Protecting workers from asbestos

2019/2182(INL) - 20/10/2021 - Text adopted by Parliament, single reading

The European Parliament adopted by 675 votes to 2, with 23 abstentions, a resolution 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, which accounts for between 54% and 75% of occupational cancers, with asbestos being the main cause of lung cancer (45%).

People who work in the construction and renovation of buildings, mining and waste management, fire fighters, and homeowners and tenants are at risk of exposure to asbestos. Asbestos-related diseases can take up to 40 years to develop. A peak in the number of cases in the EU is expected around 2025.

European Strategy for the Removal of All Asbestos: ESRAA

Stressing that the safe removal of asbestos is an urgent and difficult task, Parliament reiterated its call for a comprehensive European strategy for the Removal of All Asbestos (ESRAA) in the EU, using synergies from several policy areas and giving top priority to safe working conditions.

Members suggested that **EU structural and investment funds** should be mobilised to improve the reliability and speed of asbestos diagnostics and the safe removal and management of waste. EU funds allocated under the building renovation wave should be reserved for beneficiaries who comply with EU and national regulations to protect workers from asbestos.

In addition, the **European Agency for Safety and Health at Work** (EU-OSHA) should be strengthened to provide scientific and technical support to improve prevention actions, to better monitor the identification of workplaces containing asbestos as well as the workers who have been exposed to it.

The resolution provides recommendations for several key elements that should be included in a ESRAA:

(1) A European framework directive for national asbestos removal strategies

Parliament called on the Commission to present a proposal for a framework directive for Member States to set up **national asbestos removal plans that include clear and realistic timelines**, including priorities and interim targets, detection and registration of asbestos, financing and support to homeowners and SMEs, protection measures for workers against the risk of asbestos exposure as well as the safe disposal of asbestos in order to prevent asbestos from entering into recycling processes.

Reiterating its call for **national public asbestos registers**, Parliament asked the Commission to introduce, in the context of a proposal for a framework directive, minimum standards for publicly accessible national digital registers on asbestos and other hazardous substances in public and privately owned buildings.

(2) Update of Directive 2009/148/EC on the protection of workers from the risks related to exposure to asbestos at work

Parliament called on the Commission to update Directive 2009/148/EC in the light of the latest scientific knowledge and technical developments, with a view to strengthening EU measures for the protection of workers against the threat of asbestos and preventing the recurrence of asbestos-related casualties during the renovation wave.

Members stressed that the safe removal and disposal of asbestos containing parts and materials is a priority. They welcomed the Commission's commitment to present a legislative proposal in 2022 to further reduce workers' exposure to asbestos and called on the Commission to update, as a matter of priority, these exposure limits, which should be set at 0.001 fibres/cm3 (1000 fibres/m3).

(3) Recognition and compensation of asbestos-related diseases

Parliament called on the Commission to ***update its Recommendation of 19 September 2003*** concerning the European schedule of occupational diseases and to use as it as the essential basis for drawing up a proposal for a directive on: (i) the recognition of work-related diseases, including all known asbestos-related diseases, with minimum standards for recognition procedures, and (ii) minimum standards for compensation for victims of asbestos-related occupational diseases.

This new directive should include elements such as a reversal of the burden of proof in recognition procedures, the establishment of national one-stop shops for all matters concerning occupational diseases, as well as ombudsmen to assist the workers concerned in recognition procedures.

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

Parliament called on the Commission to present a proposal for an **amendment** to Directive 2010/31/EU in the context of the Renovation Wave introducing a requirement for the mandatory asbestos screening, registering, and removal of asbestos and other dangerous substances before any renovation works can start to protect workers' health and safety.

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.