



Madagascar

Country Overview

Politics

The island nation of Madagascar is a semi-presidential democratic republic off the southeast coast of Africa, with a bicameral legislature. President Andry Rajoelina was elected in 2018 in the second national election since the 2009 coup against former president Marc Ravalomanana. The U.S. Department of State reported these elections as free and fair despite some protests from opposition candidates.ⁱ It was the first political transfer of power in the country's history.ⁱⁱ

Economy

Madagascar is classified by the World Bank as a low-income country. In 2019, gross domestic product (GDP) growth reached 4.8 percent after a five-year increase, the highest growth rate in the past decade.ⁱⁱⁱ The COVID-19 pandemic brought GDP growth for 2020 down to near zero, which will have a long-term economic impact due to increased unemployment and the forced closure of many businesses. In 2020, it was estimated that over 75 percent of the country's labor force of 16 million people was engaged in the informal sector, mainly in agriculture.^{iv}

The government of Andry Rajoelina released a *Plan d'Émergence* (PEM), or plan of development, to spur Madagascar's economic growth. The plan focuses on export markets, including measures for improvement to the foreign investment climate, and Madagascar's main exports of vanilla, nickel, gold, knitted textiles, and gemstones.^v The government provided incentives for investment in export manufacturing through Export Processing Zones (EPZs), in the mining sector under large mining investment (LGIM), and within Special Economic Zones (SEZ).^{vi} There is private and foreign investment in the country in manufacturing, agriculture, and service enterprises, as well as newer opportunities in textiles, energy, tourism, mining, and infrastructure.^{vii} Nevertheless, COVID-19 slowed export revenues during 2020 due to global supply chain interruptions. The impacts of this slowdown reverberated throughout the whole



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economy, with business closures, increased unemployment, and predictions of increases to future government spending deficits.^{viii}

Social/Human Development

Madagascar is an ethnically diverse nation with 18 main ethnic groups.^{ix} All ethnic groups speak Malagasy, one of two official languages of the country, along with French. A large portion of the population identifies as multi-ethnic, because of Madagascar's colonization and long history as a hub for Indian Ocean trade. Colonial-era hierarchical social structures remain, with some groups practicing a caste system, and descendants of slaves facing obstacles in securing a position in the labor market.^x The country has a young population, with 60 percent under the age of 25, and a high fertility rate of four children per woman, resulting in increasing population growth.^{xi} Madagascar faces widespread poverty, with around 75 percent of the population living under the international poverty line in 2019, and facing limited access to education, nutrition, and other basic services.^{xii} One in two children under the age of five suffers from chronic malnutrition, resulting in stunting.^{xiii} In 2021, a drought in the southern area of the island threatened over a million Malagasy with famine.^{xiv}

Madagascar's Human Development Index (HDI) is at 0.528 from 2019, ranking the country at 164 out of 188 countries, and below the Sub-Saharan Africa average score of 0.547.^{xv}

U.S. Department of State TIP Report Summary (2021)

U.S. Department of State TIP Ranking: Tier 2

According to the Trafficking in Persons Report, trafficking and trafficking risk were noted in potentially exported supply chains including mining, fishing, and agriculture. Children are vulnerable to sex trafficking and forced labor associated with formal and informal mining, fishing, agriculture, and domestic service.

Read the full U.S. Trafficking in Persons 2021 Report: <https://www.state.gov/reports/2021-trafficking-in-persons-report/madagascar/>.

Migrant and Other Vulnerable Populations

Madagascar has negative net migration.^{xvi} It is estimated that the country hosts 35,000 international migrants, primarily from Comoros and France.^{xvii}

