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To all participants, followers and whom it may concern

Baarn, 18 October 2006  
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## **REPORT EARA CONFERENCE 2006**

Dear all,

The European Asbestos Removal Association (EARA) is pleased to inform you about the great success of its 3<sup>rd</sup> Conference which was held on the 5<sup>th</sup> and 6<sup>th</sup> of October in Amsterdam, the Netherlands.

The two day program on the implementation of European regulations and the EC Practical guide on Best Practices 'to minimise asbestos-risks in work that involves (or may involve) asbestos: for the labour inspector, the workers and the employer' proved to be the right topics for triggering a comprehensive discussion on the role of EARA on the European level.

Please find below a summary of the main themes discussed during the event. Do not hesitate to contact the secretariat of EARA in case of any comments or questions.

Sincerely yours,  
European Asbestos Removal Association

L.J.L. Veldhuis  
President



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## **3rd EARA Conference** ***‘Working Apart Together’*** **Amsterdam, the Netherlands**

**THURSDAY 5 OCTOBER**

- **Opening remarks by Mr Leo Veldhuis, President of EARA**

Mr. Veldhuis welcomes his guests and stresses that participants are all attending the conference as European friends in a heavily regulated market. Among friends the conference should debate on the current issues in the field of asbestos removal and the consequent role of the European Asbestos Removal Association. As a life-long contractor in the field of asbestos removal the president reiterates that quality and safety of the work are still, and should always be, paramount in the sector. Mr Veldhuis thanks all participants, speakers and sponsors and wishes them a good conference.

- **Speech by Ms Kartika Liotard, Member of the European Parliament**

Ms Liotard calls upon the conference to contribute to the much needed consensus on making asbestos removal a top priority. She urges the participating government representatives, asbestos removal companies, NGOs, suppliers, journalists, research institutes, lawyers and national associations to cooperate in making the world asbestos free, starting in Europe. Waste removal companies are the fire-fighters in a world on fire and it is inspiring to see this conference taking the lead. Asbestos is aside from gunpowder the most scandalous substance people ever have had to work with and we are all aware of this. Care for the environment and human health are paramount, and contamination is not obvious anymore. The conference is urged to get to work!



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- **Presentation Mr Bob Koning, Member of the Advisory Committee for Health and Safety at Work**

Please find the presentation attached in annex I

- **Presentation by Mr Martin Besieux, Greenpeace International**

Mr Besieux pleads in an enthusiastic argument that he feels that an organisation like EARA should give an identity to asbestos removal. Asbestos removal issues are still very much on the agenda in Member States, the European Union and worldwide, but they are underrepresented. The legislative process of drawing a new ship breaking convention for the UN International Maritime Organisation e.g. lacks any involvement of the asbestos removal industry. This absence at the international level does not only constitute a severe danger for health and environment, but constitutes a wasted market opportunity by all asbestos removal companies. 10, 15, 40 thousand ships (who knows exactly?) carry asbestos on the basis of a former obligation by international law. Should EARA, an organisation that stands for quality, accept that European ships are brought to India and Bangladesh and see its market sail away? Mr Besieux convinced the participants that involvement in these drawing processes and building coalitions is inevitable.

- **Presentation by Mr Henry Géron, Ministry of Employment and Social Affairs**

Mr Géron introduced the Dutch transposition of directive 2003/18/EC which is based on a risk related approach. This approach incorporates a three stage risk model which prescribes specific measures per stage proportional to the expected exposure and covers 98% of all activities and exposure date.

Please find the presentation of Mr Géron attached in Annex II

On the role of EARA from a government point of view Mr Géron sees the added value of the organisation in taking the lead in encouraging the development of best practices European and world wide. Taking the lead in quality would be appreciated at a European and ILO-level. Mr Géron found appreciation in pointing out that the companies involved in EARA could become the leading European companies of today and also the market leaders in tomorrow's world.

- **Presentation by Mr Alan Jones, Institute of Occupational Medicine**

Mr Jones, who led the IOM team drafting the EC Practical guide on Best Practices ‘to minimise asbestos-risks in work that involves (or may involve) asbestos: for the labour inspector, the workers and the employer’, provided the conference with an introduction to the build up towards a guide on best practices. The context and preceding conferences (e.g. Dresden Conference) were dealt with in detail before an extensive presentation on the realisation and content of the Practical Guide on Best Practices was provided.

Please find the presentation of Mr Jones attached in Annex III

On the role of EARA Mr Jones was clear. The non-binding guide could become a starting point for a European wide certification system of asbestos removal companies. The association could play a vital role in promoting this guide, leading the debate on the legal consequences of non-compliance, and training of workers; thus collaborating on the creation of a level playing field in Europe. This Guide will definitely get a follow up and EARA should according to Mr Jones be an important stakeholder in developing an even better successor.





