economic Co-operation and Development (OECD) and the United Nations Guiding Principles on Business and Human Rights serve as the basis for the continuing revision of the National Action Plan on Responsible Business Conduct maintained by the United States government.¹⁸

D. DISCUSSION AND FINDINGS

Specifically, the research paper titled "Sweat and Shadows: Mica's Dark Secrets - Child Labourers in the Cosmetic Industry" investigates the issue of child labor in the mica supply chain, focusing on the age ranges of the children involved as well as the places or countries in which it is predominantly prevalent.

- Conditions of employment and risks: it has been documented that the working conditions of child laborers are hazardous. Children are at high risk of being involved in mica mining and other forms of child labor. Their work type varies depending on their age, from collecting mica waste to digging shafts and extracting mica. The working conditions are harsh and unsafe, with exposure to toxic dust particles, heat, and low oxygen levels. Children lack protection equipment, drinking water, and sanitation. In some cases, workers and children settle near remote mines without proper housing or infrastructure, which affects health and education. These conditions include working long hours, being exposed to hazardous substances, and not having safety safeguards. In addition, the psychological and physical risks that are associated with the employment of children in the mica mines and processing companies that are part of the beauty industry. The repercussions of child labor in the cosmetics industry on the economy, society, and environment are other topics

¹⁶ <https://satyarthi.org.in/wp-content/uploads/2020/07/Mica-BMG-Case-Study.pdf>

¹⁷ https://ec.europa.eu/commission/presscorner/detail/en/IP_22_1145

¹⁸ BeautyandaBeast,SOMO,<https://www.somo.nl/beauty-and-a-beast/>(lastvisitedJuly12,2023).

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discussed in this study.¹⁹

- **Prevalence of child labor:** This study will shed light on the extent of the problem of child labor and the number of children employed in the mica mining industry.
- **Socioeconomic factors:** In regions where poverty rates are high, and access to education and alternative livelihoods is limited, the likelihood of children being engaged in mica mining increases. Economic necessity may drive families to rely on child labor as a source of income, perpetuating the cycle of poverty and exploitation. This study investigates the socioeconomic variables that contribute to the prevalence of child labor. These factors include poverty, illiteracy, and the absence of viable options for families living in mica-producing regions.
- **Regulatory Enforcement:** Effective enforcement of labor laws and regulations about child labor in mica mining areas is expected to reduce the incidence of child labor. Robust regulatory frameworks and their consistent implementation are expected to create deterrents against the employment of children in hazardous mining activities.
- **Corporate accountability:** The commitment of cosmetic industry stakeholders to ethical sourcing practices and corporate social responsibility (CSR) initiatives is likely to impact the prevalence of child labor in mica mining. Companies prioritizing transparency, traceability, and accountability throughout their supply chains are expected to exert pressure on mica suppliers to adhere to labor standards, thereby reducing the exploitation of children in mining operations.
- **Impact on children:**
Educational Level- The low-income status of families in Jharkhand makes attending school a challenge for children, leading to high drop-out rates. This is confirmed by NCPCR's 2018 report and stakeholder interviews. A member of an NGO in Jharkhand stated that the student-teacher ratio is a problem in the area, and after 8th standard, most female students drop out of school, and many migrate. The NCPCR survey reported that 4988 adolescent girls between 15 and 18 years and 4545 children between 6 and 14 are not attending school. In Giridih and Koderma, 38% and 47% of adolescent boys do not attend school. However, according to data from

¹⁹ Exploitative Child Labour In India's Illegal Mica Mines Is Behind The Shimmer In Your Makeup, IndiaTimes, <https://www.indiatimes.com/news/india/exploitative-child-labour-in-india-s-illegal-mica-mines-is-behind-the-shimmer-in-your-makeup-374431.html>(lastvisitedJuly12,2023).

the District Information System for Education, these children are still officially enrolled in state schools. The inconsistency in available data and the on-ground reality is evident.