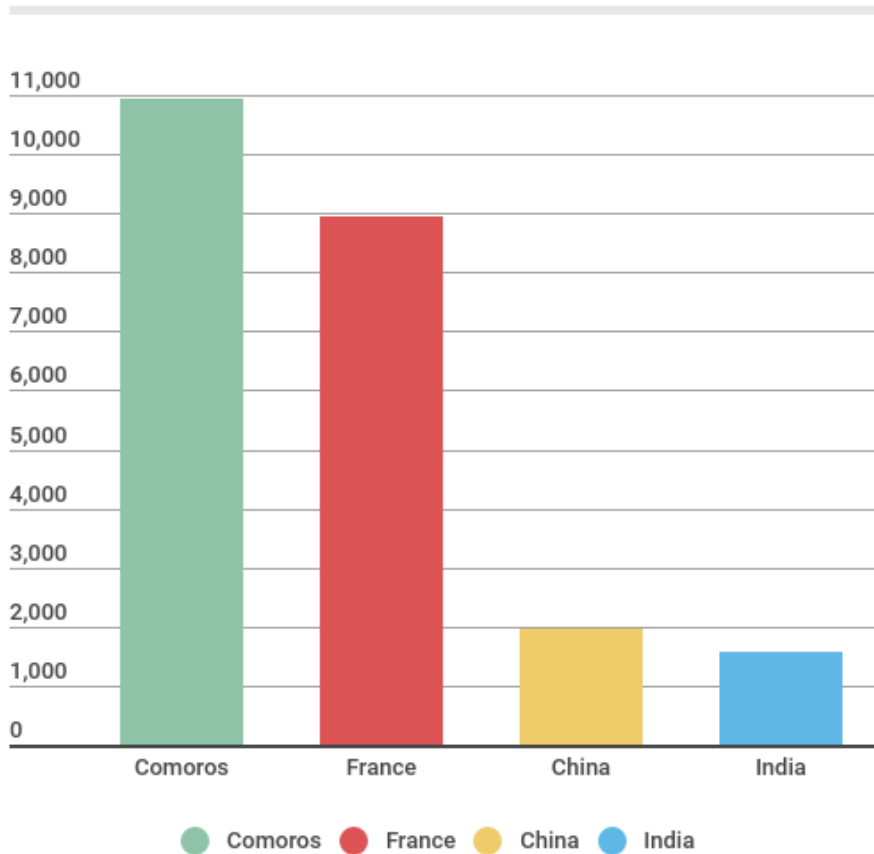


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According to UNHCR, there is no significant population of refugees or other “persons of concern,” in Madagascar.^{xviii}

Migrants to Madagascar



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According to the World Bank, in 2019, personal remittances made up 2.89 percent of Madagascar’s GDP.^{xx} Very few Malagasy look to emigrate to other countries, and Madagascar’s net migration rate hovers around zero.^{xxi} There are programs in place, under the watch of the International Organization for Migration, to engage the Malagasy diaspora and ensure migration is carried out safely, but risks of trafficking persist.^{xxii}

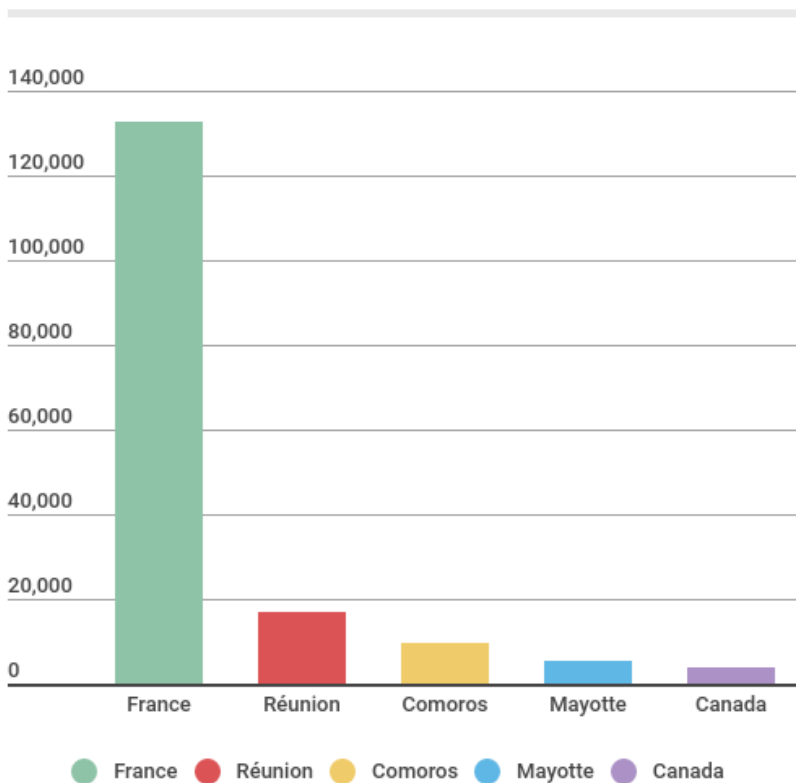


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France receives most Malagasy emigrants, and the two countries have a bilateral taxation agreement, a bilateral investment treaty, as well as shared membership in several Francophone and East and southern Africa unions.^{xxiii} A bilateral agreement between Comoros and Madagascar was finalized in January 2020 but had not yet been signed as of June 2021.^{xxiv}

