

October 19, 2017

Answers by Minister Ploumen of Foreign Trade and Development Cooperation to:

Parliamentary Questions by the member Hijink (Socialist Party) to the Minister of Foreign Trade and Development Cooperation on the news that granite is being quarried by children's hands

[subm. September 4, 2017]

Question 1

Have you heard the news that natural stone sold in the Netherlands has been quarried by Indian children?⁽¹⁾

Answer 1

Yes.

Question 2

How many Dutch companies are to blame for importing natural stone contaminated by child labour?

Answer 2

The government has no figures about the exact number of Dutch companies involved in this.

Question 3

How many children are working in Indian natural stone quarries? What is their relative share compared to the total number of people working in this sector?

Answer 3

No figures are available about this.

Question 4

What kind of influence does child labour in Indian natural stone quarries have on the lives of these children?

Question 5

Can the mining of natural stone in your opinion be classified as heavy labour? Do you share the opinion that this is not a work that should be performed by children?

Answer 4 and 5

The government is of the opinion that this is not work that should be carried out by children. Such labour is a source of great danger for the health, safety and development of children.

Question 6

Are you going to raise the issue with your colleagues in India? If so, what will be the message?

Answer 6

The government is permanently seeking dialogue with India on human rights, either bilaterally, either in European Union (EU) and in multilateral relations. The Netherlands thereby emphasises the importance of respect for human rights, the enforcement of legislation and regulations for a well-functioning democratic constitutional state and the promotion of sustainable development. During the next human rights dialogue between the EU and India various issues will be discussed, including 'human rights and business'. The Netherlands will also plead to put the poor labour conditions in various sectors on the agenda.

There is, indeed, a responsibility with the government of India for a well-functioning labour inspection and the promotion of social dialogue. The report provides useful information for companies and the Indian government. It should be noted, however, that the fact that the investigated production locations are not explicitly mentioned in the report is a complicating factor for the purchasing companies and the Indian government to follow up the recommendations in these specific cases. The International Labour Organization (ILO), based on fundamental labour standards, an active attitude of the labour inspectorate and the social partners in this sector. The ILO is conducting an ongoing dialogue about this with countries, including India. The Netherlands will therefore bring the report on the natural stone quarries to the attention of the ILO office in India.

The Netherlands urges the EU to take a more proactive role in promoting *due diligence*. Within the EU, the Netherlands is calling for the development of an European CSR action plan and also to use this in the implementation of the Sustainable Development Goals (SDGs). In anticipation of establishing a broader EU action plan, the government is, in the current process of the natural stone covenant, focusing on a joint approach to the problems in cooperation with the Flemish government [Flemish speaking part of Belgium], the Flemish natural stone sector and Flemish civil society organisations.

Question 7

What is the current status of the natural stone covenant? Are the companies mentioned in the report involved in the drafting of the covenant?

Answer 7

The natural stone covenant is currently under negotiation. The companies mentioned in the report are all involved in the covenant discussions.

Question 8

Are companies involved in drafting and signing the covenant expected to already comply with "due diligence" rules and other aspects of international corporate social responsibility?

Answer 8

The government endorses the recommendation for companies to carry out *due diligence* in their supply chains according to the guidelines for multinational companies of the Organisation for Economic Co-operation and Development (OECD). As it is evident that abuses must be avoided, companies, including middlemen, should take their responsibility to prevent these problems in their supply chain. This implies that they must identify risks in their production chain and address them. When child labour in the chains of the mentioned companies is identified as a risk, they are expected to take measures.

Companies cannot tackle all the malpractices on their own. Therefore, companies work together with the government, NGOs and unions towards a natural stone covenant to achieve greater impact in solving problems as described in the report, such as child labour and bounded labour.

Question 9

What sanctions will be included in the covenant? Is the information on child labour in Indian granite quarries a reason to strengthen this?

Answer 9

The reason for launching an initiative focused on an IMVO covenant by the natural stone sector was the high degree of risks of malpractices in the chains. The negotiations are ongoing, the parties jointly agree on how malpractices can be tackled best.

Question 10

What sanction do companies face when they fail to comply with the Child Labour Due Diligence law if they do not submit a statement on child labour in their supply chain, or submit a declaration while child labour is nevertheless found in their supply chain?

Answer 10

The draft legislation presented to the Upper House proposes that companies supplying goods or services to end-users in the Netherlands must submit a statement to a supervising agency in which they declare to perform *due diligence* to prevent those goods or services being made by using child labour. If a company does not provide a declaration or does not perform *due diligence*, the supervising agency would, according to the current proposal, be able to impose an administrative fine on the company. In case of repeated violation, the supervisor could start criminal prosecution in accordance with the current proposal.

Explanation:

These questions are a supplement to previous questions about this subject by the members Voordewind (ChristianUnion), Van den Hul (Labour Party) and Diks (GreenLeft), submitted on August 25, 2017 (<http://www.indianet.nl/pdf/kv170825e.pdf>), and by the members Sazias and Van Brenk (both 50PLUS), submitted on August 29, 2017 (<http://www.indianet.nl/pdf/kv170829e.pdf>).

[translation by India Committee of the Netherlands; original document: <http://www.indianet.nl/pdf/kv171019c.pdf>]

Note:

(1) <https://nos.nl/artikel/2189345-graniet-uit-indiase-kinderarbeid-mijnen-te-koop-in-nederland.html>