

1 September 2025

To: The Head of the Central Jakarta District Court

For Case Number: 417/Pdt.G/2024/PN.Jkt

Between FICMA and Dhiccey Sandewa, Ajat Sudrajat, Leo Yogapranata, the Independent Consumer Protection Agency (LPKSM) Yasa Nata Budi, Indonesian Ban Asbestos Network (Ina-ban), Yasa Nata Budi Foundation.

Statement from Friends of the Court (Amicus Curiae) Clarification on Chrysotile Asbestos for the Indonesian Government and Indonesian Courts

The ACTU writes to express its deep concern at the defamation lawsuit and legal damages being faced by the Local Initiatives OHS Network (LION) and associated organisations and individuals, in a case brought by FICMA Indonesia. The actions these organisations and individuals have taken is important and commendable – they aim to raise awareness on occupational risk of exposure and protect workers and consumers from the risks posed by chrysotile asbestos.

The decision by the Indonesian Supreme Court in 2024 to order health warning labelling on asbestos containing materials was an important step in consumers right to know of asbestos hazards within consumer products.

The right to safe and healthy work is a fundamental human right and essential to decent work. In 2022 the International Labour Organisation guaranteed this right for all workers by amending the Declaration on Fundamental Principles and Rights at Work to include two new key health and safety Conventions. Asbestos, including chrysotile asbestos, which has been long banned in many countries, including Australia, is responsible for the deaths of more than 200,000 workers every year and is the leading cause (70%) of all occupational cancers.

Unions in Australia have long supported efforts of unions and NGOs internationally to advance efforts to protect workers from the risks associated with the use of asbestos. We have been following the developments in this case closely and are deeply concerned at the actions taken by FICMA to misrepresent to the court, the decision of the Rotterdam Convention COP11 to not list chrysotile and record of blocking by a small number of conflict-of-interest Parties. It should be noted that for nearly 20 years the Rotterdam Convention's Chemical Review Committee (CRC) has recommended chrysotile asbestos be listed under its Prior Informed Consent (PIC) procedure. At every COP since, including at COP 11, the overwhelming majority of parties have supported this listing. It has only been due to the blocking tactics of a small number of countries that this recommendation has not been achieved. It is not correct to state that 170 parties have agreed not to list. Instead, it is better characterised that at COP 11 all but 10 parties agreed to list chrysotile asbestos on the Convention.

The tactic of undertaking strategic lawsuits against the public interest (SLAPP) is a tactic that has been effectively used by industry and large corporations to silence unions and public health organisations from advancing the interests of workers and the public. We are extremely concerned that this tactic is now being used by the asbestos industry to stifle necessary regulation that will protect workers and the public, and silence consumer health advocates.

We urge the court to dismiss this matter and ensure that workers and the community are fully informed of the risks associated with the use of chrysotile and other forms of asbestos.

Yours sincerely,



Liam O'Brien
Assistant Secretary