

AUSTRALIA'S RESPONSE TO AN ASBESTOS PANDEMIC: NATIONAL, REGIONAL AND GLOBAL

Laurie Kazan-Allen¹

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Setting the Scene

Australia has implemented significant initiatives to address the country's devastating epidemic of asbestos-related diseases. Australian asbestos victims have led the campaign for improved medical care, more research funds and increased compensation for the injured. Politicians have not only expressed their support for the injured but have taken decisive action on the country's asbestos legacy. Australian researchers have been at the cutting edge of work to find new treatment protocols and eventually cures for deadly asbestos-related diseases and trade unionists have launched programs to raise asbestos awareness at home and abroad.

In light of all this mobilization, you might well ask why we are meeting at a workshop to consider Australia's asbestos policy. The answer is simple: as long as asbestos contamination remains, the campaign for asbestos safety must persist. Even though Australia banned the use of asbestos in 2003, the risk of exposure to workers, home renovators and members of the public continues. As Bill Shorten said in his first ministerial statement on workplace health and safety:

“every Australian who goes to work should return home safely... Australians, of course, deserve to be safe once they are at home too. Safety of our citizens is a fundamental role of government. But there is a clear and present danger to our workplace and domestic safety, and I speak of asbestos.”²

The imminent hazard posed by asbestos in the built environment was reinforced in the wake of January's (2013) bushfires in Tasmania and February's floods in New South Wales. Natural disasters bring to the fore what most of us would prefer to forget: our ill-advised use of products which make toxic exposures a routine occurrence.

Asia's Asbestos Hazard

The asbestos hazard transcends national borders. In December 2004, Ian Cohen, a member of the New South Wales Legislative Council, was on holiday in Sri Lanka. In his eye witness report to the New South Wales Parliament about the Boxing Day tsunami, he said: “a great deal of asbestos [was] spread around that coastal area. As the houses and buildings were destroyed, asbestos was broken up. It was being cleared by hand and bulldozer without

¹ Laurie Kazan-Allen is the Founder and Coordinator of the International Ban Asbestos Secretariat [website: <http://www.ibasecretariat.org>]. She is also the Publisher and Editor of the British Asbestos Newsletter [website: <http://www.britishasbestosnewsletter.com>]. She can be contacted by email at: lka@btinternet.com

²Statement by Minister Bill Shorten to House of Representatives: *Asbestos Management Review*. August 16, 2012. http://parlinfo.aph.gov.au/parlInfo/genpdf/chamber/hansardr/a8785071-a01e-4d0b-bf4e-9e6ea9104940/0034/hansard_frag.pdf;fileType=application%2Fpdf

appropriate safety measures.”³ Putting asbestos into a structure makes us all hostages to fortune. Cohen was on holiday, hoping for sea, sun and sand. He did not go to Sri Lanka expecting to be exposed to a deadly toxin; but as we have seen by the Australian experience, by incorporating asbestos products into a nation’s infrastructure, we normalize the unacceptable.

As Australia seeks to further economic and strategic ties with its neighbours, many of which are avid consumers of asbestos, it is pertinent to remember a 2011 resolution adopted by the 46th National Conference of the Labor Party:

“Labor recognizes the impact of asbestos on the health of those who are exposed to it and the legacy that it will leave particularly on vulnerable people in the developing world where asbestos is still used. Labor will lead international calls for a global treaty to ban the use of and the trade in asbestos and will lead diplomatic efforts on this front including convening a Global Alliance against the Asbestos hazard Conference in Australia.”⁴

Many of the vulnerable people referred to in the passage above reside in Asian countries; indeed, the majority of asbestos use nowadays takes place in Asia. It is not coincidental that a region now regarded as the world’s economic powerhouse is also the preferred destination for asbestos exports.

Australia has recognized the opportunities offered by the rise of Asia; in a White Paper published just a few months ago (October 2012) entitled: *Australia in the Asian Century*,⁵ Prime Minister Gillard commented:

“Thriving in the Asian century therefore requires our nation to have a clear plan to seize the economic opportunities that will flow and manage the strategic challenges that will arise. There are also great social and cultural benefits to be had from broadening and deepening our people-to-people links across the region. Our nation has benefited from Asia’s appetite for raw materials and energy. The challenge we must now address is how Australia can benefit from what Asia will need next.”⁶

Contextualizing the 2011 Labor Party resolution within the Prime Minister’s challenge, leads us to an obvious conclusion: Australia has a leadership role to play in the campaign to ban asbestos in Asia.