Migrants from Madagascar



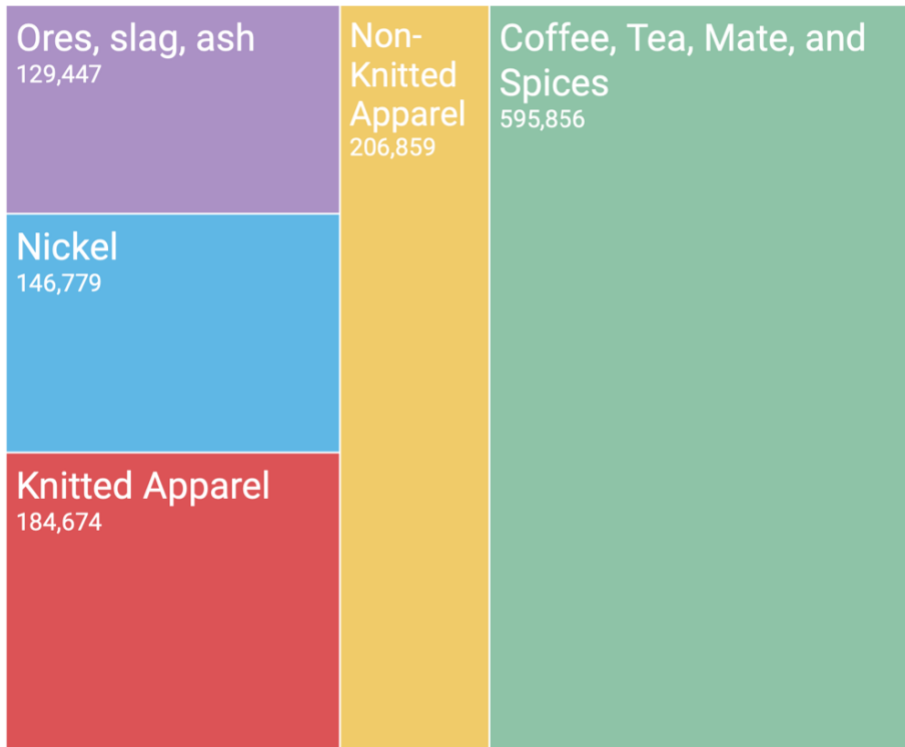
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Exports and Trade

Madagascar's top exports in 2020 included vanilla, coffee, nickel, apparel, and ores.^{xxvi}



Top Commodity Exports (USD/Thousands)



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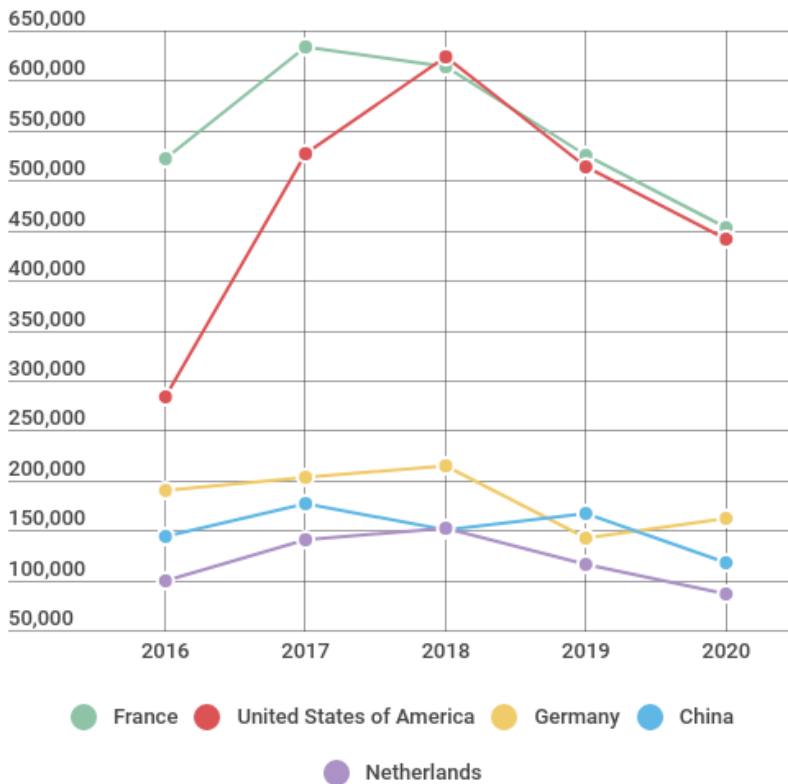


