

STRATEGIC DIRECT LOBBYING FOR ASBESTOS & CHEMICAL REGULATION

Case study of **chrysotile asbestos** in Indonesia
and the use of **SLAPP** instruments

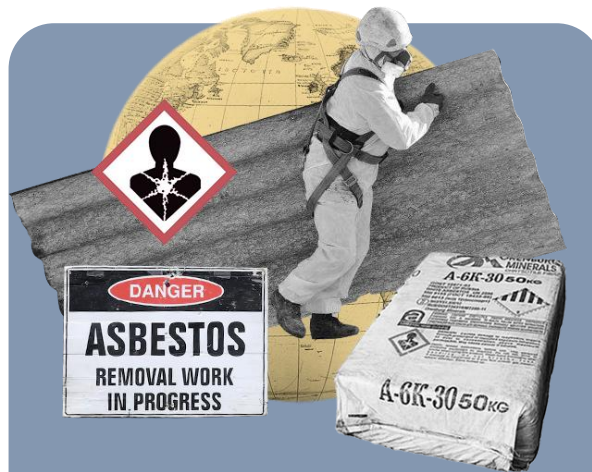
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200.000+
annual deaths due to
asbestos exposure
(WHO)



70+
countries have
banned the use of
asbestos



9,68 %
of homes in
Indonesia have
asbestos roofs
(2025)



7,98 T (IDR)
in lawsuit damages
claimed by industry
against consumer
organizations and
activists

All forms of asbestos, including chrysotile, are carcinogenic to humans.

World Health Organization
Asbestos Fact Sheet, 11 August 2026

The most efficient way to prevent asbestos-related diseases is to stop using all forms of asbestos, rather than managing exposure limits.



Asbestos-related diseases

Lung cancer, laryngeal, and ovarian cancer, mesothelioma, and asbestosis

Global burden

More than 200,000 deaths annually; over 70% of work-related cancer deaths.

Global regulatory status

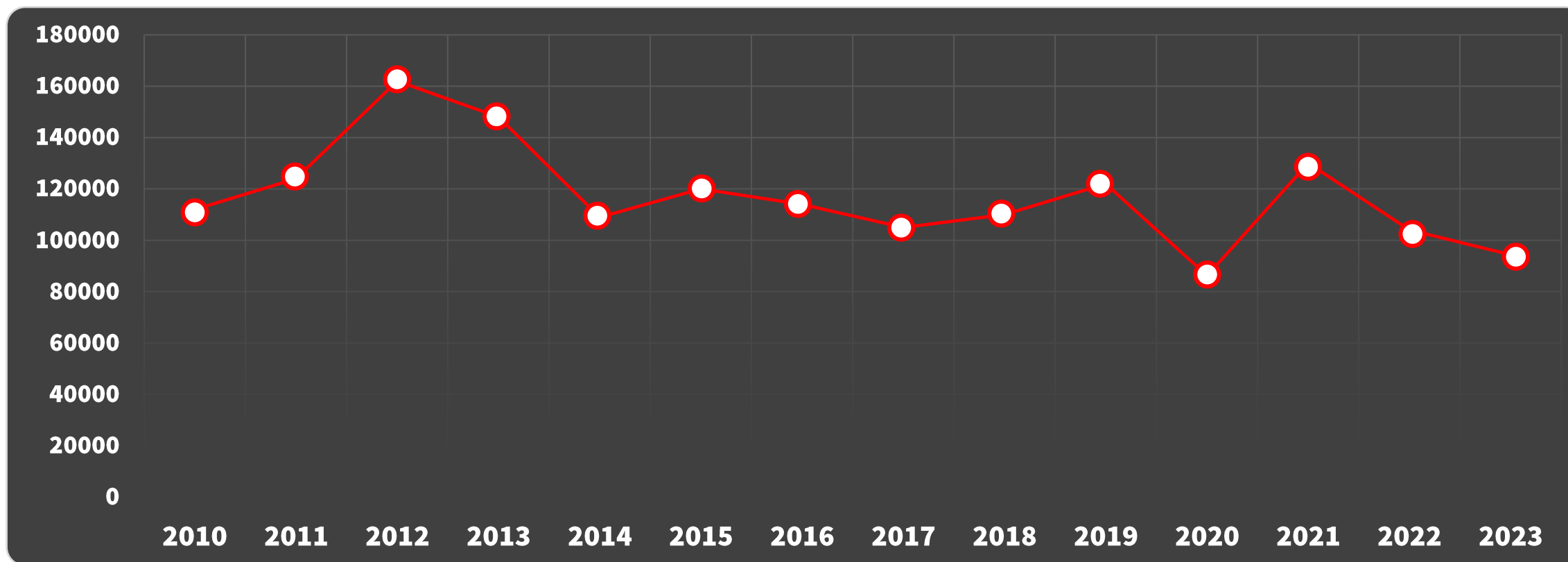
More than 50 WHO member states have banned the use of asbestos.

