



# Confédération des Travailleurs du Secteur Privé

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Open Letter to Mr Ashit Kumar Gungah

Hon. Ashit Kumar Gungah  
Ministry of Industry, Commerce and Consumer Protection  
8 Floor Paille en Queue Court  
Port-Louis  
Mauritius

Sir,

We have taken cognizance with great concern of the decision of your Ministry to amend the Consumer Protection Regulations to wave all prohibitions in the importation of Asbestos Fibres namely:- Actinolite, Anthophyllite, Amosite, and Tremolite.

In fact in 2008 under the former regime (P.T.R - P.M.S.D) Mauritius became the first and only country in the world where an employer in the private sector can sack a worker without any justification and without paying any compensation for past years of service.

The present regime only after 5 months in power has made Mauritius the first country in the world to revert on a policy decision to ban Asbestos.

Surprisingly it was a member of the present ruling party (M.S.M) who dared to raise his voice in parliament in 2006 to inform the House that there exists 3000 tons of Asbestos in all E.D.C Houses. He was supported by another member of the House namely the present Minister of Education Mrs. Leela Devi Dookhun Luchmun (*see annex 1*). Today it is obvious that the days that the M.S.M members were in the opposition group are gone without making abstraction "*Politicien kan zot dan l'opposition zot ena vision et kan zot dan gouvernement zot ena television.*"

The C.T.S.P fails to understand the rationality behind the decision of your Ministry to put at stake the lives of thousands of workers and citizens of this country.

What is the economic gains that can justify such a backward decision. Has the decision been taken in consultation with the "Dangerous Chemicals Board" and the Occupational Health and Safety department of the Ministry of Health and the Ministry of Labour? Or has this decision been motivated by the lobbying of the Private Sector? The C.T.S.P firmly believes that neither you nor your Ministry is well verse on the extreme hazardous nature of Asbestos. While the International Community of experts on Asbestos have not yet unanimously agreed that there is a Safe Occupational Exposure Limit (O.E.L) to Asbestos, while the W.T.O has agreed that the Asbestos cannot be subjected to Free Trade, your Ministry has the pretension to be over and above all expertise and even challenging them.

The C.T.S.P has herewith attached an explanatory note on Asbestos for your concern and that of the technician of your Ministry (*Annex 2*).

Your Ministry has decided to wave all prohibition on the importation of Asbestos without ensuring that the authorities concerned have all the Logistic necessary support for Air sampling and other testing.

The Occupational Health and Safety department of the Ministry of Labour is functioning with reduced experienced human resources. All air sampling are conveyed to a specialised laboratory in South Africa for testing.

The C.T.S.P would like to know how the P.M.E where many functions under coverage in the informatics sectors will afford to comply with the procedures while making their employees manipulate Asbestos. A glaring example remain the scenario where a worker is replacing a brake pad, without knowing that same contain Asbestos, the worker will cruelly be exposed to Asbestos particles which has gathered in the wheel components. Unfortunately many other such casualties will follow, especially in the Building and Civil Engineering Sectors.

92% of the workforce in the construction sector are precarious workers employed with contract of employment with determined duration. None of those workers will be made aware that they are manipulating Asbestos. Even if they are made aware they will not dare to file a complaint against their employer by taking the risk of having their contract of employment not renewed. Similarly in the heavy mechanic and metallic sectors where again thousands of workers will be exposed to Asbestos containing materials, either as friction component or insulating products.

Honorable Minister, the C.T.S.P firmly believe that this decision of yours will not politically benefit your government.

The C.T.S.P is calling on you to urgently amend the above referred amendments of the 2nd June 2015 (*copy herewith annex 3*) and to maintain prohibition on all Asbestos fibres and Asbestos containing materials. Instead you and your technicians could convince the Minister of Finance to remove all taxes and duties and Less Hazardous Materials that could replace Asbestos. It will help to dismiss all contradictions between your Ministry and the Ministry of Environment where Minister Dayal and his team are making all efforts relentlessly to protect the environment and upgrade our natural heritage.

The C.T.S.P is calling on all workers of Mauritius from both the public and private sector to insist from your employers that you be informed of the imminent danger you are exposed and of the nature of the hazard. (Section 12 (2) (a) O.S.H.A 2005).

Under any circumstances if any worker happen to know that he/she is being exposed to any Asbestos containing material, the worker has the right to immediately Stop work on reasonable belief that it presents a serious or imminent danger to his life or health, shall not be liable to any civil or criminal action, or any form of disciplinary proceedings. (Section 12 (3) O.S.H.A 2005)

The C.T.S.P is also launching an international campaign to denounce how in all secrecy you and your Ministry have flouted all democratic values to revert back on a decision which was protecting and saving thousands of lives and which has cost us two decades of active and fierce confrontation.

We hope you will measure the consequences of your act and will take all necessary corrective measures to reassure the citizens and workers of Mauritius that indeed you will perform for the people and with the people.

Yours faithfully



**Reeaz Chuttoo**  
**G.Secretary – C.T.S.P**



**Jane Ragoo (Ms)**  
**President – C.T.S.P**

C.C:- All Trade Union Federation

- The Minister of Environment, Sustainable Development, Disaster and Beach Management
- The Minister of Labour, Industrial Relations, Employment and Training
- The Minister of Health and Quality of Life
- The Press
- B.W.I (Building and Wood Workers International)
- IndustriAll Global Union (International-Chemicals, Energy, Mining, Textile, Metal and Administrative sector)
- I.T.U.C (International Trade Union Confederation)