

The Failure of International Organizations to Achieve a Global Ban on Asbestos

Kathleen Ruff, April 2015

Over a century ago, in 1898, factory inspectors in the UK identified asbestos as causing harm to workers' health. By the 1940s, Germany recognized asbestos-related lung cancer as an occupational disease. By the 1960s, the scientific evidence was clear that increasing numbers of workers were dying from asbestosis, lung cancer and mesothelioma caused by asbestos.

For the next two decades, using the same corrupt tactics employed by the tobacco companies, the asbestos industry succeeded in maintaining its sales by denying the scientific evidence, hiring scientists to manufacture doubt and exerting political influence.

Hundreds of thousands of workers died, and continue to die painful, preventable deaths because the asbestos industry, for so many years, defeated the efforts of workers and health experts to ban asbestos.

By the end of the 1980's, however, the industry seemed finally doomed to extinction. Faced with epidemics of asbestos-related diseases, industrialized countries, that had been the industry's customers, banned or stopped using asbestos. In the few years between the end of the 1980s and the mid 1990s, asbestos sales plummeted from 5 million tons a year to around 2 million tons.

Role of UN and international organisations

In light of this public health catastrophe that asbestos had caused, the move by industrialized countries to end asbestos use should have immediately expanded to a global ban. If asbestos killed workers in Europe and the US, it would surely kill workers in Asia, Africa and South America too.

Instead of a global ban, however, the industry launched a determined campaign to create new markets and new victims in developing countries. UN Conventions that

protect the global right to health proved ineffectual to stop this environmental racism, whereby people in privileged countries were protected, but people in the poorest countries were targeted by a deadly industry.

UN Conventions proclaim the universal right to health without discrimination. These fine words are not, however, backed by effective enforcement mechanisms. The World Health Organization (WHO), the International Labour Organization (ILO) and the Rotterdam Convention (RC) all have as their mandate to protect workers' health. But, in the face of a ruthless industry, backed by a handful of complicit governments, these UN agencies have proven powerless to stop the increased use in developing countries of a known, deadly product.

The asbestos industry increased its sales in Asia, which today consumes 70% of global asbestos production, and the industry has successfully maintained sales of around 2 million tons a year for the past twenty years.

Globalization protects corporate power, not human health

The contrast is blatant between the powerful enforcement mechanisms provided to international institutions that protect corporate interests, such as the World Trade Organization and multi-national trade agreements, and the lack of enforcement powers for international institutions that protect workers' health, such as the WHO, ILO and RC.

The G7 countries, where powerful multinational corporations are mostly based, ruthlessly enforce rules to protect the interests of these corporations. Yet when it comes to asbestos, and other issues affecting workers' rights, we see a sudden impotence to enforce international health standards put forward by the WHO, ILO and RC.

In 2006, noting that all forms of asbestos are recognized carcinogens and that workers continue to face serious risks from asbestos exposure, the ILO passed a resolution calling for an end to asbestos use as the most effective means to protect

workers from asbestos exposure and to prevent future asbestos-related diseases and deaths. In the same year, the WHO adopted the same position.

These were important and valuable actions. Yet, at the World Health Assembly in 2007, a tiny number of countries, allied to the asbestos industry, obstructed a call for an end to asbestos use to be included in the Global Plan of Action for Workers' Health. Instead, the Global Plan that was adopted by the WHA called for "global campaigns for elimination of asbestos-related diseases – bearing in mind a differentiated approach to regulating its various forms."

The scientific evidence is indisputable that all forms of asbestos are deadly. For the past century, 95% of all asbestos sold has been chrysotile asbestos. By 2007, chrysotile asbestos represented 100% of the global asbestos trade and the industry was determined to continue selling it, using the deception that chrysotile asbestos could be safely used. The convoluted wording on asbestos of the WHA Global Plan of action was a ploy to try to create confusion so as to protect the profits of a deadly industry, whose product had already been banned by industrialized countries.

Furthermore, the asbestos industry has sought relentlessly to sabotage efforts by the ILO and WHO, through national action plans and conferences, to stop the use of asbestos in developing countries. The ILO and WHO have no clout to achieve their goals. They can only recommend and even worse, their efforts are dependent on the permission of countries whose governments have been corrupted by the asbestos industry. Thus in the countries where asbestos use is increasing and where UN efforts are most desperately needed, they are virtually absent.

In Indonesia, for example, the import of asbestos increased by 400% between 2006 and 2012. Asbestos is being used in textile factories - one of the most appallingly dangerous ways of handling asbestos. In India, between 2006 and 2012, asbestos import increased by almost 200% to reach a total of just under 500,000 tons in 2012.

In countries where the asbestos industry has political influence, the WHO and ILO dare not promote the policy of the WHO and ILO to end all use of asbestos. They are silenced.

Contrast this to the aggressive interventions that take place in every part of the world to enforce international agreements protecting corporate interests, such as intellectual property rights.

Rotterdam Convention: Failure to enforce minimal safety standards

The Rotterdam Convention has a modest mission: it is to promote responsible trade in hazardous substances. It does so by requiring that minimal safety measures be followed, such as warning labels, and that “prior informed consent” be obtained before a country exports a hazardous substance that has been listed under the Convention.

The Chemical Review Committee (CRC), composed of 32 scientists from around the world, decides if a particular hazardous substance should be listed. The criterion is that the substance has been banned or strictly regulated for health and safety reasons in at least two different regions of the world.

In 2006, 2008, 2011 and 2013, a tiny handful of countries allied to the asbestos industry held the rest of the world hostage and refused to allow the CRC recommended to list chrysotile asbestos to be approved, even while they acknowledged that this recommendation met the scientific and legal criteria of the Convention.

Politics trumped health. The profits of the asbestos industry trumped the lives of workers. The inability of UN agencies to protect the right to health of workers was, once again, exposed. The need is urgent for workers and activists to organize and change the world’s priorities so international agencies protect human life, not corporate profits.