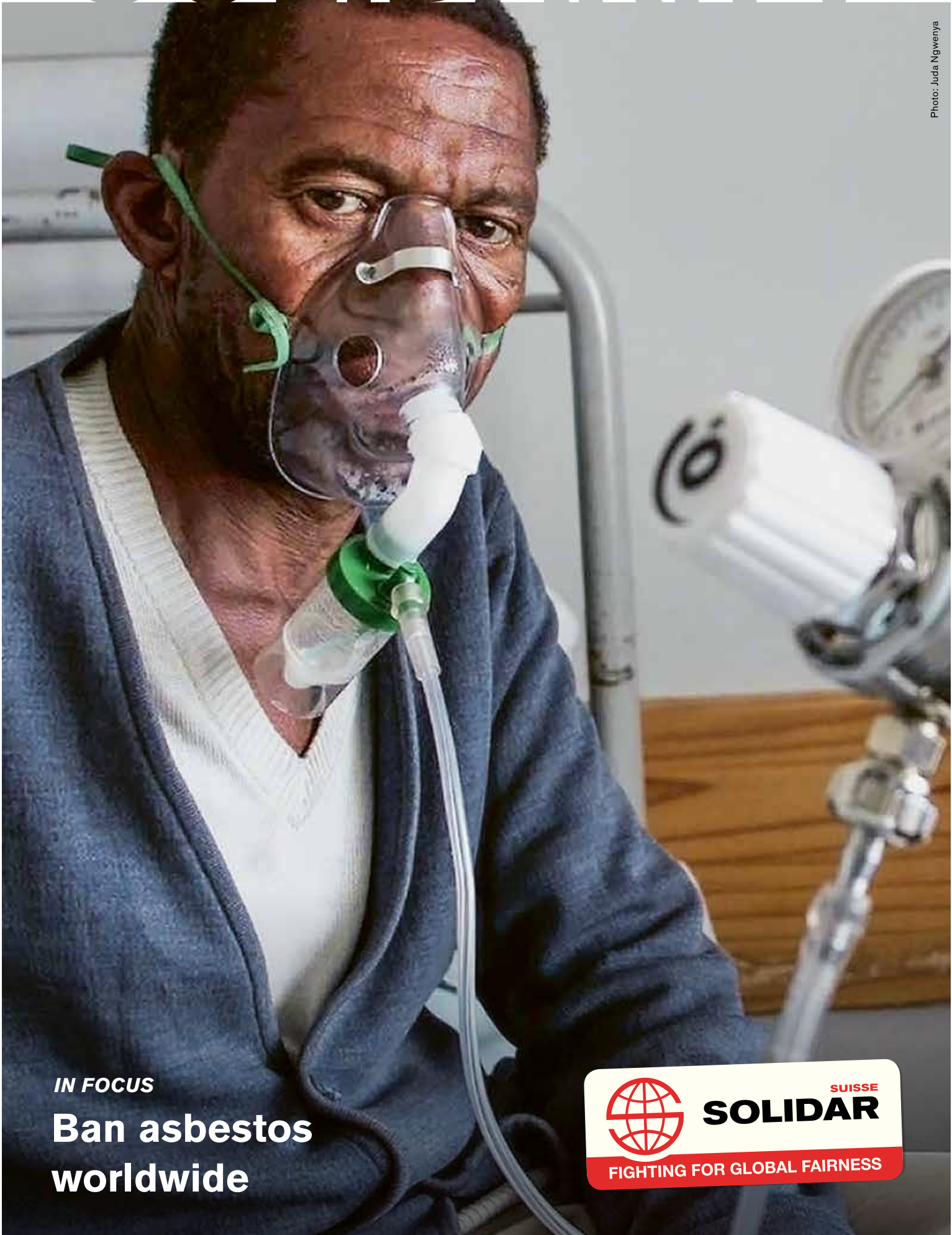


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Photo: Juda Ngwenya



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**Ban asbestos
worldwide**



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FIGHTING FOR GLOBAL FAIRNESS



ASBESTOS IS A TIMEBOMB

Long banned in Europe, asbestos is still widespread in Africa and Asia – with deadly consequences. A ban is being ruthlessly thwarted by the manufacturing countries.

