



DA VENIAM SCRIPTIS QUORUM NON GLORIA NOBIS
CAUSA, SED UTILITAS OFFICIUMQUE FUIT

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

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.

To: The Head of the Central Jakarta District Court,

We write you on behalf of the Collegium Ramazzini, an independent, international scientific academy, to urge you to require all asbestos-containing products sold in Indonesia to carry health warning labels which inform industries, workers and the public that all forms of asbestos, including chrysotile asbestos, are known causes of human cancer.

We encourage you additionally to follow the lead of more than 60 other nations and the strong advice of the World Health Organization and the International Labour Organization and to act in the near-term future to ban all forms of asbestos, including chrysotile asbestos, in Indonesia. A nationwide ban on all forms of asbestos in Indonesia will prevent disease, save lives, and pay for itself many times over by increasing the lifelong economic productivity of a healthier, longer-lived Indonesian workforce.

The Collegium Ramazzini is an international scientific society that examines critical issues in occupational and environmental medicine. The Collegium derives its name from Bernardino Ramazzini, the father of occupational medicine, a professor of medicine of the Universities of Modena and Padua in Italy in the late 1600s and early 1700s. The Collegium is comprised of 180 physicians and scientists from 35 countries,

each of whom is elected to membership. The Collegium is independent of commercial interests.

The mission of the Collegium Ramazzini is to increase scientific knowledge of the environmental and occupational causes of disease and transmit this knowledge to decision-makers, the media, and the global public to better inform public policy, to prevent disease, save lives and promote good health.

The great hazard to human health posed by all forms of asbestos has been recognized for the past century. By 1942, it was established that breathing asbestos dust caused cancer in workers. It was medically established by 1965 that even living in an asbestos-contaminated household or neighborhood increased risk of cancer.

To address the grave hazard of asbestos, the Collegium Ramazzini issued statements in 1999 and again in 2004 calling for international action to ban asbestos in all nations. The Collegium stated that such action would prevent hundreds of thousands of “entirely preventable” deaths each year. Currently, worldwide, it is estimated that 250,000 people die every year from asbestos.

In March 2010, the Collegium Ramazzini called yet again for global action on the asbestos hazard, this time specifically highlighting the carcinogenicity of all forms of asbestos, including chrysotile (white) asbestos. The following is a key excerpt from this statement:

“All forms of asbestos are proven human carcinogens. All forms of asbestos cause malignant mesothelioma, lung, laryngeal, and ovarian cancers, and may cause gastrointestinal and other cancers. No exposure to asbestos is without risk. Asbestos cancer victims die painful lingering deaths. These deaths are almost entirely preventable.

“When evidence of the carcinogenicity of asbestos became incontrovertible, concerned parties, including the Collegium Ramazzini, called for a universal ban on the mining, manufacture, and use of asbestos in all countries around the world (*J Occup Environ Med.* 1999;41:830-832). In many countries that have banned other forms of asbestos, the so-called ‘controlled use’ of chrysotile asbestos is exempted from the ban, an exemption that has no basis in medical science but rather reflects the political and economic influence of the asbestos mining and manufacturing industry. All countries of the world have an obligation to their citizens to join in the international endeavour to ban all forms of asbestos.”¹

¹ <https://pubmed.ncbi.nlm.nih.gov/20705571/>

The Collegium Ramazzini applauds the Indonesian Supreme Court on the decision in March 2024 to order health warning labelling of asbestos -containing roofing materials sold in Indonesia.

The Collegium urges the Government of Indonesia and the Indonesian Courts to quickly act on this decision as a first step to protect workers, consumers, and the public at large. We urge the Indonesian Government and Indonesian Courts to publicly recognise that all forms of asbestos are carcinogenic and to take further steps to protect Indonesian citizens, including transition to safer alternative products, which are readily available.

We urge both the Indonesian Government and Indonesian Courts to be vigilant in recognising that evidence submitted by consultants to asbestos corporations is subject to a direct conflict of interest. These authors claim falsely, in contravention to abundant medical evidence, that chrysotile “white” asbestos is safe, that it can be used in “controlled” fashion without harm to health, and that it is rapidly cleared from the human lungs. All of those statements are false. They need to be recognized for what they are - lies put forward by an industry whose only concern is short-term profit, an industry that views Indonesian workers and their health as unimportant and expendable.

Indonesia’s requirement that asbestos products carry health warning labels is extremely important from a public health point of view. All types of asbestos, including chrysotile asbestos are now banned in over 60 countries. Chrysotile and all other forms of asbestos have been condemned since 2006 by the World Health Organization and the International Labor Organization as unacceptably dangerous. All asbestos types have been recognized by the International Agency for Research on Cancer as a proven human carcinogen.

Those courageous physicians and public health workers who have pressed for health warning requirements in Indonesia should be honored, not made to pay awards for damages to the asbestos industry. Nowhere in the world have individual public health workers been sanctioned or harmed by the courts just for calling for regulation and even banning of this lethal product. Public health workers who have as their goal the protection of human life should not be sanctioned or harmed by courts or any entity just for calling for regulation, banning, and education regarding this lethal material.

The Collegium Ramazzini would be pleased to assist your efforts in any way you might find useful, and we await communication from you regarding such requests for future assistance.

Please find attached an Appendix with relevant information about the hazards of chrysotile asbestos.

APPENDIX

Collegium Ramazzini Statement Regarding “Chrysotile Asbestos as a Carcinogen” (1993)

See <http://www.collegiumramazzini.org>

Collegium Ramazzini Statement Regarding “Call for an International Ban on Asbestos” (1999)

See <http://www.collegiumramazzini.org>

Collegium Ramazzini Statement Regarding “Call for an International Ban on Asbestos: Statement Update” (2004)

See <http://www.collegiumramazzini.org>

Collegium Ramazzini Statement Regarding “Asbestos is Still With Us: Repeat Call for a Universal Ban” (2010)

See <http://www.collegiumramazzini.org>

Collegium Ramazzini Statement Regarding “Comments on the Causation of Malignant Mesothelioma: Rebutting the False Concept That Recent Exposures to Asbestos Do Not Cause Mesothelioma.” (2015)

See <http://www.collegiumramazzini.org>

“The Joint Policy Committee of the Societies of Epidemiology Statement on Asbestos” (2013)

See

Baur X, Frank A. "Ongoing Downplaying of the Carcinogenicity of Chrysotile Asbestos by Vested Interests". J. Occup. Med. Tox. 16: 6, 2021.

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