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- **Panel Discussion involving;**  
**Mr Leo Veldhuis, EARA President,**  
**Mr Paul Foran, Asbestos Consultant,**  
**Mrs Natalie Vloemans, Loyens & Loeff lawyers practice**

**Chaired by Mr Peter Otten, Senior Manager HBB BV**

During a lively 2 hour panel discussion participants and speakers discussed several important asbestos removal (market) issues. The discussion pointed out some important developments and ideas which are described below:

1. Communication and Information: Information and communication on asbestos in Europe is a difficult issue. National protectionism and shielding of markets by companies are a European problem. An organisation like EARA should go beyond these struggles and at least provide guidance and collect information on national legislation and authorities without interfering in internal competition matters. Towards governments (European as well as national) and the broader public there is a need for a strong and reliable voice

Particularly relevant would be information on statistics on asbestos. There is a severe shortage of market information; we do not know what quantities of asbestos are still to be removed in Europe. Collecting data on asbestos is vital for governments as well as the market. Both need the information to create any decent strategies on removal.

2. Best Practices: A best practice guide produced by the EC could have legal liability complications in European legal systems (i.e. massive liability claims by asbestos victims). Uncertainty about liability creates enormous insurance problems for asbestos removal companies. Here lies a role for EARA to play and promote (the need for) application of best practices. The fact that different standards are applied EU wide does not mean that EARA could not promote best practices. State of the art removal in EU country X is also state of the art in country Y. EARA also has a role to play in convincing consumers (in particular governments) to appreciate (willing to pay) for improved health and safety.
3. Harmonisation: All participants agreed that real European harmonisation is still a remote wish. The development of an EU certificate for asbestos removal could be a first step, initiated by the market players, towards real harmonisation. Such a certificate would be a proof of competence for any European customer

4. Impact: The impact of asbestos can be disastrous, but too often the issue is just sidelined. EARA should generate more public attention for asbestos. It should be clear to all that the use of asbestos is dangerous and should be prohibited under all circumstances and by all nations. Removal is essential and has to take place, be it now or in the future. The question is only whether one is willing to pay the bill now or indeed in the future, with inevitable additional cost of lives.
5. Coalition management: A reliable and leading association striving for the highest standards possible should be constantly on the lookout for partners that can contribute to its cause. EARA should perform the task of such a trustable partner and should on the basis of issue management collaborate with insurance companies, NGOs, international organisations, governments and EU institutions. The best example so far are the recent contacts with the NGO platform on ship breaking and its involvement in drafting a new ship breaking convention for the UN International Maritime Organisation.
6. Leadership: Leadership and representation is something lacking in the world of asbestos removal. European contractors need to be represented as it is impossible for them to do this by themselves. The only way to organise a sustainable representation in our sector is to choose the path of quality and safety and condemn removal that is being carried out under circumstances that involve too many risks.
7. Due care/ due diligence:
  - A) Under the principle of due care an employer is liable if he cannot prove he acted with due care. In fact this means that once best practices are commonly available these could overrule less protective laws. Too many lawmakers, contractors and consumers are not aware of this principle and accept needless risks.
  - B) Outsourcing of asbestos removal jobs (e.g. ship breaking) to countries with far less stringent laws also constitute a violation of the due care principle. However, the practice is still commonly used as consumers press for the lowest prices. This problem of cowboys in the (contractor) market has to be tackled. A change of mindset is required and this should involve educating consumers as well as lobbying for enforcement of the (European) laws that prohibit these practices.
8. Multiple issues: What should be the scope of the EARA? Glass wool, Rock wool etc. are the problems of tomorrow and even already of today. There are no reasons why EARA could not use its expertise to tackle these issues in the near future.



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## FRIDAY 6 OCTOBER

### ▪ EARA General Assembly

The General Assembly of the European Asbestos Removal Association is proud to announce its new board:

1. President	Mr Leo Veldhuis	v/d Linden & Veldhuis
2. Treasurer	Mr Andries Bosman	(independent manager)
3. Member	Mr Raymond Rodrigues	DEHACO
4. Member	Mr István Dukát	Belfor Hungária
5. Member	Mr Eric Karman	Hertel Belgium
6. Secretariat	Mr Arnout Drop	EARA
7. Secretariat	Mr Geert Beckers	EARA

By unanimity of vote the General Assembly has agreed to amend the Constitution of the Association and to open full membership of the association to companies (i.e. asbestos removal contractors and suppliers). The incorporation of Europe's leading contractors and suppliers into the Association was considered important in order to acquire the necessary backbone for representation and financial capacity. As a result of this decision an intensive recruitment campaign will be launched within a few months.

Note: The position of other companies (than removal contractors and their suppliers) i.e. laboratories or research companies will be discussed in the near future.

The conclusion of the change in structure of the association and presentation of new members will take place at the latest during the **next EARA conference in May/June 2007, Budapest – Hungary**. The General Assembly wishes to thank Belfor Hungária, and in particular Mr István Dukát, for their offer to host this upcoming event. EARA agrees with supporting the organisation of this event.

Final Note: Pictures will be available on the new EARA website which will be launched in November 2006.



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**The European Asbestos Removal Association would like to express its gratitude to all sponsors who have made the organisation of the EARA CONFERENCE 2006 possible;**

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