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Women & Environments

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ASBESTOS & WOMEN'S HEALTH

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DOUBLE ISSUE

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CHEMICAL VALLEY IN CANADA • CHEMICAL VALLEY IN CANADA • CHEMICAL VALLEY IN CANADA • CHEMICAL VALLEY IN CANADA •

Women & Environments International magazine

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Women & Environments International is a unique Canadian magazine, which examines women's multiple relations to their environments — natural, built and social — from feminist and anti-racist perspectives. It has provided a forum for academic research and theory, professional practice and community experience since 1976. It is published by a volunteer editorial board and contributes to feminist social change. The magazine is associated with the Faculty of Environmental Studies, York University and has been previously associated with the Women and Gender Studies Institute, University of Toronto

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ON THE COVER

Radha-Prema B. McAllister has lived many interesting lives before her latest incarnation as a Teen Librarian, including Art Director for movies, radio announcer, archivist, stage manager for an outdoor theatre, costume designer, door-to-door vacuum salesperson, deaf relay telephone operator, glam portrait make-up artist, cook, and graphic novel illustrator, to name a few. She grew up nomadic, moving frequently, and often living in a mobile home traveling across North America with her family. Radha was home schooled until she was ten, and then joined everyone else for the last few years of elementary school and high school. She studied French and English literature during her undergrad degree at Trent University. She recently completed her MLIS, (Masters of Library and Information Studies), at McGill. Radha currently lives in Laval with her husband, Damodar.

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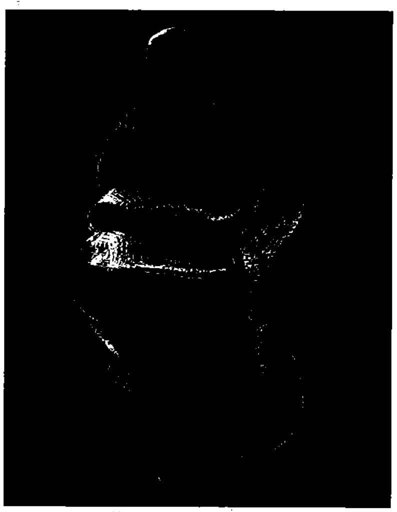
A Word from WEI

This issue of WEI Magazine tackles the topic of asbestos production, use and export. The stories shared by our contributors are poignant and inspiring. As you read this issue of WEI, you may find yourself getting angry about the many ways in which our political leaders continue to fail to place humanity before profits.

WEI is an international magazine and our focus reaches across the globe. However, in this issue, we give particular attention to Canada's role in asbestos production and exportation. It is important to ask crucial questions about asbestos exports, and our contributors develop a strong critique of Canada's role.



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There is a special focus on Sarnia, Ontario, a region that is often referred to as Chemical Valley. A number of articles reflect voices of women in that region — their families' struggles with asbestos-related disease and their activism in putting pressure on governments for compensation and recognition of the damage caused by asbestos. We also hear from women throughout Canada and abroad who are working to ban asbestos.

We thank all those who shared their stories, reflections and critiques with us. We thank Dayna Nadine Scott and Olga Speranskaya, who are on WEI's Editorial Board and who were part of the Editorial Team for this issue. Both are strongly committed to addressing many of the concerns raised in this issue.

This WEI issue aims to showcase and strengthen the participation of women in the very political process that will largely influence responses for policy changes in this field in the critical years ahead. There is a strong momentum in women's activism across the world to ban asbestos, and we are pleased to share a small part of this with our readers.

Sharmila Shewprasad and Sybila Valdivieso,
Editors

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Putting This Issue Together

Dayna Nadine Scott is an associate professor at Osgoode Hall Law School and the Faculty of Environmental Studies at York University. She teaches courses in environmental law and justice, and risk regulation, among others. She is currently the Director of the National Network on Environments and Women's Health, and is the editor of a forthcoming volume entitled, Consuming Chemicals: Law, Science and Policy for Women's Health.

Sharmila Shewprasad has managed development programs in Asia, Africa and the Middle East for the past seven years. Her areas of specialization include women's sexual and reproductive health, gender, human rights, and refugee and migration issues. She has an MA in International Development Studies and has been the Managing Editor of WEI Magazine since 2010.

Olga Speranskaya is a co-chair of the International POPs Elimination Network (IPEN), a network of more than 700 organizations globally working towards a toxic free future. In 2009 she received the Goldman Environmental Prize for her work in Eastern Europe, Caucasus and Central Asia.

Editorial

The Weight on Our Shoulders

By Dayna Nadine Scott, Editor

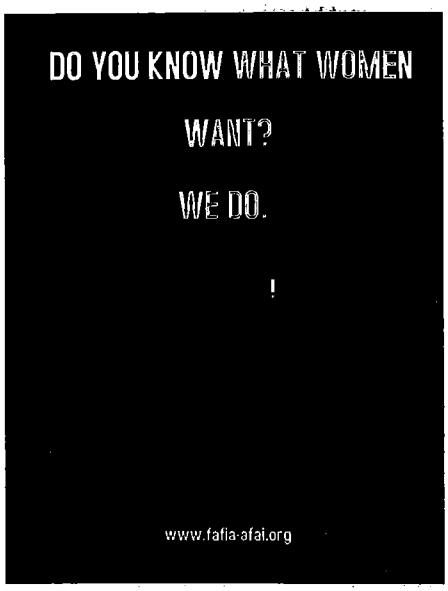
The deadly risks associated with asbestos exposure — even though they are pervasive and widespread — are also decidedly uneven in their distribution. In fact, their distribution tends to fall along familiar social gradients, with disproportionate burdens landing on marginalized workers, their families and their working class neighbourhoods. As we move forward into the next 'cohort' of asbestos-related disease victims, they are predicted to be the impoverished residents of the global south, and they are more likely to be women. But as this issue of *Women & Environments International* makes obvious, throughout this deadly history and across the world, asbestos has touched the lives of women. Women have toiled in the mines and the factories, they have laboured over the laundry of factory workers, and they are now, in increasing numbers, bearing the burden of trying to cope with the devastating loss of partners, fathers, and grandfathers to asbestos-related disease. They are also the ones leading the campaign to stop the mining, manufacture and use of all forms of asbestos worldwide. As is the case with environmental exposures to toxics more broadly, the burden of managing the risks — and dealing with the consequences of their manifestations — weighs heavily on the shoulders of women.

This issue raises systemic questions of power and politics relating to who profits from and exerts exploitative control over resources, capital, labour and knowledge, particularly science. But we also widen the scope in this issue to allow consideration of how exploitative relationships between industrial actors and marginalized workers descend into peoples' everyday physical realities. The focus on women highlights the need to break down the walls between health, occupational, and environmental issues and to re-imagine 'environments' as places that directly affect everyday lives. When it comes to asbestos, the 'exploited' consists of all of those who, directly or indirectly, at times unknowingly, take on additional health risks as a result of their place in the hierarchies and contours of capitalism.

The contributions to this issue make it very clear that what is happening in relation to asbestos is a public, social catastrophe and it belongs to all of us. Scientific studies have been misrepresented, even concocted, in a pattern of deception that implicates universities and governments; key multilateral agencies and institutions have been infiltrated and co-opted by industry shills. One country, my own, is singled out as having made a particularly shameful contribution to the continuing incidence of asbestos-related disease worldwide. It has leaned, with the full weight of its (dwindling) influence on the world stage, on key international institutions like the World Trade Organization and the UN Rotterdam Convention, to defend an export market for a deadly mineral tied to a sensitive political constituency.

The main use of asbestos these days is in the production of flat and conjugated cement sheets, chimney tubes and pipes for building construction in the global south. As the scholarly debate over whether globalization has triggered a regulatory "race to the bottom" wanes on, there is one product for which it is very clear that the location of industry is related to the stringency of environmental regulations on the ground: diminishing allowable airborne fibre concentrations for asbestos in workplaces across the global north have driven manufacturers to India, China, Indonesia and Thailand, amongst other places where regulations are absent. Worse, workers there harmed by exposure to asbestos will find no recourse or recompense for their injuries. In other words, while some benefits of asbestos use accrue to elites in the global south, the bulk of the profits flow to the multinational corporations and their shareholders in the global north. At the same time, virtually all of the health risks and harms remain exclusively in the importing nations of the global south.

For a long time, the word 'asbestos' referred to an occupational health and safety disaster that had struck industrial workers in the developed world. The iconic image was that of the tragic loss of the male head of household. The breadwinner. Women were in the background of this story; they were the passive victims. Our goal is in no way to diminish the cruel injustice and avoidable suffering inherent in that story, however told. Instead, we simply want to bring women back into the foreground and to highlight the courage and determination of the activists now leading a global fight to finally put a stop to this shameful epidemic.



Ban Asbestos Action in Russia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By Olga Speranskaya

Russia is the largest producer of asbestos in the world. In total, 11 deposits are registered in Russia with balance reserves of 110 million tons of asbestos. Russia itself remains one of the world's major asbestos users. In 1975, asbestos production in Russia and Kazakhstan together first outstripped the annual output from Canada, the largest asbestos producer up to that point.

Since the fall of the USSR, both former Soviet states have implemented a range of pro-industry measures including the support of "industry-friendly" scientists, the dissemination of fraudulent asbestos propaganda and the intimidation of those trying to provide truthful information on the hazards of asbestos. "Safe use" of asbestos and asbestos containing products became the slogan they used nationally and abroad.

For many years the former Soviet states have had no public opposition to the chrysotile lobby and blindly swallowed the lies told by the asbestos industry. But Russia today is very different from what it was five years ago.

Opposition to the industry's dominance on the asbestos debate started with the work initiated in 2010 by Eco-Accord and by Volgograd Ecopress, two women-led non-governmental organizations working on environment and health issues in Russia, and by Women in Europe for a Common Future, which is based in Germany. These organizations were [illegible] by the GreenWomen Information [illegible] in Kazakhstan, by MAMA-86 (a [illegible] environmental NGO) in the [illegible] ead by BIOM (an ecological [illegible] in Kyrgyzstan. Together they [illegible] ng network of civil society

organizations, which challenged influential politicians and fought for the rights of workers and communities, for a healthy environment and for honest information.

The information campaign lead by these NGOs was followed by two multi-stakeholder conferences in Kazakhstan and Russia which involved participants from governmental, intergovernmental and non-governmental organizations as well as from the business and scientific communities. These conferences were preceded by hard-hitting debates between

> Presently, asbestos is one of the most widely-used construction materials. Russia is poisoning its own population and causing irreparable damage to the health of its citizens with this widespread use of asbestos throughout the country.

NGOs on one side and the asbestos industry and governmental institutions on the other. Both conferences demonstrated the commitment of NGOs and a willingness to achieve real change in both countries, regardless of strong opposition from government and commercial vested interests.

The campaign was followed by a ground-breaking initiative in Volgograd, Nizhny Novgorod and Krasnodar — three Russian asbestos hotspots — to investigate current asbestos consumption patterns, to assess the impact on local populations, to quantify the environmental repercussions of asbestos pollution and to consider measures to eliminate the asbestos hazard. A team consisting of personnel from Eco-Accord, from Volgograd-Ecopress, from the NGO Eco-SPES, and from the Novorossik children and youth organization "Centre of Environmental Education," conducted research in these three regions of Russia. The findings from questionnaires, surveys and interviews were collated into a series of reports on the prevailing situation in each region.

The findings of these studies are disturbing. There is an obvious lack of credible information on the incidence of asbestos-related diseases. There is no register of non-occupational asbestos-related diseases. Information on asbestos threats is not publicly available and information on registered cases of occupational diseases among retired people is confidential and therefore not available to the public. The data on asbestos-related diseases shows that there is no tracking or surveillance of these diseases in Russia.

Industrial workers, including those involved in construction and demolition activities, lack information on the use of protective measures to reduce the risk of asbestos exposure. People are not aware of the Russian legal requirements to reduce health risks from asbestos exposure at work. The majority of local government authorities and environmental agency staff know nothing about health protection for construction workers in dealing with asbestos and this includes those involved in the demolition of buildings that contain asbestos.

The NGOs' research (Speranskaya et al, 2008) revealed an alarming situation

respecting the collection and disposal of asbestos-containing waste. Among the findings, the research revealed the following:

- 100% of respondents said that there are no outreach campaigns on the issue of asbestos waste disposal and that there are no specialized places for the collection of asbestos waste.
- In the Volgograd area, production facilities dump the asbestos waste into collection ponds and some production facilities dump asbestos waste into waste ponds or directly onto roads.
- The majority of the people surveyed said that they discard asbestos waste with municipal waste.

Through these actions Russia is poisoning its own population and causing irreparable damage to the health of its population with this widespread use of asbestos materials throughout the country. Presently, asbestos is one of the most widely used construction materials. Nearly all municipal buildings are constructed with the use of corrugated asbestos — cement and asbestos boards because it is cheap and readily available. As a result, everyone is exposed to asbestos and is therefore at risk.

This evidence points to the fact that Russia desperately needs an asbestos outreach strategy in order to educate the public about the health risks and to prevent further exposure to deadly carcinogens as well as to expose the true dimension of Russia's asbestos heritage.

Olga Speranskaya is a co-chair of the International POPs Elimination Network (IPEN), a network of more than 700 organizations globally working towards a toxic free future. In 2009 she received the Goldman Environmental Prize for her work in Eastern Europe, Caucasus and Central Asia. She is a member of the board of directors of **WEI Magazine**. For more information, visit: www.ipen.org

Further Reading:

Speranskaya, O. et al. (2008) Asbestos: Realities, Problems and Recommendations. Available at: www.ecoaccord.org

POEM by K.V. Skene

And What of The Woman Left Behind

the woman who might have been
in the mirror

whose small uncertain reflection
slides around corners

sweeps down hallways
erases spiderwebs shines windowpanes polishes
floors

hides memories inside linen closets and trunks
tidies photos into albums

subscribes to *Vanity Fair People hello! OK!*
avoids obituaries religiously

heart full of unbroadcasted messages
eyes dry

wide open in the nightvelvet presence
of all the absences she has ever known

there's always someone to care for
so few who hold on

overriding the chime of the clock
the weak light of morning

K.V. Skene's poetry has appeared internationally. Her publications include *Love in the (Irrational) Imperfect*, 2006, Hidden Brook Press (Canada) and *You Can Almost Hear Their Voices*, 2010, Indigo Dreams Publications (UK). After living in England and Ireland for over eighteen years she now resides in Toronto, Canada.

Asbestos: Still Legal and Lethal in North America

By Linda Reinstein

What you can't see can be deadly: virtually invisible, yet absolutely lethal asbestos fibers claim nearly 300 lives every day from environmental or occupational asbestos-related disease worldwide. For more than a century, scientific studies have confirmed that asbestos exposure causes fatal diseases. And yet, trampling human rights, the North American asbestos industry continues to expose people to asbestos in pursuit of profits. The World Health Organization, the International Labor Organization, the U.S. Environmental Protection Agency and the Surgeon General all agree: asbestos is a human carcinogen, and there is no safe level of exposure. All forms of asbestos can cause mesothelioma and lung, gastrointestinal, laryngeal, and ovarian cancers, as well as non-malignant lung and pleural disorders.

Mes-o-the-li-o-ma – can't pronounce it – can't cure it

Nine years ago my life seemed perfect, but, as Robert Burns said, the best laid plans of mice and men often go awry. I was a Parent Teacher Association (PTA) and classroom Mom — loving life, community, and blissfully dreaming about my family's future. However, in 2003, my life took a sharp turn in an ill-fated direction, one that too many have traveled down. Alan, my husband of 20 years, had developed a slight, persistent cough, and had [illegible] lost some weight. Intuitively, I knew [illegible]thing was wrong. During Alan's rou[illegible] [illegible]ysical, an x-ray revealed a pleural [illegible] — fluid between the lining of the [illegible] the lung itself.

[illegible] found in my steep climb on [illegible] of doom that the saying — "what you don't know can't hurt you" — could not be further from the truth. Alan suffered through a glut of tests to determine what was causing the effusion. For nearly one year, every test was negative, but Alan's breathing and cough worsened and he underwent surgery for an idiopathic condition.

When the thoracic surgeon met with me to discuss the surgical procedure, and he asked if I was *alone*, my heart stopped. He told me that Alan had mesothelioma, a cancer only caused from asbestos. Of course, just like every other newly diagnosed person, I had never heard of mesothelioma, I couldn't pronounce the word, and worst of all, I learned it was incurable.

From Magic Mineral to Deadly Dust

Asbestos-related diseases are often misdiagnosed and under-reported. With a latency period of 10-50 years, late stage diagnosis often limits patients' treatment options. As a result, most patients die within 6-12 months of diagnosis.

Faced with the imminent death of her husband, what is a wife to do? Feelings of grief, isolation, and anger ran rampantly through my core. Watching Alan change before my eyes was unbearable. Falling from the vibrant, active father and husband, Alan had forever changed, and so had we. Medical treatment is not the only facet of care needed in such grave situations; there is a second wave of care needed for the family. For families, patient care causes financial, emotional, and psychosocial devastation. Women need outlets for sharing their inner secrets of bewilderment, fear, exhaustion, and depression.

Alan survived his extra-pleural pneumonectomy surgery, which removed a rib, his entire left lung, pericardium, and replaced his diaphragm. As he began to trust his body and to live with only one lung, we began to heal as a family. This is where the journey could have ended, but for the Reinsteins, it did not.

I continued to read and learned that asbestos has caused one of the largest unnatural public health disasters in history. Hollywood couldn't write this screenplay — *asbestos* — the crime story of a century with its corporate secrecy, corrupt politicians, and bought-scientists, read like a Grisham novel. Something else became glaringly apparent — nothing was being done to prevent exposure. But what is a family of three going to be able to accomplish? What did we even want to accomplish? We wondered how many other people were even aware that asbestos was a problem.

Is it maternal instinct, hopeless optimism, or anger that fuels my action and yours? Maybe it's all three. As a mother,

what could be more horrific than burying your husband? In unison, our voice reverberates the inconvertible truth: asbestos kills, and it must be banned.

A year passed after Alan's surgery, when my daughter Emily told me, "Mom, I want my senators to know how hard it is for a girl who is just 11 to watch her dad suffer." That was all I needed to hear, and I jumped at the opportunity to make a difference in raising awareness on the harms of asbestos; as Wayne Gretzky said, "You miss 100% of the shots you don't take." This was a shot we would make not just for Alan, or for our family, but for the thousands of other families living through this around the country and the world. I didn't know then how much our lives would change from the first of what would be many trips to our nation's Capitol. While in Washington DC, I met others with similar stories of how asbestos sickened, or killed their loved one. I quickly realized that these diseases were not rare, just under-reported. So what are we, as North Americans, to do?

Together Change is Possible

In 2004, I co-founded the Asbestos Disease Awareness Organization (ADAO) with Doug Larkin to serve as the voice of victims, to educate the public about the dangers of asbestos, and to work towards a ban on the use of asbestos. Alan's courageous three-year battle with mesothelioma ended with Emily and me by his side. As we held Alan's hands, we watched him until he took his last breath, until the heart monitor flat-lined. I remember the moment like it was yesterday: Emily comforting her father, telling him he was a champ, that he won because he never gave up.

As many of you know, parents will do anything for their children, and Alan's gift of more time was the most precious gift ever. When I testify in Congress, I hold back my tears as I say from my heart, *"For each life lost, a shattered family is left behind."* Echoing in my head and heart was the ultimate question —— should we cease to seek change? But we had promised Alan that we would not give up, and I continue the battle, albeit at a glacially slow pace, to end the deadly legacy of environmental and occupational asbestos-caused diseases.

From Magic Mineral to Deadly Dust

Decades of science have proven that all six types of asbestos fibers — chrysotile, amosite, crocidolite, tremolite, anthophyllite, and actinolite — are carcinogenic. This lethal mineral has only been banned in 55 countries — the United States and Canada are not among them. Many countries still use, import, and export asbestos and asbestos-containing products. Chrysotile now accounts for more than 95% of all the asbestos used globally, and almost all of the chrysotile that the US imports comes from Canada. Despite the industry's disingenuous assertions, asbestos — including chrysotile — is a proven human carcinogen and there is no such thing as "controlled safe use." The nearly invisible asbestos fibers can be 700 times smaller than human hair, and remain suspended in the air for days. More than 90% of the asbestos used worldwide today is used in the manufacturing of asbestos-cement sheets and pipes.

Deadly Hugs, Deadly Chores

The World Health Organization (WHO) states, "The most efficient way to eliminate asbestos-related diseases is to stop using all types of asbestos" (WHO, 2006). An estimated 107,000 workers die annually from asbestos-caused diseases such as lung cancer, mesothelioma, and asbestosis. Workers' exposure doesn't stop at the site; one can follow the trail of toxic dust home. It is not just workers who are at risk — it's also their families, children who hug parents wearing contaminated clothing home from work, and spouses who wash those clothes. The asbestos victims' profile has changed: once a blue-collar male worker in his mid-sixties, there is a new patient profile emerging. Tragically, it is becoming more and more common to find women in their 50s being diagnosed with mesothelioma. The new patient profile presents frightening evidence that environmental exposures are embedded in social contexts that exacerbate their effects.

Asbestos Knows no Boundaries; Fibers Don't Discriminate

Asbestos has been widely used in building and construction in the United States and an estimated 35 million homes are contaminated with asbestos-tainted insulation called Zonolite. Offices, hospitals, schools, and extensive underground infrastructures including water systems and subways can be contaminated. Renovations, demolitions, and disasters can release fibers; this is particularly dangerous, because such events can spread fibers throughout the environment of a community. Worse yet, the United States Geological Survey (2012) reported that the "United States is dependent on imports to meet manufacturing needs" and that "roofing products were estimated to account for about 60% of U.S. asbestos consumption."

Construction Workers Were Found to be 11 Times More Likely to Develop Mesothelioma

In the United States, the Occupational Safety and Health Administration recognizes that asbestos is a health hazard and is highly regulated. "An estimated 1.3 million employees in the construction and general industry face significant asbestos exposure on the job" (OSHA Fact Sheet). In May 2010, the President's Cancer Panel in America released the landmark 200-page report titled "Reducing Environmental Cancer Risk: What We Can Do Now" (Leffall and Kripke, 2009). Environmental and occupational cancers are on agency radars now more than ever before.

Turning Anger to Action

To change public policy, you need to have a voice to drive your work forward. Social media advocacy has changed the landscape of anti-asbestos campaigns and fostered unity. We are no longer isolated, muted, and silenced. Instead, we — as one world — support national and international campaigns. Social networking platforms such as Facebook allow us to connect and share within seconds. Sharing our stories has enabled asbestos victims to unite around the world and embrace solidarity to raise asbestos to

change public policy. Since 2004, ADAO has grown leaps and bounds; with an international support network over 20,000 strong, we have become the largest independent asbestos victims' organization in the United States.

History is a Great Teacher to Those Who Listen

In February 2012, a historic criminal verdict from the Italian Eternit asbestos trial in Italy definitively reaffirms a century of scientific evidence that asbestos exposure is deadly. Tried in absentia, billionaire Stephan Schmidheiny and Baron Jean-Louis de Cartier de Marchienne were found guilty of crimes of knowingly and willfully exposing Eternit workers and communities to asbestos, and for creating an environmental disaster, particularly in Casale Monferrato and its surrounding areas. Each was sentenced to 16 years in prison and has been ordered to pay millions of Euros in damages. A new precedent has been set: corporations involved in the production of asbestos will be held accountable for human, social, and environmental rights violations.

One Life Lost to a Preventable Asbestos-Caused Disease is Tragic; Hundreds of Thousands of Lives Shattered is Unconscionable

Asbestos cancer victims die painful, lingering deaths and each death is preventable. It is abundantly clear in my daily work that the pervasive lack of knowledge regarding the threat of asbestos is common, and the asbestos industry tries hard to keep it that way. Be an advocate, be heard and support change. As an accidental activist, I have learned to embrace the unknown. I urge you to take the first step toward seeking change, because change can start with one voice. I love and live by Margaret Meade's wisdom: "Never underestimate the power of a small group of committed people to change the world. In fact, it is the only thing that ever has."

Linda Reinstein is the President/CEO and co-founder of the Asbestos Disease Awareness Organization (ADAO). She can be reached at linda@asbestosdiseaseawareness.org.

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The Female Face of Britain's Asbestos Catastrophe

By Laurie Kazan-Allen

Despite lower death rate among British women, many of the landmark cases through which the national asbestos reality has been revealed relate to the tragic experiences of female victims. Laurie Kazan-Allen explores a century of ordinary women's legal battles with the asbestos industry in Britain.