Disaster risk

Building damage caused by natural disasters is a matter of particular concern if the materials contain asbestos.

Asbestos consumption in Indonesia

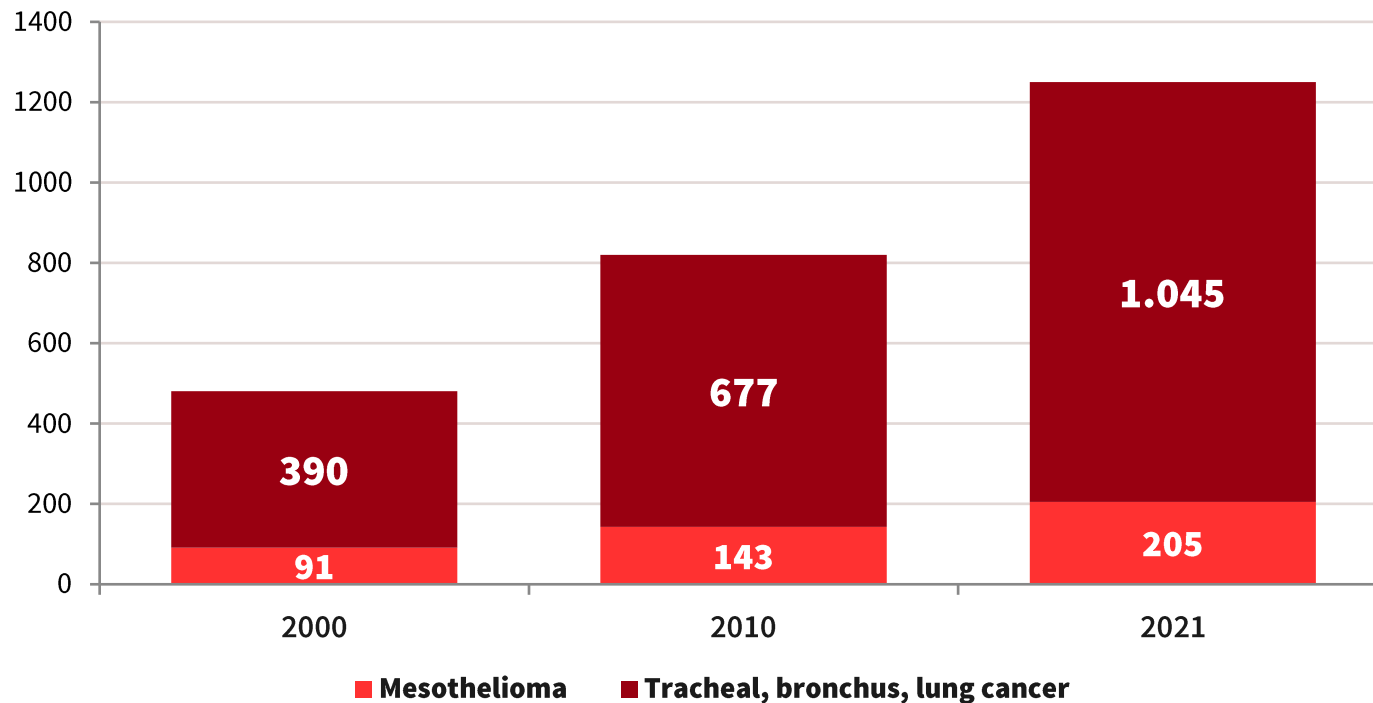
Indonesia's asbestos fiber consumption, tonnes per year (USGS and UN Comtrade)



All asbestos raw materials in Indonesia are imported from Russia, Kazakhstan, and China. Indonesia is the largest importer of asbestos in Southeast Asia, and the import duty on the fiber is zero percent.