Text: Bernhard Herold, Project Managar Asia, Photo: Adam Cohn and Kaustav Bhattacharya

Many are surprised when they find out that asbestos has still not been banned worldwide. The high numbers of victims in the developed countries in the second half of the previous century should really have been reason enough to phase out these deadly fibres. But in many developing and newly industrialised countries, particularly in Asia, asbestos continues to be used. Not least thanks to a powerful international lobby (see page 5) and the passivity of developed countries and the relevant international bodies.

Switzerland: still problematic despite a ban

Asbestos was banned in Switzerland in 1990, and the awareness of the health risks when renovating old buildings is high. But the carcinogenic fibres are seen by the majority as a problem of the past, a burden of the past indeed. At the same time, according to Suva, between 2014 and 2018, from on average 133 deaths per year as a result of occupational illness, 123 were attributable to the long-

term effects of asbestos (see page 7). The costs of treatments, disability pensions and daily allowances amount annually to over 80 million francs. The insidious thing about asbestos-related diseases is that the latency period – the temporal distance between contact with asbestos dust and onset of the disease – can be up to 40 years.

Ban Asbestos worldwide

Solidar Suisse has been campaigning for years for a worldwide asbestos ban. We are therefore supporting with our partner organisation the Asia Monitor Resource Centre (AMRC) the national stop-asbestos campaigns in India and Bangladesh and the regional campaigns in Southeast Asia (see page 4). We are also engaging via the international union of construction and woodworkers BHI in awareness training for construction workers in Africa so that they can demand protection measures and national bans (see page 6).

Workers at ship cemeteries in Chittagong, Bangladesh, are frequently exposed to asbestos without protective equipment.

It would be simplest to solve the problems at the international level. The World Health Organization (WHO) and the International Labour Organization (ILO) having been warning about the effects of asbestos for years. With the *Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade*, there is an international agreement which, while it does not ban hazardous substances, still provides for regulation of trade. It was signed in 1998, came into effect in 2004, has since been ratified by 165 parties and was intended to limit environmental and health risks arising from hazardous chemicals such as pesticides. The intention was to protect workers in agriculture, industry and construction and consumers in developing and newly industrialised countries.

Convention with design faults

The problem however is that the inclusion of a hazardous substance in the annex of the Convention requires the consent of all parties to the agreement.

More people die each year from asbestos than in armed conflicts.

This consensus principle allows each country with export interests to prevent a particular product's inclusion in the Convention. Thus four particularly hazardous pesticides and chrysotile asbestos (white asbestos) are currently blocked through a lack of consensus – asbestos since as early as 2006. The relevant committee at the time recommended the inclusion of chrysotile asbestos. But this has been blocked ever since by a small group of countries, led by Russia, at every conference of the parties (COP). And in the height of cynicism, these countries exploit the fact that asbestos is not covered by the Rotterdam Convention as an argument for its supposed harmlessness – thereby promoting their deadly product to the governments in Asia and other regions of the world.

Abolition of the consensus principle demanded

For this reason Solidar Suisse, as part of a network of global trade unions and NGOs, advocates reform of the Rotterdam Convention. Inclusion of asbestos and other hazardous chemicals in its annex must no longer be able to be prevented by individual countries. While this would not lead to a worldwide ban, it would increase awareness of the hazardous nature of asbestos and provide governments with arguments for drastically limiting the possible uses or imposing a national ban.

According to recent estimates over 200,000 people die every year of asbestos-related diseases. For comparison: in the year 2020, according to the Stockholm International Peace Research Institute SIPRI, all wars and armed conflicts put together resulted in about 120,000 deaths. Because of the continuing use of the highly dangerous substance in Asia and Africa high numbers of deaths can be expected for many decades to come. Asbestos is a time bomb. If it is not defused now, it will continue to lead to untold suffering, which would be avoidable with little effort.



What is asbestos?

Asbestos is a collective term for fibrous silicate minerals. These are industrially processed into high-strength materials which are resistant to heat and acid. Asbestos was long regarded as a "miracle fibre", until it was discovered that it can lead to serious pulmonary diseases such as asbestosis and lung cancer or to pleural cancer. Chrysotile or white asbestos is primarily used as reinforcement fibre in asbestos cement, with which the well-known corrugated roofing plates are manufactured. The biggest risk to health is asbestos dust, which is generated for instance during the manufacture of asbestos containing materials, building demolition or ship dismantling.

THE VOICE OF THE VICTIMS

Asbestos continues to be used in most Asian countries. The ABAN network is campaigning for an asbestos ban.