Considering the colossal levels of asbestos exposure experienced by British workers, consumers, bystanders and community members during the 20th century, there can be no doubt that the death toll from asbestos-related diseases has been massive (Health and Safety Executive, 2011); one occupational hygienist has estimated that the country's cumulative asbestos death toll could well exceed 800,000(Hazards Magazine, 2010). It is unfortunately true, however, that no one knows how many lives have been lost due to Britain's love affair with asbestos; how many families have been torn asunder by avoidable asbestos-related deaths or how many children's lives have been decimated by the early loss of a parent or the trauma of a beloved grandparent's premature death.

Nowadays, Britain has the unwelcome distinction of having the world's highest mortality rate from the asbestos cancer, mesothelioma. Historically, male mesothelioma deaths have dominated the statistics with, at times, six times as many male as female fatalities. Despite the lower death rate amongst British women, many of the landmark cases through which the national asbestos reality has been revealed relate to the tragic experiences of female victims. In factories and schools, at home and at work, British women have paid with their lives for the asbestos industry's profits.

Nellie Kershaw — The First Named Victim of Asbestos Disease 1924

Nellie Kershaw was a factory worker in asbestos textile mills in Rochdale, an industrial town near Manchester, from 1903, when she left school aged 12, until 1922 when she became too sick to work. On July 22, 1922 Nellie was issued a National Health Insurance certificate of ill health which identified her condition as "asbestos poisoning." As this was an occupationally-related illness, she was unable to qualify for sickness benefit from the Newbold Approved Society, a society to which she had contributed. Despite increasingly plaintive requests from her and her husband, her employer — Turner Brothers Asbestos Company (TBA) — repeatedly refused to assist the couple and she died in poverty on March 24, 1924 leaving behind a grieving widower and young son. TBA's determination to repudiate liability for Nellie's asbestos-related disease, its determination to contest the accuracy of her diagnosis and its use of legal and medical experts to fight its case were indicative of strategies that would be relied upon by British asbestos defendants for decades to come.

This case was a rarity in that the patient had been medically diagnosed during life to be suffering from an asbestos-related disease, a fact confirmed by a post-mortem examination conducted at the coroner's request. The findings from a subsequent microscopic examination of the lungs, also ordered by the coroner, were presented at the 1924 coroner's inquest which issued a certificate stating the cause of death was "fibrosis of the lungs due to the inhalation of mineral particles." Nellie's death was the first to be officially recognized as being due to "pulmonary asbestosis," (Selikoff and Greenberg, 1991) indeed the nomenclature "asbestosis" was used by Dr. W. E. Cooke in his 1924 report of her case to the British Medical Journal (Cooke, 1924).

Nora Dockerty –The First Successful British Asbestos Claimant 1952

Like Nellie Kershaw, Nora Dockerty (née Kelly) worked for TBA, starting at the Rochdale asbestos factory after leaving school aged 15 in 1933. When her contract of employment was terminated due to illness in November 1948, she had given thirteen and a half years of service, initially as a machine assistant in TBA's Carding and Spinning Department. At her death in 1950, Nora was only 31 years old, two years younger than Nellie Kershaw had been when she died. Whereas Mr Kershaw survived Nellie and was able to look after their daughter, Nora's husband had pre-deceased her leaving her father to pursue TBA for compensation on his granddaughter's behalf. An autopsy of lung tissue conducted by Dr Manning at the Rochdale Mortuary enabled the coroner to confirm the cause of death as "Generalised Tuberculosis accelerated by the presence of Asbestosis" on February 23, 1950. A subsequent report by the Pneumoconiosis Medical Panel in Manchester concluded that the cause of death was "Pneumoconiosis (Asbestosis) accompanied by Tuberculosis" (Wikeley, 1997).

The coroner's verdict provided the impetus for the Kelly family to begin

legal proceedings. Having spoken to an official at the National Union of General and Municipal Workers, Mr Kelly, Nora's father, began the process of gathering the evidence which would be needed if a lawsuit was to succeed. The information collected was passed to the union which then instructed the law firm of Messrs John Whittle, Robinson & Bailey to act for the family. After protracted negotiations and extensive legal jostling, the case was finally settled in January 1952 when Turner & Newall, TBA's parent company, paid the sum of £375 with costs. Commenting on the significance of the case brought for the death of Nora Dockerty, Professor Nick Wikeley wrote: "The story of *Kelly v. Turner & Newall Ltd* represents a microcosm of the balance struck in the asbestos industry between workers' health and company profitability: between 1931 and 1948, £87,938 was paid out to 140 asbestosis victims under the Asbestosis Scheme; in the same period, nearly £7 million was distributed to shareholders." (Wikeley, 1998)

Nancy Tait — Founder of the World's First Asbestos Victims' Group 1978

Unlike the other ladies named in this article, Nancy Tait did not die of an asbestos-related disease. She was, nonetheless, a victim as her husband Bill died of pleural mesothelioma in 1968. As a telephone engineer, Bill had been exposed to asbestos at work on a routine basis, a fact that his employer continued to deny. It was four years after Bill's death that Nancy finally forced the authorities to admit liability for his disease; the paltry offer they made to settle the claim, £4,000, was refused.

The tragedy of her husband's early death was the event which dominated the rest of Nancy's life, a life spent helping others to overcome the medical, legal and social barriers which prevented victims from accessing the treatment they needed and the compensation they deserved. That she was successful at helping others to litigate government bureaucracy and extract compensation from negligent employers at a time when the cards were heavily stacked against working people is testament to her tremendous commitment, persistence, phenomenal memory and civil service training.

The Society for the Prevention of Asbestosis and Industrial Diseases (SPAID) that Nancy established in 1978 was the first group anywhere in the world to lobby for the needs of asbestos victims. SPAID was a registered charity which offered free advice and support to victims and family members. Nancy did not keep office hours or "do weekends." She was available on the phone and in person to those in need when they needed her. Widows facing the daunting prospect of a coroner's inquest were comforted by the presence of this white-haired, innocuous looking English lady with sensible shoes and a matronly demeanour. That demeanour belied a mind like a steel trap — woe betides any official, expert or witness who underestimated her. It was common for Nancy to find herself in a coroner's court pitted against the best experts the employers' money could buy. She confronted them in formal settings, at parliamentary hearings, occupational health conferences and inquest proceedings. Her opponents tried to dismiss her as an amateur and attempts were made to discredit her, all of which failed. Nancy died on February 13, 2009, at age 89, having devoted the 41 years of her life since Bill's death to helping others. She left a legacy of compassion and achievement of which anyone would be proud.

Alice Jefferson — The Focus of Landmark TV Documentary 1982

At age 17, Alice Jefferson (born 1935) went to work at the Cape Asbestos factory in Acre Mill, Yorkshire; the three months she spent working in clouds of asbestos dust were all that were needed to cause the mesothelioma which took her life three decades later. Like Nellie Kershaw and Nora Dockerty, she died way before her time leaving behind her son Paul aged 15 and daughter Patsy aged 5, her husband and grieving family members. In 1982 Alice was the focus of a landmark documentary that was broadcast on prime time mainstream TV; it was watched by nearly 6 million viewers. Explaining the contribution made by Alice to the program, industrial historian Geoffrey Tweedale wrote:

> *"much of the documentary's impact was due to its unrelenting focus on Alice, who demonstrated enormous fortitude in the face of a pitiless disease. Her physician described her as a 'typical West Yorkshire lass. She's tough and realistic and you can't kid this lady. This lady knows exactly what the score is.' Alice's reaction was to fight, especially for her husband and young son and daughter. As she explained: 'You can't give in, can you? You owe it to yourself and your family to keep fighting, don't you. And when you get knocked down, get up and stand there again...'"* (2007)

The 90-minute program, entitled *Alice — A Fight for Life*, marked a watershed in Britain's attitude to asbestos and led to questions being asked in Parliament and action being taken; ten days after *Alice* was screened, the government reduced the legal limit for occupational asbestos exposures. The adverse publicity generated by the program impacted on British asbestos companies with Turner & Newall, the country's "asbestos giant," losing £60 million in its share value. All of this came too late for Alice; she died a month after filming ended and four months before the documentary was broadcast.

June Hancock — The First Successful Environmental Claimant 1995

June Hancock (born 1936) grew up in the shadow of an asbestos factory in the town of Armley, West Yorkshire. After losing her mother Maie Gelder to mesothelioma in 1982, June came face to face with the nightmare once more when she too was diagnosed with mesothelioma in 1993. Neither she nor her mother had worked with asbestos (Kazan-Allen, 2007). June knew how the disease would progress; she knew that everyday tasks would become increasingly arduous and simple pleasures unobtainable; she chose to fight back.

Her opponent, J. W. Roberts Ltd. (JWR),

had been operating from the Armley site since 1895. In 1920, it had become a subsidiary of Turner & Newall (T&N) Limited. So, by suing JWR, June was in reality suing T&N. In 1995, T&N's 40,000 employees generated a £2 billion turnover at two hundred installations in twenty-four countries; the company wasn't about to give in easily. Undaunted, June instructed a solicitor shortly after she was diagnosed; a writ was issued on September 5, 1994.

It was a test case; never before had anyone succeeded in getting compensation for environmental asbestos exposure from an English company. June's case was combined with that of Evelyn Margereson, the widow of a mesothelioma victim who had, like June, lived near the Roberts' textile factory. In the sixty-six page ruling handed down on October 27, 1995, Justice Holland awarded both claimants full compensation paying a "warm tribute to her (June's) dignity and courage" (Kazan-Allen, 2007). The appeal lodged by the defendants was dismissed on April 2, 1996 and permission to appeal to the House of Lords was refused.

And so it ended: June Hancock received £65,000, Evelyn Margereson £50,000. Not much for two lives. But what a victory — June, her family and her legal team were jubilant. June's words were quoted nationally: "It proves however small you are you can fight and however big you can lose" (Kazan-Allen, 2007). After the verdict, other mesothelioma victims from Armley and Washington, the location of another T&N subsidiary, received out-of-court settlements. June was right; her fight had made it "easier for others." June was 61 years old when she died on July 19, 1997, her daughter Kimberley and sons Russell and Tommy by her side. Considering that her dad lived till he was 86, there is no way of knowing how many years were stolen from her by the asbestos contagion permeating the air, water and streets of Armley.

Gina Lees – A Symbol of Britain's Third Wave of Asbestos Deaths 2000

Studies of the global impact of asbestos have identified three waves of deaths: the first was amongst those people who worked directly with asbestos such as Nellie Kershaw, Nora Dockerty and Alice Jefferson. The second affected workers like Bill Tait who used asbestos products. The third is associated with exposure to asbestos in situations such as those experienced by plumbers, electricians, carpenters and refurbishment workers. In addition, para-occupational exposure experienced by relatives of workers who took home asbestos-contaminated work clothes resulted in a significant number of victims amongst wives, children and grandchildren.

In 2000, at age 51, Gina Lees died of asbestos cancer, a mere three months after her condition had been diagnosed. Gina had never worked with asbestos, nor lived near an asbestos factory; none of her relatives had worked in an industrial setting where they were exposed to asbestos. When she was diagnosed with the asbestos-related cancer, mesothelioma, neither she nor her husband could comprehend how a primary schoolteacher could contract an industrial disease. So began a personal quest by her husband Michael for an explanation.

As Michael poured through government records, witness statements and archival material, he put together a dossier which revealed appalling behaviour by successive governments determined to ignore the deadly problem posed by asbestos in schools. Michael discovered that most of the 25 schools in which Gina had worked during her teaching career contained asbestos products which were often in damaged and dangerous condition, a fact which was unknown to the schools' head teachers, governors and staff.

When Michael raised his concerns with the authorities, he was "dismayed" by their indifference. During the course of his research activities, Michael made contact with asbestos victims, scientific experts, trade unionists and public health campaigners as a result of which a network to tackle the "national scandal" of asbestos in UK schools was born. Gina Lees was not the first schoolteacher to die of hazardous workplace exposure and she won't be the last but her case was the catalyst for the unprecedented mobilization on asbestos in schools which has taken place in recent years.

Debbie Brewer — 21st Century Warrior, 2012

Debbie Brewer, born in 1959, was diagnosed with pleural mesothelioma in November 2006. Her asbestos exposure was a result of her father's employment from 1963 to 1966 in Plymouth; as a lagger he removed asbestos insulation from pipework for the Ministry of Defence (MoD). He returned home at the end of the day with asbestos on his work clothes. He died of lung cancer in August 2006, three months before his daughter's cancer was diagnosed.

Debbie's case, one of the first to hold the MoD to account for its negligence, was settled at the end of 2007 with the payment of a six figure sum. A single mother of three children, the youngest of whom was ten years old when she was diagnosed, Debbie was determined to explore all the options, including alternative therapies that could prolong her life. Having been in touch with mesothelioma sufferer Anthony Webb and his wife Patricia, Debbie decided to travel to Frankfurt for chemoembolization, a course of action she did not disclose at the time to her Plymouth oncologist who had warned her of "internet sharks." After three treatments in Germany, each of which cost €4,000, a CT scan showed a significant reduction in the size of her tumour. It was at that point that Debbie informed her oncologist of the treatment she had had. Although surprised by the apparent efficacy of this alternative therapy, she reports, he was responsive to the evidence in front of his eyes.

Debbie, a natural communicator, had been on TV and in newspapers by the time she discovered that Facebook and other social media sites could be used to help spread awareness of the options open to mesothelioma sufferers as well as build an online community in which those with mesothelioma, their family and friends could come together for mutual support. This was the ethos behind the founding of the Mesothelioma Warriors Facebook page which provides comfort as well as answers from one sufferer to another. "No matter what time of day, someone somewhere will respond to a post by one of our members. If you are having a down day,

you can speak openly on our site, without fear of upsetting your family. Our anger group enables people to cope." (Mesothelioma Warriors UK United We Stand)

Concluding Thoughts

Over more than one hundred years, a public health disaster has unfolded in Britain which has claimed more lives than any other occupational epidemic. This humanitarian catastrophe was caused by industry's use of asbestos, a substance imported from abroad. Corporate executives as well as government ministers, civil servants and elected representatives were responsible for unleashing a ferocious onslaught on ordinary men and women who were powerless in the face of this deadly carcinogen.

The same excuses advanced to prolong the use of asbestos in Britain are still being promoted by vested interests in countries where asbestos use remains legal. The dimensions and severity of the British asbestos experience should be more than enough to convince a reasonable person that humanity has a right to live in an asbestos-free atmosphere. The tragedies in other countries provide corroboration, if it were even needed, that asbestos should be banned the world over.

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Laurie Kazan-Allen has been researching, writing and campaigning on asbestos issues for over 20 years. She is the founder/editor of The British Asbestos Newsletter and the founder/coordinator of The International Ban Asbestos Secretariat (IBAS). She has organized and/or participated in asbestos events on six continents and is a widely published author on asbestos-related subjects.

POEM by K.V. Skene

Secondary Exposure

Washdays, she scrubbed his workclothes,
rinsed, wrung, hung them to dry,
swept up the dust

caught in the epicanthic folds of her eyes,
her once-black hair,
her lungs

struggled, cough after bloody cough,
to inhale, exhale,
inhale ...

She never suspected the dust,
the white dust,
asbestos?

K.V. Skene's poetry has appeared internationally. Her publications include **Love in the (Irrational) Imperfect**, 2006, Hidden Brook Press (Canada) and **You Can Almost Hear Their Voices**, 2010, Indigo Dreams Publications (UK). After living in England (and Ireland) for over eighteen years she now resides in Toronto, Canada.

A Tribute to Women Fighting Against Asbestos

By Alexandra Caterbow

People often ask me why we, as women's organisations, would work on a "men's" issue like asbestos. When we hear about asbestos in the press, it is most often a story about men with occupational exposure, and about men suffering the consequences. The answer is easy: asbestos is one of the top ten causes of occupational cancer worldwide. It kills our husbands, brothers, fathers, but also many women and children — around the world.

Many women started to fight against asbestos because they had to cope with the tragic loss of a family member; others were defending victims in developing countries from asbestos produced and imported from the North; or they were concerned about asbestos mining and production in their own country.

They and many more are doing endless and brave work worldwide, not willing to stop until all problems concerning asbestos are solved.

Eastern Europe and Central Asia are two regions struggling with the use and regulation of asbestos, not only because Russia and Kazakhstan are two of the biggest producers of asbestos worldwide, but also because several countries across this region lack effective regulation to protect their citizens. In this part of the world, asbestos is still one of the most commonly-used building materials in homes, schools, kindergartens, and hospitals. The great dangers of asbestos are unknown to citizens, who are being told by the industry that 'their' asbestos is safe. The asbestos industry is very influential in these regions and closely linked to politicians, trade unions and scientists. It is an onerous task to bring the issue of asbestos onto the national political agenda, and raise awareness of the public as to its grave risks.

For some years now, I have had the honour to work with colleagues from other non-governmental organizations in these regions on the issue of asbestos. Especially in Russia and Kazakhstan, but also in Ukraine and Georgia, it is mainly women working on this topic. Together, we organize high-level conferences with national and international participants, trainings for national experts and civil society organizations, we publish articles and exchange information and expertise, inform the public, and report back to our communities about the international policy processes such as the Rotterdam Convention. Unfortunately we have found that in these regions where we are working, there is no independent data available, there are no cancer registers in place, and national scientific studies are often not independent.

Despite all of these problems, we are a strong and growing network of women and men across Eastern Europe and Central Asia working to eliminate the incidence of asbestos-related disease worldwide. We receive support from like-minded colleagues around the world, and we plan to work with NGOs in asbestos importing countries in Asia and Africa in the future to contribute to the global efforts to finally eliminate this scourge through the only way possible, by halting all mining, production and use of asbestos worldwide.

Alexandra Caterbow is Coordinator Chemicals and Health for Women in Europe for a Common Future (WECF), which is a network of over 100 grassroots women and environmental organisations worldwide, working in multi-sector partnerships demonstrating sustainable development alternatives at the local level, and sharing lessons learned and promoting sustainable policies at the global level. She can be reached at alexandra.caterbow@wecf.eu.

Canada at a Crossroads with Asbestos Production

By Fe de Leon

Asbestos, specifically chrysotile asbestos, has been the centre of a political and public health controversy in Canada for many years. The controversy continues and has recently been increasing as Canada still permits the production, use, and export of chrysotile asbestos, albeit, with increasing regulatory oversight and advancements in enforcement. Canada's opposition to recent efforts by the United Nations to require mechanisms for prior informed consent in the international trade of chrysotile asbestos has contributed to the controversy.

In Canada, asbestos exposure may be responsible for up to 2000 new cancer diagnosis each year, many that result in death (Farquhar, 2012). These diseases are not limited to workers. Some family members (partners and children of workers exposed to asbestos), who may have been indirectly but consistently exposed to asbestos fibres over time, are being diagnosed with illnesses linked to asbestos exposure. Even with increasing regulations and strategies in place aimed to protect workers' exposure to asbestos, incidences of asbestos-related diseases are increasing. Although medical procedures for detection and treatment of many of these diseases are making progress, the discovery of treatments needed to extend lives or cure patients inflicted by asbestos-related disease remains the ultimate goal.

Regulation of Asbestos Production, Use and Export

It is hard to know whether Canada's current regulatory framework for asbestos production, use and export adequately protects the population, mainly since Canada's management framework relies on a risk-based approach. Symptoms related to asbestos exposure do not present themselves for many years, even decades. This presents policy makers and public health experts with a significant challenge: how much regulation is needed to protect human health in the long term? Many organizations including the Canadian Environmental Law Association takes the position that existing data of harm caused by asbestos exposure supports the need to seek the prohibition of production and export of asbestos across the globe. The risk to human health caused by asbestos exposure is too significant to take any risks, a principle supported by both the World Health Organization and the International Labour Organization.

The Canadian and Québec governments have been under extreme pressure to stop the production and export of chrysotile asbestos, particularly to developing countries. Criticisms from the public, scientific community, medical professionals, health, labour, and environmental organizations, families of victims affected by asbestos-related diseases, public health authorities and politicians have been reported extensively in the media since 2009. Letters and petitions have been submitted to government officials from organizations and individuals expressing their concern about Canada's asbestos position.

Families of victims affected by asbestos-related diseases have been leading the campaign to raise awareness about the impacts of asbestos exposure and the need for national and global actions to protect public health. Past asbestos-handling practices in Canada have left many Canadians intimately aware of the struggles associated with living with the diseases-related to asbestos exposure, particularly mesiothelioma and lung cancer.

They also know that workers and families in far off countries that import asbestos to produce building materials are facing the same poor working conditions in their workplace. In many situations, these workers are in countries where effective safety regulation for workers are either not in place or poorly enforced. Furthermore, workers may be unaware of the long term health impacts of asbestos exposure or the necessary protection measures. These families want preventative steps taken so workers in Canada and around the world do not

ASBESTOS PRODUCTION AND RELEASES IN CANADA

Canada continues to produce, use, import and export asbestos. According the US Geological Survey (2012), Canada ranks fifth behind Russia, Kazakhstan, China, and Brazil in world's mining reserve of asbestos, which accounts for 5% or the estimated 2,000 million tonnes or the world's asbestos reserve. Canada produced 15,000 tonnes/year of asbestos when the asbestos mines were operating. However, if the Jeffrey Mine re-opens, Canada's level of production could increase to over 200,000 tonnes/year and operate for over two decades. While the contentious debate on asbestos mining in Canada continues, it should also be mentioned that on-and off-site releases and transfer of asbestos from Canadian facilities are reported annually through the National Pollutant Release Inventory (NPRI) Canada's main pollutant registry. According to 2010 NPRI data, facilities reported over 37,000 tonnes of asbestos released on- and off-site, mostly for disposal (Environment Canada, 2012). These numbers demonstrate that disposal practices, in addition to production and use can be a source of asbestos exposure to workers and communities alike.

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Environment Canada (2012). National Pollutant Release Inventory. Retrieved from: http://www.ec.gc.ca/pdb/websot/querysite/queryae.cfm

suffer in the long term.

"Sadly we cannot turn back the clock and ban asbestos in the 1930s when evidence first began to accumulate of its deadly nature," states Stacy Cattran, co-founder of Canadian Voices of Asbestos Victims in an interview for this article. "But we work for an asbestos ban now, for we have witnessed first hand the devastation that is released on families when a loved one is diagnosed with mesothelioma. Watching someone suffocate as his lungs fill up with tumour and fluid is terrible. And knowing that we inflict it on some of the poorest citizens on the world is unconscionable."

Canada's Opposition to International Measures to Regulate Chrysotile Asbestos

The unwillingness of Canada to support global measures to protect human health through the promotion of the safe management and handling of hazardous substances, like chrysotile asbestos, has been challenged by the international community. Public opposition has been growing steadily since Canada expressed its opposition to add chrysotile asbestos to the United Nations Rotterdam Convention for prior informed consent at the fifth meeting of the Conference of the Parties held between June 20-24, 2011 and the Parties failed to reach the necessary consensus to add chrysotile asbestos to Annex III. Listing of hazardous substances to Annex III is an essential element for promoting safe handling and use of such substances for importing countries. Parties would be obligated under the Convention to provide information to destination countries regarding the toxicity of the hazardous substance and the safe handling, use and disposal of these substances.

At this meeting, the global community moved to acknowledge the need for prior informed consent procedures and information exchange for chrysotile asbestos to promote the safe handling of chrysotile asbestos in cross-border trade. Canada had increasingly isolated itself from other Parties through its negotiation approach. It marked the third time Canada played a key role in Rotterdam Convention meetings to prevent Parties from reaching consensus on the listing of chrysotile asbestos.

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Asbestos mining in Québec.

Canada is at an important juncture in its history with its asbestos industry. The media coverage on this issue has not diminished since June 2011. There has also been increasing media coverage narrating the experiences of victims and their families battling asbestos-related diseases. There have been political efforts by elected officials, most notably by the New Democratic Party to introduce motions in the House of Commons in support of stopping the production and export of chrysotile asbestos in Canada. Support for protecting public health from asbestos exposure continues to rise in opposition to the private sector's interest in the continued use of asbestos in Canada and worldwide, increasing pressure on the Canadian government and the Québec government to make changes to their positions on asbestos production and export.

Recent closing of the Thetford mine in Québec Offers Hope That Asbestos Exportation from Canada is Coming to an End

This ultimate goal is facing significant challenge by Balcorp Ltd., a privately owned company based in Québec that is aggressively promoting its intent to reopen and expand the production of chrysotile asbestos at the Jeffrey Mine. The Québec Government has approved a guaranteed loan to Balcorp Ltd. for $58 million that will enable Balcorp Ltd. to reopen the Jeffrey Mines if it can raise $25 million from private investors. The federal government's position to support the continued production and export of asbestos in Canada has not changed significantly over the years. It was evident throughout the recent federal election campaign in 2011 and at the negotiations of the Rotterdam Convention.

