

When Politics and Evidence Collide: Canada's 'Rogue Nation' Position on Asbestos

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The **MISSION** of those working in Public Health

- **To ...**

maintain, enhance, and promote health in communities worldwide ... work to protect the public health interest above any other interest ...

But,

*What to do when there is a collision
between evidence and politics?*

The evidence ...

Asbestos: What it is ...

Asbestos: What it's used for ...

**Asbestos: Its types and associated
fibres**

Today ...

- **Approximately 90 percent of asbestos produced today is used in asbestos-cement materials, such as roofing, pipes and water storage tanks, in developing countries. The remainder is used mainly in brake pads, gaskets, and industrial textiles.**

Producing Nations

- *In 2006, 2.3 million tonnes of Chrysotile asbestos were mined worldwide, with Russia, China, Kazakhstan, Canada, and Brazil producing 93% of this.*

The UN Rotterdam Convention

- Adopted in 1998, and effective in 2004, a process that requires of all current 143 member countries:
 - A scientific review panel, democratically appointed, to assess whether chemical substances should be listed under the Convention
 - At a two-yearly Conference of the Parties (COP) to the Convention, unanimous political agreement is needed on recommendations from the scientific panel (the Chemical Review Committee)
 - If LISTED, the only requirement is for member countries that export listed chemicals to secure *prior informed consent* from importing countries, and to provide instructions on “safe use”

Why CHRYSOTILE asbestos must be added to the RC list

95% of all asbestos produced was CHRYSOTILE asbestos and, for more than 25 years, CHRYSOTILE asbestos represents the ONLY FORM OF ASBESTOS traded in the world