Text: Elaine Lu, Project coordinator Asia, Photo: ABAN



After years of struggle, Siti Kristina from West Java has achieved recognition of her asbestosis as an occupational disease.

After years of struggle, Siti Kristina from West Java has achieved recognition of her asbestosis as an occupational disease. In the Indonesian city of Bandung the use of asbestos containing materials is prohibited in all new buildings.

To achieve a national ban, governments need to be sensitised to the harmfulness of asbestos. In Cambodia representatives of victims are demanding the development of a national action plan. In Vietnam they

“I have asbestosis as a result of my work in a textile mill”, recounts Siti Kristina from West Java, who suffers from shortness of breath, coughing fits and weight loss. “Although I haven’t worked there for ten years, the fibres stick in my lungs and worsen my state of health from day to day.” Since her diagnosis Siti Kristina has been campaigning in the Asian Ban Asbestos Network (ABAN) for an asbestos ban in the countries of Asia.

First steps towards national asbestos bans

So far Nepal is the only country in the region to ban the import and use. But enforcement is lacking. Thus asbestos containing cement continues to be

“Many victims of asbestos receive the misdiagnosis of tuberculosis.”

imported and brake pads containing asbestos are exempt from the ban. ABAN is also pressuring provincial and local governments. Thus in the Indian state Bihar no further asbestos factories may be built and in Kerala no school roofs made from asbestos sheets may be installed.

have been advised about asbestos-related diseases and the labelling of asbestos containing products has been demanded. Further education of medical personnel and doctors on the diagnosis of asbestos-related diseases is also important, as many asbestos victims receive the misdiagnosis of tuberculosis. But only when affected workers are identified as victims of asbestos can they demand their rights.

The lies of the asbestos lobby

The asbestos industry exerts pressure on the governments of Southeast Asia in order to prevent asbestos being banned. Thus NGOs and activists in Pakistan have been threatened by the government and by companies. The asbestos lobby spreads false information on the effects of asbestos and even finances studies to refute the findings of the ban-asbestos campaigns. It further claims that the use of asbestos-free materials increases costs. Hence the ABAN network stresses the importance of a cost-benefit analysis and focuses on campaigns to label asbestos. ABAN is also trying to get financial institutions in the region to support an asbestos-free policy. Thus the Asian Infrastructure Investment Bank pledged in its environmental and social provisions in 2021 to ban the use of asbestos in its financed projects. These are early successes of local activists who know what they are talking about. The victims must be heard all around the world.

LIES, THREATS, SPYING

The asbestos lobby will stop at nothing to stave off a ban on their deadly industry.

Text: Laurie Kazan-Allen, IBAS, Cartoon: Andy Vine

Lying to governments, spreading false information, spying on activists, politicians and victim groups, bribing officials, union members and medical experts, making illegal deals and manipulating debates: for decades, the asbestos industry has pulled out all the stops in order to be able to keep selling its harmful products – in full knowledge of the deadly consequences. I bring up just a couple of examples here of how it will stop at nothing.

Hard-fought bans

Around a century ago, European asbestos cement manufacturers formed a cartel. They established largely illegal practices to protect their profits: price fixing, dividing up markets and anti-competitive agreements to tie in clients. When the US Environmental Protection Agency planned the gradual phasing-out of asbestos use in the mid-1980s, the lobby fought this with every possible means, actively supported by the Canadian government. Their claims unfortunately met with success: on 18 October 1991 the American asbestos ban and the gradual phase-out were overturned: as of 21 February 2022, asbestos has no longer been banned in the US.

After the decision to lift the US ban the French government for its part announced a ban in 1996; as a countermeasure, Canada made a complaint to the World Trade Organization (WTO). However, on 12 March 2001 the WTO Appellate Body confirmed the right of the governments of its member states to protect their citizens from toxic substances such as asbestos.