THE ROTTERDAM CONVENTION

For several years, there has been controversy over Canada's opposition to list chrysotile asbestos under Annex III of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention). The Rotterdam Convention is an international binding agreement which entered into force in 2004, to establish mechanisms for prior informed consent procedures and a process for information exchange of a wide range of hazardous substances used in industrial processes or as pesticides. These mechanisms are intended to promote transparency and accountability by exporting Parties and provide importing countries a mechanism to consent or refuse shipments of hazardous substances based on the information received. There are 146 Parties to the Rotterdam Convention.

The justification by the Québec government to support Balcorp's efforts to reopen Jeffrey Mines is being questioned vigorously at all fronts — by human rights advocates, health organizations, environmental and labour organizations. It is well known that the asbestos mined from Québec is destined for shipment to countries that have inadequate regulatory measures to protect workers and communities from the impacts of asbestos use. This is why listing chrysotile asbestos under the Rotterdam Convention is urgent, because it ensures that importing countries receive information on the toxicity, as well as the safe handling and use of substances placed in Annex III of the Rotterdam Convention.

Looking to 2013 — Sixth Conference of the Parties to the Rotterdam Convention

Despite the failure of the Parties to add chrysotile asbestos to Annex III of the Rotterdam Convention, efforts urging Canada to stop exporting chrysotile asbestos

RISK FROM ASBESTOS EXPOSURE

All five forms of asbestos are known to have long term health effects that put workers and their community at risk from exposure. In many developing countries, the risk of exposure from asbestos is much higher due to the absence of regulations and programs that protect workers' safety from use and handling of asbestos. The World Health Organization has estimated that 107,000 deaths a year are related to asbestos. Currently, four forms of asbestos are listed in Annex III of the Rotterdam Convention: Crocidolite, Actinolite asbestos, Anthophyllite, Amosite asbestos, and Tremolite. Only chrysotile asbestos is not listed in Annex III of the Rotterdam Convention.

Note: Crocidolite (CAS RN: 12001-28-4), Actinolite asbestos (CAS RN: 77536-66-4); Anthophyllite (CAS RN: 17068-78-9, 77536-67-5); Amosite asbestos (CAS RN: 12172-73-5); and Tremolite (CAS RN: 77536-68-6).

are gaining momentum. The Canadian public and a variety of interest groups — leading medical associations, health organizations, labour, environmental community, scientists and families representing victims are actively pursuing the end of Canada's asbestos production, use and export through more stringent regulations, including, at minimum, the listing of asbestos to the Rotterdam Convention. The voices of families affected by asbestos related diseases have been particularly effective as the issues become politicised. The number of politicians calling for an end to the production and export of chrysotile asbestos is on the rise.

This will add pressure on the Canadian government to reconsider its position to list chrysotile asbestos to Annex III at the sixth meeting of the Conference of the Parties to the Rotterdam Convention, scheduled for 2013, the earliest opportunity for Parties to add chrysotile asbestos to Annex III. This increasing public pressure will also make progress towards the ultimate goal of prohibition of the production, use, disposal, import, and export of all asbestos in Canada.

Towards this end, extensive collaboration by organizations representing victims and their families, labour and environmental organizations are urging Canada to develop a North American Action Plan that aims to eliminate asbestos related diseases. An important element of the Action Plan is the need for the development and support of a comprehensive just transition plan for workers and communities affected by asbestos.

Fe de Leon is a researcher with the Canadian Environmental Law Association, a legal clinic that specializes in environmental law, based in Toronto, Ontario, Canada.

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Cover Up The Blue

Azure skies, arid plains; that still beauty
Breathtaking vast expansions of time
First impression on most of us
Hidden secret killer dust
Unseen fibre destroying lungs
Of impoverished peoples unsung
What air they breathe of fibres blue
Exposed for years as children young
Then Suddenly struck! pain attacking
Sad faces, pallor a greyish hue
And bureaucrats ignore their plight
Asbestuis okay! its asthma or TB
Surreal world of theirs to cover shame
Fat cats gaining with greed of gold
Workers! do they care of them
Women, children; men; starving sick
Killing masses by the score
More! More!! More and more
What can be done?
World environmentalists must impress
All nations North, East, South and West
Action now must be given
Saving victims an early heaven
And we must campaign on
Awareness high profile
The blue silent dust will blow across the plains meanwhile

30 July, 2003

Composed on flight from Kimberley to Cape Town. Looking out of the window at the vast land and the devastation I had witnessed in the Northern Cape. How the blue asbestos clung to vegetation, continual airborne fibres. Exposed to this the sad fact is what chance has the population living in such an environment. The constant sound of wracking coughing, even behind the rich colour of skin that grey pallor, yet they smile and hope. Hope! God help them and greatly humbled was I. This I dedicate to Isaac Machonyane, I shall never forget his soulful eyes. Isaac I interviewed on the ITN documentary "Real Life," series shown in August 2004.

Asbestuis! is how the South Africans spell and pronounce the word.

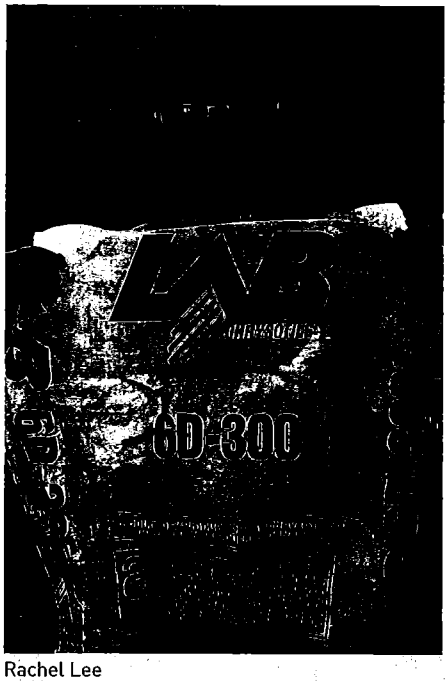
Cover up the Blue was previously published on the Clydebank Asbestos Group site, a volunteer organization in the UK that provides support and information to victims of asbestos and their families. Their website is found at www.clydebankasbestosgroup.org.

Canada's Role as Producer, Exporter and Defender of Asbestos

Violation of the Right to Health

By Kathleen Ruff

This article is dedicated to Rachel Lee, who was exposed to asbestos when she lived for a while near an asbestos cement factory in Korea. In spite of pain caused by mesothelioma, Rachel traveled to Québec and elsewhere to campaign to stop all use of asbestos. Rachel died on December 21, 2011. Rachel, we will never forget your courage and leadership.



MUCHAMAD DARISMAN

Rachel Lee

It is well over a century since women factory inspectors in the UK noted the harm to health caused by asbestos. The scientific evidence is irrefutable that all forms of asbestos cause deadly diseases - various cancers, mesothelioma and asbestosis. As the World Health Organization and the International Labour Organization have stated, the only way to prevent further epidemics of asbestos-related diseases is to stop all use of asbestos.

Yet in 2012, the Canadian and the Québec governments thumb their noses at the world scientific community and put political interests ahead of human life.

In the last century, Canada was the world's biggest exporter of asbestos, with the province of Québec being the engine of the industry. The largest open-pit asbestos mine in the world was the Jeffrey Mine in the town that was named after the product, the town of Asbestos, Québec. In 1980, Canada produced 1,323,000 metric tons of asbestos. Today, it is producing none. All the mines have closed.

The last two asbestos companies, both in Québec (Jeffrey Mine Inc. and LAB Chrysotile) are bankrupt, leaving behind a legacy of human and environmental devastation. The landscape around the closed mines has been ravaged by environmental destruction, which no one, least of all the asbestos companies, shows any desire to remediate. In all the countries where the mines shipped their asbestos, including in Canada itself, an epidemic of asbestos-related diseases has followed.

Surely, one would think, this is the end of a tragic segment of Canada's history. Unfortunately and amazingly, this is not so. The asbestos industry made a lot of money, for its owners in the past and investors still see it today as a source for profits, particularly if public funds can be obtained to underwrite the risk.

Both Canadian Prime Minister Stephen Harper and the province of Québec Premier Jean Charest have given their support to a plan to re-launch the Québec asbestos industry. A Montréal businessman, Baljit Singh Chadha, has exported asbestos from the Jeffrey Mine for the past sixteen years. Since October 2010, he has been lobbying the Québec and Canadian governments to support his plan to open a new underground Jeffrey Mine at Asbestos. This underground mine was 90% completed in the 1990s, as it was known that the open-pit Jeffrey Mine, which had been operating for over a century, would soon have exhausted its asbestos deposit. $130 million had already been spent on building the underground mine ($60 million of which was from Québec government funds), when the Jeffrey Mine declared bankruptcy, causing all work on the underground mine to cease.

Now Chadha has put forward a proposal that he and a consortium of foreign investors will purchase Jeffrey Mine for $25 million, will complete the underground mine and will produce 5 million tons of asbestos over the next couple of decades, if the Québec government will give them a $58 million loan guarantee. All of the asbestos produced would be exported to developing countries, particularly in Asia.

The Québec government is giving strong encouragement to the second asbestos mine, LAB Chrysotile, to pursue a plan to re-open the mine.

Deadly "blocking law"

The Québec asbestos industry is no longer owned by foreign transnational corporations, but instead is owned by Québec companies. Ironically, these domestic companies are more difficult to hold accountable for harm caused to victims outside Canada, where they have shipped virtually all their asbestos for the past couple of decades. This is because the Québec asbestos companies have hijacked a particular piece of legislation (the Québec Business Concerns Records Act) to give themselves a cloak of immunity. This law, called a "blocking law", was created to deal with Anti-Trust cases and allows Québec companies to refuse to provide any company records in cases involving victims outside Québec.

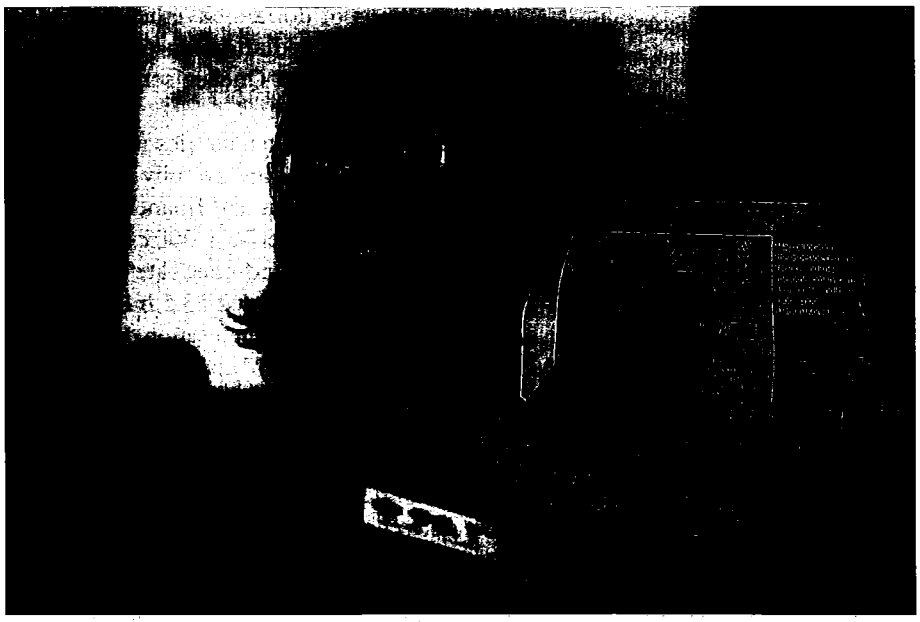
The Québec asbestos industry claims that the asbestos it has exported in the past, and the millions of tons of asbestos that it wants to export over coming decades, has been and will be handled under rigorous safety conditions overseas, causing no harm to health.

The Québec and Canadian governments make the same claim. They point to a Memorandum of Understanding, signed by the Canadian government, Jeffrey Mine and LAB Chrysotile in 1986, which states that the two companies would only export their asbestos to companies overseas that practice "safe use" standards.

Both the Québec and Canadian governments and the asbestos industry turn a blind eye to documented evidence of workers in India handling Québec asbestos with their bare hands and a total absence of any "safe use" standards.

Acting in solidarity

While Chadha, the Montreal businessman seeking to re-open the Jeffrey Mine, enjoys endorsement by Canada's political leaders, he has met vigorous opposition from Canada's health leaders. In an inspiring display of integrity and solidarity, all sixteen directors of Public Health of the Québec government signed a letter challenging Chadha's project (Québec Public Health Directors, 2011), noting that in Québec itself — a privileged, regulated society — it has proven impossible



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TOP: Rachel Lee at a press conference.

LEFT: Rachel Lee with the Asian Solidarity delegation, protest outside Québec Premier Jean Charest's office December 10, 2012.

to achieve "safe use" of asbestos and that if the Québec government finances the opening of the Jeffrey underground mine, it will result in an increase in asbestos-related disease.

Likewise, the Canadian Medical Association, the Canadian Cancer Society, the Canadian Public Health Association and numerous other leading health authorities have called on the Canadian government to cease mining and exporting asbestos and have called the export of asbestos shameful and unethical.

Communities under threat

Rejecting the advice of its own health experts, the Québec government has already approved financing of Chadha's project, if he can raise his $25 million. The government says that it will require an annual inspection of the factories to which Chadha will export asbestos to ensure that rigorous safety standards are followed and no harm to health caused. In fact, the Québec government has been unable to ensure that rigorous safety standards are followed in Québec itself. And in reality most people, who fall victim to an asbestos-related disease are sick and die because they have been exposed to asbestos after the product had left the factory and was placed in the community.

Ninety percent of asbestos is used in asbestos-cement construction materials, particularly roofing. These materials are used in homes and schools, are cut and broken in the building process, deteriorate over time, get damaged in storms and natural disasters, get demolished and get endlessly re-used. Families and children

FONDS D'INDEMNISATION DES VICTIMES DE L'AMIANTE, RAPPORT 2010

TOP: Women using LAB Chrysotile bags in dump sites in Indonesia.

BOTTOM: Young girl using LAB Chrysotile bags in dump site in Indonesia.

are exposed to broken asbestos-cement, which sheds fibers into the air causing harm to health through inhalation. There are zero safety measures in place in the community during and after asbestos has been used in construction. Construction workers and people building or fixing their own dwelling are particularly at risk of asbestos harm.

Acting differently at home and internationally

Not only is the Québec government providing financial support, but the Canadian government is also providing essential political protection to the asbestos industry on the international stage.

In industrialized countries, where asbestos was used in the past, it is costing billions of dollars to manage asbestos that was placed in buildings and infrastructure. In Québec City, for example, the cost to the city to repair 1.2 km of road was $450,000 instead of $45,000 because of the fact that asbestos had been used in the [illegible] and expensive safety precautions [illegible] required (Radio Canada, 2010). The [illegible] al with deteriorating asbestos in [illegible] of Québec schools in 2002 was [illegible] Paré, 2002). Many additional millions of dollars have been spent on asbestos remediation since that date in order to protect Québec school children from asbestos harm.

Industrialized countries no longer use asbestos, since they are fully aware of the appalling human and financial costs. In France alone, between 2002 and 2010, a fund set up to compensate victims of asbestos has awarded $3.5 billion to victims (Fonds d'Indemnisation des Victimes de l'Amiante, Rapport 2010). The asbestos industry therefore, just like the tobacco industry, targets developing countries. In order to sell asbestos in these countries, it is essential that it is promoted as a cheap, safe product. The cost of safety measures in handling and working with asbestos are not factored into this, and neither are the long term health effects on the population exposed to asbestos.

Canada has thus over the past decades played a leading role around the world in blocking and sabotaging safety measures, such as labels warning that asbestos can kill (McCulloch and Tweedale, 2008). Chrysotile asbestos is listed under the Canadian Hazardous Products Act, thus requiring strict safety measures.

But then, Canada is not seeking to sell asbestos in Canada and so this is not an impediment to sales. Canada is seeking to sell asbestos in developing countries and while treating chrysotile asbestos as a hazardous substance under Canadian law, opposes its listing as a hazardous substance under international law, i.e. the Rotterdam Convention.

Such irresponsible conduct sends a strong message to the world: deny scientific evidence and sabotage the right to health in order to protect the vested interests of a politically favoured industry.

What the asbestos issue reveals is that, as in most public health issues, the key battle is a political one rather than a scientific one. The scientific evidence is indisputable. The required action to protect health is obvious. The power imbalance is flagrant. The people being exposed to asbestos harm have little to no political or economic power, while the opposite is true of those who derive immense financial profits from the asbestos trade.

That the Canadian and Québec governments are siding with the asbestos profiteers is a shameful and, frankly, racist violation of the right to health that history will not forgive. In spite of its political allies, however, the growing public outrage in Canada will very shortly, in my view, close down the asbestos industry here forever.

Kathleen Ruff is senior human rights adviser to the Rideau Institute and founder of RightOnCanada.ca. In 2011, she received the Canadian Public Health Association's National Public Health Hero Award. She is a former director of the B.C. Human Rights Commission and the Court Challenges Program and founding publisher of the Canadian Human Rights Reporter. She is also author of **Exporting Harm: How Canada markets asbestos to the developing world**.

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Fairy Dust in the Air

By Heidi von Palleske

When I was a child, I went to a Christmas party at the factory where my dad worked. It was a yearly event. There was a Santa and presents. My siblings and I went along with the other children on a tour of the factory. The factory that was once called John's Manville. The factory that once owned the Jeffrey Mine in Quebec, Canada. The factory that turned chrysotile asbestos into pipes and insulation.

I didn't care about the machinery or how it worked. I only marveled at the fairy dust in the air and how it seemed to sparkle when the light hit it. To me, it was magical, not something that would be the carrier of death, eventually devastating my entire family.

Death has its own sound. It is the rattle of my mother's lungs as she struggled for air. The purring sound she made when the breath finally found its way in. The rasp of her voice as she struggled to speak. My mother died this past August. She died just as my father did four years ago. Gasping and struggling for air. We had only just recovered from my father's death when my mother's health started deteriorating. My daughter still cries over her grandfather. Yearly, on her birthdays, she ritualistically releases a balloon into the air, to tell her "Opa" that she is a year older, marking the passing of time without him. My daughter is not good with change. Death frightens her. And there has been too much of it in a very short time.

Last April, when they finally confirmed the diagnosis of mesothelioma for my mom, it was like hearing a death sentence. Once a firm diagnosis is made, it is already too late. Most patients will last 4-18 months. My mother was given six months. We had hoped that the fluid on her lungs, her weight loss and her weakness was due to plueracy or pneumonia. Anything but mesothelioma. How could she have it? She never worked in an asbestos factory or mine.

I was distraught over the news, but I couldn't lie to my daughter. I told her that her grandmother was sick. That she would not be with us much longer. Would not make it to grandmother's day at her school or to her Christmas concert. My daughter asked, "Why?" And so I told her about my father's work at John's Manville: how he lifted chrysotile asbestos in both his bare hands from the packaging and put it into the machines and then how he carried the fibers home on his clothes, his hair and his skin. And I told her about how Grandma breathed them in when she washed his overalls in the bathtub.

What I don't tell her is that asbestos is an airborne substance and that, as my mother shook the clothes before she washed them, the asbestos was carried in the air throughout my childhood home. I don't tell her that I used to run into my dad's arms when he came home from work. I don't tell her that her aunt used to help with the laundry. But 11-year-olds are clever these days. Although many of my friends didn't make the logical leap, it was only a matter of minutes before she asked, "Mom, does that mean you could get it too?"

And that is the question that kept me awake at night. I reasoned that my mother shared my father's bed, did his laundry and was exposed to more fibers over a longer period. I had been an aerobics instructor and a runner and so surely I must have exhaled most of the fibers.

I scoured the Internet for statistics on my chances of getting mesothelioma. The statistics are not good. There is a huge leap between risks from para-occupational exposures spanning over 15 years and risks from para-occupational exposures for periods less than 15 years. My younger brothers are at a 10-15% risk of getting sick with asbestosis or mesothelioma. My older brother, my older sister and I face a greater statistical threat. My exposure was 17 years.

When I first heard that my mother had mesothelioma, a cancer for which the only known cause is asbestos exposure, I should have been concerned about only one thing: her welfare. I should have gone through the stages of grieving that any child losing their mother experiences. Instead, coupled with concern for her, I feared for myself. I started worrying about how my husband would dress my daughter for school. Who would help her with her math homework? How would they fare without me? I tried to make everyone more self-sufficient. My husband, my daughter, my goddaughter who lives with us. Even the cats. I found myself getting impatient if my family needed me for anything. "I might not be here forever!" I snapped.

I slept horribly after my mom's diagnosis. I'd get up in the middle of the night and wander about the house or I would try to clear my head with computer games. When I mindlessly matched gems on the screen I didn't think about death. I didn't see my father's dying face. I didn't hear my mother's gasping breath. But then my mind would start making deals with some unknown, unseen god. If I beat my last score, my lungs will be clear. I will live long enough to see my daughter graduate from university. I bargain for five years, 10 years, 20 years. Trying to beat the odds. My sister, Aurora, eventually admits that she too is making deals based on "Bejewelled." We both agree that we should get CT scans of our lungs. Better to know the truth than to rely on the wisdom of a computer game.

What seems unfair is that we were first exposed as babies. We had no idea we were at risk until my mother was diagnosed. There was no support for the families of asbestos workers. No information was given to us. As we watched our fathers or husbands die, we believed the suffering ended there.

After a week, I phoned for my results

and told the receptionist to just read them over the phone to spare me the two days of waiting for an appointment. She told me there was no sign of mesothelioma, no sign of asbestosis and no sign of asbestos exposure. My daughter ran in from the next room. We were hugging and crying all at once. What a relief! For now, at least. I called my sister and urged her to get her results as well. Surely she too could use some peace of mind.

I visited my mother. I told her my news and she was happy. She could not bear for her children to die the way she was dying. "I always thought that health was the most important thing," she said. "If you don't have your health what do you have? I no longer have my health but I do have one thing still — love. In the end that is all there is."

But fate can be quite cruel. Because I was always shirking my responsibilities with the house chores, preferring to do outdoor chores instead, because my sister, being two years older, had to help my mother more in the house, because I was lazier than my sister, my lungs did not show the damage that my sisters lungs showed on her CT scan. My sister decided not to trouble my dying mother with her bad news of "significant scarring" and "fluid" on her lungs. My sister, Aurora, did not pursue further investigations until after my mom died, on August 8th 2011. My sister, my younger brother Loring, and I were with my mom when she died, at home. She was conscious as she died. Very aware throughout the dying process. In the final hour she began a mantra, listing her children and grandchildren, saying that she loved them. She died without breath but with love on her lips.

Three days after my mother's memorial, her identical twin sister collapsed. Aurora and I brought her into the hospital believing that it was due to grief. She just could not believe that she and my mom would come into the world together but that she would be left behind without her twin. They identified five different cancers, including lung cancer. The question of asbestos exposure, once again raised its ugly head. We watched her quickly deteriorate, every step echoing her twin, my mother. It was like reliving my mother's death all over again. In the end, she died in my sister's home, the same way as my mom had died, only seven weeks after. My sister was with her.

The day that Bill 399 — a bill to prohibit the mining and export of asbestos in Canada — was defeated in Parliament, my sister got a call from Princess Margaret Hospital. They informed her that she has pleural plaques due to asbestos exposure. She will be watched carefully. She has agreed to be part of the ongoing research on mesothelioma being done at Princess Margaret Hospital.

On my daughter's cork board in her bedroom, there is a poster of Justin Beiber, Harry Potter pictures, Scott Pilgrim pins, various awards and a poster which reads, "Every day 300 people die from asbestos..." She cannot fathom that on the day her grandmother died, 299 other people also died and that there are other children around the world grieving parents and grandparents. And so she has become a young activist, writing to the Prime Minister and Natural Resources Minister, speaking on Parliament Hill, and contacting Baljit Chadha, the asbestos exporter.

She has received form letters back and had Mr. Chadha slam the phone down in her ear when she told him that her grandmother died of mesothelioma. Why does she fight? Why does she write letters and speak out, when she could just be reading about Justin Beiber like another 11 year old? Because every time I, so much as, cough she freaks out, yelling, "You are NOT sick! Mommy, you are NOT sick!"

John's Manville knew that asbestos was a killer as early as the 1950s and probably even before that. They knew how dangerous it was even as they brought the children on Christmas tours and gave them pieces of asbestos to take home to play with. They kept that information from their workers, making them both victims and (unsuspecting) murderers. My father would never have knowingly brought a killer into our home. He never would have put his family into jeopardy.

As a child, the asbestos industry fed and clothed me. As an adult it hangs over my head as a fear and it threatens the life of my sister. Suddenly that fairy dust doesn't look so very pretty.

Heidi von Palleske is a Canadian actress, writer and activist. Her fight to ban asbestos has been filmed for two documentaries and recorded for a radio documentary. She is co-founder of Canadian Voices of Asbestos Victims. She lives with her two daughters, Cavanagh and Sophie, and her husband Daniel.