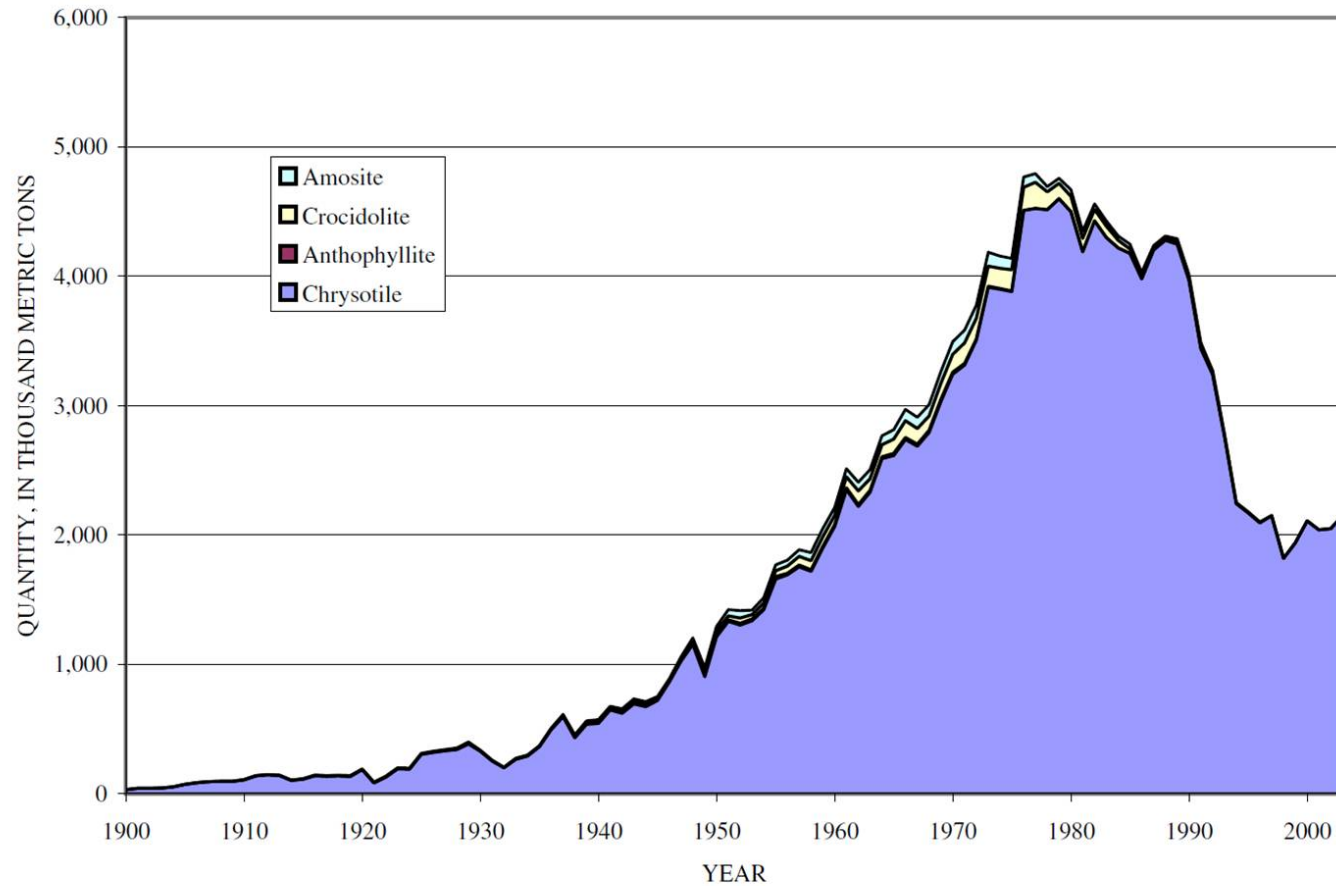


Figure 4. World production of asbestos, by type, from 1900 to 2003. About 2.81 million metric tons (Mt) of amosite, 460,000 metric tons of anthophyllite, 173 Mt of chrysotile, and 3.92 Mt of crocidolite were produced from 1900 to 2003. Sources: U.S. Geological Survey, 1901-1921, 1924-1932, 1997-2005; U.S. Bureau of Mines, 1934-1996.

History of health concerns and actions

- *Over the past 100 years, evidence has accumulated to implicate all types of asbestos in the causation of asbestosis, lung cancer and mesothelioma, among other health conditions.*
- *The IARC, WHO, ILO, Cancer, Public Health and Labour bodies – including the Collegium Ramazzini's two position statements – decry the use of asbestos internationally. Canada virtually does not use it, but sees fit to mine and export it.*

On ethics ...

The Ethical Public Health Practitioner

- Brings ethics to the grass roots ...
- “Do unto others as you would have them do unto yourself or your loved ones” (Golden Rule)
 - *Do your level best in the public interest*
 - *Call people on it when you find them not performing in the public interest*
- In accordance with **norms** of the field
- **Transparency** of collective values
- **Solidarity** on global health threats
- **Accountability** for actions taken

The **FUNDAMENTAL PRINCIPLES** of **BIOETHICS** include:

RESPECT FOR AUTONOMY

- **Requires respect for individual rights and freedoms**
(voluntary vs. involuntary exposures)

BENEFICENCE

- **Requires doing good**

NON-MALEFICENCE

- **Requires doing no harm**

JUSTICE

- **Requires the fair and equitable allocation of resources to all without discrimination**

Other public health principles

- Protect the most vulnerable in society
 - *Beneficence*
- Involve communities in our research
 - *Respect for autonomy*
- Serve the public health interest above any other interest
 - *Beneficence and non-maleficence*

The principle of **SOLIDARITY**

- **This requires concerted action, especially on matters of a global nature**

VIRTUES OF PROFESSIONALS

- **Humility** – **Respect the input and opinions of others/Self-effacement**
- **Fidelity** – **Honour one's commitments/Promote trust**
- **Justice** – **Act fairly**
- **Patience** – **Take time to hear others' viewpoints**
- **Industry** – **Do your level best/Excel**
- **Veracity** – **Tell the truth/Be honest**
- **Compassion** – **Empathize**
- **Integrity** – **Demonstrate good moral character**
- **Serve** – **Protect the most vulnerable/Serve the public interest**
- **Prudence** – **Err on the side of caution/Demonstrate good judgment**

Hill concludes ... on causal inference

- “All Scientific work is incomplete – whether it be observational or experimental. All scientific work is liable to be upset or modified by advancing knowledge. *That does not confer upon us a freedom to ignore the knowledge we already have, or to postpone the action that it appears to demand at a given time.*”

The politics ...

Canada's double standard on asbestos

Government says known carcinogen is too risky for use in Canada, but that doesn't prevent it from pushing chrysotile sales abroad

COLIN L. SOSKOLNE
AND DAVID V. BATES

Many of us are aware of asbestos remediation programs in schools, offices and public buildings. These programs are designed to safely remove asbestos, formerly used in the construction of buildings, because of its proven link to cancer and lung disease.

The inconvenience associated with remediation efforts is regarded as necessary to protect people's health, especially the health of younger people. Exposure today can result in cancers and lung diseases several decades later.

This inconvenience to Canadians pales, however, in contrast to the hardship experienced by people who buy chrysotile asbestos from us and thereby continue to risk illness and premature death.

As a beacon of civilization, should Canada be concerned with such matters?