Global Asbestos Panorama 2013

A double standard on asbestos exists in the 21st century; even as developed nations have banned or seriously restricted its use, demand in some industrializing countries remains strong. A recent analysis of data documenting the global asbestos trade reveals significant trends in demand and output over the last sixty years.⁷

³ Kazan-Allen L. *Indian Ocean Tsunami*. March 23, 2005.

http://ibasecretariat.org/lka_ind_ocean_tsunami.php

⁴ 46th Conference of the Labor Party. *National Platform of the Australian Labor Party*. Adopted December 2011.

⁵ <http://asiancentury.dpmc.gov.au/white-paper>

⁶ Australian Government. *Australia in the Asian Century White Paper*. October 2012.

<http://asiancentury.dpmc.gov.au/>

⁷ The asbestos production and consumption data are obtained from the United States Geological Survey (U.S.G.S).

Global Asbestos Production and Consumption Data
(tonnes)

Year	Production	Consumption
1950	1,290,463	1,266,929
1980	4,811,942	4,728,619
2011	2,034,700	2,066,649

There was a dramatic growth in the number of asbestos-using countries between 1950 and 1980. In the post-World War II period, the U.S. accounted for 51.5% of all consumption; 33.5% of total demand in 1950 came from 45 other nations. Although the USSR had emerged as the world’s biggest asbestos market by 1980, increasing demand was observed in scores of countries. Total worldwide usage almost quadrupled in thirty years from 1.3 million tonnes in 1950 to 4.7 million tonnes in 1980. By 2011, Russia had been supplanted by China as the world’s biggest asbestos market, with India in second place. Of the 50 countries accounting for nearly 85% of all use, only 35 consumed more than 500 tonnes of asbestos/year: twelve of them were in Asia.⁸

Geographical Shift in Asbestos Markets

Comparing global and regional use in 2000 and 2012 reveals: the growing importance of Asian asbestos markets, a 53% fall in the number of asbestos-consuming countries and a trebling of the number of national asbestos bans, seven of which were in Asia.⁹ Maps comparing levels of national asbestos consumption and the spread of asbestos bans in 2000 and 2012 are informative. Whereas the earlier image shows just a handful of countries with bans, the majority of which were in Europe, the later graphic reveals that asbestos has been banned on six continents. The timing of asbestos bans is shown in the table below.

Period	Years	National Bans Adopted	New Bans per Year
1982-1991	10	8	0.8
1992-2001	10	15	1.5
2002-2012	11	31	2.8

In the last ten years, more national bans have been introduced than in the preceding two decades.

While it is disappointing that annual demand for asbestos remains at around two million tonnes/year, the fact that markets have disappeared in so many countries is indicative of a significant change in the public’s perception of asbestos risks. Unfortunately, an aggressive

⁷ While, as of 2013, there are no asbestos bans in 9 of the 10 countries sharing mainland continental North America, Honduras banned asbestos in 2004.

⁸ According to U.S.G.S. data in 2011, these 12 Asian countries consumed 1,318,685 tonnes of asbestos which accounted for 64% of global use. Of the other major users, seven were in Eastern Europe, six were in Africa and ten were in the Americas.

⁹ The Asian ban countries are: Bahrain, Brunei, Japan, South Korea, Oman, Qatar and Saudi Arabia.

and forensically orchestrated propaganda campaign is holding back efforts to ban asbestos in key markets.¹⁰ Until 2012, industry initiatives to influence decision-makers in governments, trade unions and civil society were led by Canadian lobbyists. With the end of asbestos production in Canada, the torch has now been passed to Russia, the world's leading supplier of asbestos fibre.

Using a public relations plan of attack similar to that devised by tobacco strategists, asbestos stakeholders seek to create confusion: doubt is their product. By commissioning hired-gun scientists to undertake research aimed at supporting the assertion that white asbestos (chrysotile) can be used safely, they forestall the introduction of restrictions and prohibitions.¹¹ The longer the delays in banning asbestos, the more money asbestos producers in Russia, Kazakhstan and Brazil can earn.

Australia knows that ultimately the only way to protect human beings from asbestos is to ban its use. The Labor Party resolution to "lead international calls for a global treaty to ban the use of and the trade in asbestos" and its stated intention to convene "a Global Alliance against the Asbestos hazard Conference in Australia," indicate a willingness to share the Australian asbestos experience and national strategy with neighbouring governments. There is every reason to believe that the Ministers of Health and the Ministers of the Environment from China, India, Indonesia, Malaysia, Pakistan, the Philippines, Thailand and Sri Lanka would be eager to engage in discussions with their Australian counterparts on these subjects.