"The Toxic Trade": The Legal Landscape of Asbestos Regulation in India

By Dipika Jain and Priya S. Gupta

A staggering 90% of India's asbestos imports come from Canada. Jain and Gupta explore India's legal framework in granting workers a 'right to health.'

For those unfamiliar with the pervasive use of asbestos in construction in India or of the fact that 90% of it is imported from Canada, the Australian Broadcast Company's Foreign Correspondent episode "India: the Toxic Trade" (aired on November 8, 2011) provides an effective and accessible introduction to the troubling issue. Journalist Matt Peacock takes us from an abandoned mine in the state of Jharkhand, India to the ubiquitous wavy corrugated cement sheets seen in urban areas (which provide the "poor man's roof," according to Indian industry) and finally to the willfully blind companies who deal in it and the nation's leaders who allow this trade.

In the context of India's massive import and use of asbestos, Peacock places the responsibility and blame for this "Toxic Trade" primarily on two actors — Indian companies and the Canadian government. We don't dispute their complicity in perpetuating the massive health violations taking place in India due to the use of asbestos. However, while the program focuses on the actions of these two responsible actors, it does not address the legal landscape of asbestos regulation in India (including how its use is situated with the right to health and occupational safety standards), efforts to outlaw it, or the responsibility of other actors in curbing its use. We argue that in light of the many health problems associated with asbestos, and the difficulty of achieving effective health and safety regulation, it is imperative that the Indian government ban the use of asbestos in India and that other actors support this ban through export regulation, promotion of alternative construction materials, and other measures discussed below.

Framing the Problem and the Blame

The term "asbestos" refers to a group of fluffy innocuous-looking minerals, which have been mined and used in construction materials and insulation for centuries. Though its toxicity had been suspected at least since the early 1900s, its use was not restricted in many places until much later in the 20th century. The health effects of exposure to asbestos are not immediate but slow, prolonged and life-taking. Its small fibers find their way into lungs and blood streams and cause mesothelioma, various forms of cancer (larynx, ovarian, and others), and asbestosis (fibrosis of the lungs). Worldwide, it is estimated by the World Health Organization (WHO) and the International Labour Organization (ILO) that asbestos causes approximately half of all deaths caused by occupational cancer. As such, its use has been restricted in Canada and banned in least 50 other countries.

"Toxic Trade" has ample footage of this fluff and dust in the mountains in Jharkhand, India near an abandoned mine, in urban factories, and sadly, on cement factory workers' hair, clothing and bodies. Exposure to asbestos for these workers translates into health problems for not only them, but in at least one case discussed in the program, for the women who live with them and wash their clothing. This in turn affects entire families' lives and livelihoods as workers fall sick and are unable to earn for their families. In one family interviewed in the program, a male factory worker knew that continuing work in the factory would shorten his life to just a few more years, and yet continued to work there because his family needed the income.

Though Peacock doesn't directly say it, it seems he attributes the problem of continued use (and abuse) of asbestos to greed — of both apparently clueless Indian companies out for profit and the Canadian government, for allowing asbestos to be mined domestically and exported to India. He interviews Abhaya Shanker, the head of Hyderabad Industry, India's largest asbestos cement manufacturer and customer of Canadian asbestos, who argues entirely unconvincingly that this particular kind of asbestos has not been found to cause cancer and that in any case, his company takes ample safety precautions. Peacock also traces the asbestos to Canada, where he lays the blame on the country itself and does not name the private companies which deal in asbestos. According to Peacock, while Canada is a country "that should know better," "how can India," on the other hand, "be expected to exceed safety standards the rest of the world has never met?"

Once we have understood the devastating health effects of exposure to asbestos, the fact that its use has been restricted in Canada for decades, and the complicity of Canada in exporting it to India, it is impossible not to feel anger at the greed and hypocrisy and, as one activist in the program puts it, racism, of the entire cycle of trade. Both the blame and the remedy, for Peacock, while again not explicitly laid out, appear to primarily lie with the Indian companies and the Canadian government.

Our purpose in the remainder of this essay is not to exculpate Canada or the Indian companies — but to expand the frame through which the asbestos problem is viewed, and addressed, by critically eval-

uating the legal framework of occupational health safety in India in the context of the right to health. While Peacock does not appear to hold the Indian government itself responsible for the lack of safety measures, it is our hope that the government will recognize its legal obligations to the health of its citizenry and issue a ban on the manufacturing, use, and import of asbestos.

The Existing (Dysfunctional) Legal Framework

One of the most staggering repercussions of the asbestos trade faced by the workers in these industries is the occupational health hazard and the lasting impact it has on the family members of the workers, especially women and children. It is evident from the documentary that families of workers have been deeply impacted by the occupational health hazards in the asbestos factories. While asbestos related illness has been largely under-recognized in India, several recent news reports have reported that the problem is turning into a gigantic health crisis. Most of the people affected suffer from severe health problems and have no access to health care or proper medication. While there is no Constitutional guarantee of socio-economic rights in India, the India Supreme Court in the past, through creative interpretation and expansion of fundamental rights, especially the right to life, has read several socio-economic rights — including a "right to health" — into the right to life.

In 1991, in *CESC Ltd. vs. Subash Chandra Bose*, the Supreme Court relied on international law to conclude that a "right to health" is a fundamental right. It went further and observed that health is not merely absence of sickness, and that access to medical care and health care facilities are crucial components of the right.

A few years later the Indian Supreme Court, in a landmark case of *Consumer Education & Research Centre v. Union of India and others* (1995), held that the right to health and health care of a worker is a component of the fundamental right to life guaranteed under Article 21 of the Constitution of India. This case is pertinent because the Supreme Court was dealing with private employers involved in asbestos mining and industry and health hazards related to the work. The Court held that continued treatment, while in service or after retirement is a moral, legal and constitutional concomitant duty of the employer and the State:

> *The right to health to a worker is an integral facet of meaningful right to life to have not only a meaningful existence but also robust health and vigour without which worker would lead life of misery. Lack of health denudes his livelihood. Compelling economic necessity to work in an industry exposed to health hazards due to indigence to bread-winning to himself and his dependents, should not be at the cost of the health and vigour of the workman. Facilities and opportunities, as enjoined in Article 38, should be provided to protect the health of the workman.*

The Court also issued some significant directions to the asbestos industries including requirements to maintain and keep maintaining the health record of every worker up to a minimum period of 40 years from the beginning of the employment or 15 years after retirement or cessation of the employment whichever is later; to adopt a Membrane Filter Test; and to provide compulsory health insurance and regular medical care and treatment.

In a subsequent case, *Kirloskar Brothers Ltd. v. Employee's State Insurance Corporation* (1996), the Supreme Court held that the right to health and medical care of industry workers while in service or post-retirement is a fundamental right under Article 21 read with the directive principles contained in Article 39(e), 41, 43 and 47. The Court also held that it is available not only against the state and its instrumentalities but also against the private industries.

Despite a plethora of judgments by the Supreme Court upholding the right to health of workers in private and public industry, the workers engaged in asbestos industries in various parts of the country continue to suffer. Alongside these judgments, there is also a legal framework for occupational health safety and compensation that exists. The health of workers is regulated by the Factories Act, 1948, The Mines Act, 1952, The Dock Workers (Safety, Health & Welfare) Act, 1986 and compensation is ensured through the Employees State Insurance Act, 1948 and the Workmen's Compensation Act, 1923.

But it seems neither the judgments nor the legislations are being implemented by the State or private industry resulting in the poor health of the workers. And worse, there are indications that the Indian Supreme Court, which has taken a very humane approach to the workers' issues within asbestos mining in the past, may be shifting its stand.

A public interest litigation case, *Kalyaneshwari v. Union of India*, was filed by an NGO against the Indian government to ban mining of asbestos and the use of it in manufacturing. In 2011, the Supreme Court of India held against the petitioner, holding that it was "not for this Court to legislate and ban an activity under relevant laws. Every factory using or manufacturing asbestos, obtains a licence under the Factories Act as well as permission from the competent authorities including permission under the Environmental Laws." This abdication of responsibility is problematic, if not hypocritical, on multiple fronts. First, this is coming from a famously activist court that has not shied from filling in legislative lacunae regarding health and safety in the past. Second, the Court goes on to chastise the petitioner and its attorney for bringing a Public Interest Litigation in this matter, questioning their true intentions and the lack of evidence regarding the health effects of asbestos. This focus allows them to sidestep the actual issue of the necessity of a ban and the lack of action on the part of the legislature. Finally, the Court appears to believe not only that it is possible for asbestos to be used safely (despite the open condemnation of it by numerous countries, the World Health Organization (WHO), and the International Labor Organization (ILO)), but also that it is in fact being used in accordance with appropriate precaution and safety measures. In contrast, University of Ottawa Professor Amir Attaran states in "India: The Toxic Trade," that "the idea that

there is a safe amount of exposure for asbestos is a bit like saying there is a safe amount of exposure of getting shot by a revolver."

While the Court does issue certain directives to the government to review and monitor safeguards, it couches this discussion in a recognition of the importance of striking a "balance between the health hazards caused by this activity on the one hand and ground reality that a large number of families, all over the country, are dependent for their livelihood on this activity, on the other." This kind of language clearly reflects a lack of recognition of the magnitude of the dangerous qualities of asbestos, and the impossibility of achieving effective safeguards over its use.

The Necessity of Healthcare, Compensation, Eradication, and a Ban on Asbestos in India

It is imperative that the workers and their families that have suffered illness due to the deadly fiber should be given proper health care and compensation in case of death or loss of job due to illness. Moreover, workers' compensation, while necessary, is not sufficient to reach the families who are exposed to asbestos fibers when workers come home from factories or the millions of people who are exposed to asbestos in their homes and workplaces due to construction materials. With the lack of proper implementation of laws around occupational health safety and the general lack of a functional health care system, the health of millions of people in India is danger and is only prudent to ban asbestos production and usage in India and formulate a plan to contain or safely remove current asbestos products in homes and buildings. The Supreme Court states that it is for the government and the legislature to consider a ban and not the Courts. Unfortunately, a bill introduced in the legislature in 2009 which would have banned white asbestos remains pending indefinitely.

More than fifty countries have decided to ban asbestos due to the realization that "safe and controlled use" of asbestos is not possible. This has been endorsed by the ILO, the WHO and the International Agency for Research on Cancer. It is time India followed suit and recognized that the serious dangers associated with asbestos outweigh the benefits of jobs and cheap construction materials.

An effective ban on the mining, use, and import of asbestos would be best achieved through support by multiple actors. The Indian government should provide comprehensive support to those affected in at least several respects — for the companies and workers whose livelihoods is based on asbestos products, for the people who live in homes or work in places constructed with materials containing asbestos, and for the thousands whose health is suffering or whose health will suffer in the future due to exposure to asbestos. Alternative construction materials should be manufactured and used in India. Canada's intervention and passage of a production and export ban would go far in ensuring that countries like India move away from the currently cheap material and perhaps force India's domestic manufacturing sector to produce alternative materials and its government to support such production.

In closing, we urge the Indian and Canadian governments and manufacturing sectors to take a hard look at the human costs associated with asbestos and the responsibility they have to protect their citizens and workers. The Australian Broadcast Company's investigation and other media coverage are important first steps in uncovering evidence to combat complicity and private interests in the trade of asbestos. Our hope is that citizens and lawmakers recognize the legal background and possibilities for addressing the massive health violations occurring as a result of this toxic trade and work towards banning and eradicating asbestos in all of its forms and uses.

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Old Women

survive on PG Tips, marmalade toast and sour grapes;
are savvy enough to know this, too, is unsustainable
and that isn't good. Old women

cry only at night,
limbs folded around their soft bodies.
Everything they ever believed in has been binned
with yesterday's headlines – teabags, eggshells, bleeding

hearts, broken promises, kitty litter ... Old women
outstare their mirror every morning;
slap on foundation, concealer, powder, mascara, blush
then meticulously lipstick

a smile in place. Old women
have heard it, seen it, done it, worn out
their marching shoes, their protest banners, their welcome,
and are acutely aware their increasing invisibility

leaves what little remains of their indignation
for the latest and greatest
disaster. Old women
have tête-à-têtes with the unaware, the ambitious, the apoplectic,
the apparently untouchable, the apologists,

the anarchists, the absurd. Old women
know what needs to be done
and do it. Old women

have saved this world
more than once...

K.V. Skene's poetry has appeared internationally. Her publications include **Love in the (Irrational) Imperfect** (2006, Hidden Brook Press, Canada) and **You Can Almost Hear Their Voices** (2010, Indigo Dreams Publications, UK). After living in England (and Ireland) for over eighteen years she now resides in Toronto, Canada.

The Tragic Legacy of Sarnia's White Death

By Michele Landsberg

Michele Landsberg is a respected and recognized journalist. A feminist who has strongly engaged with the second wave of the women's movement in Canada, she was a columnist with the Toronto Star from 1978 to 2005. In 1999 she wrote this article which appeared in the Toronto Star on November 14, 1999, page A1. Well over a decade later, it seems in Canada we are still waiting for the widespread public outrage Landsberg calls for. But looking back on her column is instructive for another reason as well — it provides a compelling account of the disorientation, bewilderment and confusion that reigned as workers and their advocates tried to put together the pieces of what was happening in the workplaces where asbestos was used. We can only hope that what we have learned can benefit some of the workers around the world now confronting the devastation wrought by asbestos-related disease.

The men went out to work every morning, proud to earn a livelihood for their families, and they came back each evening carrying death on their clothes. The women shook out the clothes and washed and ironed them, and were proud to be taking good care of their families. Asbestos was so thick at the Holmes Caposite plant in Sarnia that shipping doors at both ends of the factory would be opened to clear the dust. It blew so thickly into the street that traffic would come to a halt. In the park across the street where children played, the benches were coated with a layer of asbestos dust.

Now the white death has spread from the chemical, fibreglass and asbestos insulation plants in Sarnia and crept into the skins, lungs, livers and colons of the men, their wives and their children, 1,000 people in Sarnia alone have made workers' compensation claims. The story began to emerge when such long-time workers as Bob Clark and George "Bud" Simpson (Caposite and Owens Corning- Fiberglass, respectively) began to be alarmed at the high death rate of their fellow workers and even of those workers' teenaged children, from cancers linked to industrial pollutants. They started to clip the obituaries. Theirs was a lonely and dogged campaign of witness and testimony, supported only by their unions. Both Clark and Simpson are dead now.

Almost exactly a year ago, a group of dying workers, widows and children sat in the visitors' gallery of the Ontario Legislature as the NDP introduced them and spoke of their plight. Instantly, loud barracking broke out. The Tory MPPs hurled shouts, catcalls and merry jests across the floor. Bud Simpson's widow, Jean, wrote to Ontario Premier Mike Harris later, expressing her anguish at this mockery of her husband's recent death. She was particularly upset by the laughter and taunts of Brenda Elliott of Guelph, Bill Murdoch of Grey-Owen-Sound, and Janet Ecker, then minister of community and social services. Neither Ecker nor Premier Harris has ever responded.

Only last week, with the Ontario Federation of Labour embarked on a public awareness campaign for workers' safety, did I learn of this contemptible incident. It was not widely reported at the time, and there was no public uproar. I couldn't help contrasting it with the now-notorious moment when federal Tory MPs laughed and jeered at Margaret Mitchell, NDP, when she rose to speak about wife battering.

Women have made their cause very high-profile, and even Tories now understand (federal ones, at least) that it's not wise to mock violence against women. But workers? No other group, aside from welfare mothers, has been so successfully slandered and dismissed as the unionized worker. Of course, workers don't own newspapers or television networks; bosses do. Unions do not have their point of view propagandized in schools; corporations

do. Maybe we'd better listen now as the OFL tries to make the case that industrial workers are our "human canaries." If Sarnia "Chemical Valley" workers are dying of asbestosis, silicosis and mesothelioma, as well as cancers of lung, colon, bowel, bladder, pancreas and brain - can the rest of the community consider itself safe and sound?

Hardly. Wives who never set foot in the plant are falling sick with rare industrial diseases. The milkman who made deliveries to the Holmes plant is now suffering asbestos-related illness. So are secretaries, receptionists and others who worked at several removes from the dust-thick air. The true horror is that all along, while the workers and their families never knew of the peril in which they stood, the government did know. It knew and it said and did nothing.

Last winter, the Canadian Auto Workers disclosed government records, obtained through Freedom of Information, which show the government knew all along that "asbestos exposures at Holmes Insulation and Caposite were the highest ever encountered in Ontario." As for fibreglass, union spokespeople point to statements published in 1996 by Dr. Murray Finkelstein, employed by the Ministry of Labour, who documented "a 400 per cent increase of lung cancer in fibreglass workers." Ten years earlier, 1986, the government already knew of staggering increases in disease and death - a six-fold increase in lung cancer mortality among Holmes workers; an 11-fold increase in respiratory-disease mortality; five mesothelioma deaths, three of them workers under the age of 50.

Wives who never set foot in the plant are falling sick with rare industrial diseases.

Successive governments issued numerous clean-up orders, but never once followed through with enforcement. For 38 years, until the Holmes plant closed in 1988, it was easier to let the workers get sick and die. The same corporate and government callousness let 26 workers die in the Westray mine explosion. What happened at the Holmes plant has been a slow explosion, agonizingly slow. Its tremors don't stop at the plant gate.

The moment the Tories took power in 1995, however, they moved swiftly to slash inspectors, close down labs, and abolish a committee that was about to issue regulations on workplace toxins. Now, a year after the government's ugly taunts about the sick and dead workers, the Ontario Federation of Labour is stepping up its push to have a "dirty dozen" of chemicals tightly regulated. The new minister of labour, Chris Stockwell, seems more willing to listen than previous impervious front-benchers. But no one has ever apologized for making fun of the death of Bud Simpson while Jean Simpson sat in the gallery. Both the ill-informed public and the ill-intentioned government have penance to do. We, the public, can start by making one hell of a stink about the way workers are expected to pay for their jobs with suffering and early death.

Sarnia, A Community in Trauma

By Anne Wordsworth

Sarnia, Ontario is a small city dominated by oil refineries and chemical plants. It produces about 40% of Canada's chemicals, and is sometimes called Chemical Valley. When asbestos was in its heyday, it literally covered every pipe and boiler in Chemical Valley. Anne Wordsworth explores this asbestos legacy in a city where more than 900 cases of asbestos-related disease have been recorded since 1999.

Sarnia, Ontario, has the distinction of being the Canadian "epicentre of asbestos disease", according to Dr. Jim Brophy and his partner, Dr. Margaret Keith, formerly of the Occupational Health Clinics for Ontario Workers (OHCOW) clinics in Windsor and Sarnia.

And they should know. For years, working from their home base in Windsor, they have been digging into workers' pasts and unearthing hundreds of cases of asbestos-related disease. Thanks to their dogged efforts, the extent of the asbestos problem in Sarnia is now known. At one time, though, asbestos was a quiet tragedy that each family in that community faced stoically on their own.

The story began in 1993 when Dr. Brophy first went to Sarnia as part of the Windsor OHCOW team that provided medical diagnostic services to workers. Sarnia, located in south-western Ontario on the St. Clair River, is a city dominated by oil refineries and chemical plants which is sometimes known as Chemical Valley. It produces about 40% of Canada's chemicals. When asbestos was in its heyday, it literally covered every pipe and boiler in Chemical Valley. Its extensive use throughout the community meant that many workers and residents were exposed and at risk of contracting asbestos-related disease. This started to become evident when Dr. Brophy and Dr. Abe Reinhartz noticed that many of the workers coming through the doors of their monthly clinics were being diagnosed with lung cancer and asbestosis.

A couple of years later Dr. Brophy went to Sarnia as a guest speaker at a banquet held by the local Labour Council. After his speech, he remembers that people from the audience started standing up to say "I have mesothelioma", or "I have lung cancer" and to complain about their difficulties getting compensation. Stunned at the number of people in the room self-identifying with industrially-caused cancers, Dr. Brophy began to realize that many men in the community were suffering from asbestos-related diseases while their wives struggled with the emotional and financial fallout — but no one was comparing notes. As Dr. Keith described it, "there was almost no blue collar worker in the community whose family had not had some experience with asbestos-related disease. But, it was like all the grandfathers in the community had been in a bus accident in which everyone died and nobody acknowledged it".

In the mid-1990s, it also happened that Bob Clarke, a former union plant chairperson and member of the Canadian Auto Workers (CAW) at the Holmes Foundry in Sarnia, appealed to the Windsor OHCOW office for help. At the Holmes Foundry where Bob had been employed, he and his fellow workers produced engine blocks and brake linings while two nearby facilities that were part of the Holmes complex, the Caposite plant and the Insulation plant, both manufactured insulation products made with asbestos.

All three facilities were thick with asbestos dust. It later came to light that from 1958 to 1988, airborne levels of asbestos dust in the Holmes facilities were hundreds of times higher than the legal limit. On one memorable occasion in 1973, government inspectors noted that a dust level of 852 fibres per cubic centimetre in Holmes was "probably the highest asbestos fibre concentration ever recorded." In 1987, an Ontario Ministry of Labour scientist, Dr. Murray Finkelstein, found elevated death rates among the 152 Holmes workers in the period 1956 to 1974. Mesothelioma, a "rare" but fatal cancer of the lining of the lung caused by asbestos, was already showing up in Holmes' workers. By 1989, the Holmes Foundry was closed but its legacy was starting to surface.

When Bob Clarke contacted the Windsor OHCOW office, he had compiled a list of his co-workers who had died of cancers that he believed were work-related. At his request, the occupational health clinic in Windsor and the CAW agreed to collaborate on a study of former Holmes workers. A team that included Dr. Brophy and Dr. Keith went to Sarnia to track down former Holmes workers who were suffering from occupational disease and surviving family members of workers who had died in order to gather evidence that would support compensation claims.

"For years", Dr. Keith said, "job blackmail made workers reluctant to talk about their illnesses for fear of reprisals from employers who controlled jobs, sick benefits and pensions." However, in 1998, the OHCOW team, led by Dr. Brophy and Dr.

Keith, working with the CAW held the first of a series of meetings in the community on asbestos. They set up participatory hazard-mapping sessions for Holmes workers that brought together many former employees. During these sessions, workers drew on their memories of the Holmes Foundry and the Holmes Caposite and Insulation plants to map out the personnel, processes and hazards in their workplaces. They described scenes where asbestos was dumped from bags into hoppers, then fed onto conveyers, with dust in the air sparkling like diamonds "in the sunshine". Workers like Ralph Crevier recalled that it was difficult to see even three feet in front of him, and that, because of the asbestos, he said "on top of your hair, it used to be pure white; you would think you were going white." No respirators were used and no one warned them that asbestos was dangerous.

These sessions were followed by a compensation intake clinic in September 1998 held at the Communication, Energy and Paperworkers' Hall in Sarnia that drew 300 former Holmes workers and their families. The CAW had been sending out surveys and placing full-page ads in the local newspaper to find former Holmes workers. The atmosphere was charged as the Holmes workers and their families told their stories. They bolstered their compensation claims by mapping their illnesses so the OHCOW team could see the pattern of health problems. Dr. Keith observed that these investigations "sent shock waves through the community as eyes were opened to the health implications of occupational exposures."

As the awareness of the impact of asbestos on Holmes workers intensified, people also realized that asbestos had affected others in the community. Wives and children of workers were also contracting asbestos-related diseases. As it turned out, just washing asbestos-saturated work clothes puts someone in harm's way. In one tragic case, a sixteen year old boy, whose only exposure to asbestos was his father's clothing when he came home from work at the Holmes Foundry, died of mesothelioma.

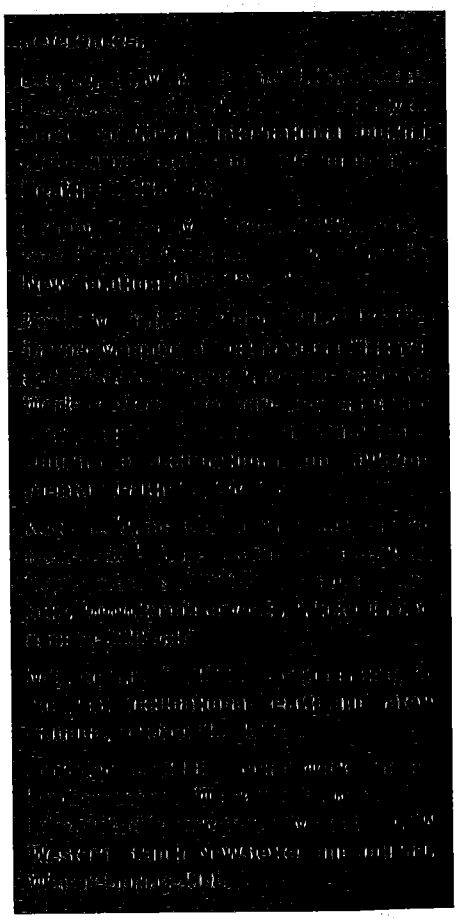
A brave group of women in the community had been among the first people to [illegible] make the consequences of asbestos visible in the community. In only three weeks of searching, Margaret Buist, whose husband, Harry, died of mesothelioma, collected the names of 16 others who had died of mesothelioma. She formed a support group for asbestos widows called the Victims of Chemical Valley. Sandy Kinart, whose husband Blayne died of mesothelioma in 2004, was a member of the group. She observed that "The loss of one man is profound. The loss of many is unfathomable..." (Kula, 2011). But those losses also became the motivation for them to take action. When the extent of the Holmes tragedy began to emerge, they insisted that an occupational health clinic be established in Sarnia.