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The top importers of goods from Madagascar include France, United States of America, Germany, China, and Netherlands.^{xxviii}

Madagascar Export Partners (USD/Thousands)



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Trafficking in Persons Risk Factors Analysis

Legal/Policy Risk Factors

Level of Legal Protection for Civil Liberties and Workers' Rights



Freedom of Association

Workers are generally allowed to join unions, practice collective bargaining, and strike with some exceptions. The high percentage of employment in the informal sector around fishing, forestry, and agriculture (at least 75 percent) makes it difficult for the vast majority of workers to form unions.^{xxx} The law permits public and private sector workers to establish and join unions but civil servants and maritime workers are provided with separate labor codes, and essential workers, like emergency services and the military, cannot form unions.^{xxxi} The maritime code does not explicitly provide workers with the right to form a union. The right to collectively bargain is not guaranteed to seafarers nor can workers in EPZs easily exercise it, although they are provided the right to strike.^{xxxii} There is also government oversight that may deem some strikes illegal, possibly leading to punishment and fines. Employers continue to exert some influence over their employee unions, especially in small, local, private companies and within EPZs.^{xxxiii} During 2020 and 2021, it was reported that employers used the economic downturn from COVID-19 as an excuse to lay off workers most involved in organizing unions.^{xxxiv}

Working Conditions

In 2019, the Madagascar government raised the minimum wage to a value that is just above the World Bank poverty level.^{xxxv} There are legal limits on the number of working hours depending on the industry, with 40 hours per week in nonagricultural industries and 42.5 hours in agriculture. However, within the largely informal agricultural sector there is little regulation and legally mandated overtime pay, as well as occupational safety and health compliance laws, are generally not followed.^{xxxvi} A lack of personnel and resources limits the government's capacity to carry out inspections.^{xxxvii}

Discrimination

The government prohibits discrimination based on race, gender, religion, political opinion, origin, and disability in the workplace.^{xxxviii} Ethnicity, caste, and regional solidarity are often taken into consideration in the process of hiring employees, and LGBTI, disabled persons, and stateless individuals face hiring discrimination.^{xxxix} Although discrimination against women is not particularly prevalent in urban areas, it remains a problem in rural areas where traditional social structures, which disadvantage women, prevail.^{xl} Women face discrimination with regard to employment, including exclusion from positions deemed dangerous by the law in mining



industries. Women are often paid less than men despite performing similar work. Women also face discrimination for access to credit.^{xli}

Forced Labor

Despite a legal prohibition of forced labor, and recent efforts by the government to better regulate human trafficking, there are still issues, especially in rural areas, with child trafficking and sexual exploitation.^{xlii}

Child Labor

The law establishes the legal minimum age of employment at 16, regulates working conditions, defines the worst forms of child labor, and identifies penalties for employers who violate the law. The law prohibits hazardous working occupations and activities for children, such as work in mining, but does so inconsistently, and 47 percent of children were involved in child labor in 2018.^{xliii} Children continue to be subject to sexual exploitation, especially in rural areas, as well as forced employment in the vanilla and mining sectors.^{xliv} Under the constitution, primary education is tuition-free and compulsory until the age of 16 for all citizens.^{xlv} By the age of 15, 54 percent of girls and 45 percent of boys are out of school.^{xlvi} Non-participation in school and child labor in hazardous sectors, including commercial sex trafficking, are more common in areas of greater poverty such as the rural southern and western regions of the country.^{xlvii}

