

South African asbestos miners sue British company

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Asbestosis has devastated a whole town in the Northern Cape region of South Africa. Up to one in seven of the population in Prieska suffer from the disease, and over half of the miners who used to work in the blue asbestos mine near the town suffer from lung diseases caused by asbestos. This incredible level of suffering got a brief mention in the British press because of a case in the High Court. Cape, the British company who owned the asbestos mine until 1979, is trying to block a compensation claim by 2,000 of its former workers.

Cape's lawyers are arguing against a judgement made in the House of Lords that former workers of British-owned companies abroad can sue for damages in the British courts. Cape says that the case should be heard in South Africa, where the courts would probably refuse to deal with it as it involves a British company. Not surprisingly, the outcome will be studied by other British-based multinationals that have exploited workers with little or no health and safety provisions throughout the world.

Five of the 2,000 miners began the legal action against Cape last year. Two of them have since died. Their representative, Cupido Adams, aged 72, is in London to campaign for his fellow workers. His wife, parents and brothers were all killed by asbestos-related disease. He too is dying with asbestosis. His job was sorting and packing asbestos with his bare hands. He was never provided with a mask or gloves.

He told the *Independent* newspaper: "The dust was everywhere. It lay up to an inch thick. There were no warnings, nothing. Children played in it. I lived half a kilometre from the factory but in order to drink I had to scrape a layer of asbestos off the top of my water jar."

Last year, a study was conducted by a volunteer team of lung specialists and technicians based at the South

African University of the Witwatersrand. Their study showed that 270 of the 524 former mine workers they examined had asbestos-related lung disease, 16 were suffering with incurable asbestosis. Out of 431 other people who were not former workers but included residents of Prieska, 32 people had asbestos-related diseases—three of whom had asbestosis.

As well as the mine at Koegas near to Prieska, the company owned an asbestos mill that was situated in the town itself, causing a high level of pollution. Dr Mark Hopley, a member of the investigation team said, "We were surprised and shocked at how much disease we found. We expected to find some affected people, but we did not expect to see half amongst the workers and a third over all. It is extremely rare for environmentally exposed people to get asbestosis. Our results mean there was significant contamination of the town as well as the mine." Dr Hopley said that environmental asbestos pollution was a continuing risk in the area. "People have used powdered asbestos to plaster their houses; it is laid on roads; and people have built houses with asbestos tailings."

The miners' case is based on the fact that Cape was aware of the dangers of asbestos from 1931, when regulations were introduced in Britain to reduce exposure. Graphs produced by Cape showed that workers at Penge, also in the Northern Province asbestos belt, were exposed to levels of asbestos 12 to 35 times higher than British limits. Medical researchers showed that 80 percent of Penge's black miners who died between 1959 and 1964 had asbestosis. The average age of the victims was 43.

The miners' are represented by British lawyers, Leigh Day and Co., and the case is supported by the World Development Movement charity. Leigh Day won £1.3 million damages for 20 workers who suffered mercury

poisoning at a factory in Natal owned by British company Thor Chemicals, as well as for cancer victims from Rio Tinto's Rossing uranium mine in Namibia. They are pursuing a number of other cases, including compensation claims against British multinational T&N and Federal-Mogul Friction Products on behalf of two South African and two Indian asbestosis victims. The South Africans work at Prospecton, an asbestos processing plant in Durban that makes friction products for the motor trade.



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