The disease burden in Indonesia continues to rise

Annual deaths (estimated)



1.288

Total deaths from occupational asbestos-related diseases, 2021

1.661

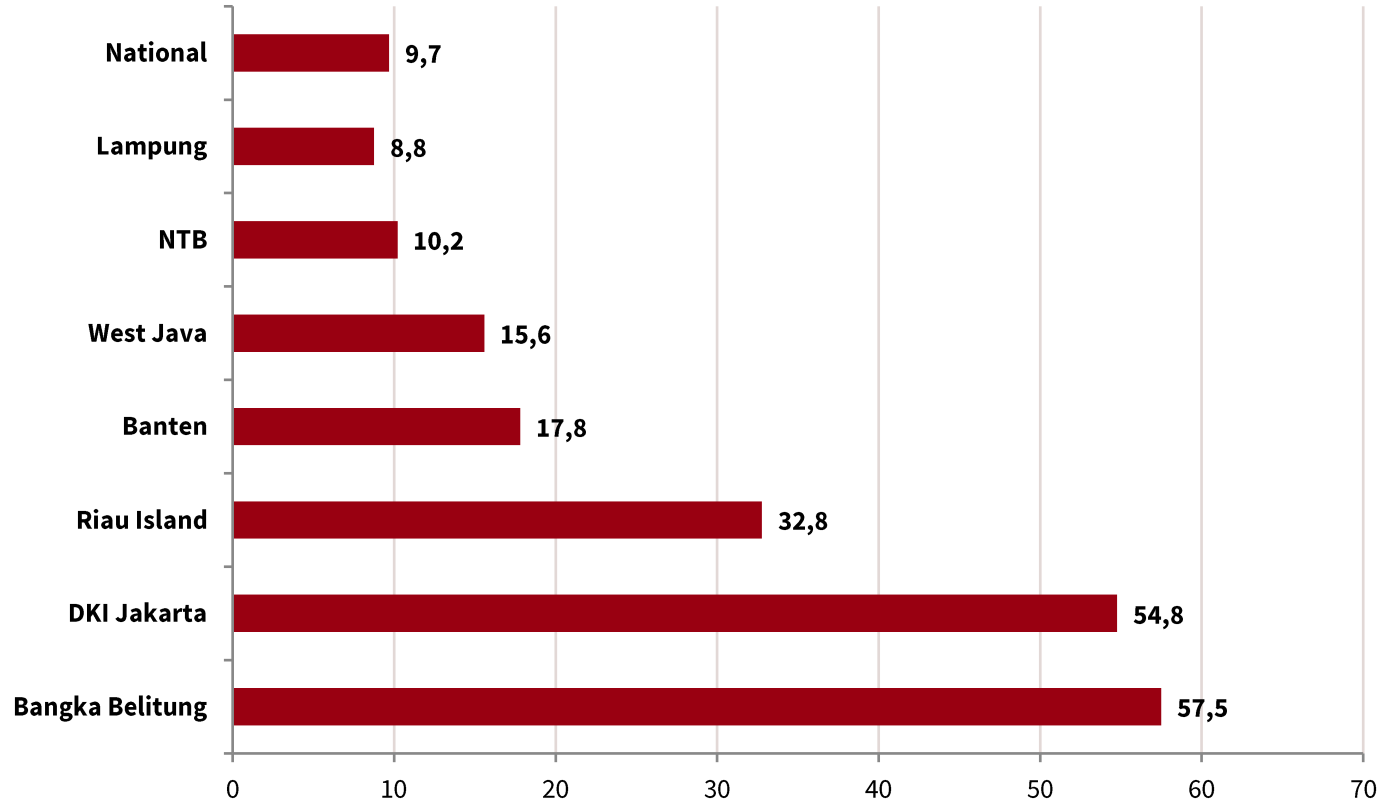
WHO/ILO estimates for 2016 are higher than the GBD estimates.

564

projected annual mesothelioma cases in 2050 (IARC)

Source: GBD 2021 via IHME, WHO/ILO Joint Estimates, and IARC Globocan 2022 projection.

Exposure that does not stop at the factory gate



Very high risk

DKI Jakarta, West Java, DI Yogyakarta, East Java, Banten, Bali, and West Nusa Tenggara, after combining roofing prevalence, population density, and earthquake potential.

Why this is important

Approximately 90 percent of raw asbestos in Indonesia is processed into asbestos-cement products. Its distribution is integrated with residential areas rather than being concentrated in industrial zones.

Source: Prevalence percentage of households with asbestos roofing (BPS 2025) and Mapping Asbestos Vulnerability in Indonesia Using Earthquake Vulnerability (<https://doi.org/10.3961/jpmph.24.749> ; Published online: June 29, 2025)

A sequence of findings fully aligned with the WHO position

2016

First Occupational Disease Compensation Claim

Asbestosis in a gland-packing worker following 23 years of exposure. Compensation of IDR 74 million was paid by the national social security system. The State officially recognized the case

2020

Case-Control Study at RSUP Persahabatan

696 subjects. Two- to three-fold increase in lung cancer risk among exposed workers, exhibiting a dose-response relationship.

