



---

*Plenary sitting*

---

**B9-0103/2020**

11.2.2020

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on The situation of child labour in mines in Madagascar  
(2020/2552(RSP))

**Kati Piri, Carlos Zorrinho**  
on behalf of the S&D Group

**B9-0103/2020**

**European Parliament resolution on The situation of child labour in mines in Madagascar (2020/2552(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Madagascar, notably those of 7 May 2009, of 11 February 2010, of 9 June 2011, and of 16 November 2017;
  - having regard to its resolution of 5 July 2016 on implementation of the 2010 recommendations of Parliament on social and environmental standards, human rights and corporate responsibility;
  - having regard to the Commission Communications of 2 February 2011 “Tackling the challenges in commodity markets and on raw materials”;
  - having regard to the Commission Communications of 27 January 2012 “Trade, growth and development – Tailoring trade and investment policy for those countries most in need”;
  - having regard to its resolution of 25 October 2016 on corporate liability for serious human rights abuses in third countries;
  - having regard to European Parliament legislative resolution of 16 March 2017 on the proposal for a regulation of the European Parliament and of the Council setting up a Union system for supply chain due diligence self-certification of responsible importers of tin, tantalum and tungsten, their ores, and gold originating in conflict-affected and high-risk areas, the so called “conflict minerals” regulation;
  - having regard to the Council conclusions of 12 May 2016 on the EU and responsible global value chains;
  - having regard to the Council conclusions of 20 June 2016 on Child Labour;
  - having regard to the UN Guiding Principles on Business and Human Rights and the UN Global Compact;
  - having regard to the UN Convention on the Rights of the Child, and the Children’s Rights and Business Principles developed by UNICEF, the UN Global Compact and Save the Children;
  - having regard to the fundamental ILO Conventions on child labour, forced labour, discrimination, and freedom of association and collective bargaining;
  - having regard to OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas including all its Annexes and Supplements;
  - having regard to the 2030 UN Sustainable Development Goals;
  - having regard to the EU’s National Indicative Programme Madagascar and the 11th European Development fund 2014-2020;
  - having regard to Rule 144 of its Rules of Procedure.
- A. Whereas Madagascar and the European Union collaborate on governance and strengthening of public policy, infrastructure in support of economic development, and rural development; whereas Madagascar was allocated EUR 518 million under the 11th European Development Fund; whereas the presidential elections of January 2018 resulted in the first peaceful alternation of power in the country;
- B. Whereas Madagascar has one of the highest poverty rates in the world with 75% of the

population living on less than USD 1.90 per day; whereas Madagascar has the fourth-highest rate of chronic malnutrition with almost half of all children under the age of five suffering from stunted development; whereas 8.8 million children in the country live in poverty, primary school dropout rates are endemic, and almost one million children are out of school, commonly for economic reasons;

- C. Whereas at least 11,000 children between the ages of 5 and 17 are employed in mica mining in Madagascar, according to the November 2019 report published by Terre des Hommes International Federation (TDHIF); whereas 22.1% of children in Madagascar between the ages of 5 and 14, or 1.2 million, are working, of whom 4.2% in the industry and mining sectors; whereas their labour conditions are often dangerous and exploitative;
- D. Whereas approximately 152 million girls and boys aged 5 to 17 are involved in child labour worldwide; whereas although some progress has been made in reducing child labour, the ILO estimates that the pace of decline would still leave 121 million boys and girls in child labour by 2025;
- E. Whereas Madagascar is the fourth-largest mica producer worldwide with a total production of 23,000 metric tons in 2018 and the biggest global exporter of sheet mica, which is used extensively in the electronics and automotive industries;
- F. Whereas the mica sector in Madagascar is taxed through a series of complex arrangements, with tax levels on exports being relatively low and not always providing direct benefit to mining communities; whereas approximately only 40 export permits have been issued suggesting the vast majority of mica mining is carried out illegally and in unregulated, precarious artisanal sites;
- G. Whereas there is an urgent need to address access to health care, sanitation, drinking water and education in mica mining communities in Madagascar in particular with regard to investment in infrastructure and other flanking policies; whereas Madagascar ranks 161 out 189 countries on the UN Human Development Index (HDI);
- H. Whereas the EU has committed to protecting the rights of the child in its internal and external policies; whereas the EU Charter of Fundamental Rights explicitly prohibits child labour and promotes the protection of young people at work; whereas EU trade, human rights and development cooperation policies aim to eradicate child labour;
- I. Whereas in its resolutions of 7 October 2010, of 8 March 2011, of 5 July 2011 and of 26 February 2014, the European Parliament called for Union conflict mineral legislation in line with the US law on conflict minerals, Section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act; whereas the European Commission announced its intention to explore ways of improving transparency throughout the supply chain, including aspects of mandatory due diligence; whereas the mission letter of the Commissioner for Trade includes a commitment to a zero-tolerance policy on child labour in EU trade agreements;
- J. Whereas EU citizens and civil society actors have raised concern that economic operators are not being held accountable for their potential connection to the illicit extraction of and trade in minerals in particular through petitions, calling for legislation to hold economic operators accountable under the relevant Guidelines as established by the UN and OECD;
- K. Whereas EU industry has, through public consultations, shown its willingness to