Australian Resources, Regional Needs

The attempt to quantify and address the challenges posed by the nation's asbestos legacy has encouraged the formation of unique campaigning organizations and innovative programs including the:

- Asbestos Diseases Society of Australia;¹²
- National Asbestos Summits 2010 & 2012;
- Parliamentary Group on Asbestos-related Diseases;¹³
- Australian National Centre for Asbestos-Related Diseases;¹⁴
- Australia-Asia Asbestos Research Cooperative;
- Asbestos Diseases Research Institute;¹⁵
- Office of Asbestos Safety;¹⁶
- Asbestos Free Future Initiative;¹⁷
- Asbestos Hazard Awareness and Action in Vietnam and Lao PDR.¹⁸

¹⁰ Ruff, K. *Russia crushes a plan by Thailand to ban asbestos*. March 1, 2013.

<http://www.rightoncanada.ca/?p=1926#>

¹¹ Chrysotile is the only type of asbestos traded globally.

¹² Kazan-Allen L. *A Quiet Anniversary*. January 27, 2010.

http://ibasecretariat.org/lka_quiet_anniv_0110.php

¹³ http://www.aph.gov.au/About_Parliament/Parliamentary_Friendship

¹⁴ <http://www.ncard.org.au/>

¹⁵ http://www.adri.org.au/about_adrf.html

¹⁶ Office of Asbestos Safety aims to finalize plans for a National Asbestos Strategy by June 30, 2013.

<http://deewr.gov.au/office-asbestos-safety>

¹⁷ <http://asbestosfreefuture.com.au/>

¹⁸ http://apheda.labor.net.au/projects/vietnam/pages/1330475767_31938.html

Unfortunately, elsewhere in the region little if anything is being done to address the tragic asbestos legacy even as deadly exposures continue to occur. New Zealand's current Minister for the Environment Amy Adams and former Minister for the Environment Dr. Nick Smith are both on record as denying the risk posed by the unmonitored import of asbestos-containing products. In February 2013, Adams wrote:

“The strict controls placed on asbestos and asbestos products already in New Zealand, and the declining level of international trade in these products will both assist in managing the risks posed by asbestos. However, if future evidence warrants further restrictions, your suggestion of stopping the importation of asbestos products remains a possibility.”¹⁹

The contents of these letters suggests that the New Zealand Government remains somewhat in denial about asbestos; the fact that the authorities in Christchurch have sanctioned post-earthquake repairs which leave hazardous asbestos products in place, confirms this sad state of affairs.²⁰

Throughout Asia the majority of asbestos-related diseases go unrecognized, untreated and uncompensated. Recognition of the inequity of this situation is growing and non-governmental organizations are working at the grass roots with asbestos victims, campaigning bodies and trade unions on projects in China, Indonesia, India, Japan, Korea and the Philippines to identify asbestos hotspots, locate victims, provide access to medical treatment and lodge compensation claims. Amongst the most active groups are: the Asian Asbestos Initiative, the Hong-Kong based Asia Monitor Resource Center, the Asian Ban Asbestos Network, the Japan Association of Mesothelioma and Asbestos-Related Diseases Victims and their Families, the Ban Asbestos Network of Korea, the Occupational and Environmental Health Network of India, Asbestosis Victims' Rights Campaign [Ahmedabad] and the Bangladesh Occupational Safety, Health and Environment Foundation. Work done by activists in Japan and South Korea have revolutionized national asbestos debates and achieved significant benefits for the injured. Elsewhere, small victories are being achieved in extremely hostile circumstances and with minimal resources. A 2013 “Medical Skill and Assessment Report of Asian Occupational Health and Safety Capacity” was categorical about the:

- “extreme problems” faced by workers to obtain a correct diagnosis and correct medical treatment of occupational diseases like asbestosis; throughout most of Asia, mesothelioma is virtually unknown (undiagnosed);
- prohibitive costs of travel to healthcare centres, medical tests and treatments;
- ignorance of most doctors about occupational diseases;
- shortage of diagnostic equipment, laboratories and specialist doctors;
- long delays in obtaining diagnoses and certificates of illness;
- lack of awareness amongst workers and doctors of benefits available for work-related diseases and/or the legal rights of the injured.

Concluding Thoughts

¹⁹ Letters sent by Minister Nick Smith to Laurie Kazan-Allen March 23, 2011 and by Minister Amy Adams to Deidre vanGerven February 14, 2013. Also see: Appendix.