As a result of their efforts, Sarnia got their clinic, and Dr. Brophy and Dr. Keith moved there to open it — Dr. Brophy as executive director and Dr. Keith as the clinic researcher. Working closely with labour unions and community groups, they documented the government's inspections of the Holmes plants, collected medical data and helped people with their compensation claims. The CAW, through a Freedom of Information request, was able to track the government inspections and the terrifying asbestos levels that had been detected over the years at Holmes with almost no action being taken in response to the serious problem.

In the years 2004 and 2005, an average of one new case of mesothelioma, asbestos-related lung cancer or asbestosis was seen in the clinic each week. It turned out that the majority of the affected workers came from the building trades, the petrochemical industry and the Holmes Foundry. Between 1999 and 2006 OHCOW recorded and diagnosed 588 cases of asbestos-related disease in the Sarnia area. That number has now risen to more than 900, including at least 100 cases of mesothelioma. And, more than 1300 people in Sarnia have been diagnosed with pleural plaques, a marker of asbestos exposure.

Sarnia has now been recognized as having the highest rate of mesothelioma in Ontario — four times higher than anywhere else in the province. It has been called 'a community in trauma' by Cindy Shrigley, a social worker who counselled dying workers and their families. The spotlight that was shone on the asbestos problem was a painful experience for almost everyone that lived there. However, as a result of it coming out into the open, many workers and their families have been able to receive compensation and comfort that would never have materialized if these secrets had remained hidden. As well, the experience in Sarnia demonstrates that there is still not enough attention being paid to preventing occupational illnesses and fairly treating those who have suffered because of it.

Anne Wordsworth is a researcher and writer specializing in environmental health issues. She has worked as a television producer for the Canadian Broadcasting Corporation, as a political advisor to former Ontario Ministers of the Environment, and as an environmental advocate. She is currently working on her Masters in Environmental Studies at York University.



Asbestos in the Family

By Stacy Cattran

My sister Leah was the first in the spring of 2011, then Sandy Kinart, Chair of Victims of Chemical Valley, who lost her husband and several other family members to asbestos. Next came Linda Reinstein, co-founder of Asbestos Disease Awareness Organization and Kathleen Ruff of The Rideau Institute. Over the summer of 2011, Kathleen formed a network with my sister and I and Heidi von Palleske, Cathy Conrad, and Michaela Keyserlingk, and our lone male of the group, Gannon MacAuley. As I took on the role of activist, I partnered with some amazing women who mentored, inspired, and strengthened me as we worked together to fight the Canadian asbestos industry and the government that supports it. We know too well the pain that asbestos in the family causes and we are working hard to put an end to the suffering it creates.

As the tenth anniversary of 9/11 was observed last fall we honoured the two dozen Canadians killed at the World Trade Centre. For ten years the Canadian armed forces fought a war based on the acts of that day. The people that died in the twin towers did not deserve to die — they were just showing up for work that day, innocent and oblivious to the terrorists' plans that would soon unfold. Imagine for a moment that after the dust settled and as the victims' families were grieving the loss of their loved ones, that instead of going to war or beginning sanctions or even condemning the terrorist act, the government instead travelled to the terrorists' training camps, offering millions in Canadian taxpayer dollars to expand their operations and pledging their unyielding support. How would the wife feel that knows her husband suffered an agonizing death? The daughter that lost her mom or dad? The mother who lost her grown daughter?

There are three main differences between this scenario and what is happening in Canada to the victims of asbestos:

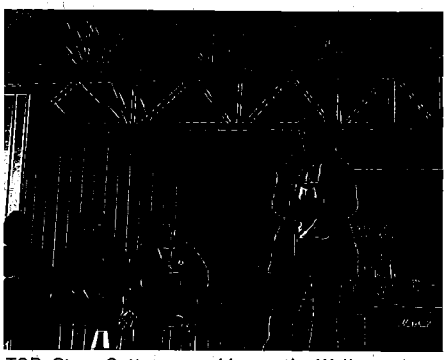
1. The perpetrators of the workplace deaths are not in some far off land — they are in Canada.
2. They haven't killed two dozen Canadians—they've killed thousands (Canadian Medical Association Journal, 2008).
3. They are continuing these same actions, moving much of their market overseas, but also hoping for a rebirth of asbestos use in Canada (Hamilton and Van Praet, 2008).

The federal government, both past and present, has betrayed asbestos victims and their families as they continue to support, both in statements and financially, the interests of the asbestos cartel.

In this battle that has been going on for decades, there are many asbestos widows who have been ignored by politicians and workplaces. And it is mainly the women who have fought back against the asbestos industry.

There are several reasons for the backlash coming from women. Men have a higher rate of mesothelioma (a highly aggressive form of lung cancer caused by asbestos), having had higher rates of exposure through skilled trades and factory work throughout the 1960s and 1970s and mesothelioma kills. It is an anomaly for someone to survive more than a year or two, and during this time victims are typically in pain and dying so they don't have the strength to fight. Many don't want to seem disloyal to the workplaces that employed them for years enabling them to make a living while they raised a family. The other men around them don't want to do anything that would jeopardize their job security, so they don't speak up.

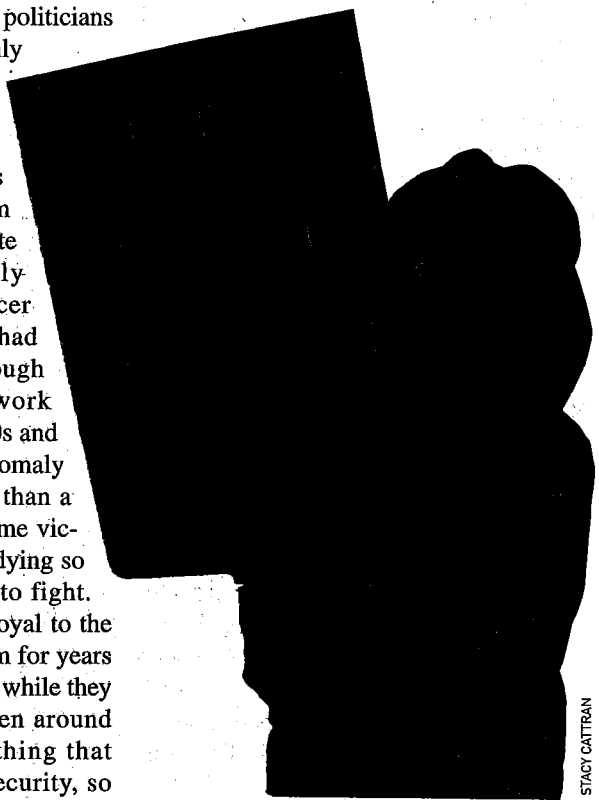
On the other hand, the widows typically don't have the same employer, so they don't need to worry about losing their jobs if they speak up. The women usually do not feel the same loyalty to their husband's employer, and often instead feel betrayed



MELISSA COULBECK

TOP: Stacy Cattran speaking at the Walk to Remember Victims of Asbestos.

BELOW: Ava Cattran protesting during the Walk.



STACY CATTRAN

STACY CATTRAN

The author's father, Bill Coulbeck, one month after his mesothelioma diagnosis with granddaughter, Ava Cattran.

by the workplaces that killed their husbands. And they feel betrayed by the government that has continued to fund the asbestos lobby group with millions of dollars (Boyd, 2006).

In March of 2008, my father was diagnosed with mesothelioma in Sarnia, Ontario. He had been exposed to asbestos as an electrician, working a few years at Dow Chemical and Lambton Generating Station, then spending the bulk of his career at the Bruce Nuclear Power Development before returning to work in Sarnia. Every weekend after my dad's diagnosis I would drive from my home in Guelph to his bedside. It was emotionally exhausting to watch an otherwise strong and healthy man, who had just retired a few months earlier at the age of 72, rapidly lose weight and become incapacitated. My dad had also been the one to look after my mom with her osteoarthritis, heart problems, and other health challenges, and now asbestos exposure from thirty to forty years earlier was leaving her a widow. Dad suffocated to death from the tumour and fluid that filled his lungs just two months after his diagnosis.

Fast-forward to the spring of 2011: Jon Stewart's *The Daily Show* skewers the Canadian asbestos industry and Prime Minister Stephen Harper campaigns in the town of Asbestos, Quebec, pledging his party's support of the industry. The time was right to do something about the asbestos issue, but I wasn't sure what.

I called my sister Leah who lives in Utah and I said "I wish we lived in Sarnia so we could do a walk to raise awareness." Leah responded "Why can't we do a walk?" So from our disparate locations we began planning, coming together in July at our mom's home just downwind from Chemical Valley (as Sarnia is sometimes called), to plan, coordinate, and build support for an event to be held October 1st.

We called it *A Walk to Remember Victims of Asbestos*. Little did we know then the amount of work we had just taken on. Our two families grew to accept the many hours we spent hunched at our laptops for the next few months, emailing members of Parliament and the media, connecting with Kathleen Ruff and her network of anti-asbestos associates, and planning the details of the Walk. As I told a friend, some days my children had difficulty adjusting to my transition from stay-at-home mom to full-time (unpaid) activist. She looked at me and said "They're watching, and it's probably one of the best things you can do for them."

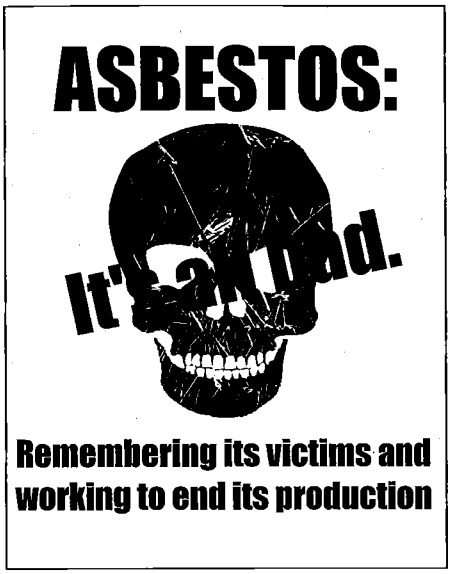
At last, the weekend of the Walk arrived. The organization Victims of Chemical Valley, a group run mainly by widows, held a beautiful candlelight vigil on Friday evening. The weather conspired against us, with bitterly cold wind blowing off the waterfront and intermittent rain, but there was a feeling of unity as families honoured those lost to this completely preventable death sentence.

The next morning the rain held off, but the temperature remained stubbornly at a little above freezing. And yet, people gathered 500 strong to listen to speeches focusing on the ending of the Canadian asbestos industry and then on the walk in honour of those who died of asbestos-related diseases. Many brought signs to protest, while others carried pictures of their fathers and mothers and spouses. Some wore shirts emblazoned with pictures of their loved ones. One of my favourite sights was one multi-generational family's black shirts with giant white letters on the back ASBESTOS KILLS.

Regardless of what the government and industry tells us, no forms of asbestos can be used safely (Kanarek, 2011). Just because asbestos can be legally sold, does not mean we should sell it. Just because other countries do not adequately protect their citizens doesn't mean we should take the opportunity to exploit the vacuum. And just because asbestos exporters have been appointed to the Queen's Privy Council and to assorted Boards of Governors doesn't mean they shouldn't be removed.

For me, there is not much to debate on this issue. It is racist and classist to export a carcinogenic material to the developing world when we pay millions to have it removed here to protect the health of Canadians. Women in the developing world, even when not directly working with asbestos, are exposed to asbestos by living with husbands on construction sites and breathing in the dust that swirls around them. It is abominable that we are allowing some of the poorest men,

STACY CATTRAN



Logo designed by the author for t-shirts and posters for "A Walk to Remember Victims of Asbestos" held on October 1, 2011 in Sarnia.

women, and children in the world to be exposed unnecessarily to something that may be writing their death sentences.

Over the last few months I have proudly read the short essay for a school assignment composed by my 8 year-old son about his grandpa's demise due to mesothelioma and why asbestos should not be exported to the developing world. I have been filled with pride listening to my 11 year-old son deliver his speech on losing his grandpa and why asbestos should be banned. And I have smiled as I have listened to my second grade daughter's friends tell of watching news clips from the internet and YouTube videos of our family's campaign against the asbestos industry that Ava has independently shared with her class. Yes, the kids are watching. I trust that the battle to shut down the Canadian asbestos industry will not have to be passed on to the next generation, but I hope one day my kids will find another issue where inequality and discrimination exists, and fight it with passion. I hope that they have learned that we cannot stand idly by when we know better. And I hope they remember that jobs at any cost are not the answer because they have learned like me, that one preventable death is one too many.

Stacy Cattran is a former English teacher who taught in Korea, Tonga, and Canada. In 2011, she joined the world of anti-asbestos activism. Stacy is one of the five co-founders of Canadian Voices of Asbestos Victims, an organization that speaks out for those who cannot. She can be reached at scattran@gmail.com and on Facebook at: A Walk to Remember Victims of Asbestos.

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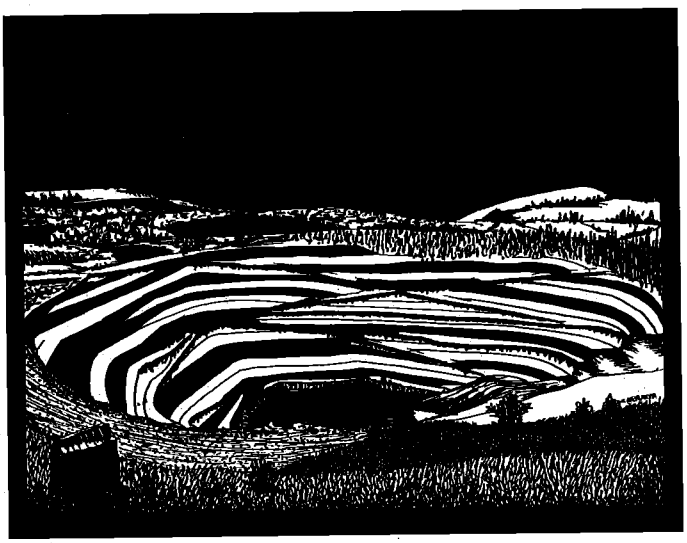
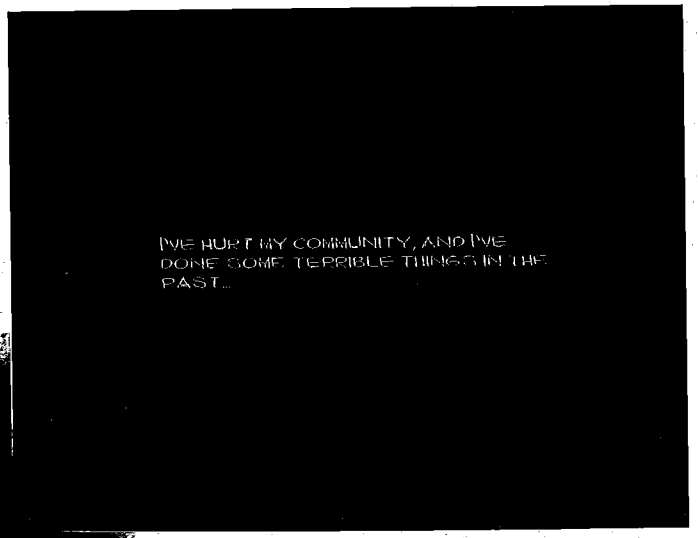
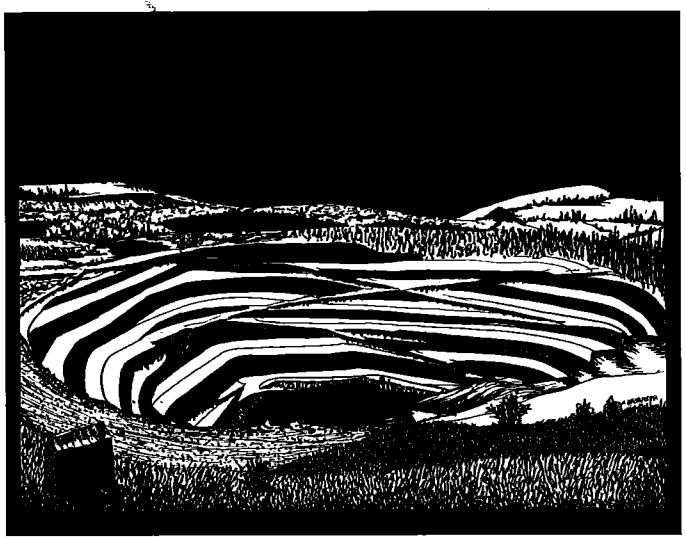
Asbestos, PQ: A Graphic Novel

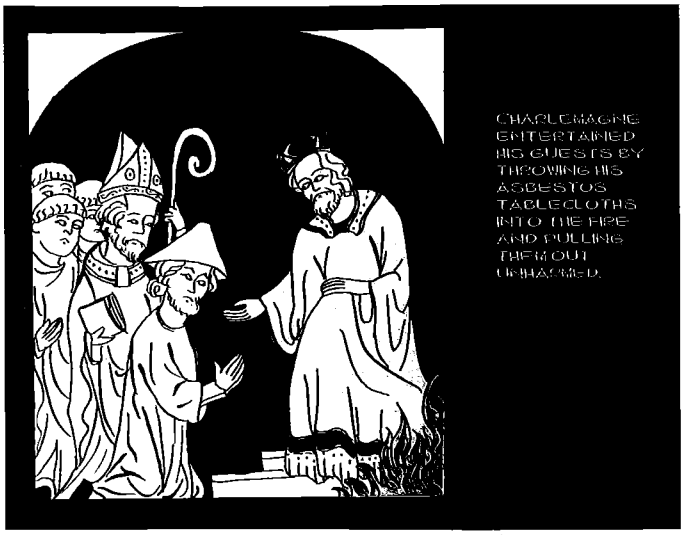
Created, written and researched by Jessica van Horssen
Illustrated by Radha-Prema McAllister

Welcome to the town of Asbestos, Canada. This graphic novel depicts the history of the community of Asbestos from the perspective of the Jeffrey Mine, the largest chrysotile asbestos mine in the world. Asbestos is ground zero for the local-global health crisis surrounding the toxic mineral and the asbestos trade, and it is also a place with a rich history full of fame and heartbreak, defined by the Jeffrey Mine and the community's connection to it. Currently struggling with the threat of collapse, although the industry remains financially supported by the Canadian government, the people of Asbestos have a complicated relationship with the mine and the mineral contained within it. With this graphic novel, we hope to bring an understanding of this community, and the issues of environmental health it presents, to a diverse audience. The online version of the graphic novel can be found at http://megaprojects.uwo.ca/asbestos.

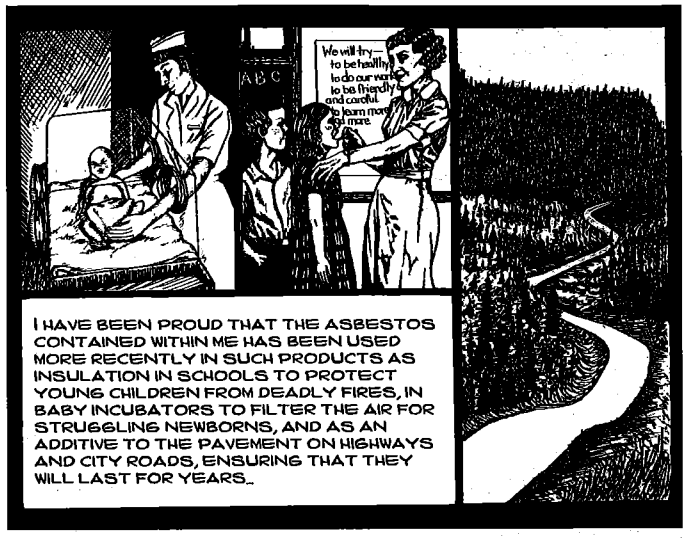




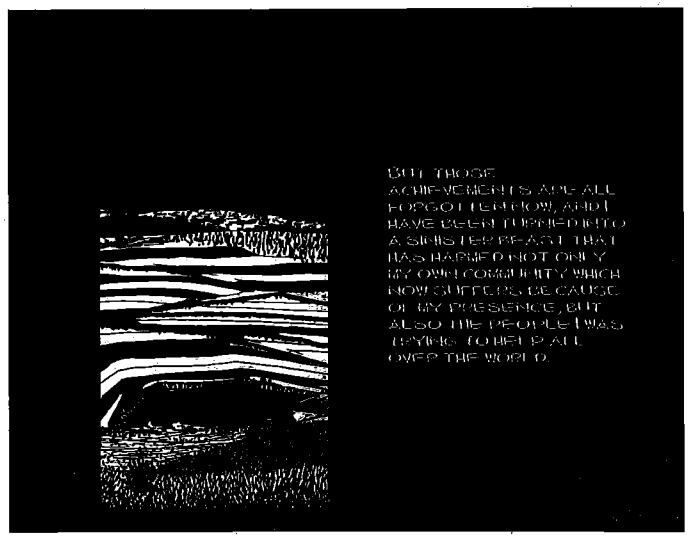


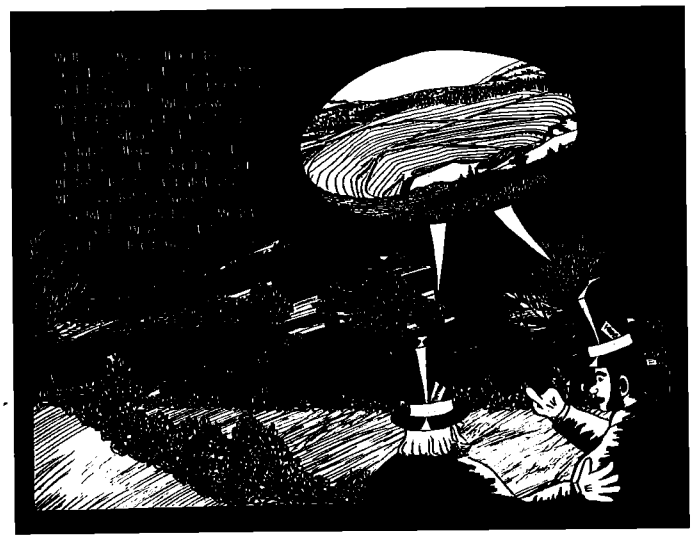

CHARLEMAGNE ENTERTAINED HIS GUESTS BY THROWING HIS ASBESTOS TABLECLOTHS INTO THE FIRE AND PULLING THEM OUT UNHARMED.


ASBESTOS, A GREEK WORD MEANING "UNQUENCHABLE," WAS USED IN WICKS FOR LANTERNS ON HOLY ALTARS, PROVIDING WORSHIPPERS WITH ETERNAL FLAMES, AND THE FIBRE WAS SPUN INTO BURIAL SHROUDS FOR ANCIENT KINGS AS THEY WERE CAST OFF INTO THE NEXT LIFE.


We will try— to be healthy to do our work to be friendly and careful to learn more and more
A B C
I HAVE BEEN PROUD THAT THE ASBESTOS CONTAINED WITHIN ME HAS BEEN USED MORE RECENTLY IN SUCH PRODUCTS AS INSULATION IN SCHOOLS TO PROTECT YOUNG CHILDREN FROM DEADLY FIRES, IN BABY INCUBATORS TO FILTER THE AIR FOR STRUGGLING NEWBORNS, AND AS AN ADDITIVE TO THE PAVEMENT ON HIGHWAYS AND CITY ROADS, ENSURING THAT THEY WILL LAST FOR YEARS.