Health Outcomes- Children who collect dhaba without protective gear during mining risk developing respiratory diseases, tuberculosis, and skin infections due to constant exposure to dust. The problem is highly under-reported, leading to malnourishment in children and breastfeeding mothers in these areas.

The research investigates the short-term and long-term consequences of child labor on the well-being, health, education, and development of the children who are involved in the study. In addition to this, the social and psychological repercussions that these children go through will be investigated.

- Implications for ethics and the law:

Under Article 21 A, the Constitution of India mandates free and compulsory education for children aged 6 to 14 while prohibiting the employment of children under 14 in hazardous occupations. India has also ratified ILO conventions on minimum age for employment and elimination of child labor. The Worst Forms of Child Labour Convention requires countries to take measures to eliminate child labor. In Jharkhand, laws and policies are in place to prevent child labor and illegal mining. Some policies, such as The National Policy on Children of 2013, affirm every child's right to life, education, participation, and protection. The Child Labour (Prohibition and Regulation) Amendment Act of 2016 prohibits the employment of adolescents in hazardous work. Lastly, the Jharkhand Minerals (Prevention of Illegal Mining, Transportation, and Storage) Rules of 2017 prohibit non-registered dealers from buying, selling, and processing minerals.

III.SUGGESTIONS AND CONCLUSION

The compulsory enrollment of children in educational institutions, particularly in areas like Jharkhand and Bihar. To provide a place of residence for children not already enrolled in school, residential schools and hostel facilities should be made accessible in the mica mining districts. To address the problem of child labor in the mica supply chain, the cosmetics industry should be provided with recommendations, which may include modifications to existing laws, audits of supply chains, and collaboration with non-governmental organizations and advocacy groups.

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It is possible to facilitate the development of programs that effectively reduce child labor in the Mica supply chain by enhancing due diligence in the Mica supply chain. This may be accomplished by providing collaboration and transparency to share information and best practices amongst parties. Obtaining this goal can be achieved through the use of multi-stakeholder initiatives, commercial partnerships, and forums. Workers in the mica scrap industry are being organized by forming trade unions and cooperative societies. These organizations aim to purchase mica from laborers at a reasonable price and then sell it to manufacturers.

Awareness programs at colleges and universities, such as street campaigns, awareness drives at cosmetics retailers, and telling people about beauty and cosmetics businesses that continue to use unethical techniques of acquiring mica, are examples of awareness programs. In addition to stating that the administration should make a special effort to eliminate the use of child labor in the mica mining regions of Jharkhand and Bihar, strict action should be taken against those who purchase scraps of mica from minors.

Support Local Communities- To raise the demand for ethically sourced items. Initiatives should focus on improving the families of mica miners' access to healthcare, education, and employment opportunities. This should be done by emphasizing the value of customer knowledge and education. In the fight against child labor, it is essential to highlight the significance of efforts involving the entire sector and international cooperation.

Supply chain transparency- Several corporations have scrutinized their supply chains autonomously, including Daimler AG, the manufacturer of Mercedes-Benz automobiles. Daimler has emphasized establishing a supply chain devoid of child labor in relation to its paint procurement process, albeit without addressing the provision of other plausible mica-infused components.

Numerous regulations in Jharkhand have the potential to end child labor; however, these rules are not always adhered to. As responsible citizens of our country, we can request that the government provide an alternative to the families that are employed in illegal mica mines. Alternatively, we could ask the government to legalize mica mines for some time and pay the laborers a wage that would allow them to bring their children to school, thereby breaking the

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cycle of abject poverty that will be passed down to the next generation. Through the implementation of the proposals that have been given, the cosmetic business has the potential to contribute to eliminating child labor, safeguarding the rights and well-being of children, and constructing a more ethical and sustainable future. There is a way to strive towards a cosmetic business accessible from the shadows of child labor and preserve every child's dignity and future in its supply chain. This can be accomplished with the participation of industry stakeholders, governments, and consumers.



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