

International Ban Asbestos Secretariat

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Campaigning for a global asbestos ban and justice for all asbestos victims!



Industry Minister Chakramon Phasukavanich
Rama VI Road, Rachathevi
Bangkok, Thailand
Website: <http://www.industry.go.th/industry/>

Re: Banning Asbestos in Thailand

January 11, 2015

Dear Minister,

We have read your comments reported in the Bangkok Post on January 10, 2015 in the [article entitled: Russia keen on closer ties](#). In that feature you are quoted as saying:

“If the use of asbestos is banned by law, it would be retroactively applied and the burden to replace all products that contain asbestos would fall on the government. This would require a lot of money.”

Fifty-five countries around the world have banned the use of asbestos; in no country which has done this has there been any retroactive action required by the government to finance the replacement, removal or disposal of asbestos-containing products.

On the other hand, in countries which have delayed action on asbestos, such as Japan, courts are increasingly passing judgments which hold the government liable for negligence in allowing asbestos use to continue. On October 9, 2014, Japan’s Supreme Court condemned the Government for failing by 1958 to have legislated that factories be equipped with mechanical measures to remove asbestos dust from the air. The Government’s failure to take timely and appropriate action was “extremely unreasonable” as well as “illegal,” the Court ruled. As a consequence, the Government was liable for asbestos-related diseases contracted by individuals occupationally exposed to asbestos prior to 1971. Other authorities have also been indicted by national and European Courts for their inaction including the Governments of Switzerland, Malta and France.

What possible defense will the Government of Thailand produce for future asbestos personal injury lawsuits brought over its failure to prohibit the use of this toxic and carcinogenic substance? Who would accept assertions that in 2015 the dangers to human health of exposure to asbestos were not known in the face of well-established ban asbestos policies of the World Health Organization, the International Labor Organization, the International Agency on Research on Cancer and other major international bodies tasked with protecting occupational and public health.

Continuing to use asbestos in Thailand is a crime against the people of Thailand. While Russian commercial and government stakeholders might prosper from sales of asbestos to your country, the Thai people will pay the price in ill health and premature deaths. In the end, you will be left with an environment and infrastructure that is grossly contaminated and it will cost billions of bahts to clean up the mess the Russians leave behind. When that time comes, the Russians and their Thai counterparts will walk away from their liabilities to the people they have killed and the environment they have polluted. It will, ultimately, be left to the Thai Government to pay the claims of the injured, support the families of the dead and clean up the deadly pollution.

We hope to receive clarification regarding your position on this issue within the coming days in particular the comments quoted by the Bangkok Post. Failing that, we will have to draw our own conclusions as to your motivations for alleging something which is so clearly untrue.

Sincerely,

Laurie Kazan-Allen

Laurie Kazan-Allen
Coordinator: International Ban
Asbestos Secretariat