



Declaration of Berlin

Health hazards due to asbestos and the situation of the asbestos-related diseased

We have known of a link between asbestos and lung disease since the beginning of the 20th century. The link with mesothelioma and other tumour entities has only been known since the 1960's. Unfortunately, the number of cases of mesothelioma in industrialised countries is expected to peak within the next 20 years.

- There is currently sufficient evidence demonstrating that asbestos causes cancers of the lung, larynx, ovary and pleural and peritoneal mesothelioma in humans.
- All types of asbestos fibres are carcinogenic to humans. The various types of fibres increase the risk of the above cancers to different extents. Both cigarette smoking and asbestos exposure increase lung cancer risk, and when they are present together they act in a multiplicative fashion.
- **Occupational exposure** to asbestos occurs in mining and milling of asbestiform minerals, as well as of minerals embodied in rocks that contain asbestiform fibres. Occupational exposure also occurred in the construction, thermal and electrical insulation, roofing, friction materials, cement, textile and ship-building industries.
- In the many countries where asbestos use has ceased or been banned, exposure remains a problem in homes, workplaces and public buildings, where the substance was used in the past and not removed. Dangerous exposure most likely to occur in people working in the building, maintenance and construction sectors and in those working as plumbers, electricians, carpenters and similar trades may unknowingly disturb, release and inhale asbestos fibres in the course of their duties. It is assumed that 3,000 different uses are existing.
- Asbestos exposure may also occur in individuals living in the neighbourhood of asbestos industries and people who live in household of asbestos workers (e.g. someone washing work clothes). The general population may be exposed to asbestos from the decay of asbestos-containing building materials, or through undertaking home maintenance or renovation.
- **Between 1994 and 2008 a total of 92,253 mesothelioma deaths were reported across 83 countries. The number of lung cancer deaths caused by asbestos is likely to be at least as many and more likely double this figure adding approximately another 180,000 deaths caused by asbestos exposure.**

Time to learn from past mistakes

The majority of industrialised countries have virtually ceased using asbestos and over 50 countries have passed laws banning its use. Consequently, the asbestos industry, to establish new markets, is promoting the use of asbestos in low-to-middle income countries, particularly in Asia, and has created lobby organisations to achieve this goal.

In spite of the scientific evidence and calls to end all use of asbestos by many organisations including the World Health Organization, the World Federation of Public Health Associations, the International Commission on Occupational Health, the International Social Security Association, the International Trade Union Confederation and the World Bank, the use of asbestos is increasing in low-to-middle income countries. There is little awareness in these countries of the risk that asbestos poses to health; in addition, safety regulations are weak to non-existent. If unstopped, this continued and increasing use of asbestos will lead to avoidable asbestos-related cancers, lung diseases, premature death and the related human and economic burden for decades to come in those countries, repeating the epidemic we are witnessing today in industrialised countries that used asbestos in the past.

The UICC Position and Recommendation to Governments

- Calls for a global ban on the mining, use, and export of all forms of asbestos;
- Calls specifically on all asbestos exporting countries to respect the right to health by ceasing the mining, use, and export of asbestos, and providing transition assistance to their asbestos-mining communities;
- Calls specifically on the all asbestos-using countries to cease use of asbestos.
- Urges all countries that have used asbestos to inform their citizens and their healthcare professionals of the hazards of asbestos and to implement safety measures to monitor the health of citizens who are likely to have been exposed at any point in their lives. To facilitate this, an inventory of asbestos already in place is needed. Particular attention should be given to schools and places where children are present.
- Governments around the world are urged to provide the best possible care and treatment and where appropriate palliative care to all individuals diagnosed with an asbestos related disease. Further these people should be provided with access to appropriate compensation for illness, loss of earning capacity and suffering and be connected with relevant support groups and networks.

Particularly relevant for Germany

According to estimates of the German accident insurance institutions 190,000 of approximately two million former asbestos-exposed workers may suffer from asbestos-induced diseases. Official statistics indicate that 30,000 to 40,000 individuals died from occupational diseases caused by asbestos in all. But in only a small fraction of cases were the occupational diseases officially recognized.

Currently only one in five claims for asbestos-related lung cancer is recognized; the figure for the number of these claims which are compensated is much lower. It is believed that the number of people dying from asbestos-related diseases is more than twice the official figures.

Given the current situation, it is not surprising that so many asbestos victims fail in their attempt to obtain compensation. The need for a patient with an asbestos-induced tumor to provide evidence of asbestos exposure which took place in the workplace decades earlier is both callous and impractical. It is unacceptable that as they face their death, many asbestos victims still have to fight for their rights through lengthy court proceedings with time-consuming and energy-sapping lawsuits. Rigid bureaucratic protocols further marginalize victims. The requirement by the accident insurance institutions that asbestos fiber counting of lung tissue is a prerequisite for making a claim has been shown to be scientifically invalid as well as inhumane.

We are asking the Federal Government of Germany to support asbestos victims in their struggle to obtain their human rights: the right to have their asbestos-related occupational disease recognized and the right to be compensated for this disease. We respectfully request that the following actions be taken

- In occupational disease claims, the burden of proof should not fall on the victims; it should be up to those who caused the disease (or their insurers) to show that the disease was not caused by asbestos.
- In cases where asbestos-related disease recognition was refused due to low asbestos fiber body counts in lung tissue, reviews of these decisions should be carried out as a matter of urgency with a view to compensating the injured.
- Occupational asbestos-related diseases which result from household exposure to asbestos must be recognized!
- Government protocols should be updated in line with current thinking. The need for a detailed occupational history and an estimation of hazardous exposures experienced by claimants should be part of the diagnostic process; professional input by expert witnesses is of utmost importance.
- Consistent implementation of the S2k guideline "Diagnosis and assessment of asbestos-related occupational diseases"

Signed:

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European Federation of Building and Woodworkers (EFBWW)

Metalworkers Union Germany

Industrial Union Building