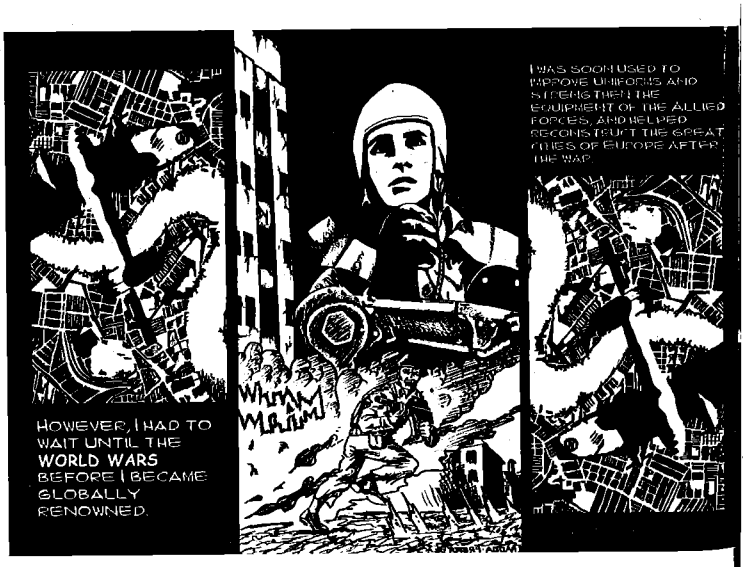

AND WHO COULD FORGET MY INFLUENCE ON FIREFIGHTING WITH THE INVENTION OF THE FIRE PROOF MAN!

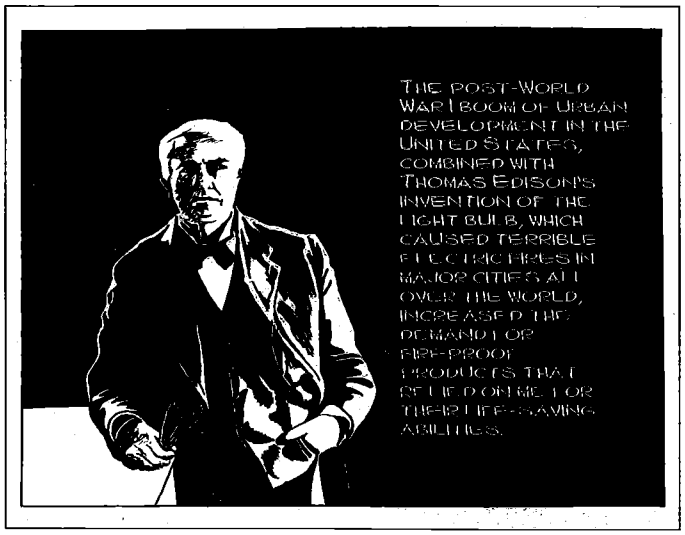

BUT THOSE ACHIEVEMENTS ARE ALL FORGOTTEN NOW, AND I HAVE BEEN TURNED INTO A SINISTER BEAST THAT HAS HARMED NOT ONLY MY OWN COMMUNITY WHICH NOW SUFFERS BECAUSE OF MY PRESENCE, BUT ALSO THE PEOPLE I WAS TRYING TO HELP ALL OVER THE WORLD.

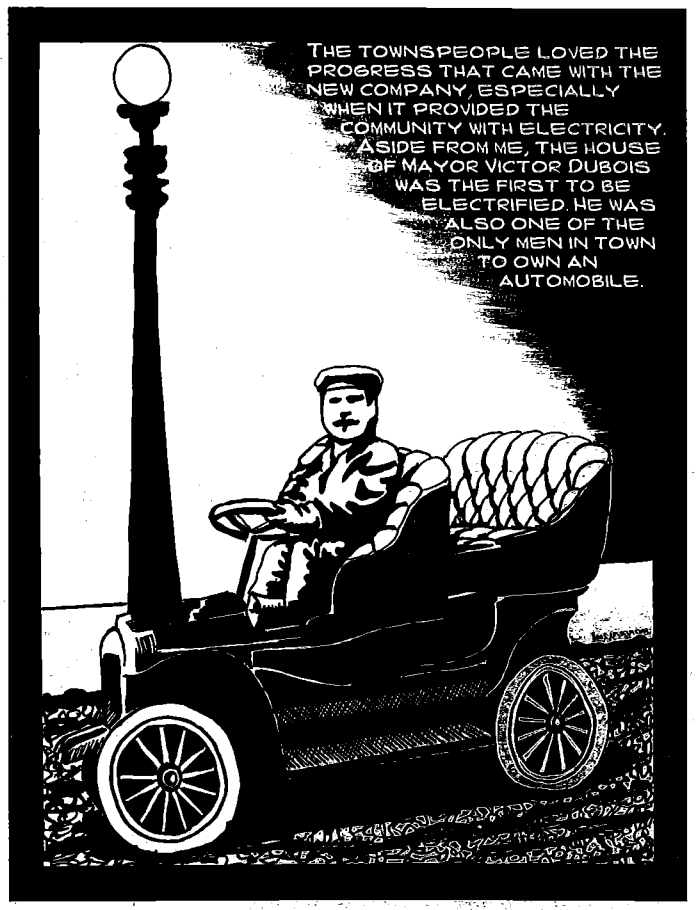


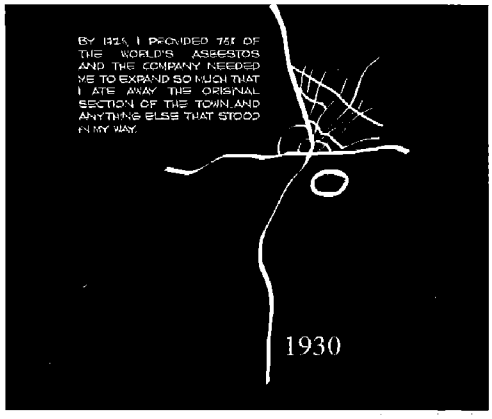

ASBESTOS

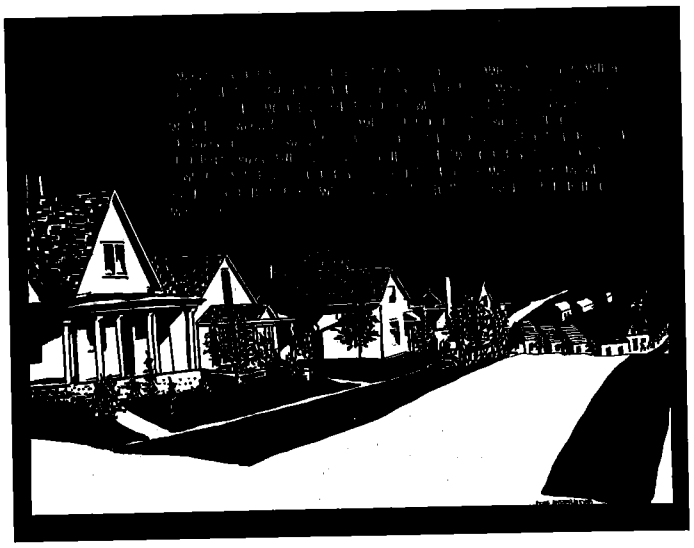

ASBESTOS


HOWEVER, I HAD TO WAIT UNTIL THE WORLD WARS BEFORE I BECAME GLOBALLY RENOWNED.
I WAS SOON USED TO IMPROVE UNIFORMS AND STRENGTHEN THE EQUIPMENT OF THE ALLIED FORCES, AND HELPED RECONSTRUCT THE GREAT CITIES OF EUROPE AFTER THE WAR.


THE POST-WORLD WAR I BOOM OF URBAN DEVELOPMENT IN THE UNITED STATES, COMBINED WITH THOMAS EDISON'S INVENTION OF THE LIGHT BULB, WHICH CAUSED TERRIBLE ELECTRICFIRES IN MAJOR CITIES ALL OVER THE WORLD, INCREASED THE DEMAND FOR FIRE-PROOF PRODUCTS THAT RELIED ON ME FOR THEIR LIFE-SAVING ABILITIES.


THE TOWNSPEOPLE LOVED THE PROGRESS THAT CAME WITH THE NEW COMPANY, ESPECIALLY WHEN IT PROVIDED THE COMMUNITY WITH ELECTRICITY. ASIDE FROM ME, THE HOUSE OF MAYOR VICTOR DUBOIS WAS THE FIRST TO BE ELECTRIFIED. HE WAS ALSO ONE OF THE ONLY MEN IN TOWN TO OWN AN AUTOMOBILE.


BY 1925, I PROVIDED 75% OF THE WORLD'S ASBESTOS AND THE COMPANY NEEDED ME TO EXPAND SO MUCH THAT I ATE AWAY THE ORISNAL SECTION OF THE TOWN AND ANYTHING ELSE THAT STOOD IN MY WAY.
1930



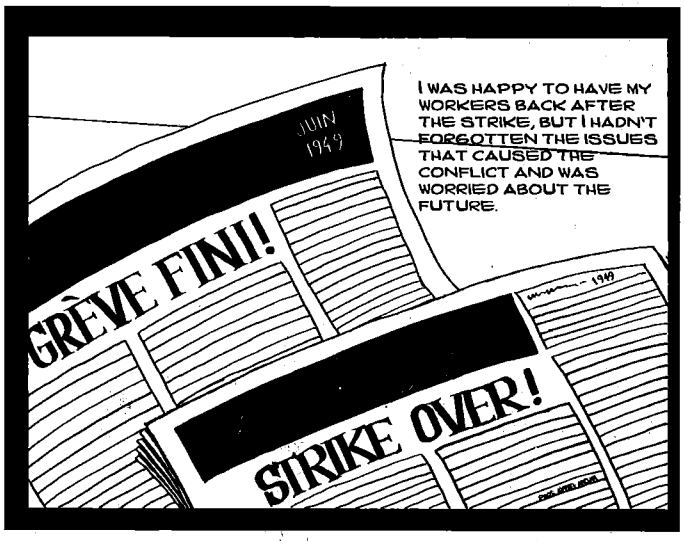

FERMÉ...
CLOSED...

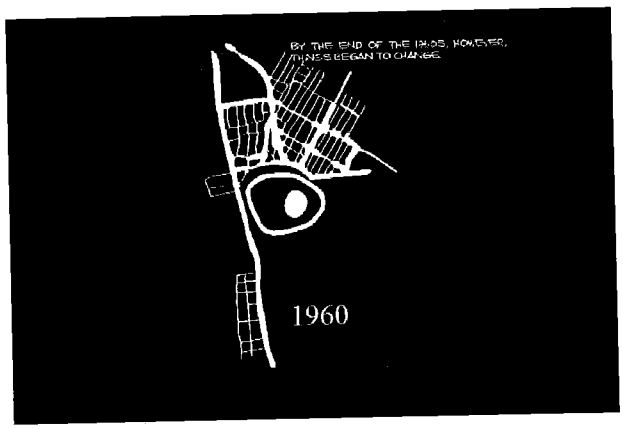

THE TOWN CONTINUED TO GROW, BUT WE NEVER HAD ENOUGH WORKERS TO TAKE OUT AND PROCESS THE AMOUNT OF FIBRE DEMANDED OF ME. THE JOHNS-MANVILLE CO. THOUGH MACHINES WOULD DO A BETTER JOB, GIANT BEASTS WERE SOON MESSING DEEP WITHIN ME, SLOWLY REPLACING THE MEN WITH STEAM, NOISE, AND SMOKE.

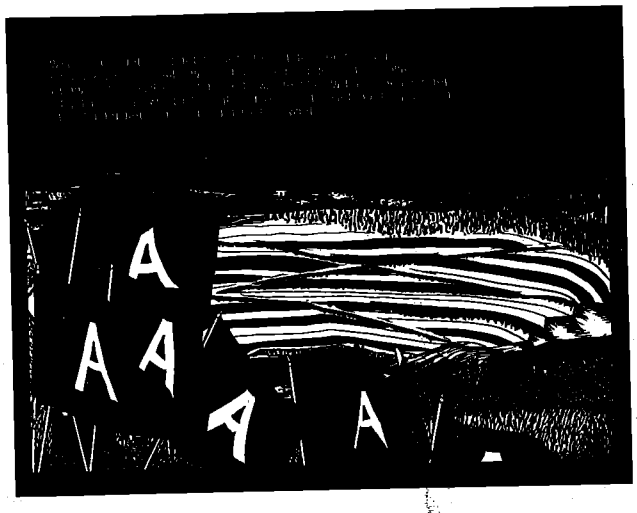

LUNGS UNTIL THEY SUFFOCATED TO DEATH. OH! I WAS SO ASHAMED!


I WAS PUNISHED WHEN THE WORKERS BEGAN A STRIKE ON 14 FEBRUARY 1949 THAT LEFT ME SILENT FOR 5 MONTHS. THE CONCERNS OF THE TOWNSPEOPLE WERE CAUGHT IN A STRUGGLE BETWEEN PREMIER MAURICE DUPLESSIS AND THE CANADIAN AND CATHOLIC CONFEDERATION OF LABOUR

PROVINCIAL POLICE WERE SENT INTO ASBESTOS AND I SAW MY STRIKING WORKERS GETTING DESPERATE. IN MAY 1949, THEY ATTEMPTED TO BLOCK THE OUTSIDE POLICE FORCE AND STRIKE BREAKERS FROM ENTERING THE TOWN. THERE WAS VIOLENCE, BUT NOTHING COMPARED TO WHAT THE POLICE DID IN RETALIATION AT 4AM THE NEXT MORNING..




BY THE END OF THE 1960S, HOWEVER, THINGS BEGAN TO CHANGE.
1960


A
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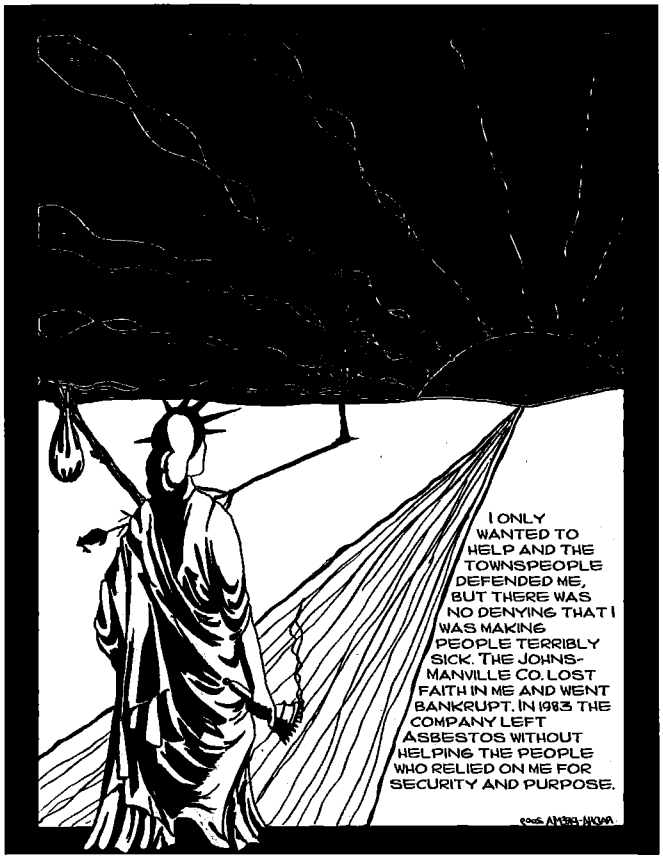
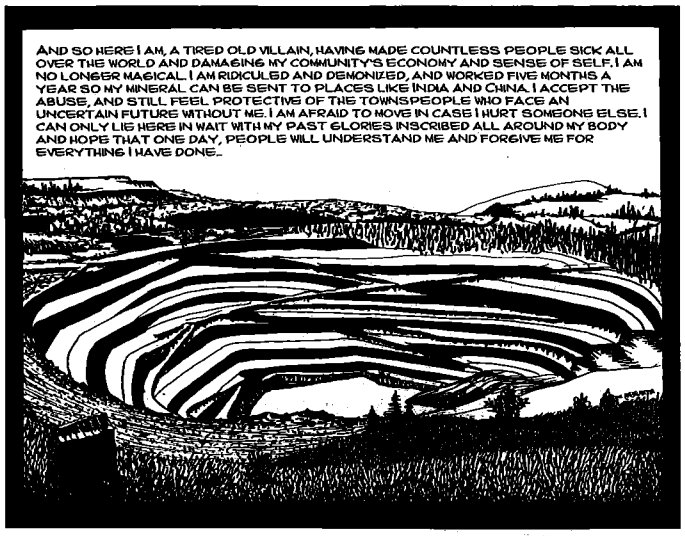
THE TOWNSPEOPLE KNEW I HAD CREATED THE COMMUNITY AROUND ME AND PROVIDED IT WITH PROSPERITY AND A REASON TO EXIST.
ASBESTOS: OUR HERITAGE

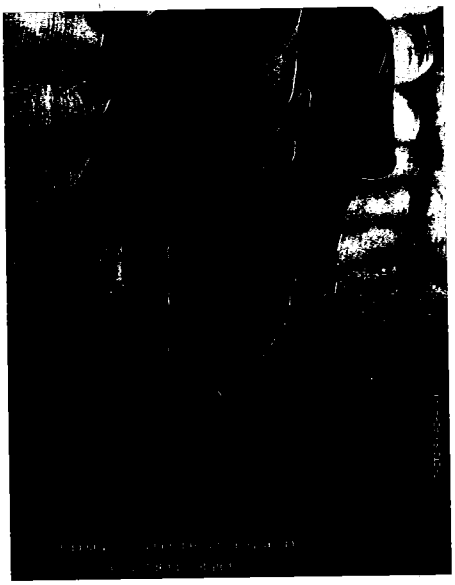

BUT DARKNESS LOOMED IN THE 1970S. WHILE I WAS HAPPILY BEING WORKED, AMERICAN PROTESTERS, MOSTLY CONCERNED MOTHERS
AND THE ENVIRONMENTAL PROTECTION AGENCY, BEGAN TO ATTACK MY IMAGE OF BEING A PIT THAT MADE THE WORLD SAFER WITH MY MAGICAL MINERAL.
SAVE OUR CHILDREN BAN ASBESTOS





Dr. Jessica van Horssen is a Postdoctoral Fellow at McGill University and the Université du Québec à Trois Rivières in Montreal, Canada. Her forthcoming monograph on the town of Asbestos and Canada's role in the global asbestos trade will be released in 2013 and she aims to show the value of history in present issues surrounding environmental health and politics. She can be contacted at jessica.j.vanhorssen@gmail.com.

Radha-Prema McAllister has her MLIS from McGill University and is based in Montreal, Canada. She is fascinated by geology and is committed to finding accessible ways to convey complex knowledge to a wide audience.



KATHLEEN MULLEN

Canada's Asbestos Mines: A Dying Industry?

Interview with filmmaker Kathleen Mullen

By Kimberly Condon

Kathleen Mullen is a Toronto-based filmmaker and director of *Breathtaking,* a film about the death of her father from asbestos-related cancer. Breathtaking explores the connections between her father's life, and eventual illness, and the modern-day asbestos industry. Mullen is currently the Artistic Director of the Planet in Focus Environmental Film Festival. *WEI Magazine* asked about her experiences working on *Breathtaking*, and her thoughts on the asbestos extraction industry.

Q: You were motivated to create your film, Breathtaking, as a result of your family's personal experience with asbestos-related illness. At what point did you decide to make a film about your father's death from mesothelioma, and how did you decide on the format of an investigative documentary?

A: The idea of the film started with wanting to make a film about my father, his life and his struggle with mesothelioma. I had a huge amount of respect for him as a man, father and worker. He had this amazing work ethic and I couldn't stop thinking about how the disease of mesothelioma (a cancer that is caused by exposure to asbestos) killed him and it was a direct result of his work.

I am also a filmmaker and a person who looks at the big picture. I was interested in making a documentary that was both personal about my family and about the current issues of asbestos mining and use in Canada and internationally. I knew that this disease not only affected my father but so many men and women around the world. So for me the film became a personal investigation into the current-day use of asbestos.

Q:Why do you think that the investigative documentary is such a powerful medium to tell a story like your father's? .

A: My father was exposed to asbestos 40 years ago. The latency period is a key element to this disease, and so I was thinking that asbestos was over, banned and not used anymore. I discovered that this is not true. There are countries in the world that still mine, export and use asbestos. One of the many exporters is Canada, along with Russia and other countries. The investigative documentary gave me a way in to exploring the story of both my father's life and his perspectives and a platform to look into what is happening in Québec where asbestos is mined today and exported to developing nations. So I went to the mines in Thetford, Québec and then to India to trace the export of asbestos where it is used for low-income housing. I spoke with my family members and used many family photographs and my own photographs and super8 films that I had made of my family over the years. In my research, I met with many other families who have been affected by asbestos, experts, politicians, activists and workers all over Canada and in India.

Q:What was the most surprising thing you discovered while researching and filming *Breathtaking*?

A: That is easy to answer. Whenever I brought up my film and what it was about, whether it was at a wedding, or with a fellow filmmaker or just a random person, I always heard the same response. People often said, "Oh I had an uncle, father, sister, mother, grandfather, grandmother, daughter who died of that disease or we think they died of asbestos but the doctors called it lung cancer at the time." It was shocking. It is really the six degrees of separation. In addition, I found out that asbestos can affect you regardless of what culture, class or gender you are or come from.

Q:Most people think of asbestos exposure as something that occurs primarily in the workplace and affects mostly men. What is the impact of the modern asbestos extraction industry on women specifically? How are women affected, directly or indirectly?

A: Women are affected through the work place in their jobs as well. But as traditionally and still today to a large extent many of the jobs where the highest rates of exposure are seen are more "male" dominated fields (engineering, mining, construction, boiler workers, etc). The majority of women who have been diagnosed with

asbestos related diseases are exposed as a direct result of washing their husbands' and fathers' clothes or even being near their husbands' clothes when he comes home from work. Although women of course are exposed through work and in other ways it is a fact that the vast majority of women who have died of mesothelioma and other asbestos cancers is a direct result of taking care of their husband, father or son. If asbestos is airborne or disturbed — whether it is from clothes or within a building — the tiny fibres can get in a person's lungs and create the disease.

Q: Given how widespread the harmful effects of asbestos are (an estimated 90,000 people die from asbestos-related cancer every year), why don't more people know about the asbestos extraction industry in Canada and its global effects?

A: There is a lot of misdiagnosis or labeling the disease as lung cancer which hides that it can be from asbestos exposure. In addition companies have known about the harmful effects of asbestos for 40 years and in many places it is banned including in the European Union. I think that there has been a huge cover-up about the effects of asbestos with economic forces and vested business interests keeping the asbestos industry alive today. They knew even in the time that my father was exposed in the 1940's and 1950's that asbestos was dangerous. There are many class action suits and law suits particularly in the United States against the companies that knowingly exposed their employees. In my film, I frame my story with clips of the deposition that my father did in the year before he died against the companies that exposed him.

There has also been this argument that asbestos can be safely used if the proper measures are taken. But in reality, workers and members of their families are exposed in all countries and safety is not a priority for many companies in developing nations. In Canada there are strict guidelines and only about three percent of asbestos produced in Canada is used here and even then there is a move to ban the use of asbestos in brake pads in Ontario. So the vast majority of asbestos mined in Canada is not used here because we know it is dangerous. It is instead being shipped to developing nations where it is used there and where the people do not have the same political and economic power to stop it and where their death from asbestos can be hidden away.

ANNE-MARY MULLEN

ABOVE: Kathleen Mullen, Director and Richard Mullen. Movie poster is on page 44.

Q: Have there been any new developments in the Canadian asbestos extraction industry since your film premiered last year? Do you see an end to asbestos mining in Canada any time soon?

A: The mines are halted for the moment in Québec. The government has said that they will help fund the mines if the private investors can match the funds but so far that has not happened. Despite worldwide and national outcry from the health care sector, families, victims, media and the anti-asbestos groups, the Québec and Canadian governments still publicly support the mining of asbestos in Canada.

The fight is far from over but the outcry is strong and I believe that we will win and asbestos will be banned in Canada. If Canada and the US ban asbestos it will be a strong statement against the deadly fibre. We do not need to use asbestos. Everyday people are finding alternatives. In Canada we found alternatives to using asbestos so why can't India and other countries that still use asbestos for low income housing use these alternatives as well? In addition most recently there is a private members bill that has gone through its second reading in Ontario to ban the use of asbestos brake pads.

Q: What new projects would you like to work on next?

A: My full-time job is as the Artistic Director of the Planet in Focus Environmental Film Festival, so right now I am busy planning our 13th edition of the festival, Oct. 10-14, 2012 in Toronto. Towards the end of the year, I am going to begin to work on something new. I have a few projects that I have put on the back burner as I concentrate on both my job and getting the word out about *Breathtaking* and the issues surrounding asbestos today. The film has travelled across Canada and internationally recently winning the Best of the Festival at CLIFF, the Canadian Labour International Film Festival, a festival that takes films all over Canada. When I made *Breathtaking* my intention was to pay tribute to my father's legacy and to be one of the many voices that was speaking out about the asbestos lobby in Canada and internationally.

Kimberly Condon is a student-at-law at the Law Society of Upper Canada. She is involved with the Law Society's Justicia Project, which promotes the retention and advancement of women in law firms. She recently received her J.D. from the University of Toronto, where she was Senior Editor of the **Indigenous Law Journal**.

