

Minister for Science & Technology
Dr. M M Joshi
Fax: (+91) 11-371 1772
6 Raisina Road,
New Delhi - 110 001
India

Minister for Health and Family Welfare
Dr. C P Thakur,
Fax: (+91) 11-301 8516;
2, Tughlak Road
New Delhi – 110 011

New York, 11 March, 2002

Dear Ministers:

The Lawyers Committee for Human Rights wishes to express its concern at the continuing pressure exerted upon **Dr. Tushar Kant Joshi**, apparently to stop him from calling public attention to the important work of exposing the globally uncontested hazards related to the use of asbestos in India.

Dr. Joshi is the Director of the Center for Occupational and Environmental Health at Lok Nayak Hospital in Delhi, and an internationally recognized expert in occupational and environmental health. He has done important research into the hazards and carcinogenic effects of asbestos, still widely used in India. Dr. Joshi has addressed the problems of asbestos use in India at international gatherings in England, Holland and at the European Parliament in Belgium. He was one of the speakers at a symposium called *Banning Asbestos in India*, as part of the national meeting of the Scientific Committee of the International Association of Occupational Health (IAOH) in New Delhi, in February 2001. Dr. Joshi is currently involved in the organization of a international symposium on asbestos in New Delhi, which will take place on April 12-13, 2002.

Various actors in the asbestos industry have been persistent in their efforts to force Dr. Joshi not to bring attention to the hazards of asbestos, and have demanded that he mitigate his position.

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Representatives of the asbestos industry have reportedly discussed this issue with the Minister for Health and Family Welfare, who is responsible for approving the annual renewal of Dr. Joshi's employment contract with the hospital. This year, without apparent or valid reasons, this approval has not been granted. Dr. Joshi's reappointment has thus effectively been blocked. Furthermore, Dr. Joshi has not received his salary since October 2001.

The Lawyers Committee is concerned that the Indian authorities have conceded to pressure exerted by the asbestos industry not to reappoint Dr. Joshi, and thus to silence the debate in India on the use of asbestos. Asbestos is still widely used in India, and the asbestos industry is still in a powerful economic position. However, the hazards of asbestos are globally recognized, by the American Environmental Protection Agency, the International Agency for Research on Cancer of the World Health Organization and the International Labor Organization. Twenty-one countries have banned asbestos all together.

Any intimidation directed at Dr. Joshi, to prevent him from freely continuing and divulging his research, implies an illegitimate restriction on the right to freedom of expression. This right is embodied in article 19 of the *Universal Declaration of Human Rights*, and guaranteed in article 19 of the *International Covenant on Civil and Political Rights* (ICCPR), to which India acceded in 1979. This right is also protected in article 19 (1) (a) of the Indian Constitution.

The Lawyers Committee urges you to assure that Dr. Joshi will be granted the opportunity to freely continue his important work and research in occupational and environmental medicine. We will continue to monitor his case, and would greatly appreciate any further information that you could provide us about the matter, and concerning any steps that you might have taken to follow up on it.

We thank you for your attention, and look forward to your response.

Very truly yours,



Neil Hicks

Director,
Human Rights Defenders Protection Program

C.C.
Mrs. Sonia Gandhi, Leader of Opposition
Fax: (+91) 011-301 8651
10, Jan path, New Delhi -110 011

Mr. Robert D. Blackwill, U.S. Ambassador
Fax:(+91) 11-419 0017
Shantipath, Chanakyapuri, New Delhi - 110021

American Association for the Advancement of Science, International Programs
Fax: 202-289-4958
1200 New York Avenue NW, Washington, DC 20005,