European Charter for Asbestos Victims: Supporting the Injured, Preventing Future Tragedies

Preamble

The Charter of Fundamental Rights of the European Union (EU) asserts the right to life, the right to the integrity of the person as well as workers’ rights to information. The European Convention on Human Rights clearly states that “everyone’s right to life shall be protected by the law.” And even so, citizens in the EU as well as in accession and candidate countries continue to die from avoidable diseases caused by exposure to asbestos.

At its 1975 peak, Europe’s use of asbestos accounted for 33% of global consumption.\(^1\) Given the long latency period of asbestos diseases, exposures which took place then are now producing an epidemic of cancers and respiratory diseases.

Prevention

The only way to eliminate asbestos diseases is a complete avoidance of any exposure to any type of asbestos. There is no known “safe dose,” even low exposures have been proven to cause fatal asbestos-related diseases. The only way to prevent exposure is to remove all asbestos and asbestos-containing products in a controlled and safe manner.

It is recommended that a coordinated mandatory program with input from all stakeholders, including asbestos victims, be implemented to decontaminate Member States as well as accession and candidate countries; a 2030 deadline for an asbestos-free Europe is suggested. Legislation to set up training, certification and supervisory schemes for asbestos removal companies to ensure compliance with rigorous standards in all 27 Member States should be adopted. Asbestos removal programs could be incorporated within programs to make buildings more energy efficient.

Until the removal of hazardous products and the clean-up of former dumpsites have been achieved, it should be made compulsory for potential sources of exposure to be located, recorded and managed. Asbestos audits of public and private buildings along with periodic checks to ensure compliance with asbestos management protocols should be made mandatory; these records should be freely available to all building users and maintenance workers. Asbestos audits and decontamination of schools must be a priority.

Working with stakeholders, EU agencies and personnel need to identify and promote the use of safer alternatives at home and throughout the world.

Victims’ Rights

All sufferers from all asbestos-related diseases, regardless of the source of their exposure, their disease or employment status, need appropriate and timely medical treatment, financial recompense, practical and psychosocial support and the right to

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\(^1\) The basis for this statement is asbestos consumption data provided by the United States Geological Survey. The amount of asbestos used in the Soviet Union was subtracted from the total consumption figure given for Europe.
early retirement without loss of benefits; all individuals heavily exposed to asbestos at work should be entitled to early retirement. Post-occupational follow-ups should be undertaken with the goal of making early diagnoses of asbestos diseases.

Centres of medical excellence for asbestos-related diseases are to be established and research funds provided. Programs to track the occupational and residential histories of the injured should be conducted to identify asbestos hot spots and take remedial action.

**Information**

A service at national levels providing information on the asbestos hazard and appropriate means for dealing with it should be set up under an EU umbrella which makes use of all relevant technologies: a Freephone service and website as well as the latest technology - digital applications and smartphones – should be used to disseminate information to all age groups. Younger workers are at particular risk due to the absence of asbestos training schemes; mandatory asbestos modules should be included as part of vocational courses for at-risk trades and professions. Information campaigns for home owners and do-it-yourself handymen should be undertaken.

**Costs**

It is recommended that in all cases, the “polluter pays principle” be followed. Where former companies and their insurers are either unknown or have filed for bankruptcy, the State must cover the costs; loans should be provided by the EU for national programs.

**Conclusion**

We call on elected representatives and institutions, including the European Parliament, the European Commission and The Council of Europe, to devise and implement a European Asbestos Action Plan to address the needs of those already injured by asbestos and prevent future exposures. It is recommended that legislative and judicial options be explored by which asbestos stakeholders can be held to account for business decisions and government policies which endanger human beings as well as the environment; the concept of ecocide\(^2\) should be embraced by EU bodies.

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\(^2\) Ecocide is the extensive damage to, destruction of or loss of ecosystem(s) of a given territory, whether by human agency or by other causes, to such an extent that peaceful enjoyment by the inhabitants of that territory has been or will be severely diminished.

See: [http://eradicatingecocide.com/](http://eradicatingecocide.com/)