The Avengers Movie — Marvel Comics and The Asbestos Lady

By Amanda Vega

The entertainment world is buzzing with the release of the new comic book movie, *The Avengers*, which features a group of heroes from the Marvel Comic book universe who work together to overcome long odds to save the world from an inter-dimensional evil genius and his extra-planetary army. Captain America, Iron Man, Thor, The Hulk, Black Widow, and Hawkeye; a media reboot of the comic book characters that first appeared in the 1940's and continued to be popular into the 1960's and 1970's.

However not all the characters from the Marvel Comic book universe are making an appearance. One character whose significance goes beyond its fictional story line is not appearing, the Asbestos Lady.

The Asbestos Lady

First appearing in Captain America comics in 1947, the Asbestos Lady was the super villain alter ego of Victoria Murdoch. Ms. Murdoch was the sister of "Killer" Murdock, a racketeer, and used her brother's connections to begin a career as a criminal scientist. She provided herself and her accomplices with asbestos-lined clothing to protect them from fire and she would then set fires to hold back the police while they robbed banks. Wanting to exploit her asbestos gimmick even further, the Asbestos Lady looked up Fred and Nora Raymond, a pair of leading asbestos scientists, intending to force them into assisting her.

The android hero of the 1940s, the Human Torch, came to the rescue of Fred and Nora Raymond and rounded up the Asbestos Lady's gang while she escaped. Determined to make the Raymonds pay, the Asbestos Lady spied on them, and when the couple left town on a train, she placed a tree trunk ahead on the tracks, derailing the train and killing them both. However, the Raymonds' son Thomas survived, and joined a circus where he became Toro, the Fire-Eating Boy. Hearing of his act on the news, the Asbestos Lady decided to kidnap him. Expecting the Human Torch to appear again, she and her gang drove a truck full of water towards the circus and pretended to spin out of control when they saw the Torch. When the hero came to assist them, they hosed him with water and threw him in the tank. However, the Human Torch generated so much heat within the tank that the steam burst the truck open, and he melted the Asbestos Lady's feet to the asphalt road to keep her from escaping.

The Asbestos Lady later continued her career and in the midst of one crime was captured by the Black Marvel. She was later approached by a collection of businessmen who feared the coming of superheroes, and they funded her to continue on as the Human Torch's chief adversary. When her brother was captured by the Human Torch and Toro and was ultimately executed, she attempted to take his place in racketeering, taking control of his gang and assuming possession of a disintegrator gun he had found in Germany.

The Asbestos Lady is from a time when people were unaware of the significant dangers associated with asbestos exposure, a time when asbestos was used as stuffing to fill baseball gloves and football helmets. The comics are a lasting reminder of the significant cover-up perpetrated by the asbestos industry, regarding the danger associated with asbestos exposure.

By the time the Asbestos Lady first appeared in Marvel Comic books, in 1947, the relationship between asbestos exposure and disease was well documented. The following examples were exposed in a report by Wendy Moyer (Moyer, 2012):

- 1918 — Health care statistician Frederick Hoffman, an employee of the Prudential Daily life Insurance Business, noted that lifestyle insurance plan companies in the

The Asbestos Lady

ALL IMAGES: MARVEL COMICS

United States usually denied coverage to asbestos personnel because of the "assumed wellbeing-injurious problems of the sector."

- 1922 — A statistician for the Metropolitan Lifestyle Insurance coverage Organization, Louis Dublin, wrote that asbestos staff are at chance of harm to their lungs.
- 1930 — Johns-Manville, a key asbestos company, created an internal business report showing the health care accidents and fatalities suffered by asbestos personnel.
- 1932 — The United States Bureau of Mines sent a letter to Eagle-Picher, an asbestos manufacturer, stating that "It is now recognized that asbestos dust is a single of the most hazardous dusts to which gentleman is subjected."
- 1933 — Doctors from the Metropolitan Life Insurance plan Organization discovered that 29% of all of the workers of a single of the Johns-Manville plants suffered from asbestosis.
- 1933 — Johns-Manville settled lawsuits filed by eleven of its workers with the proviso that the employee's attorney would concur that he would not provide any new lawsuits towards Johns-Manville.
- 1934 — Raybestos Manhattan and Johns-Manville rewrote a post composed by a Metropolitan Daily life Insurance coverage Firm doctor that was connected to the illnesses acquired by asbestos workers. The rewrite attempted to reduce the hazards relevant to asbestos dust.
- 1935 — The editor of the Asbestos Journal was instructed by Raybestos Manhattan and Johns-Manville not to publish anything related to asbestosis.
- 1936 — Although a group of companies in the asbestos market attained an agreement to sponsor analysis about the health results associated to asbestos dust, they stipulated that they also have full management over any disclosure of the final results of the research.
- 1937 — The Chief Security Inspector for the Common Oil Business of New Jersey documented asbestos relevant ailments. He also analyzed the likelihood of creating asbestos dust when asbestos insulation was put in and taken out.
- 1938 — The Industrial Hygiene Groundwork revealed two posts in the Industrial Hygiene Digest connected to asbestos personnel who acquired industrial varieties of cancers.

There appears to have been considerable political power used to stop this information about asbestos from reaching the public. Tragically the cover-up of characterizing asbestos as safe was effective in popular culture and claimed the lives of many people who died from asbestosis, lung cancer and mesothelioma after unknowingly being exposed and exposing their families to the dangerous mineral fiber, asbestos.

The revelation of the danger of asbestos in the Marvel Universe is reflected in the final appearance of the Asbestos Lady where it was revealed she had developed cancer as a result of her constant exposure to asbestos. Her final fate is unknown, but she is believed to have died of cancer.

Amanda Vega is a long time friend of WEI magazine. She holds a BA in Women Studies with a concentration on Gender and Media Studies from MIT and an MA in Social Policy from the University of Pennsylvania. She has a particular interest in gender bender issues in media particularly in the current social media and is currently working on making films. She lives with her partner and children in Montreal, Canada.

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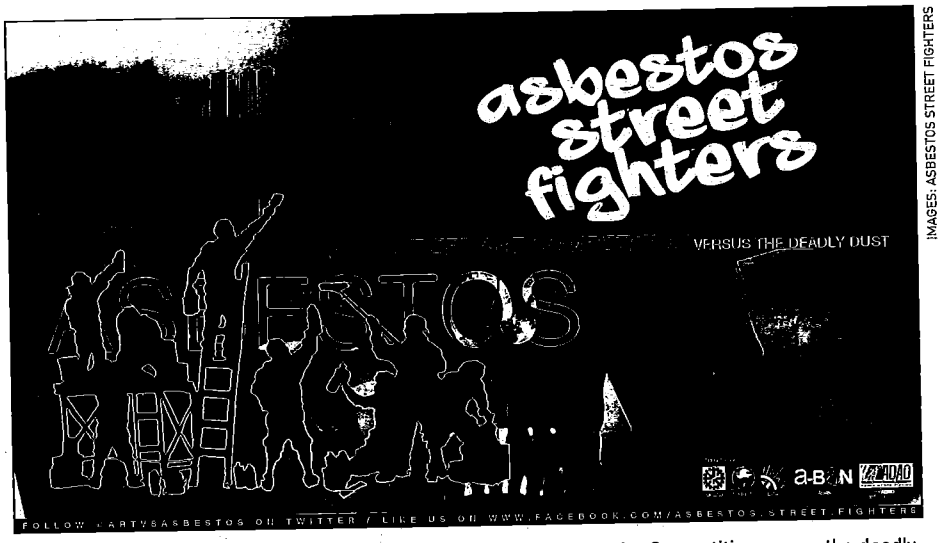
Asbestos Street Fighters

Graffiti Art in The Philippines

The Asbestos Street Fighters street art competition aims to bring together various street artists and anti-asbestos activists across the Philippines to propagate information regarding the dangers of asbestos to human health. This initiative which is part of the Institute for Occupational Health and Safety Development commemoration of Workers Memorial Day began in 2010. Since street art and the internet are so popular among the younger population the combination of the two elements has allowed young people to be introduced to the topic of asbestos and to inform anti-asbestos activists to the dynamics of street art.

By posting the entries from different artists on the website, the street art pieces become available for a worldwide audience. The project is supported by Australian People for Health, Education and Development Abroad, by the International Ban Asbestos Secretariat, by the Asian Ban Asbestos Network, and by the Asbestos Disease Awareness Organization.



IMAGES: ASBESTOS STREET FIGHTERS

ABOVE: Street Art Competition versus the deadly dust.

LEFT: AFK, the winning team.

Street Art Versus The Deadly Dust Concluded

In 2011 the Asbestos Street Fighters project was dubbed "Street Art versus the Deadly Dust" and concluded after the Artsy Fartsy Krew (AFK) won the Asbestos Street Fighters People's Choice Award from a lot of 44 entries. AFK received the most number of votes, followed by the Guerilla Aerosol Kings (GAK) after 14 days of online voting.

The competition brought together street artists from around Manila and Cebu where teams of street artists in five regions had to create their piece interpreting the competition theme, Asbestos Kills People, on a pre-determined wall. The top two teams from each region then moved ahead to the final completion in order to compete for the People's Choice Award which is based on the number of online votes. The top three teams are awarded prizes. The team with the top prize gets to represent the Philippines at the Asian Wall Lords competition, the largest graffiti art contest in Asia.

According to Noel Colina, Executive Director of the Institute for Occupational Health and Safety Development this initiative was launched to mainstream the dangers of asbestos to the youth through street art. "Multiple strategies to convey the dangers of asbestos were deployed. First, instead of displaying the pieces in a museum, we wanted them to be accessible to anyone, both offline and online. This was underscored when even during the creation of the pieces, the public got to see how each creation was made and we are happy to have had an average of 200 people watching each of the events."

"Second, we chose graffiti as the genre because we wanted to tap into an audience that is into the new counter-culture, which includes street art and graffiti, whose members dare to pose very risky questions to the present social order," explained Colina. "Asbestos lobbying is well-entrenched and we need an informed population and we need young people to be part of the movement to change the current order."

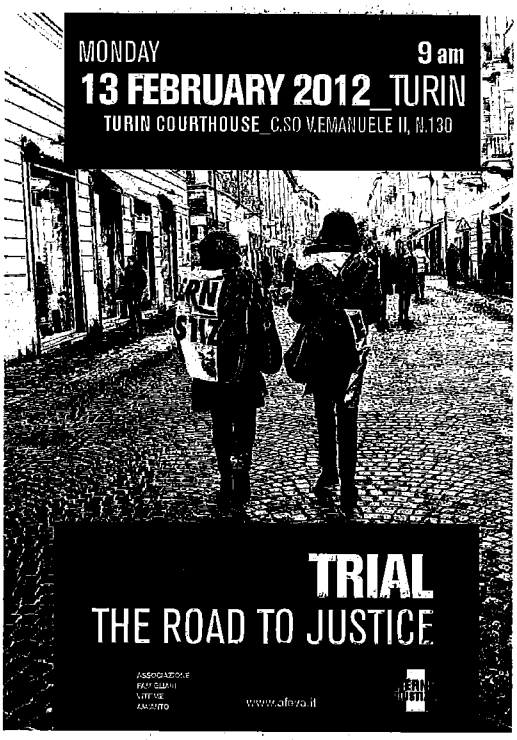
"Third, we ran a friendly competition among various street crews to help develop relationships, not only between fellow artists, but also to build bridges of communication between anti-asbestos activists and artists. Anti-asbestos activists had an opportunity to learn about the power of visual communication while artists were exposed to anti-asbestos advocacy. It was an experience of mutual learning."

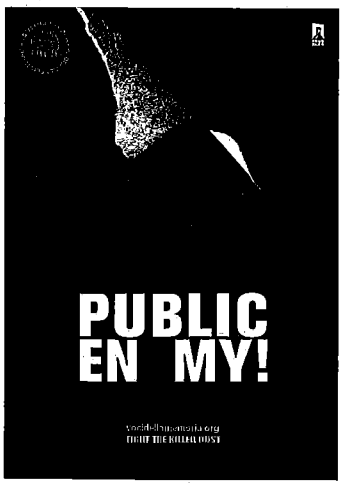
Further information may be found at www.streetversusasbestos.com

The Eternit Trial and Verdict

The Essence — Baron de Cartier and Stephan Schmidheiny Sentenced to 16 years prison

By Yvonne Waterman





LEFT: Eternit Trial — The Road to Justice
ASSOCIAZIONE FAMILIARI VITTIME AMIANTO

ABOVE: Dedicated to all the Women fighting.
VOICI DELLA MEMORIA

A verdict of historic importance

Stephan Schmidheiny (65) used to be the owner of the Swiss-Belgian industrial group Eternit (ETEX), which was in turn a major shareholder of the Italian subsidiary of Eternit between 1976 and 1986.

The Belgian Baron Jean-Louis de Cartier de Marchienne (90) was a director and minority shareholder of Eternit Italy. On February 13, 2012 they were both sentenced to 16 years prison by an Italian court in Turin. The verdicts are not effective until final, meaning the defendants have the right to go to a Court of Appeal and to the Supreme Court before they must undergo their verdicts. This could take many years and is, I suspect, the most likely outcome to happen, considering Eternit's usual game of denial and delay.

The public prosecutor, Mr. Guariniello, had demanded twenty years in jail for both men, for 'causing a continuing disaster in health and environment' and for wilfully neglecting safety regulations in the workplace. He is to be admired for being the first public prosecutor in Europe, perhaps even in the world, to undertake such an important prosecution — and of such breath-taking scale. Even today, this massive scale was reflected in the attendance of over two thousand asbestos victims and representatives of reputedly more than sixty asbestos victims associations — all packed together like sardines in four court rooms of the enormous Palace of Justice.

Responsible for the Death of 3,000 Italians — and Counting

After an initial investigation that began in 1999, the Public Prosecutor's Office concluded that Schmidheiny and De Cartier were responsible for the management of Eternit Italy. The trial began officially by December 2009; during the countless court sessions, the two accused have never appeared in person even once. They have always been represented by their lawyers — at my last count in Turin, no less than 24 for them both. While the public prosecutors' aim was to prove personal responsibility, criminal negligence and early knowledge of the health dangers of asbestos, the defendants main defence was to deny being in a responsible position. One of their lawyers even made a last stand, likening the criminal proceedings to Nazi Germany and stating that the criminal legislation applied was conceived or comparable to 'destroying the enemy such as what justifies Guantanamo'.

The baron and the billionaire are held responsible for the death of approximately 3,000 people in Italy, including employees, their family members and persons in the vicinity of the four locations of Eternit Italy. They will have to pay millions of Euros in damages to the claimants — over 6,000 people who joined the criminal trial as civil parties. The claimants include victims and their heirs, local governments, trade unions and

insurers amongst many others.

It must not be forgotten that the toll of 3,000 victims is nowhere near finished, but will continue for many decades to increase due to the wide distribution of asbestos by the defendants.

Damages

The Criminal Division of the Court awarded 25 million Euros to the municipality of Casale Monferrato; where asbestos was mined in the local mountains and transported by open rail lorries through the town to the local asbestos factory. The municipality of Cavagnolo, another Eternit site, was awarded 4 million Euros, while the region of Piemonte was awarded 20 million Euros for the clean-up of the roads and countryside. Inail, an insurance firm specialising in occupational liability, was awarded 15 million Euros.

The defendants are also sentenced to paying 70,000 to 100,000 Euros to each of eight associations, including several trade unions and the environmental organization WWF. The victims and their families are entitled to compensations ranging between 30,000 and 35,000 Euros — for European standards, that is not a great deal, but cumulatively it amounts to 95 million Euros.

International importance

Much of the trial's success must be attributed to the persistent efforts of Mr. Guariniello, who invested over a decade of his life into this trial. Still, an important factor has also been the unprecedented way in which asbestos specialists — notably Barry Castleman — and asbestos lawyers from all over the world shared crucial evidence with the prosecutor, thereby enabling him to bring Eternit inescapably to justice. Working together in this fashion has done much to make the international asbestos community closer and stronger. Sharing evidence has had another beneficial effect: it will allow asbestos victims worldwide to gain access to evidence that was previously unknown or unavailable to them, strengthening their civil cases against Eternit in the dozens of countries where it is located.

Also, public prosecutors in other countries may study the Turin trial as a precedent for bringing their own criminal trials against directors of national Eternit subsidiaries. In Belgium, for instance, Eric Jonckheere recently won a civil case against the Eternit factory in Kapelle-op-den-Bos, which is widely contaminated with asbestos waste from the Eternit factory. In his court case, much evidence came to light which, in combination with the Turin evidence, should spur Belgian public prosecutors into action: to make the Belgian directors responsible for their criminal neglect of public and environmental health and to make Eternit Belgium pay for the enormous costs of cleaning the countryside of its waste material. Health insurers and local municipalities should also not have to look far for incentive to join such trials as civil parties.

In The Netherlands, much the same could apply to the directors of the Eternit factory in (formerly named) Goor, where the roads, ditches, farm yards and nature are contaminated with asbestos waste from the Eternit factory. It is well documented how the Eternit factory actively encouraged locals to collect asbestos waste material for private purposes, knowing all the while of its health dangers but neglecting to inform them. The necessary environmental clean-up will take decades at huge costs borne by taxpayers — this state of affairs cannot be justified if criminal negligence can be proven.

Nearly every country in the world has its Casale Monferrato, its Kapelle-op-den-Bos and its Goor — and the occupational, home exposure and environmental victims that go with it. Now it's time for more Guariniello's to stand up — and be assisted by the global asbestos victims' community.

Dr. Yvonne Waterman is an international legal expert in asbestos liability law. This article was first published on February 13, 2012 in the Asbestos in the Dock, reporting on the Eternit trial in Turin, Italy at www.asbestosinthedock.ning.com

Brazilian Efforts to Ban Asbestos 2012

by Laurie Kazan-Allen

On Friday May 4, 2012, a seminar entitled *National Conference on Occupational Asbestos Disease and Death and a Brazilian Asbestos Ban* was held in São Paulo, Brazil. This well-attended event was organized by the Central única dos Trabalhadores (Central Union of Workers/CUT), the largest trade union in Brazil with a membership of 7.46 million. The agenda of the one-day meeting revealed the broad-based support which now exists in Brazil for a national ban as it included eminent experts from the trade union movement, the labor inspectorate, members of federal and state parliaments, the medical and legal professions and social movements including ABREA, the national association representing asbestos victims.

Although some Brazilian states have banned asbestos — São Paulo, Rio de Janeiro, Rio Grande do Sul, Pernambuco and Mato Grosso — Brazilian legislation continues to support the "controlled use of asbestos." Even as the speakers at the CUT conference were highlighting the urgent need for a change in federal policy in favour of a comprehensive ban, the police operation known as "Monte Carlo" was revealing the links between Brazil's asbestos lobby and criminal activities. Three political defenders of the asbestos industry caught up in the scandal are Senator Demóstenes Torres, Federal Deputy Carlos Alberto Leréia and Governor Marconi Perillo, all of whom represent the asbestos-mining state of Goiás.

During the CUT ban asbestos meeting, São Paulo State Deputy Marco Martins, author of the São Paulo bill to ban asbestos, and Federal Senator Eduardo Suplicy, author of a draft federal asbestos ban bill, supported CUT's call for Supreme Court action on the asbestos scandal reaffirming the constitutionality of Brazilian citizens to live a life free of asbestos. Labor Inspector and veteran campaigner for a Brazilian asbestos ban Fernanda Giannasi endorsed these calls on behalf of all the country's asbestos victims.

INTERNATIONAL BAN ASBESTOS SECRETARIAT

From left: Fernanda Giannasi, Senator Eduardo Suplicy, Junéai Martins Batista, Health Secretary of CUT, State Deputy Marcos Martins.

Laurie Kazan-Allen has been researching, writing and campaigning on asbestos issues for over 20 years. She is the founder/editor of The British Asbestos Newsletter and the founder/coordinator of The International Ban Asbestos Secretariat (IBAS). She has organized and/or participated in asbestos events on six continents and is a widely published author on asbestos-related subjects.

This news article was posted on the International Ban Asbestos Secretariat website at www.ibasecretariat.org on May 10, 2012.

In Other Fields

Not part of the theme for this issue, the following articles address women's land rights, an important area of concern for WEI Magazine.

Equality a Collective Effort in Senegal

By Louise Guénette

Elected officials and religious leaders have joined forces with researchers documenting Senegalese women's unequal access to land. They are raising awareness among women, and men, while encouraging women to participate in decision-making bodies.

Laws and traditions are at loggerheads in Senegal over women's rights to land. While legal reforms over the past two decades grant women equal access to land, traditional practices deny them that right. This is true throughout the country, even though more than three-quarters of women who are economically active in Senegal work on the land in agriculture.

Senegal is a country of many ethnicities and diverse agricultural zones. The Wolof and Sérère predominate in the country's Peanut Basin, where they grow cash crops such as peanuts and millet. In the Casamance, most people are Diola and produce rice. In the wooded grasslands, Peul nomads use land to pasture livestock. People in these and other zones follow a variety of customs. No matter how diverse their practices may be, however, they share a common characteristic: they overlook women when making decisions about land.

Customary practices with regard to land have prevailed despite the introduction over the past 40 years of several legal instruments that dictate new behaviours. A 1964 law, for example, declared most of Senegal's rural land to be a national heritage, precluding private ownership. In 1996, as part of the country's decentralization process, rural councils were given the authority to manage and allocate this nationally held land. By bringing decision-making close to the citizens, this provided an opportunity for women to have greater access to natural resources, and more of a say in managing them. But this never happened.

Powerful private sphere

The 2001 Constitution also gave women and men equal access to land and natural resources, with little effect. Moreover, Senegal has ratified all international protocols, laws, and rules guaranteeing the rights of women to access and control land. But decisions to loan or bequeath land continue to be made in the private sphere of the family, by the head of the household, following the patriarchal tradition.

"According to the law, if someone works a piece of land and dies, the children or the wife should go to the rural council and request to have the land assigned to them. And they would be given priority by law," says Fatou Diop Sall, coordinator of the Groupe d'Études et de Recherches Genre et Société (GESTES) at the Université Gaston Berger in Saint Louis, Senegal.

In reality, however, heads of households "redistribute the land to their heirs, who are often brothers, sometimes children, and rarely wives," she adds. This unofficial ownership operates alongside the formal laws. The rare few who want the administrative papers to make their hold on the land official will approach the rural council and request that the land be assigned to them. Most councils, comprising local heads of households, will simply ratify the family decision, Diop Sall explains.

That may be because these councils are made up primarily of traditional families, she adds. Traditional chiefs become councillors and presidents of rural councils, and the women who are active in such organizations tend to be the chiefs' wives or sisters.

Farming on borrowed land

Diop Sall led a study supported by Canada's International Development Research Centre (IDRC), covering Senegal's six main agricultural regions. The GESTES team looked at government statistics, surveyed women and men in their households, held focus group discussions, and pored over rural council decisions. The researchers found that 20% to 80% of women, depending on the zone, had access to land through their families. This access consisted mostly of permissions to cultivate small plots of land. These were temporary loans.

Women tend not to request official assignment of land unless they are part of a group, the GESTES research found. Women's associations do request land from rural councils, and the resulting official record helps association members access credit and expand production. They also become eligible to receive seeds distributed through national government programs.

Most of the women surveyed believe that they should have equal access to land. They identified a variety of social, reli-

TREES FOR THE FUTURE/FLICKR

Women in Senegal generally do not apply for the official record assigning land to them unless they are part of a group.

RAY WITLIN/WORLD BANK

Senegal's Constitution grants men and women equal access to land, but traditional practices often deny women that right.

gious, administrative, and technical obstacles preventing them from doing so. For example, women have many duties and roles that impede their control over resources. They often lack the financial means to buy the necessary inputs. Water shortages increase women's workloads and hamper production. The lack of roads and means of transportation hinder their access to markets for the products. Other constraints women face include degraded land, low levels of education, and lack of participation in local organizations.

What's more, 38% of the women and 42% of the men surveyed did not think that women needed equal access to land. For Diop Sall, this points to the need to educate and raise awareness in Senegal. Women also have to become more active citizens and participate in managing local affairs. The country's development is in the balance, she says. "This could change their way of life, their social status, and their children's future — their sons' and especially their daughters' futures."

Diop Sall believes that her group's research results are set to influence the land-reform debate in Senegal and encourage support for the idea that it is in everyone's interests for women to have secure access to land. In some areas, it is a question of survival. With men migrating to other parts of Senegal or other countries, more women head households. "In certain areas, it is in fact women who take care of feeding and maintaining families, because the husbands are not there. If they don't have access to land, if they are dependent, if they borrow, it's a problem," she says.