Civil Society Organizations

Freedom House reports that NGOs and human rights groups are active and their right to freedom of association is generally respected, with some opposition from influential private groups or elites.^{xlviii} However, according to the U.S. Department of State, some domestic NGOs report that they have limited capacity to effectively carry out their work and that pro-government political organizations sometimes harass or attempt to co-opt civil society organizations.^{xlix}

Export Processing Zones (EPZs)

In Madagascar, the 2008 Law on Free Zone Companies provides incentives to investors, and



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Free Zone companies are reported to operate under relaxed labor regulations.ⁱ Export Processing Zones (EPZs) exempt Free Zone companies from income tax for the first five years of their operation, as well as from customs duties and VAT for a two to fifteen-year period, if 95 percent of production is for export.ⁱⁱ In 2020, this benefitted some 225 companies, 46 percent of them being in the textile sector.ⁱⁱⁱ A 2015 study of the garment and leather industry conducted by a German foundation found that all the 126 companies investigated in an EPZ had incorporated safety systems into their infrastructures, such as fire exits and extinguishers, but only 11 percent had provided protective equipment for their workers.ⁱⁱⁱⁱ In 2020, the Department of State also noted many garment factories set production targets in lieu of overtime pay, which can result in underpaying workers and production beyond the legal limit of working hours with the threat of dismissal and the withholding of salaries.^{liv}

Ratification of ILO Conventions Related to Human Trafficking or Rights of Workers and Migrants

Conventions	Status
ILO 29 Forced Labor	In force
ILO 87 Freedom of Association and Protection of the Right to Organize	In force
ILO 98 Right to Organize and Collective Bargaining	In force
ILO 100 Equal Remuneration	In force
ILO 105 Abolition of Forced Labor	In force
ILO 111 Discrimination	In force
ILO 138 Minimum Age	In force
ILO 181 Private Employment Agencies	In force
ILO 182 Worst Forms of Child Labor	In force
ILO 97 Migration for Employment	In force

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Political Risk Factors

Political Instability or Conflict

Madagascar scores 79.5 out of 120 on the 2020 Fragile States Index, ranking it 58 out of 179, or the 58th most fragile country out of those assessed.^{lvi} Madagascar experienced a political crisis from 2009 to 2014. In 2006, former President Ravalomanana was elected for a second term but



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amid protests in 2009, Ravalomanana conceded power to the military who conferred the presidency to the mayor of Antananarivo, Andry Rajoelina.^{lvii} The 2014 election of Rajaonarimampianina marked a return to democratic government, although the National Assembly voted to impeach the president in 2015 for failure to uphold the constitution, a move later dismissed by a court.^{lviii} Andry Rajoelina now leads the country, having been democratically elected in 2018, and according to the U.S. Department of State, improvements are being made to gradually increase political stability through anti-corruption and reform.^{lix}

Level of Crime and Violence

The World Economic Forum Global Competitiveness Report 2017/2018 scored Madagascar at 3.3 and 3.8 on a scale of 1 to 7 ranking Madagascar at 119 of 137 and 117 of 137 respectively.^{lx} The U.S. Department of State reports petty crime in urban areas, as well as intellectual property right infringements in local economies, but no extreme threats including terrorism, and no target threats to certain populations.^{lxi}

State Persecution

Statelessness is pervasive among the minority Muslim community due to complications regarding citizenship laws.^{lxii} It was reported that those applying for citizenship may be turned away or face bureaucratic obstacles if they are perceived as Muslim.^{lxiii} Of the two million Muslims residing in the country, an estimated five percent are impacted by citizenship laws. Statelessness impaired people's ability to access education and healthcare, and/or obtain a job or land.^{lxiv}

Level of Corruption

Government corruption reportedly makes Madagascar “a safe haven for illegal activities and businesses.”^{lxv} Although illegal, there exists a market for the export of precious woods with little government interference and occasional cooperation from officials.^{lxvi}