How immoral it is that Canadians are involved in pushing a product, no longer considered safe in Canada, to countries less advanced in protecting public health.

Clearly, we should be disgusted that our federal government is complicit in concealing the harm from asbestos in exporting it. Given that the asbestos fibre type from Quebec — known as chrysotile — poses a cancer risk to humans, we certainly should not be permitting its extraction and worldwide distribution.

Yet, our government is directly engaged in mining, marketing and exporting chrysotile asbestos products abroad, to countries without our institutionalized awareness of the harms caused by asbestos.

Big business in Quebec

The province of Quebec, rich in asbestos reserves, remains the world's

“We need to acknowledge that, by selling chrysotile asbestos, Canada is engaged in a duplicitous act based on a double standard: chrysotile asbestos is not safe enough for Canadian use, yet it is safe enough for Indonesians and others outside of our borders!”

fourth largest producer of chrysotile asbestos. Quebec's political influence with the federal government is exploited by chrysotile stakeholders for economic advantage. Stakeholders promote the product through deception, aided and abetted by academics, paid handsomely to downplay the health hazards, both locally and abroad. Spurred on by the interests of asbestos shareholders, the pro-asbestos propaganda ignores both the social and health consequences of chrysotile asbestos.

Last month, a chrysotile asbestos marketing and promotion exercise took place in Indonesia. There, the asbestos lobby, supported by its pet scientists, argued ad nauseum at an “international scientific symposium” that the new and improved, name-sanitized “chrysotile” is safe for use in Indonesia. This exercise was sanctioned by the Canadian government. Canada provided its logo, embassy, and our tax dollars to perpetuate a lie about a toxic product we will not use here, but that we export, harming the health and well-being of people abroad.

The government of Canada produced

a colourful program announcement.

Speakers included Clement Godbout, chairman of the International Chrysotile Institute (the new asbestos-free name of the Quebec-based Asbestos Institute); some Canadian government mines official (from Quebec); a representative of the Russian asbestos industry, Dr. Ericson Bagatin, who works closely with the Brazilian asbestos lobby; an Indonesian asbestos industry person, and perennial asbestos industry-paid consultants, Drs. David Bernstein and John Hoskins. The program was rounded off by selected Indonesian bureaucrats.

In an impressive-looking invitation, issued under the auspices of the Canadian embassy, anyone who had any questions or conscience at the end of this affair was welcomed to a networking cocktail party.

A one-sided gathering

Notably absent was Dr. Zulmiar Yanri, head of the occupational safety and health centre for Indonesia. Also missing was Dr. Douglas Henderson, an Australian pathologist whose appointment and expertise were instrumental in the decision to dismiss Canada's case against the French asbestos ban at the World Trade Organization a few years ago. The reason for Yanri's absence was that she had wanted to bring Henderson's objectivity to this otherwise biased event. And, when her suggestion was rejected by the sponsors, she expressed her solidarity to the cause of public health by not attending.

This is but one example of pro-asbestos bias operating at the highest levels of our government. There are many more examples from India and Brazil, Mexico and Chile.

Since the French government maintained its national ban on asbestos, the scientific evidence of the danger from low-intensity exposure to asbestos has



The Johns-Manville open asbestos pit mining operation in Asbestos, Que.

been reinforced. Indeed, there is every reason to link chrysotile asbestos exposure to a variety of lung cancers and other lung disease risks. With increasing global concern regarding asbestos, the government of Canada has become a pariah for its active support of this hazardous industry.

Government of Canada support for the Quebec asbestos industry has deep roots. The simple reality is that the federal government supports the Quebec asbestos mining industry presumably for political gains.

Concerned scientists and citizens need to unify to shut down an industry that has caused death and destruction at home and abroad. We need to acknowledge that, by selling chrysotile asbestos, Canada is engaged in a duplicitous act based on a double standard: chrysotile asbestos is not safe enough for Canadian use, yet it is safe enough for Indonesians and others outside of our borders!

By not condemning our government's support of the chrysotile asbestos industry, Canadians become complicit in both harming and killing innocent victims abroad. Canada must join the dozens of countries in Europe, Latin America, Asia and Africa that have banned asbestos.

In May, our government is supporting yet another feel-good international conference on chrysotile asbestos, this time in Montreal. When will its collaboration with the asbestos industry cease?

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Judge Miles W. Lord, 1982

On “*Corporate Ethics and Environmental Pollution*”:

- “*Corporations create 80% of our GNP. They, of all entities working, have the most potential for good or evil in our society.*”

“Industry’s offensive against the regulation of health and safety hazards uses academics to downplay or deny the seriousness of the hazards...”

