

# Letter to the Editor

## South Africa and the Rotterdam Convention

Asbestos is well-recognised as a cause of considerable morbidity and mortality, and is a substance that is persistent in the environment. The latest estimate of its global toll is 194 000 occupationally-related deaths annually.<sup>1</sup> Consistent with Section 24 of the South African Bill of Rights<sup>2</sup> which emphasises the right to an environment that is not harmful to health or wellbeing, and which protects the environment for the benefit of present and future generations through reasonable legislative and other measures that prevent pollution, South Africa has chosen to ban all forms of production and distribution of asbestos.<sup>3</sup>

The Rotterdam Convention is a multilateral United Nations environmental agreement whose primary purpose is to protect human health and the environment by regulating trade of certain hazardous chemicals.<sup>4</sup> The Convention is science-based and was specifically created to help end the double standard under which known hazardous substances that are banned and regulated in Western countries are being exported to countries in the global South without warnings or protective measures. The Convention thus provides a basic human right and empowers countries in the global South to refuse or set conditions over import of hazardous substances into their countries. The primary tool of the Convention is the listing of harmful chemicals in what is known as Annex III, so that there is enforced transparency when countries export such chemicals. The treaty requires exporting countries to obtain Prior Informed Consent from countries to which they wish to export a substance listed in Annex III. Some substances regulated under the Convention are notorious pollutants, e.g. polychlorinated biphenyls (PCBs), dieldrin, dichlorodiphenyltrichloroethane (DDT), and asbestos but excluding chrysotile asbestos.

This exclusion of chrysotile asbestos is a major flaw in the Convention, because chrysotile accounts for 95% of all the asbestos sold in the past century and is the only form of asbestos currently exported. Countries that have an interest in continuing its production, such as Russia, Kazakhstan and Zimbabwe, are driving efforts to keep chrysotile unregulated. The current rules require that decisions to list hazardous substances need consensus. A recent initiative by a group of 12 African countries has now proposed an amendment – that decisions be taken by a majority vote when consensus proves impossible. This amendment would end the current effective veto-by-one. It is surprising that South Africa, having banned asbestos in 2008, has rejected this proposed change.

At the first two conferences under the Convention,

asbestos interests succeeded in keeping the listing of chrysotile asbestos off the agenda. In 2005, the Chemical Review Committee, which is charged with investigating and making recommendations to the Conference of the Parties for the listing of chemicals in Annex III, recommended that chrysotile be included. However, at every meeting since 2006, a handful of countries has succeeded in preventing the listing of chrysotile asbestos by refusing consensus. No other chemical has been subjected to this continued blocking. Consequently, this hardy and biopersistent toxin has repeatedly escaped international regulation, despite its ongoing associated death toll.

The African countries proposing the amendment are Botswana, Cameroon, Ghana, Kenya, Lesotho, Malawi, Mozambique, Namibia, Nigeria, Swaziland, Tanzania and Zambia. The amendment can be passed at the next conference with a 75% vote.

In the face of this initiative, Zimbabwe has opposed the motion. It used to be a major producer of chrysotile asbestos and has repeatedly defended the product in international forums, despite ample evidence that chrysotile asbestos is as dangerous as any other form of asbestos – the International Agency for Research on Cancer specifically lists ‘all forms’ of asbestos as carcinogenic to humans.<sup>5</sup> Zimbabwe also clings to the vain hope that it can resuscitate asbestos mining in the south of the country, despite recent reports saying that this would cost in the region of one billion US dollars.<sup>6</sup> What is surprising is that South Africa has joined Zimbabwe in refusing to support this amendment, even though people living in South Africa enjoy the safety benefits of having trade in all forms of asbestos banned.

Seemingly, South Africa’s foreign policy is not dictated by any substantive health or environmental considerations. Allowing Zimbabwe’s asbestos industry a further tenuous extension of life will permit it to continue to cause lung, laryngeal and ovarian cancers, mesothelioma, and asbestosis in workers and those exposed to its products. These diseases would occur locally and internationally for the remainder of this century at least.

Why the double standards? Is the South African government returning prior favours? Is it vainly trying to save the Zimbabwean economy? Or is this just plain stubbornness on the part of the South African foreign affairs officials? This duplicity is a violation of the Constitution and regulatory system.

The Rotterdam Convention is intended to end the unsafe trade in hazardous products by elevating levels of transparency and empowering countries to protect their

borders regarding the trade of listed products. Yet, South Africa is helping to keep this trade alive, and it behoves us in occupational health to change this for the health of workers and the environment.

The eighth conference on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade – the formal name for the Rotterdam Convention – is due to take place soon, in Geneva in April-May 2017. It is our sincere hope that South Africa will conduct itself ethically during these deliberations.

A shorter version of this article appeared in GroundUp (<http://www.groundup.org.za/article/south-africa-not-supporting-initiative-restrict-deadly-asbestos-trade/>) and the Huffington Post (<http://www.huffingtonpost.co.za/2017/03/14/south-africa-refuses-to-support-initiative-to-restrict-deadly-as/>).

**Jim teWaterNaude, Leslie London and Kathleen Ruff**

Jim teWaterNaude is a Board member of the International Mesothelioma Interest Group.

Leslie London is Chair of Public Health Medicine in the

School of Public Health and Family Medicine. Kathleen Ruff is the Founder and Co-Coordinator of the Rotterdam Convention Alliance (ROCA).

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