



CANADIAN ENVIRONMENTAL LAW ASSOCIATION  
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

June 9, 2011

The Right Honourable Stephen Harper  
Prime Minister  
House of Commons  
111 Wellington Street  
Ottawa, Ontario K1A 0A6  
Canada

*Transmission by email*

Dear Prime Minister:

On June 20, 2011, the 143 countries that have ratified the U.N. Rotterdam Convention will meet in Geneva for the Fifth Conference of the Parties (COP5).

At COP5, delegates will decide whether to adopt the recommendation of the Convention's Chemical Review Committee (CRC), an expert scientific body established under Article 18 of the Convention, to list chrysotile asbestos (the only form of asbestos still traded in the world today as a hazardous substance in Annex III of the Convention).

Since 1970, the Canadian Environmental Law Association (CELA) has been working to protect human health and the environment by representing those harmed by pollution and by working to change policies and laws to prevent such problems in the future. CELA is very interested in the upcoming meeting of the Rotterdam Convention and the efforts of the global community to enhance the right to know mechanisms of Parties in the export of hazardous chemicals. While the Parties will deal with a number of significant matters such as establishment of a compliance mechanism and promoting synergies among the three conventions on chemicals and waste, the listing of hazardous chemicals under Annex III, in particular the proposed listing of chrysotile asbestos, is of considerable interest to CELA.

This week, CELA along with colleagues from labour organizations met with Environment Canada on the Rotterdam Convention. As the government develops its positions for COP5, we ask that at the Conference of the Parties, Canada support the listing of chrysotile asbestos.

Since 2006 (COP3), Canada, along with a handful of other countries, has opposed the recommendation made by the CRC to add chrysotile asbestos to Annex III, thus putting protection of the interests of the asbestos industry ahead of protection of global health.

The purpose of the Rotterdam Convention is to bring about responsible trade of hazardous substances by requiring that exporting countries obtain "prior informed consent" before shipping hazardous substances, listed under Annex III of the Convention, to another country.

The Convention's mission is environmental justice. The listing of hazardous substances under the Convention allows for better decision making on environmental and health protection matters. It promotes transparency in the movement of hazardous substances among Parties and empowers developing countries by providing them an important mechanism to receive information and the right to refuse the import of hazardous substances. For developing countries that do not have the means to safely manage, handle, store or dispose of these chemicals, the right to refuse imports of hazardous substances enable these countries to more effectively protect their citizens from harm.

We ask you to support the listing of chrysotile asbestos for the following reasons:

- 1) Canadian law already acknowledges that chrysotile asbestos is a hazardous substance because it is listed as a toxic substance under Schedule 1 of the *Canadian Environmental Protection Act 1999* (List of Toxic Substances). All forms of asbestos, including chrysotile, are considered carcinogenic. The World Health Organization (WHO) estimates that over 100,000 deaths per year may be related to asbestos related cancers that include lung cancer, mesiothelioma, and asbestosis as result of occupational exposure.
- 2) The Chemical Review Committee under the Rotterdam Convention, composed of 31 scientists from around the world, including Canada, has repeatedly recommended that chrysotile asbestos should be listed as a hazardous substance under Annex III of the Convention. Canada's failure to show support for the recommendation by the scientific experts on the CRC will jeopardize the integrity and purpose of the Convention and the role of the Committee.
- 3) Support of the asbestos industry in promoting the export and use of asbestos chrysotile to other countries is inappropriate and will not protect human health, particularly workers and their families, and the environment.

We, as Canadians, want to be proud of the role our country plays on the international stage. Therefore, we urge Canada to take a firm position to commit to the protection of global health by supporting the listing of chrysotile asbestos at COP5.

We would appreciate your immediate response in support of international co-operation to protect global health.

Sincerely,

**CANADIAN ENVIRONMENTAL LAW ASSOCIATION**



Theresa McClenaghan  
Executive Director