Punishments by the lobby

Elsewhere the asbestos lobby managed to stave off anticipated bans: when the Brazilian Supreme Court banned asbestos in 2017, the Brazilian asbestos producing state Goiás passed a bill permitting continued extraction. In 2018 the Russian government imposed an embargo on the import of Ceylon tea to punish the Sri Lankan government for its planned ban on asbestos imports, whereupon the plans were unceremoniously

abandoned. In June 2017 the Ukrainian ministry of health announced an asbestos ban – it was annulled by the ministry of justice and the state regulatory bodies. When the Ukrainian parliament proposed a ban on asbestos in February 2021, the industry reacted with asbestos promotion and the false report that, in the event of adoption, all asbestos roofs would need to be removed. Owing to the conflict in Ukraine the Russian asbestos industry could not itself intervene, so the Kazakh ambassador to Ukraine and the Kazakh minister of trade and integration took on its lobbying role. The ban continues to be in abeyance.

Spied-on activists

To these and other known interventions can be added what takes place behind closed doors. The asbestos industry can only prosper in countries in which there are no democratic institutions that could hold them accountable. And it pays PR people, lawyers and politicians to avert bans. Like many other activists, I was also forced to become acquainted with the ugly face behind the mask. From 2012 to 2016 I was targeted by a British spy, who received over 600,000 dollars to learn about the activities and plans of the Global Ban Asbestos Network. The covert operation with the codename “Project Spring” was commissioned and paid for by shady Eastern Europeans with links to the asbestos industry. But we will not be intimidated. The future is asbestos-free.

Further information: www.ibasecretariat.org



"IT'S THE POOR THAT GET SICK"

Asbestos is not banned in most African countries and continues to be used or even extracted in mines. The Building and Wood Workers' International is campaigning for an asbestos ban.

Text: Katja Schurter, responsible editor of Solidarity, Photo: Kevin Walsh

"The laws are not being enforced", opines Crecentia Mofokeng to the question of how it is possible that asbestos is still being used for instance in South Africa or Mozambique despite a ban. "But most African countries have not even banned asbestos – and Zimbabwe continues to extract it. That must stop." The officer of the Building and Wood Workers' International (BWI) responsible for Africa and the Middle East is therefore advocating for a worldwide asbestos ban.

A substance for the poor

She knows why asbestos is still being used. "Because it's cheap. There is a gulf here between poor and rich. It's the poor that get sick." For example workers, but also their families and communities, who are exposed to the dust, those who bring it home, or who live in houses contaminated with asbestos. Asbestos continues to be used in cars, tyres, conduits and cement. Most workers have no idea how dangerous the fibre is. The BWI campaign therefore relies on awareness raising and information about how to protect yourself. "We have already reached 10,000 workers with our flyers on banning and protection from asbestos. On 28 April 2021,

Memorial Day, we commemorated all dead workers with a memorial tree. Asbestos is a killer." 125 million people worldwide are exposed to asbestos at their workplace; concrete figures for Africa are lacking. "Deaths are not reported and workers not told about them", says Mofokeng.

Pressure is needed

However, it is not only workers who are not well informed about the dangerous nature of asbestos, but also employers and governments. BWI is therefore also active in tripartite negotiations with representatives of governments, employers and trade unions. "A strong trade union movement is needed for governments to move", knows Mofokeng from experience. "Russia, Brazil, Kazakhstan and China continue to produce asbestos and export it to developing and newly industrialised countries that cannot afford any expensive material. They spend a lot of money on advertising their products and spread lies about their harmlessness. And our China-friendly governments permit the laws to be broken", she says angrily. "When it would be relatively simple to use other materials." Mofokeng is demanding national bans that are also enforced, and that asbestos finally be included in the Rotterdam Convention, so that workers must give informed consent when asbestos is used – which would amount in actuality to a worldwide ban. The question remains how the removal of asbestos can be carried out safely: "How can we prevent the air being polluted and people put at risk again in the process?" A problem that has not yet been solved in Switzerland either.



Asbestos mine in Mashaba in Zimbabwe.

ASBESTOS IN SWITZERLAND: STILL A DANGER

Over 30 years after the banning of asbestos, the sequelae, the compensation of victims and exposure are still ongoing problems.

Text: Vasco Pedrina and Dario Mordasini, former responsables for trade union campaigns against asbestos, Photo: Unia

Switzerland banned asbestos in 1990 as one of the first countries to do so. Tardy in view of the fact that there had been reports in various countries about deadly asbestos-related diseases as early as the start of the 20th century. At the same time not a matter of course, as the location of Eternit AG, one of the largest manufacturers of asbestos-containing products.