Solutions in action

Women's tenuous access to land also emerged as a key issue for Enda Pronat, a Senegalese group for the protection of nature that is part of the international non-governmental organization Enda Third World. Enda Pronat helps rural communities adopt sustainable agricultural practices, such as planting trees to fertilize the fields and applying organic matter to the soil — measures that can take several years to yield results.

"As soon as the woman starts to improve the land, the husband or the friend, whoever loaned the land, tells them to clear off," says Enda Pronat coordinator Mariam Sow.

The organization leads IDRC-supported research to better understand the obstacles to women's secure access to land, as well as measures to overcome them. Together with university researchers — including Fatou Diop Sall — and in close collaboration with producers' organizations, religious leaders, and decision-makers, Enda Pronat is testing measures that could improve the situation.

Islam not a barrier

Not all traditional practices are detrimental to women. Among the Diola, for example, the wife of the head of the household has the right to give a plot to

her daughter-in-law when her son marries. In the semi-desert Fouta region, some parts of the Senegal River floodplain are reserved for women. Nor does Islam deny women their right to land, contrary to popular belief in Senegal.

"Many said that religion was the obstacle, but we discovered that this wasn't the case," says Sow. Islamic religious leaders who researched the question clarified that Islam does not forbid women from owning land. They shared their results with other imams and are encouraging them to address the issue in their Friday sermons. Islam is practised by about 90% of Senegal's population.

Two religious leaders travelled with the research team to share the results of the research in rural communities. Local imams usually participated in these events.

"Custom has privileged men in inheritances, which is abnormal," said an imam from Keur Moussa, near Dakar. "I think that custom should not be relied on unless it adheres to the standards of sharing dictated by religion, because according to it, women have a right to land."

"Men alone often encounter difficulties with their land," another imam observed. "So if women are allowed to address their own problems, they can help men with land management."

Women's political participation

Both Fatou Diop Sall and Mariam Sow agree that change will be brought about by raising awareness and encouraging women to take part in decision-making. To do so, the GESTES team attracted support from the American aid agency, USAID, to translate legal documents into the languages used in the six zones under study. The team is also working with the Association des juristes sénégalaises to offer training on women's land rights and community leadership. Women leaders often accompany them.

Indeed, the GESTES research found that women's access to land and civic participation often go hand in hand. "The women who led organizations, who were councillors, who were politically active, generally had access to land. That is what makes us say that civic participation should be encouraged."

Enda Pronat is spreading the word to groups working in other regions, encouraging them to deliver the same messages to women: claim your right to land from the rural councils, become councillors, and understand the true tenets of your religion.

A day-long meeting with the Union des Associations d'Élus Locaux served to enlist the aid of local elected officials in this awareness-raising campaign. Their collaboration has led to greater participation of women on three rural councils. In Diender, for example, the number of women on the 30-member council has increased from three to 11. And already they have succeeded in helping several women obtain official land assignments.

Enda Pronat has also joined forces with rural radio stations to disseminate information in local languages. A series of radio programs has helped to publicize the research results, and to give women farmers a voice.

"It has allowed us to raise the debate," says Diop Sall. "When there is a problem in a community, people immediately turn to the local radio station." A consensus has not been reached, but people are now aware of the issue, she says.

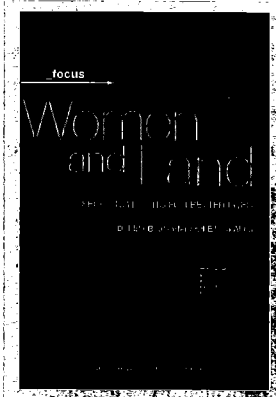
In 2004, the Loi d'Orientation Agro Sylvo Pastorale sought to promote more intensive, diversified, and sustainable agricultural production systems on family farms. This, however, requires substantial land reforms that, researchers say, have yet to be completed.

"But I think we will see a true reform after the 2012 elections," says Diop Sall. "And I think our findings will contribute to that because they are known by members of the General Assembly, the Senate, just about everywhere. Our study is cited whenever there's a project or activity on this topic."

But, she adds, this reform will need to be participatory. "If it includes local people — chiefs, religious leaders, and others — to implement the reform, things will change. This approach is needed to implement the laws because then everyone will realize that it's in women's best interests, in men's best interests, in families' best interests — everyone's. When there is a consensus, we can achieve equity in land access that respects everyone's rights."

Louise Guénette is a writer with IDRC in Ottawa.

For more information go to IDRC's thematic website on Women and Land: www.idrc.ca/in_focus_womenandland, Groupe d'Etudes et de Recherches Genre et Sociétés at www.gestes-ugb.org and Enda Pronat at www.endapronat.org



The articles in this section on women's land rights in Senegal and Colombia are part of a recent book by Debbie Budlender and Eileen Alma, which draws on research funded over many years by Canada's International Development Research Centre. The core of Women and Land focuses on findings from sub-Saharan Africa, where researchers in 14 countries explored the topic from various angles: legal, customary, political, and economic. Grounded in local realities, the evidence summarized in the book aims to capture the diversity and complexity of women's experiences. Most important, it provides fresh insights for policymakers and others working to secure women's rights to land and, thus, strengthen the communities in which they live. The text for the book, along with full research reports, case studies, videos, and policy recommendations, can be found at www.idrc.ca/in_focus_womenandland

Land Holds Promise of Peace in Colombia

By Stephen Dale

Research has become a driving force behind upcoming land restitution efforts in Colombia, where for decades peasants have lost land by violent means. The initiative is especially important for women, who have also built new networks in pursuit of a broad range of social goals.

With coloured pens and large sheets of white paper, a group of women in Colombia are bringing the past back to life. They map out the physical contours of the terrain they once called home and their experiences there. They draw their recollections of life before conflict. They draw the landmarks that were once part of their daily lives. They draw the events that forced them to leave.

This seemingly simple activity plays a potentially crucial role within Colombia's urgent quest to address one of its most pressing social problems. Unequal land distribution fed decades of bloody civil war and today continues to cast doubt on the viability of the country's uneasy peace.

Brought together by the Historical Memory Group of Colombia's National Commission of Reparations and Reconciliation, these women wield their coloured pens to achieve a number of specific goals.

First, they are creating tangible expressions of a history that might otherwise have been lost. In that sense, these drawings are monuments to a disquieting past that demand attention and a meaningful response from the society around them. Second, the pictures these displaced women create provide a kind of personal therapy, allowing them to look on their own experiences from a distance — as pictures on a wall — and to move beyond the past.

A visual record of loss

Third, and perhaps most important, is the more practical goal of this exercise. By using the drawings literally as maps — by piecing together individual renderings of small land plots and cross-referencing them with geographic surveys of the area — the commission aims to document where displaced farmers came from and how they lost their land. This way, the victims' experiences form a composite picture of the ways that violent actors — and opportunistic entrepreneurs — have seized control of land that peasants abandoned. These insights are crucial for the government's land restitution law, which aims to repair some of the damage done to former peasant landholders.

With funding from Canada's International Development Research Centre, the Historical Memory Group's work on violent land seizures has focused on the departments of Córdoba and Sucre, which includes the Montes de María region on Colombia's Caribbean coast. The striking imbalance in land distribution there has fed high rates of poverty and a history of violence. The current rates of rural poverty are 68% in Sucre and 66% in Córdoba, well above the national rural poverty rate of 46%.

Campaign cut short by war

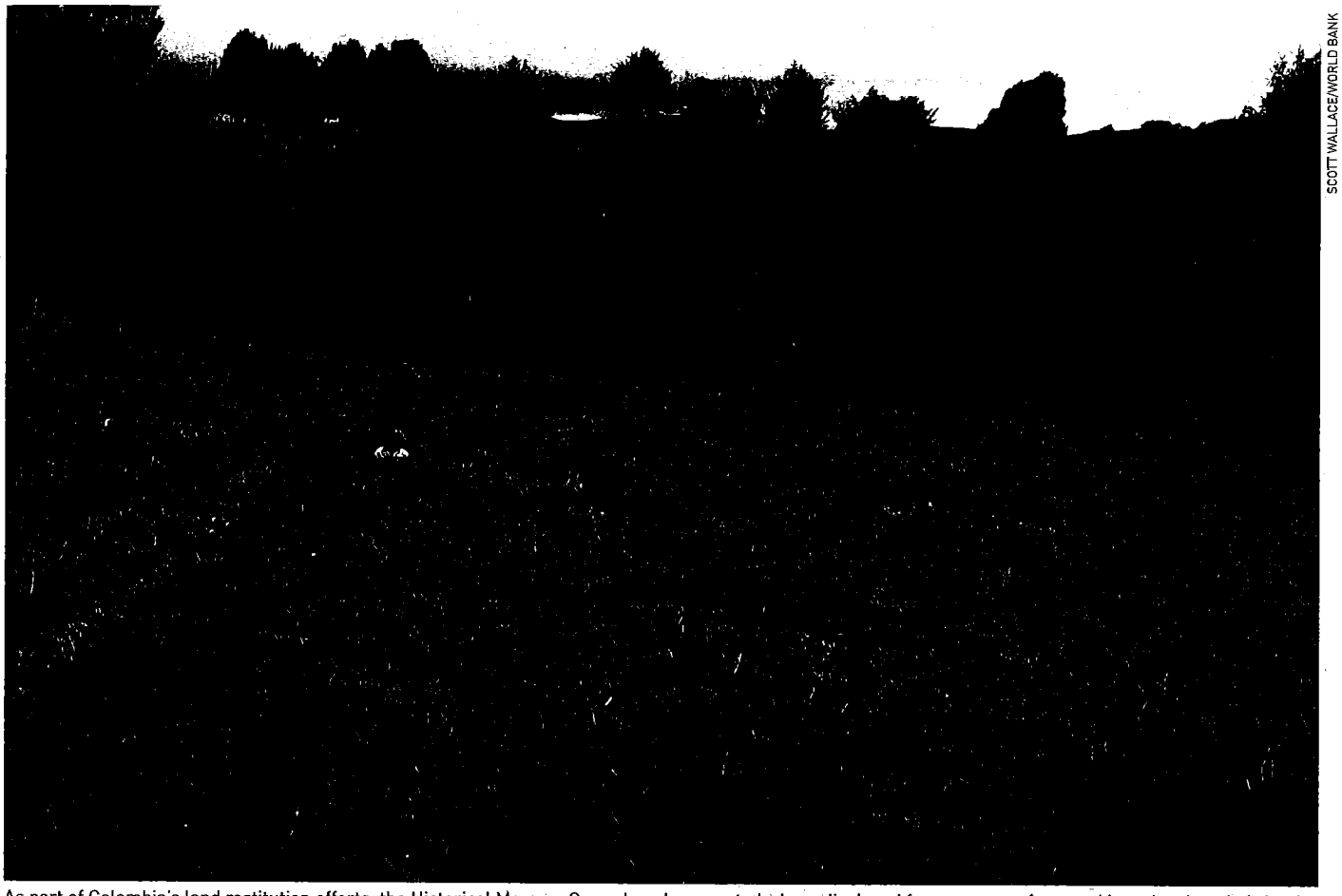
Landless peasants, struggling to survive, attempted to improve their situation in the 1970s through a non-violent campaign to seize lands and assume de facto ownership. Their rallying cry was "the land belongs to those who work it." But conflict over land didn't remain non-violent for long. The persecution that peasants initially faced turned into overt violence by the end of the 1980s. Then, paramilitary groups, sponsored by large landowners and drug cartels, began brutally suppressing the peasant resistance that had prompted the government to adopt a limited land reform. A decades-long cycle of bloodshed began. Faced with pressure from two politically opposed armed groups — the guerrillas and the paramilitary — the peasant movement verged on collapse.

Though all small farmers in the Caribbean coast region face problems when trying to gain access to land, the situation is especially problematic for women. Though women were legally granted the right to own land in the 1960s, "there is a very large gap between what the law says and what happens in practice," says assistant researcher Eliana Pinto from the Historical Memory Group. For example, widows who jointly worked small plots with their husbands have difficulty proving their ownership share, particularly if they were not formally married.

Peasant women's struggles are com-

JESUS ALFAD DOLORADO/GRUPO DE MEMORIA HISTÓRICA/CNRR

By the late 1980s, paramilitary groups overtly targeted peasant groups involved in land reform. Community leader María Zabala's husband was assassinated in 1988.



SCOTT WALLACE/WORLD BANK

As part of Colombia's land restitution efforts, the Historical Memory Group has documented where displaced farmers came from and how they lost their land.

plicated by an enveloping climate of repression. In this area, a system of cronyism concentrates power in the hands of a few wealthy men, and little protection is afforded to poor women. For example, Eliana Pinto says the widespread tolerance of the sexual abuse of workers' daughters by wealthy landowners indicates how few rights women here possess.

Women have found themselves facing violence as a response to their demands. In Córdoba, for example, several women who made claims to land have been murdered. Says Eliana Pinto: "Violence is everywhere, and we began to see that the cultural acceptance of violence against women in a way legitimizes this use of violence as a political tool."

This deeper understanding of the social context of displaced women's travails was an unexpected consequence of a two-phased research approach. In the first phase, the Historical Memory Group interviewed 200 men and women about the events that had driven them from their land, and about the history of peasant organizations' attempts to stay on the land. Women, whose roles were of special interest to the researchers, then took part in special workshops that included the mapping exercises described earlier. As the discussions broadened, the researchers gained a more complete picture of the complex forces that had displaced poor landowners, of poor women's daily lives, and of the challenges that complicate their quest for equality.

Land seized or abandoned

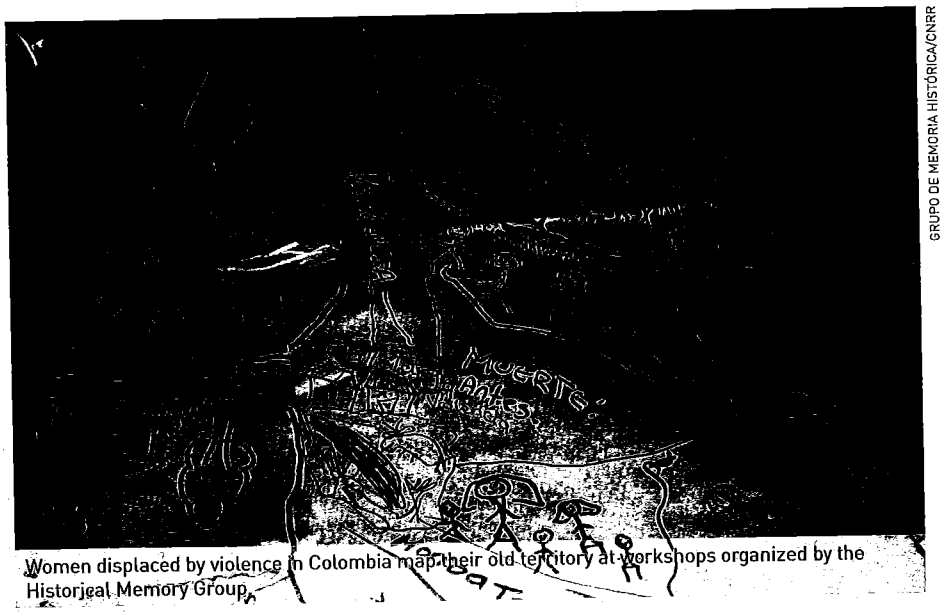
Gaining a better sense of the circumstances that led to displacement has been particularly important. The Historical Memory Group has made recommendations to Colombia's Minister of Agriculture on the land restitution law, and has influenced the extensive debate of the law in Colombia's Congress. Based on its findings on how displacements have occurred, the group advised the minister that the eligibility for land claims should be broadened to include more than just direct victims of violence.

"What we've seen is that land seizures are a chain of actions and of actors," explains Donny Meertens, a social science professor at Colombia's National University and Universidad Javeriana. "It's not always that people are kicked off their lands by violent actors themselves. People may be forcibly displaced, but they may also abandon their lands because there have been massacres nearby or assassinations in their communities. This displacement is a form of prevention — people move because they want to protect their lives."

In such cases, peasants' claims to become part of the restitution process can be supported by cross-referencing their movements with events that occurred dur-

ing the civil war. Says Meertens: "It's easy to prove because we have compiled statistics for this special region on the Caribbean coast that directly link the number of displaced people to the intensity of massacres and other forms of violence in the region."

The situation often gets murkier after the peasants have been driven from their land. Several possible sets of occurrences may make it appear that former landholders no longer have any claim on the land. Often, for example, large landowners have occupied the abandoned lands and incorporated them into plantations, sometimes with the connivance of corrupt local registry officials who assign title to the new occupants. Meertens reports that both the Historical Memory Group and the Ministry of Agriculture have documented numerous cases of officials being bribed to give title to the new occupants. In addition, because of the area's tradition of informal land tenure, many peasants who worked the land may not have had a deed. This works against their efforts to reclaim their property.



GRUPO DE MEMORIA HISTÓRICA/CNRR

Women displaced by violence in Colombia map their old territory at workshops organized by the Historical Memory Group.

Debt and coercion

In other instances, peasants have been coerced into signing away their ownership by debt collectors. Many people who benefited from the land reform program in the 1970s and 1980s, for instance, fled their homes still owing money spent to buy equipment, agricultural inputs, and to pay for the land itself. They invariably faced poverty in their new surroundings and had minimal prospects of being able to return home. If their plots are in guerrilla-controlled territory, for instance, returning would brand them as guerrilla sympathizers and make them targets of security forces. Similarly, if their old homes are located in areas controlled by the criminal gangs formed from the remnants of paramilitary groups, it may be too dangerous to return.

And so, when debt collectors — some of them foreign firms that had bought blocks of outstanding debts from the land reform institute — approached the former farmers with offers to buy their land for a fraction of its value, many accepted. Widowed women with children to support felt a particularly strong pressure to sign away their land for debt relief or a little cash. Meanwhile, other women who had no way of proving their ownership of the land were simply assumed to have always been landless and ignored.

What these tangled stories show, Meertens says, is that many of the current situations of displaced peasant families are traceable to earlier campaigns of violence and intimidation. That provides reason to consider their claims for compensation, since the initial injustice was never addressed. When debt collectors swooped in or new occupants seized their properties, "there was no question of thinking of redress or reparation or compensation for losses," she says.

Law only part of solution

But righting this now-entrenched wrong will not be easy. Meertens says that passing the historic land restitution bill is just the start of a demanding, perilous process. The government has already recognized that within the Caribbean coast's pervasive climate of violence, assigning land as compensation will require the deployment of national security forces to protect the recipients.

Beyond security issues, Meertens says, the national government also needs to tackle local corruption and ensure that farmers regaining their lands are given training, technical assistance, and other support. Monitoring of future land restitution will also be important, partly to ensure that women are not left out of the process.

Meanwhile, women's groups are making strides on their own. The Historical Memory Group has found that women have assumed leadership roles within new organizations that work to improve the lives of women. For example, the Liga de Mujeres Desplazadas de Bolivar not only lobbies for compensation for displaced women, but also has violence prevention programs, has bought land, and even built a neighbourhood. Other women's organizations run shops and small manufacturing operations, and work on environmental protection initiatives.

"There is this idea that the peasant movement was beaten," Meertens says. "But the story we unraveled is that women have continued to work at the local level through their own networks and organizations. Women have much more autonomy today than they had when the peasant movement was in its heyday in the 1970s."

Stephen Dale is an Ottawa-based writer.

For more information go to IDRC's thematic website on Women and Land: www.idrc.ca/in_focus_womenandland and Colombia's Centro de Memoria Históricaat www.centrodememoriahistorica.gov.co

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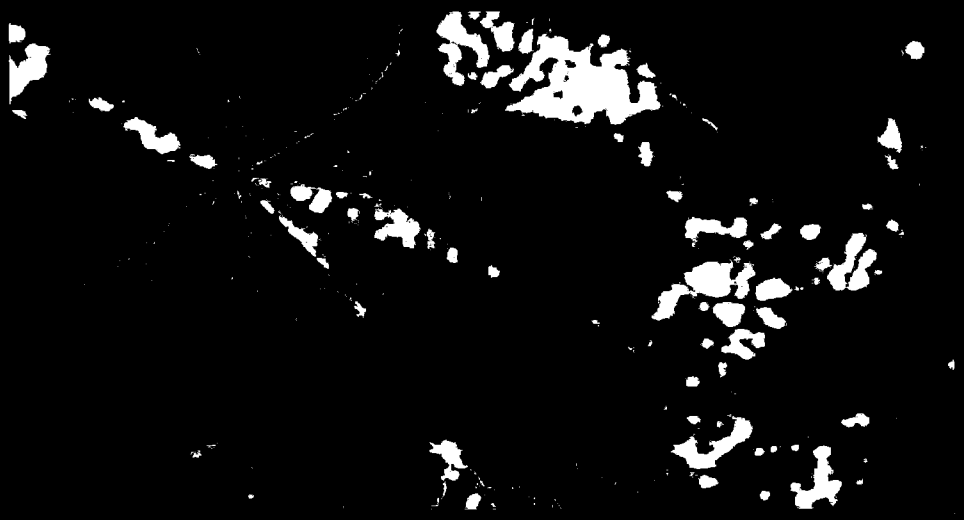

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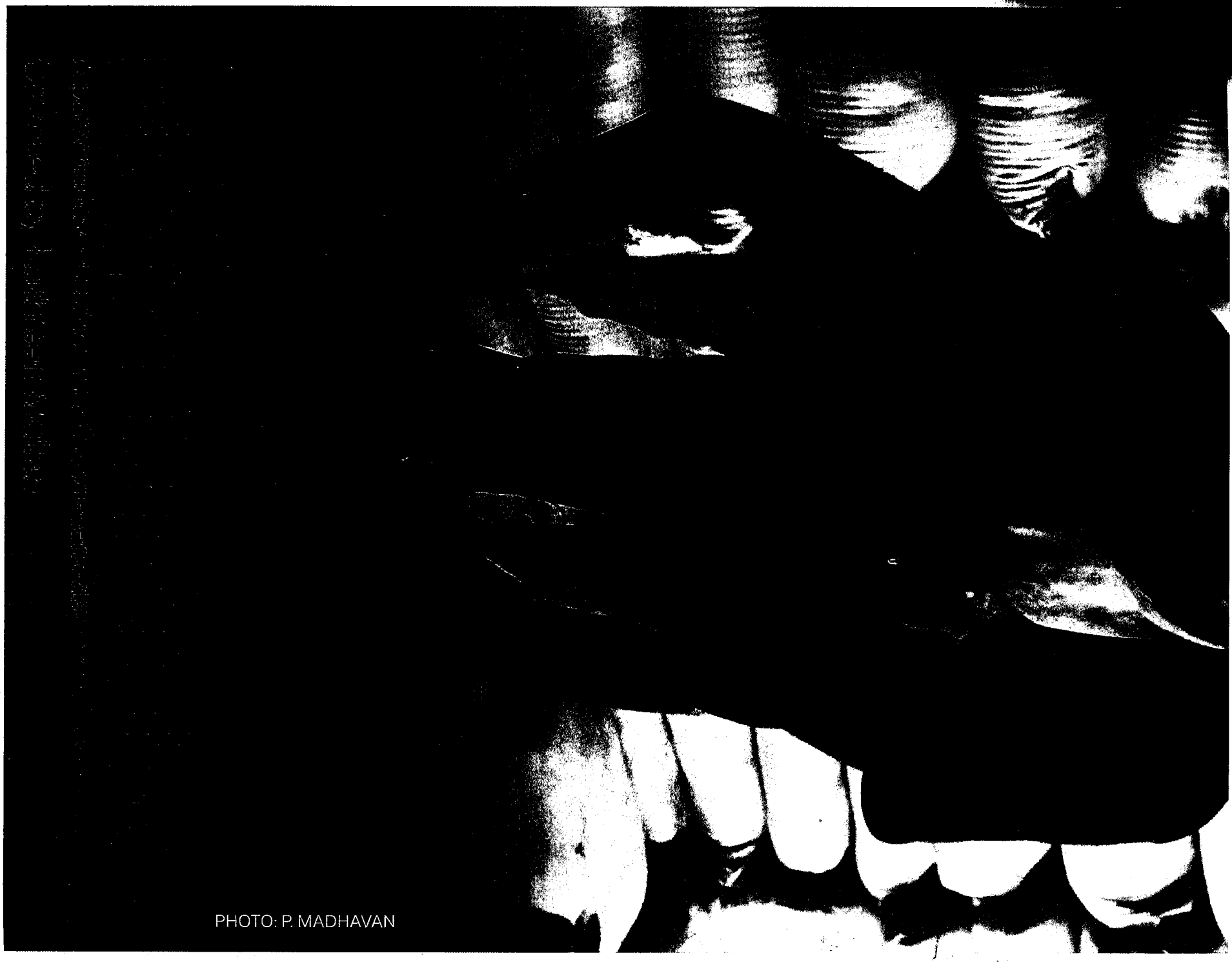

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