

Protecting workers from asbestos

2019/2182(INL) - 01/10/2021 - Committee report tabled for plenary, single reading

The Committee on Employment and Social Affairs adopted the report by Nikolaj VILLUMSEN (GUE/NGL, DK) with recommendations to the Commission on protecting workers from asbestos.

Asbestos causes between 30 000 and 90 000 deaths per year in the EU. The most common occupational cancer is lung cancer, constituting between 54 % and 75 % of occupational cancers, whereas asbestos is the main cause of lung cancer (45 %). Exposure to asbestos combined with tobacco use considerably increases the risk of developing lung cancer. Moreover, asbestos is still largely present in buildings and infrastructure built before 2005 when the EU finally banned asbestos. The exposure occurs still among the EU workforce, especially - though not only - in the construction sector.

European Strategy for the Removal of All Asbestos (ESRAA)

Members stressed that the safe removal of asbestos is a difficult and urgent task. Comprehensive removal strategies will entail financial and administrative consequences for building owners, public authorities and businesses, in particular SMEs, including microenterprises, as well as a significant workload for the certifying bodies.

The European Agency for Safety and Health at Work (EUOSHA) should be strengthened in order to provide effective tools such as technical and scientific support for improving prevention efforts, to better monitor the registration of workplaces containing asbestos and the **tracking of workers** who have or might have been in contact with it, to improve training and protective equipment provided to workers. Members called for the establishment of a European platform, within the remit of EU-OSHA, to showcase good practices on the removal of asbestos and safe disposal of asbestos, which have already been implemented in several Member States, and to provide for the exchange of such good practices.

The report suggested that there is an urgent need for an effective access to justice and redress for all health damage, not only that relating to anxiety, for all asbestos victims. It underlined that **all medical costs related to asbestos exposure should be covered by the employers**. The Commission is called on to assess the possible need for legislation establishing a for diffuse pollution to provide compensation to victims for all damages from diffuse pollution, including that caused by asbestos.

A European framework directive for national asbestos removal strategies

While welcoming the Commission [communication](#) of 14 October 2020 entitled 'A Renovation Wave for Europe' - greening our buildings, creating jobs, improving lives', which seeks to renovate 35 million buildings by 2030, the report stressed that particular attention should be paid to protecting workers renovating old buildings and intervening in emergency operations from exposure to asbestos.

A European framework directive for national asbestos removal strategies, including the assessment of existing asbestos in the built environment, clear timelines and milestones for its safe removal, minimum standards for public digital asbestos registries mapping all existing asbestos in a country or region, public information campaigns and a financial framework for the support of building owners, the safe and documented disposal of asbestos waste, and proper controls and enforcement measures such as reinforced labour inspections, should set the framework for an ESRAA.

Asbestos **registries** should be accessible for workers and companies, owners, inhabitants, and users of buildings and regularly updated. Asbestos registration in the built environment is an important element

also for the circular economy and waste strategy, for which the identification, registration, and documented disposal of hazardous materials is central.

Recognition and compensation of asbestos-related diseases

Member States are called on to facilitate recognition procedures by reversing the burden of proof, especially if national registers for asbestos workers were set up only recently, and to establish adequate compensation for workers suffering from asbestos related diseases. The Commission should present a proposal for a directive laying down Union minimum standards for the recognition and compensation of occupational diseases, including asbestos-related diseases. The Commission should also put forward a proposal for the Member States to establish a national function or an **ombudsperson** to assist victims of occupational diseases.

Member States are called on to facilitate the recognition of and compensation for documented victims of **second-hand exposure** through non-occupational contact with asbestos. The report stressed that the **polluter must pay principle** should be taken into account in the attribution of the cost of asbestos removal as far as possible.

Asbestos screening prior to energy renovation works and selling or renting out a building

The Commission should present a legislative proposal for the **mandatory screening of buildings before sale or rent** and for the establishment of asbestos certificates for buildings constructed before 2005 or before the year of an equivalent national asbestos ban, whichever the earlier. Protective measures should be adopted for tenants where asbestos is found prior to energy renovation works. Screening and removal expenses should not be payable by the tenants.

The EU as a global leader against asbestos

The EU is called on to work with international organisations to pioneer instruments to label the asbestos market as a toxic trade. It should integrate the fight against asbestos and asbestos-related diseases into its external policies.