Trade unions grind out an asbestos ban

The health risks of asbestos were scarcely an issue outside professional circles until the end of the 1970s. A major reason for that lies in the long latency period between exposure and onset of the disease. In the mid-1980s unions launched a multi-year campaign on the use of asbestos and the associated health risks. This brought the problem of asbestos into public consciousness: surveys were carried out at the workplace, demands by experts for an asbestos ban prepared, abuses denounced in the media, political forays tabled. Little by little, this led to the turning point. A further contributory factor was the change in thinking of Stephan Schmidheiny, the then main exponent of the asbestos industry.

Compensation of all victims: better late than never

It was not until 2017 that a compensation fund for victims was established, representing significant progress. But support and compensation are still only partially solved. Thus asbestos victims who have come into contact with asbestos “indirectly” – for instance women who washed their husbands’ contaminated work clothes at home and became sick as a result – receive no casualty-insurance benefits.

The problem of the statutory limitation of legal claims has not been resolved and not all workers who are sick as a result of exposure to asbestos know that they have an entitlement to insurance benefits – above all migrants who have become sick after returning to their countries of origin. However, the engagement of trade unions and asbestos victim associations have achieved successes here: the statutory period of limitation for bodily injury was



Opening of the exhibition “100 asbestos dead” in the Piazza Riforma in Lugano on 28 April 2010.

doubled to twenty years at the start of 2020, the compensation fund mentioned above considers first asbestos victims whose illness has not been recognised as an occupational disease; returned migrants are being contacted and informed about possible insurance claims. But these measures are not yet enough.

Hazardous asbestos demolition

As asbestos was used in many buildings in Switzerland, the risk of being exposed to asbestos persists 30 years after the ban came into effect, particularly in renovation and demolition work. Prevention measures in handling asbestos therefore remain as important as ever. It is also not possible to exclude the possibility of the (illegal) import of asbestos-containing products, for example brake pads – which is not widely known about. If nothing else Switzerland, and other countries where asbestos is banned, must commit to a worldwide ban. As does Solidar Suisse in collaboration with the trade unions.



Photo: ILO

OCCUPATIONAL SAFETY AND HEALTH AS FUNDAMENTAL WORKPLACE RIGHTS

Why health and safety in the workplace should become fundamental workplace rights, explains Manal Azzi, expert at the International Labour Organization ILO.

Interview: Katja Schurter, responsible editor of Solidarity

What are the greatest challenges to guarantee safety at the workplace?

That depends on the sector, the country and its development, but diseases and accidents at the workplace are a big problem in general. The traditionally dangerous sectors include agriculture, the building industry and mining, but psychosocial risks are increasingly coming to the fore: suicide, burnout, anxiety, depression. This has further intensified with the corona pandemic. But it's also problematic that workers are exposed to toxic substances. The outsourcing of production to subcontractors in supply chains and informal work contracts increase the risk. Prevention and safety are inadequate in too many places, as is data availability, which is why we are dependent on estimates.

At the annual international ILO conference in June, occupational

health and safety are to be declared a fundamental right.

We have been campaigning for that for almost four years. The existing fundamental principles and rights at the workplace – no forced labour, no child labour, no discrimination, freedom of association – are expected to be supplemented by this fifth one. That would decisively alter the significance of health and safety at the workplace, as all countries have to abide by the core labour standards, whether they have ratified them or not.

What resistance was there?

It was said that the right to occupational safety and health is complex and cannot really be guaranteed, which indeed is a problem with all rights. The main concern was on the one hand which ILO Conventions would be associated with it, and on the other the effects on existing Free Trade Agreements (FTAs). Do FTAs automati-

cally have to fulfil the fifth principle? Or do they first need to be adapted? That can be decided by the respective government.

We want workers to have the right not to be exposed to any hazardous conditions, and that will be defined by whoever is responsible. The focus is on prevention and access to expertise and instruments to enforce this right.

What will change for workers when health and safety at the workplace becomes an ILO Core Convention?

It would become a national priority with budget, resources, increased capacities. The launch of projects and global campaigns would result in better protection. In addition, workers campaigning for occupational safety and health could refer to it.

Would it also have an impact on how asbestos is dealt with in countries where it is still not banned?

Asbestos is not explicitly mentioned. But the obligation to report on how toxic substances are dealt with would be increased in general, and as asbestos is known to be carcinogenic, a safer workplace would have to be asbestos-free.

Further information on the work of Solidar Suisse for a global ban on asbestos: <https://solidar.ch/en/cop10/>