²⁰ *Christchurch homes asbestos a 'landmine.'* January 9, 2013.

<http://www.theaustralian.com.au/news/breaking-news/christchurch-homes-asbestos-a-landmine/story-fn3dxix6-1226550585633>

In 1948 Dr. Eric Saint, a British-born doctor who became an Australian institution, warned the head of the Department of Health in Perth that “in a year or two ABA [Australian Blue Asbestos] will produce the richest and most lethal crop of asbestosis in the world’s literature.” Unfortunately, the future was even worse than he had predicted. I wonder what Dr. Saint would say if he knew that 65 years after he wrote that letter, asbestos is still posing a threat not only to Australians but also to citizens in developing countries where asbestos is regarded as just another building product. We really should be doing better!



14 FEB 2013

Office of Hon Amy Adams

Member of Parliament for Selwyn

Minister for the Environment

Minister for Communications and Information Technology

Associate Minister for Canterbury Earthquake Recovery

ENV 9906

Deidre vanGerven
deidre.vangerven@xtra.co.nz

Dear Deidre vanGerven

Thank you for your email of 31 December 2012 regarding products containing asbestos.

I appreciate your concerns regarding the importation of products containing asbestos in New Zealand. As has been noted in earlier correspondence between you and the previous Minister for the Environment, raw asbestos cannot be imported into New Zealand, although asbestos products can still be imported. While New Zealand does not monitor the importation of asbestos products due to the difficulties in identifying these products at the border, I note that the use and trade of asbestos products is decreasing internationally and that many are now unavailable.

Asbestos already present in New Zealand is managed through the Health and Safety in Employment (Asbestos) Regulations 1998 and the Guidelines for the Management and Removal of Asbestos. The use of asbestos products in buildings is controlled under the Building Act 2004 and the New Zealand Building Code. These are the responsibility of the Ministry of Business, Innovation and Employment. Importers of asbestos products must ensure that the requirements of the Building Act and the Building Code are met and products must be labeled so that adequate precautions may be taken.

I believe that the strict controls placed on asbestos and asbestos products already in New Zealand, and the declining level of international trade in these products will both assist in managing the risks posed by asbestos. However, if future evidence warrants further restrictions, your suggestion of stopping the importation of asbestos products remains a possibility.

Yours sincerely

Hon Amy Adams
Minister for the Environment



Office of Hon Dr Nick Smith

MP for Nelson

Minister for the Environment

Minister for Climate Change Issues

Minister for ACC

23 MAR 2011

Laurie Kazan-Allen
lka@btinternet.com

ENV 6523

Dear Mrs Kazan-Allen

Thank you for your email of 22 February 2011 to Hon Kate Wilkinson regarding asbestos use in New Zealand. I am responding on behalf of my colleague, as the issues that you raise fall within my portfolio responsibilities.

The importation to New Zealand of two forms of raw asbestos (amosite and crocidolite) was first banned through the Customs Import Prohibition (Asbestos) Order 1984. In 1999, this order was amended to extend the ban to chrysotile. The ban remained in effect until 2008. However, as raw asbestos would be considered a hazardous substance under the Hazardous Substances and New Organisms Act 1996 (the HSNO Act), regulation elsewhere was unnecessary and the specific ban on asbestos was removed. Like all other hazardous substances, a HSNO Act approval is now required before any importation can take place. Currently there is no approval for raw asbestos and importation is illegal, although articles containing asbestos (ACMs) are able to be imported without approval.

New Zealand does not monitor the importation of manufactured articles containing asbestos due to the difficulties in identifying these articles at the border. I note that the use and trade of these ACMs is decreasing internationally and that many are now unavailable. In terms of the ACMs that are already present in New Zealand, the Department of Labour manages the potential risks through the Health and Safety in Employment (Asbestos) Regulations 1998 and the Guidelines for the Management and Removal of Asbestos, whereas the use of ACM's in buildings is controlled under the Building Act 2004 and the New Zealand Building Code. Although ACMs may still be imported into New Zealand, suppliers of ACMs must ensure that the requirements of the Building Act and the Building Code are met and products must be labeled so that adequate precautions may be taken.

Efforts are being made to ensure that asbestos in New Zealand is managed safely. I believe that the banning of raw asbestos, the strict controls placed on asbestos and ACMs already here and the declining level of international trade in ACMs all assist in managing the risks posed by asbestos. However, if evidence warrants further restrictions, your suggestion of banning asbestos-containing materials remains a possibility for the future.

Yours sincerely

Hon Dr Nick Smith
Minister for the Environment