

# BAN ASBESTOS FRANCE

Association de lutte contre l'amiante

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## ***In Brazil, the Supreme Court prohibits the use of asbestos***

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*"The Brazilian Supreme Federal Court (Supremo Tribunal Federal - STF)" decided on November 29, 2017 to ban the use of chrysotile asbestos, a material used in the manufacturing of tiles and water tanks (caixas d'agua). This decision was taken to solve the problems that arose after the decision of the Supreme Court that declared "unconstitutional" the article of the federal law 9.055 / 1995, allowing a "controlled use" of asbestos.*

*With this decision taken by 7 votes against 2, extraction, processing and marketing of the product is prohibited in all states of the country. The judgment does not address how the decision will be applied in the mines despite the request made by one of the lawyers, who sought a delay to implement the dismissal of workers in the sector and suspension of marketing."*<sup>1</sup>

Annie Thébaud-Mony and the association Ban Asbestos France congratulate Fernanda Giannasi and the Brazilian activists, as well as all those who, in Brazil but also at the international level, have lent their support to a patient and determined approach towards Brazilian courts, allowing the adoption of this landmark decision.

The ban on asbestos in Brazil could lead to further banning decisions on the Latin American continent. It must be reminded that two European multinationals, one French, Saint Gobain, the other Swiss, Eternit, which in the late 1960s began to exploit the Canabrava mine in the state of Goias, opening the market of asbestos in Brazil, a country under military dictatorship, as well as in other Latin American countries<sup>2</sup>. The responsibility of the leaders and shareholders of these European companies remains committed not only to the compensation of the victims, but to the maintenance of the jobs and wages of the asbestos workers, and especially to the costs induced by securing asbestos in place in all buildings in Brazil contaminated with asbestos. Must also be reminded the claim of Ban Asbestos France, which has been requesting for 20 years the establishment of a European fund fed by the large companies producing and transforming asbestos to cover the costs of asbestos removal<sup>3</sup>.

And, above all, let's continue the fight to ensure that those responsible for industrial crimes of this magnitude are finally tried and convicted by the criminal justice system.

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<sup>1</sup> <http://www1.folha.uol.com.br/internacional/en/business/2017/11/1939473-brazilian-supreme-court-bans-use-of-asbestos-in-brazil.shtml>

<sup>2</sup> Annie Thébaud-Mony, *Travailler peut nuire gravement à votre santé*. La Découverte, 2008, voir en particulier le chapitre 7, p231-252

<sup>3</sup> Voir <http://www.asso-henri-pezerat.org/wp-content/uploads/2012/10/association-henri-pezerat-propositions-octobre-2012.pdf>