2020

Clinical Case Report

Pulmonary pseudo-mesothelioma in a patient with a history of asbestos exposure, demonstrating that the root cause of underreporting lies in diagnostic difficulties.

2023

Disease Burden Review

Estimated incidence should reach hundreds to a thousand cases annually; yet diagnosed cases remain near zero.

2025

National Vulnerability Map

8.10% of households use asbestos roofing. Seven provinces fall into the very high-risk category.

The Chain Is Complete: Exposure occurs, disease manifests, the State recognizes the disease, and the healthcare system systematically fails to detect it.

Lobbying Operates Across Four Arenas Simultaneously

1 Multilateral Forums

Rotterdam Convention. Consensus rules are weaponized by a small group of producing nations to veto the listing of chrysotile, after which its absence is marketed as proof of safety.

2 Technical Ministries

Official studies by the Ministry of Industry (Kemenperin), bilateral MoUs, and inter-ministerial coordination meetings shift decision-making away from enforcement agencies.

3 Knowledge Production

Counter-research that is methodologically incapable of addressing the same core questions, yet sufficient to create the illusion of divided scientific consensus.

4 Courtrooms

Multi-trillion-Rupiah Tort/Civil Lawsuits against consumer organizations, activists, and ministries.

A distinctive feature of the Indonesian context is that the fourth arena is now being used to exert pressure on the second arena; the ministry is also being sued to prevent it from implementing the Supreme Court's ruling.

Arena 1: The Annex III Vacancy Is a Product of Veto Power

Rotterdam Convention — Prior Informed Consent (PIC) Procedure

- The Chemical Review Committee has recommended listing chrysotile since 2006. The issue has been debated at every Conference of the Parties (COP) without reaching consensus.
- Listing requires consensus. At COP-11, a small number of countries with commercial interests blocked the listing, including India, Kazakhstan, Kyrgyzstan, Russia, Syria, and Zimbabwe.
- COP-12 (Geneva, April 28 – May 9, 2025) once again deferred chrysotile's status.
- Note: **An Annex III listing is not a ban.** It merely initiates information exchange and requires the consent of importing nations.

The Distortion Used in Court

Chrysotile is not included in Annex III, so there is global consensus that it is safe, and it is covered by Law No. 10 of 2013 regarding the ratification of the Rotterdam Convention.

The Correction

It is false to claim that 170 parties agreed not to list it. More accurately: at COP-11, all parties except approximately 10 countries supported the listing. Furthermore, the Convention does not assess the hazardous properties of a substance.





Kajian *Sustainability* Industri Berbasis *Chrysotile Asbestos* di Indonesia



Keamanan Industri & Riset Ilmiah

Fokus pada studi penggunaan krisotil secara aman di Indonesia. Kerja sama ini melibatkan akademisi dan para pakar untuk memastikan standar keamanan tertinggi bagi industri dalam negeri.

- **Ministry of Industry Study (October 2025):**

Study on the Sustainability of Chrysotile Asbestos-Based Industry, published under the Directorate General of IKFT. Scientifically grounded in literature by Yarborough, Bernstein, and Jargin, with economic data sourced from FICMA. It concludes that **chrysotile poses no serious health impacts**.

- **Proposed Shift from Ban to Terminology**

The study proposed revising the wording of Ministry of Public Works Circular Letter (SE PUPR 86/SE/DC/2016) from "do not use asbestos" to merely prohibiting "blue asbestos or other hazardous types."

- **Bilateral Memorandum of Understanding (December 2025):**

Indonesia and Russia agreed to cooperate on scientific studies regarding the safe use of chrysotile asbestos, with implementation accelerated ahead of INNOPROM 2026.

- **Relocation of Decision-Making**

The obligation to revoke mandatory labeling requirements was channeled through a chain of inter-ministerial coordination meetings under the Coordinating Ministry, where industry audiences preceded hearings with consumer organizations

Arena 3: Every Piece of Evidence Is Met with Counter-Evidence

Evidence from Indonesia

Industry Counter-Strategy

RSUP Persahabatan Case-Control Study:
2- to 3-fold increase in lung cancer risk.



Literature by Bernstein & Jargin claiming chrysotile does not cause lung cancer, combined with arguments alleging overdiagnosis.