Transparency International's Corruption Perceptions Index 2020 scores Madagascar a 25 out of 100, with a zero signaling “Highly Corrupt,” placing Madagascar 149 out of 180 countries and territories. 75 percent of those surveyed in 2019 said they believed corruption had increased over the past 12 months.^{lxvii} According to the U.S. Department of State, President Rajoelina has



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made anti-corruption a priority of his office, but influence in the distribution of business contracts and public office bribery still pose an obstacle in foreign direct investment (FDI) and in the judiciary.^{lxxviii}

In 2021, Freedom House increased its score for the fight against corruption in Madagascar from 1 to 2 noting the increasing independence and ambition of the Madagascar Independent Anticorruption Bureau (BIANCO).^{lxxix} Even so illegal fishing, deforestation, and wildlife trafficking all continue due to corruption spanning from the central government to local officials.^{lxxx}

Socio-Economic Risk Factors

Level Of National Economic Development

Madagascar ranks 164 out of 189 countries and territories and has a value of 0.528 on the UN Human Development Index.^{lxxxi} The leading migrant-sending country is nearby Comoros, which, when adjusted for inequality has a comparatively lower HDI of 0.303.^{lxxxii}

Level and Extent of Poverty

The World Bank ranks Madagascar as one of the poorest countries in Sub-Saharan Africa.^{lxxxiii} It is estimated that 69.1 percent of the population lives in multidimensional poverty while an additional 14.3 percent are vulnerable to multidimensional poverty, according to the World Bank.^{lxxxiv} When adjusted for inequality, the HDI for Madagascar falls to 0.390, a loss of 26.1 percent due to inequality, demonstrating large gaps in the development of the poor and rich in the country.^{lxxxv} Rural Poverty Portal reported that the Toliara Province in the southwest region of the country has the highest rate of poverty. Most rural poor are concentrated in the three most densely populated provinces of Antananarivo, Fianarantsoa, and Toamasina.^{lxxxvi}

Degree of Gender Inequality

Women participate in the workforce and in education at roughly the same rate as men. In 2020, the female labor participation rate was 83.4 percent, and the male rate was 88.9 percent.^{lxxxvii} The mean years of schooling for women are 6.4 years compared to 5.8 years for men.^{lxxxviii}

According to the UNDP Human Development Report for Madagascar, the gender development index value is at 0.952.^{lxxxix} Recent legal reforms have been geared towards including more anti-



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discriminatory rhetoric that protects women, but according to the U.S. Department of State, rape and sexual assault affecting women often go without investigation, and domestic abuse were largely unchecked during the 2020-2021 COVID-19 pandemic.^{lxxx} Labor union members have reported forced sexual relations with employers to keep their employment.^{lxxx} As explained by the Social Institutions and Gender Index, much of the discrepancies between written law and the treatment of women in Madagascar come from the dominance of customary law over judicial law.^{lxxxii} Traditional systems, especially in rural areas, discourage reports of forced child marriages and treat women as inferior in inheritance law disputes, as well as with the types of employment allowed for women.^{lxxxiii} Women are often limited to working in informal agriculture with a wage gap. Women are prohibited from working in manufacturing, politics, or mining. They do not have the same type of access to credit and other financial services because of low literacy rates.^{lxxxiv}

Landlessness and Dispossession

Property rights in Madagascar are complicated by the distinctions between formal property rights supported by the national government, and customary informal titles granted by local centers of traditional authority, as explained by the U.S. Department of State.^{lxxxv} Traditional institutions in small rural villages give out many of the informal land titles held by farmers, often making it difficult for government authorities to ascertain the true owner of a piece of land in judicial disputes.^{lxxxvi} Stateless persons are not able to own property, even with possession of a foreign resident card, and women may find it more difficult to inherit property from a deceased husband over the husband's kin.^{lxxxvii} The U.S. Department of State Climate Investment Report ranked Madagascar 164 out of 190 countries in 2019, related to the difficulty of property registration in the country.^{lxxxviii}

Environmental Factors

According to the World Bank, Madagascar is incredibly susceptible to global climate change impacts.^{lxxxix} The CIA cites soil erosion and agricultural degradation, desertification, water pollution, and a decline in biodiversity as the main environmental issues affecting the country.^{xc} Moreover, the country is experiencing its largest drought in over 40 years, with 1.4 million Malagasy struggling to come up with enough food.^{xc} With thousands near starvation, according to the CIA, and low cereal outputs and COVID-19-related income losses pushing more of the population into food insecurity, environmental impacts are making it harder for many in the southern regions of the country to survive.^{xcii}



