

To

Independent Peoples Tribunal on the World Bank Group

Subject-Continued trade and use of asbestos in India and World Bank

Hon'ble Jury Members,

The World Bank Group (WBG) finances huge infrastructure projects all over the world including India but has no formal restrictions on the use of asbestos-cement (A-C) sheets and pipes in these projects. Over 90 percent of all asbestos used today is in A-C sheets and pipes, and this production is concentrated in poor countries.

The World Health Organization (WHO), the International Labor Organization (ILO), and the International Social Security Association (ISSA) have all called for a global ban on asbestos use.

Despite this, asbestos consumption is rising dramatically in India, China, Thailand, and other countries. The International Program on Chemical Safety has condemned the use of asbestos in construction materials as especially dangerous because of the large number of workers in construction and the extreme difficulty of protecting them. The continuing usage of these materials constitutes a danger to workers manufacturing the products and communities exposed to wastes and air pollution from manufacturing and construction sites. The buildings and pipelines installed today will pose dangers for future generations of people in the countries where they are used, if they contain asbestos.

All forms of asbestos except Chrysotile Asbestos is banned in India. Mining of asbestos is also banned since no new lease for asbestos mining is allowed. The export and import of asbestos waste (dust and fiber) is also banned as per Hazardous Waste (Management & Handling) Rules, 2003. But import of Chrysotile asbestos is still allowed despite ban in some 40 countries due to incurable but preventable cancer caused by this killer fiber in the name of its continued mythical "safe and controlled use".

Asbestos is processed through various methods and used for making cement products, gasket sheet material, friction material, heat resistant textiles, some special applications like in paints, thermoplastics etc. In addition it is used for textiles, laminated products, tape, gland packing, packing ropes, brake lining and jointing used in core sector industries such as automobile, heavy equipment, petro-chemicals, nuclear power plants, fertilizers, thermal power plants, transportation, defense. It is used in manufacture of asbestos cement roofs, pressure and non pressure pipes, sewage, irrigation and drainage system in urban and rural areas etc.

Asbestos-related diseases constitute the largest occupational epidemic of the 20th century; this global scourge has been acknowledged by reputed medical journals like the British Medical Journal (January 31, 2004).

Despite this knowledge, no attempt has been made to quantify the total number of asbestos victims in India despite the national asbestos crisis. Asbestos is a proven human carcinogen (a substance which can cause cancer). No safe level can be proposed for asbestos products because there is no threshold of exposure which is not safe. Asbestos accumulates in the body; the microscopic fibers which lodge in tissues are time bombs that can cause cancer years later. Since asbestos exposure is cumulative, young people are in particular need of protection.

While asbestos imports and use continues to grow in countries like India, its use has decreased significantly in developed countries. Canada exports almost all of the asbestos (more than 96%) mined in the country, especially to Asia, including India, whereas asbestos use in Canada is almost non-existent. In the US, demand for asbestos has continued to decline and a Ban Asbestos Act is on the Congressional agenda. The developed world has responded to the asbestos health catastrophe with bans on the use of asbestos. On the contrary, asbestos use is expanding in India and the government actively colludes with the asbestos industry by instituting pro-asbestos measures such as the reduction of taxes on asbestos imports. The reduction of import duty, reduces the cost of asbestos and thereby gives harmful asbestos-containing products a price advantage over safer materials.

Although the Supreme Court of India has directed Union and State Governments to take action consistent with ILO resolutions and the ILO Convention on Asbestos, Ministries in India have not taken action in pursuance of ILO's Resolution on Asbestos dated 14th June, 2006 stating "the elimination of the future use of asbestos and the identification and proper management of asbestos currently in place are the most effective means to protect workers from asbestos exposures and to prevent future asbestos-related disease and deaths.". Even if the use of asbestos products is discontinued there are and will be a massive number of victims from past asbestos exposures. This is what has happened elsewhere and there is no doubt the asbestos epidemics which have occurred in the US, Europe, Australia and Japan will be replicated in India and other asbestos consuming countries.

... Information revealing the dangers to human health of exposure to asbestos was available over 60 years ago.. Despite the efforts of the asbestos industry to suppress negative findings, during the 20th century epidemiological studies and medical data conclusively proved the link between asbestos and a number of debilitating and fatal diseases.

.Urgent action is needed in India and elsewhere to end the needless slaughter caused by this environmental and occupational health catastrophe

The World Bank should adopt a formal policy of forbidding asbestos in all of its projects and require the use of safer substitute construction materials. Such substitution is feasible as shown by the bans in more than 40 countries.. The World Bank should also adopt best practice guidelines for the minimization of asbestos exposures in projects where in-place asbestos materials are disturbed by renovation or demolition activities.

The World Bank should support the asbestos action program just started by the WHO (See: http://www.who.int/occupational_health/publications/asbestosrelatedddiseases.pdf) and use its influence and leverage to press for the cessation of asbestos use all over the world.

The report of retired World Bank environmental official Robert Goodland, "Sustainable Development Sourcebook for the World Bank Group's Extractive Industries Review: Examining the Social and Environmental Impacts of Oil, Gas, and Mining" (3 December, 2003). Policy options for asbestos (p. 141) included, "5. The WBG should work with the rest of the UN system to foster a global ban on asbestos." Other policy recommendations were,

1. The WBG should not provide support for any asbestos-containing products, even indirectly, including through mining, manufacture, commerce and use. The rest of the WBG should follow the lead of IFC, which has put asbestos on its Exclusion List.
2. The WBG should actively assist with the safe removal and disposal of asbestos, and adopt a best practice demolition code.
3. The WBG should support asbestos manufacturers in developing countries to switch out of asbestos-containing products and into less risky products.
4. The WBG should support victims of asbestos exposure, including litigation for compensation of victims, and/or the creation of a financial compensation mechanism akin to the mechanism being explored in the case of toxic mine waste and the toxic lagoon legacy issue taken up by the Extractive Industry Review (See eireview.net)

The World Bank must explain why it has not taken the recommended actions.

Yours faithfully

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