develop responsible sourcing of minerals and implement due diligence schemes designed to pursue corporate social responsibility objectives;

- L. Whereas the EU has taken some steps to develop binding regulations in the area of corporate due diligence in specific sectors where there is a high risk of human rights abuses, such as timber and conflict minerals; whereas some Member States have also developed legislation, such as the French Law on the duty of care of multinational companies (MNCs), and the Dutch Child Labour Due Diligence Bill; whereas the EU has developed initiatives to promote due diligence and several European Parliament resolutions have called for the EU to further develop binding rules on the issue.
1. Strongly condemns the use of child labour in Madagascar, in particular in labour-intensive extractive industries; expresses grave concern about the precarious working conditions of the majority of people, in particular the 11,000 children under the age of 17, working in the mica mining sector in Madagascar;
  2. Calls on all companies sourcing mica and mica-based products in Madagascar, in particular European companies, as well as on the government of Madagascar, to address the unsafe and exploitative conditions of mica mining with the utmost urgency; emphasises the need to improve the enforcement of children's rights, including through the enforcement of the prohibition of child labour and the parallel implementation of economic support measures for impoverished families; calls on the Commission to provide targeted support to the government of Madagascar to address the root causes of child labour;
  3. Calls on the government of Madagascar to fully implement its commitments under ILO Conventions No 182 on the worst forms of child labour and No 138 on the minimum age for admission to employment; Calls on the European Commission together with the Member States to adopt and enforce binding due diligence legislation regarding forced, child, and slave labour in supply chains;
  4. Underlines that the EU must remain at the forefront of eradicating the worst forms of child labour at a global level; reiterates its call for the harmonisation and strengthening of import and supply chain controls, through binding due diligence in accordance with OECD standards, so as to ensure that only forced labour-free, child labour-free and modern slavery-free products enter the EU market;
  5. Calls on the Commission and the EEAS to work in partnership with relevant countries such as Madagascar to help create appropriate legal and economic conditions under which businesses can operate responsibly in global supply chains, and assist in the implementation of international standards, in particular relating to the rule of law, combating corruption, ensuring workers' and children's rights, and enhancing transparency in supply chains;
  6. Calls on the Commission to actively work within the WTO in order to promote multilateral rules for sustainable management of GVCs, including mandatory supply chain due diligence and transparency requirements, minimum health and safety standards, recognising in particular workers' right to establish safety committees, a social protection floor and respect for ILO labour standards and the right to collective bargaining as outlined in the UN Guiding Principles and the OECD Guidelines;
  7. Stresses the importance of including the fight against forced labour and child labour in all EU Economic Partnership negotiations, through binding and enforceable sustainable development chapters, ensuring that this objective is shared by trade

partners in order to better integrate them into global value chains;

8. Reaffirms the urgent need to effectively address human rights abuses by transnational corporations, welcomes therefore the ongoing negotiations on a binding UN Treaty for Transnational Corporations and Human Rights; calls on the Commission and the Member States to engage constructively in these negotiations and to play an active role and contribute to the development of concrete proposals, including access to remedies, reaffirms its call for the Commission to explore extensive mandatory due diligence commitments at the global level;
9. Takes note that the so called EU ‘conflict minerals’ regulation will come into effect in January 2021, with the Commission due to report on its implementation to the European Parliament by January 2023. Calls for the review to take into account the impact of the regulation on the ground and include an assessment of broadening its scope to include such minerals as mica in the promotion and cost of responsible sourcing;
10. Instructs its President to forward this resolution to the Government of Madagascar, the Vice-President/High Representative of the EU for Foreign Affairs and Security Policy, the Commission, the Council of the European Union, the ACP-EU Council, and the Secretary-General of the United Nations, the SADC and the Commission of the African Union.