Documented Trafficking Risk in Key Commodity Supply Chains

Vanilla

Vanilla Overview

Madagascar is a global leader in vanilla exports, growing around 80 percent of the world's vanilla.^{xciii} Malagasy vanilla is grown by smallholder farmers in the northern coastal region of Sava, involving an estimated 80,000 farms and 5,000 producers in 2016.^{xciv} Farmers and producers sell their vanilla to middlemen collectors who deal with buyers from multinational food corporations.^{xcv} The government sets the price for vanilla, and the crop represents a large share of the Malagasy government's revenue.^{xcvi} The price per kilogram of vanilla rose to a high of USD 600 in 2018, before falling sharply, held off by the minimum export price of USD 250 per kilogram set by the Madagascar government in 2020.^{xcvii} In 2021 supply was reported to be increasing, with potential production of more than 2,000 tons.^{xcviii}

Documented Trafficking in Persons Risks in Vanilla Production

There are indications of child labor in Malagasy vanilla farming.^{xcix} The vanilla production exposes children to toxic substances and high temperatures, while they are expected to carry heavy loads and participate in the booming vanilla theft in the Sava region because they are less likely to be searched by security forces during the vanilla season.^c There is also evidence of child sexual exploitation near vanilla-producing areas, where the recent increase in living standards for many small producers has improved their purchasing abilities.^{ci}

Children often help with pollination work on family farms, reportedly because of their small, dexterous hands.^{cii} This work cannot be done after school, it must be done in the morning on the day of the vanilla's bloom to be pollinated successfully.^{ciii} This leads to high levels of truancy during the pollination period. Nearly a third of those working in Madagascar's vanilla industry were between the ages of 12 and 17 in 2016. Children as young as ten work on vanilla farms.^{civ}

After the harvest season, vanilla farmers take out loans from middlemen (the same men that will buy their crops in the summer) known as "flower contracts."^{cv} These flower contracts use the prospective vanilla harvest price and farmers' plants as collateral. Because of price volatility, farmers frequently sell their crops during harvest season for a lower price than they took out their loan with, trapping farmers in debt. Farmers may have to sell their homes,



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livestock, or land to pay back these loans. In the most severe cases, children of vanilla farmers may be vulnerable to trafficking in other areas as a means for parents to pay back their loans.^{cv}

Apparel

Apparel Overview

Madagascar is one of the leading exporters of apparel from sub-Saharan Africa. After the passage of the America Growth and Opportunity Act in 2000, the size of the country's apparel export sector nearly tripled in four years. In 2009, the U.S. removed Madagascar's American Growth and Opportunity Act (AGOA) status following the coup.^{cvii} Madagascar became re-eligible for AGOA in 2014 and the volume of exports increased. The EU is the primary source of apparel from Madagascar due to the Everything but Arms preferential trade program with least developed countries.^{cviii} Madagascar is competitive in part because average wages are lower than peer countries such as Ethiopia, Mauritius, and Kenya.^{cix} The sector employs 400,000 people in low-cost formal labor, making up a large portion of the formal sector. In 2020 and 2021 the COVID-19 pandemic disrupted apparel supply chains and temporarily displaced 40 to 50 percent of those employed from their positions.^{cx} Future potential growth for the industry has been reported, with demand increasing in Asian markets for high-end apparel manufactured at a low cost.^{cx}

Documented Trafficking in Persons Risks in Apparel

According to the International Labor Organization (ILO), Madagascar has adopted national legislation to protect workers from abusive piece-rate earnings systems – which had been previously identified as an area of concern.^{cxii} Media reporting has noted that following the suspension of this AGOA status in 2009, and the subsequent closure of factories, women previously employed in the sector were vulnerable to being trafficked to the Middle East and Gulf regions.^{cxiii} Several multinational companies in Madagascar participate in the Worldwide Responsible Accredited Production principles for the apparel sector, increasing oversight and accountability in the industry as it grows. As in other apparel manufacturing sectors, the workforce is heavily female and unskilled.^{cxiv}