**J. of Public Health Policy
September, 1983**

Manufacture of doubt

- **David Michaels' work** (2005, 2008)
- **Devra Davis' work** (2007)
- **Lorraine Mallinder, *Deadly Secret***
In: Canada's History (Apr – May, 2011)
 - **They demonstrate the fomenting of uncertainty ... and of malfeasance**
→ *The policy-maker's conundrum*

*The **Four D's** applied to scientists studying that which does not support the status quo*

- **DENY** – reject the proposition of a connection
 - **DELAY** - more research; commission studies
 - **DIVIDE** – junk science vs. best practice
 - **DISCREDIT** – malign author & the work
-
- ***DISMISS***

Yet ...

Canada's Behaviour through the COP

- *Because those who hold positions of power are accountable for the decisions they take, the more serious the consequences of the decision, the higher the level of accountability and transparency required. This is the foundation of human rights and democratic freedoms.*
- *So, when those who hold high positions of public trust take decisions that will cause a loss of life and refuse to provide any reason for their action, this is a serious violation of human rights and democratic accountability.*

In fact, ...

- *The government of Canada not only refused to allow Chrysotile asbestos to be put onto the RC's list of hazardous substances, it refused to give any reason either to the Canadian public in whose name it acts, or to the delegates taking part in the COP.*
- *Dictators feel no necessity to give reasons for how they wield power over others. The conduct by the Canadian government at the RC COP is a disturbing example of how a country that claims to be democratic showed total disregard for human rights and democratic accountability.*

Indeed, ...

- *The right to prior informed consent with regard to hazardous substances, as provided by the Convention, is a critical public health tool.*
- *It is a right that Canadians enjoy.*
- *The refusal of the government of Canada to allow developing countries to have that right is a disturbing example of a double standard, where those who are the most vulnerable, instead of being afforded the greatest protection from harm, are given the least protection.*

And, hot off the press

- **Canada's role in blocking the banning of asbestos in the USA 20 years ago**
- **Canada at heart of global asbestos lobby**
- **The Canadian Government's mantra:**
“For 30 years, Canada has promoted the safe, controlled use of asbestos at home and overseas”
- **The role of APCO Worldwide, a PR Company, to lobby globally**

ASBESTOS PRODUCERS & EXPORTERS

THANKS TO
THE EFFORTS
OF THE FEDERAL
GOVERNMENT...

WE WILL
CONTINUE
TO MAKE A
KILLING.

CANADA BLOCKS
TREATY TO LABEL
ASBESTOS AS
'HAZARDOUS'

GREG
PERLEY

The principle of **SOLIDARITY**

- **Non-compliance with this principle is arrogant and disrespectful; its presents a double-standard in breach of international norms that are foundational to applied ethical conduct.**
- **Hence the label “rogue nation”**

Stop Canadian Death Export of Asbestos

PETER LEUPRECHT

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<http://www.ijoeh.com/index.php/ijoeh/>
- Université du Québec à Montréal, Montreal, Quebec, Canada
- Dr. Leuprecht is Professor of Public International Law, former Director of the Montreal Institute of International Studies, former Dean of the Law Faculty of McGill University, and former Director of Human Rights and Deputy Secretary-General of the Council of Europe

And, he makes the point that ...

- From an ethical point of view, exporting a dangerous substance that is no longer accepted at home to other, mostly poor countries where it will sow death, cannot possibly be justified.
- **This is also a serious human rights issue. The export of asbestos threatens the human rights of people in the receiving countries, particularly the most fundamental human right: the right to life and the right to health.**
- **Human rights can be—and are being—violated not only by states, but also by non-state actors such as individuals, groups, and corporations.**
- **Corporate social responsibility and the responsibility of corporations with regard to human rights are high on the agenda of international institutions— and rightly so—especially the United Nations. As with other non-state actors, corporations and their leaders are accountable for human rights violations.**

In particular, he notes that ...

- *The producers of asbestos, asbestos product-manufacturing companies, and the scientists, lobbyists, and financial interests supporting them do not accept the scientific evidence. They are operating a massive, Orwellian “denial machine” ... The CBC program documented how powerful interests are trying to deny global warming, supported by scientists—or rather pseudo-scientists—some of whom had previously worked for “Big Tobacco” and received donations from coal and oil companies. The parallel is striking: In the same way that some have attempted to deny the human health dangers of tobacco and the dramatic consequences of global warming, the producers and supporters of asbestos are trying to make us believe that it is not dangerous or that there are possibilities of its “controlled” and “safe” use ...*
- *Once again, we see science pitted against spin.*

Questions?