Occupational Asbestosis & 2016 Compensation Claim:



In-factory fiber measurements consistently below Threshold Limit Values (TLVs) alongside cross-sectional studies concluding no findings.

2025 Asbestos & Seismic Vulnerability Map:



Roof demolition simulations claiming dust levels remain far below threshold limits.

Consumer Organization Advocacy:



Joint research with regional consumer organizations weaponized in court to attack the credibility of Non-Governmental Consumer Protection Agencies (LPKSM)

Methodological Flaw: Cross-sectional studies on active workers cannot detect diseases with latency periods of 20 to 40 years. An absence of findings is not equivalent to an absence of risk.

When Both Sides Are Examined Under Oath

Expert Testimony, Central Jakarta District Court, September 2025

Plaintiff's (FICMA) Expert Witness:

David M. Bernstein

Inhalation Toxicology

- Explained that chrysotile has a rolled-sheet structure that can dissolve in the acidic environment of the lungs.
- Conceded that his home country, Switzerland (EU), has banned all uses of asbestos.
- Acknowledged receiving research sponsorship from corporate entities.

Defendants' Expert Witness:

dr. Anna Suraya, Sp.OK

Occupational Medicine & Toxicology

- Reaffirmed that all forms of asbestos are carcinogenic; diseases manifest 1 to 2 decades post-exposure.
- Presented concrete clinical records of a former asbestos textile factory worker diagnosed with worsening asbestosis and pleural thickening.
- In 2016, diagnosed asbestosis in examined workers—findings that were formally reported to the Ministry of Manpower.

From Judicial Review Victory to Counter-Lawsuit

- **Dec 2023** LPKSM Yasa Nata Budi filed a judicial review challenging Attachment B Number 51 of Minister of Trade Regulation No. 25/2021.
- **19 Mar 2024** Supreme Court Decision No. 6 P/HUM/2024 annulled the provision and ordered its revocation.
- **Jul 2024** FICMA filed a civil tort lawsuit claiming material damages of **IDR 7,985,283,302,500**.
- **12 Feb 2025** **Interlocutory Decision:** Absolute competence exception granted. FICMA filed an appeal.
- **12 Dec 2025** **Jakarta High Court Decision:** Declared all Defendants committed no tort; lawsuit partially granted.
- **9 Mar 2026** Omission lawsuit filed with the Jakarta Administrative Court (PTUN) over the non-issuance of replacement regulations
- **4 Aug 2026** Supreme Court Appeal Case No. 2110 K/PDT/2026 decided, granting the petitions of both Appellants. Official copy remains in minutisation

Lebih dari dua tahun setelah putusan Mahkamah Agung, aturan pengganti belum terbit dan produk masih beredar tanpa simbol bahaya.

(Pring & Canan Criteria, Supplemented by the Fifth Criterion from Merriam & Benson)

Five Criteria — All Fully Satisfied

1. Involves communications intended to influence government policy
2. Results in civil litigation
3. Targeted at individuals and non-governmental groups
4. Pertains to an issue of public interest
5. Lawsuit is meritless and economically motivated

Three Resulting Transformations:

Dispute

A public health policy issue is transformed into a private civil dispute

Forum

Debate is displaced from the public sphere into a courtroom.

Issues

Focus shifts from carcinogenicity and consumer rights to claims of lost corporate revenue.

*A Strategic Lawsuit Against Public Participation (SLAPP) does not need to win to be successful. The legal process itself consumes time, capital, and organizational energy. and the most dangerous aspect is creating a **chilling effect** for anyone*

Bring legal, environmental and human rights expert witnesses to court



Report on alleged SLAPP practices to the National Commission on Human Rights (KOMNAS HAM)



Mobilizing legal support through consolidations and requests for “amicus curiae”.



a) Background

The second litigation pathway pursued by LION Indonesia and the organizational coalition was triggered by the Ministry of Trade's non-compliance with **Supreme Court Decision No. 6P/HUM/2024** for **over 500 days**.

b) Pre-Litigation Efforts

A formal legal notice was served on **October 3, 2025**, followed by **Tripartite - technical negotiations** on **Dec 15, 2025**, neither of which resulted in regulatory changes.

c) Legal Action

LION Indonesia, together with the coalition, officially filed an Administrative Court (TUN) lawsuit against the Ministry of Trade on March 9, 2026, at the Jakarta Administrative Court via the e-Court system.







LOCAL INITIATIVE FOR
OSH NETWORK

www.lionindonesia.org