Fish/Seafood



Fish/Seafood Overview

The Madagascar fisheries sector includes both artisanal and industrial fishing activities. Shrimp, tuna, bill-fish, and sharks (as bycatch) are the major export species from Madagascar's fishery sector.^{cxv} The current national fishery production is estimated to be around 130,000 metric tons per year, including catches of tuna and tuna-like species by the Distant Water Fleet Nation (DWFN) in the Exclusive Economic Zone (EEZ).^{cxvi} Overfishing is a growing concern in the industry, with little regulation on the length of the fishing season and boundaries for hunting.^{cxvii}

Documented Trafficking in Persons Risks in Fish/Seafood

Large Chinese, Thai, and South Korean fishing vessels fish, sometimes illegally, in the deep waters surrounding Madagascar, leading to massive decreases in fish populations, as well as environmental and economic losses.^{cxviii} Foreign commercial vessels that have been associated with human trafficking operate illegally in Madagascar's waters.^{cxix}

The 2020 Trafficking in Persons Report states that there is forced child labor in the fishing industry in Madagascar.^{cxx} Child laborers are expected to deep dive for shrimp and lobster without any breathing aides or diving protection.^{cxxi}

Gemstones other than Diamonds

Gemstones Overview

Within the past 20 years, Madagascar has emerged as a major producer in the international trade of precious-colored gemstones. In 2002 an estimated 50 percent of the world's sapphires came from Madagascar. Production relies heavily on artisanal miners, as formalized and large-scale mining of sapphires has been hampered by corruption, government bureaucracy, start-up risks, and other factors.^{cxxii} Madagascar's rubies are found mostly in alluvial deposits, which can be accessed without expensive equipment.^{cxxiii} Mica mining is a more recent boon to the Malagasy mining sector. In 2015 Madagascar was the fourth-largest supplier of the mica used for electronics and automotive industries.^{cxxiv}

Civil society organizations and local mining communities have raised concerns about the impact of mining on the environment in recent years.^{cxxv} New adjustments to the mining code have



narrowly addressed an increase in royalties collected on the export-based revenue of the gemstones and ignored the harms to the local areas near mines.^{cxxvi}

Documented Trafficking in Persons Risks in Gemstone Production

The U.S. Department of Labor’s 2020 List of Goods Produced by Child Labor or Forced Labor notes that sapphires, mica, sapphire, stones, and vanilla are mined with child and or forced labor in Madagascar.^{cxxvii} Child sexual exploitation is also documented in these mining areas, and around 10,000 children were employed in mica extraction and sorting in southern Madagascar.^{cxxviii} Children are used to see if sapphires are present in small holes, and they are particularly susceptible to injuries caused by falling shards and rocks, collapsing pits, and underground fires.^{cxxix}

A recent rush to mine sapphire deposits is nearly entirely illegal and without any government oversight.^{cxxx} A media report notes that a significant portion of these sapphires is smuggled to Sri Lanka.^{cxxxi} The sapphire deposits have caused massive migration to the rainforests of eastern Madagascar for informal mining operations. Thousands of acres of trees have been cut down. As the population has increased rapidly, the cost of food staples has reportedly increased by over 50 percent.^{cxxxii} Lack of sanitation led to a typhoid outbreak in the mining camps in 2016.^{cxxxiii} The environmental consequences of the expanding mining could affect thousands of rare species of plants and animals.^{cxxxiv}

A 2019 report from Terre des Hommes, a child labor advocacy group, found evidence of child labor in mica mining in Madagascar.^{cxxxv} Around 86,000 children were employed in the mining sector in 2019, and even when they are not directly involved in mica extraction, children as young as 5 operate pulley systems for transporting extracted mica, and adolescent boys participate in mica extraction and mine construction.^{cxxxvi} Around half of all those involved in mica mining are minors, who work in harsh conditions with poor air quality, high temperatures, physically debilitating back pain, and headaches from the intensity and length of work.^{cxxxvii} There are reports of mica mining traders sexually exploiting minor girls because of their authority and the desperate situation of child workers in extreme poverty.^{cxxxviii}

Endnotes

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