



"We are not expendable. We are not flowers offered at the altar of profit and power. We are dancing flames committed to conquering darkness and to challenging those who threaten the planet and the magic and mystery of life." -- Rashida Bee, gas survivor, receiving the prestigious 2004 Goldman Environmental Prize.

Bhopal: Justice Denied

Bhopal Yes, the word rings a bell. The gas leak in Bhopal, India on the night of December 2nd 1984 shook the world. The fact that no justice has been served to the victims after 27 long years needs your attention now!

You have the power to help the Bhopal survivors and to prevent further tragedies so there will be **"No More Bhopals."** The ongoing disaster in Bhopal is the result of the failure of Dow Chemical and the U.S. and Indian governments to comply with their respective obligations and responsibilities to (a) prevent the gas leak and address its consequences, and (b) prevent and stop the continuing pollution of the environment and water by toxic chemicals.

In 1969 Union Carbide Corporation (UCC) started operations in Bhopal, India with the hopes of profiting from an Indian agriculture boom in the 1970s. UCC established a pesticide plant with unproven technology near residential areas of Bhopal. To cut costs, UCC compromised the safety of the plant and ignored warning signals of the imminent disaster. On the night of the gas leak, not one of the six inadequate safety systems was functional. This leak left at least 7,000 people dead in the days following December 2nd, 1984. In the years that followed more than 23,000 people have died and 150,000 are severely disabled by the long term effects of the gas and/or by the drinking water contaminated with toxic waste that leached from the factory site.

UCC faces criminal charges of culpable homicide (manslaughter), and has fled these charges since 1991. Keen on projecting a corporate-friendly image, in 1989, the Indian government settled with UCC for \$470 million from an initial \$3 billion request, without consulting the survivors. Most survivors saw less than \$500 a person more than 5 years after the disaster, a pittance even by Indian standards. More money was spent on cleaning individual seagulls and seals after the Exxon Valdez spill.

Ignoring global protests, Dow acquired UCC in 2001. For the past 27 years, the Bhopal survivors have been struggling against opposition to occupational, social, legal, medical and environmental justice from UCC, Dow, and the Indian and U.S. governments.



Carbaryl pesticide remains near the plant

UCC's chemical wastes have contaminated a vast swath of Bhopal with dangerous toxins and chemical compounds. Abandoned vats of pesticides stain the factory grounds and acres of fertile land have been left sterile and desert-like by chemical seepage from UCC's "solar evaporation ponds." Children play in the wasteland despite the danger.

Dow, having acquired UCC, carries the environmental liability to clean up UCC's mess. The laws in India and the U.S. state that the "polluter pays" principle applies. In the case of Bhopal, UCC did not pay or clean up the land and water. It has become Dow's responsibility to clean up Bhopal. Criminal charges still stand against UCC and the then CEO of UCC, Warren Anderson.

Dow's Toxic Environmental Legacy

Not just in Bhopal, not just in Vietnam. Dow's factories at its global headquarters in **Midland, MI**, have contaminated a large region with dioxin. Testing by the state found **up to 8,900 ppt, nearly 100 times the highest concentration considered to be safe by the EPA.**

Dow's list of environmental disasters spans the globe, including parts of New Zealand, Vietnam, Plaquemine, Louisiana and Nicaragua.

Toxic Dow's double standards Over the years, Dow has paid millions of dollars in fines and out-of court settlements due to its disregard for human life and the environment. Dow maintains that it only acquired UCC's assets, not

"\$500 IS PLENTY GOOD FOR AN INDIAN"

DOW-CARBIDE SPOKESPERSON, 2002

Indian child brain damage by Dow-Carbide pest: **\$500**

American child brain damage by Dow-Carbide pesticide: **\$10,000,000**



Demanding Dow clean up, Midland, MI

its liabilities, even though it has set aside \$2.2 billion dollars for UCC's Asbestos liabilities in the U.S. **Yet, it does not own up for UCC's act in Bhopal** saying "\$500 is plenty good for an Indian."

Where does the Indian government fit in?

The Settlement & Corruption

The 1989 settlement the government reached with UCC regarding the disaster was made behind closed doors without consulting the survivors. In the settlement, UCC was to be absolved of all civil liabilities regarding the disaster, and criminal cases against the company and its officials were to be extinguished. After massive protests, the criminal cases were re-opened by the Indian Supreme Court in 1991. The survivors are still dealing with extensive contamination that was not covered by the settlement, as well as respiratory illnesses, monstrous births, stunted growth and menstrual disorders due to gas exposure. The corrupt politicians made the distribution of the settlement even worse. The monetary compensation which already was low went through the bureaucratic Central and State governments and pieces disappeared on the way to the survivors.

No clean water

To date, thousands of both exposed people and newer residents have been drinking the poisons in the groundwater surrounding the UCC pesticide plant. The state government took 4 years after a Supreme Court order to begin constructing a pipeline to provide clean water to the 25,000 people being poisoned. A 1999 Greenpeace test & report states the site as toxic hotspot. Water samples around the site had a range of volatile toxic chemicals and heavy metals, some more than 680 times the U.S. EPA limits.



Pumping the contaminated ground water

Why is Bhopal so critical today?

Justice For the past 27 years, some of the poorest people on earth, sick, living on the edge of starvation, illiterate, without funds, powerful friends or political influence, have found themselves fighting one of the world's biggest and wealthiest corporations, backed by the government, police, and, it often seems, even the judiciary of the world's most powerful nation. *To help these people, we must work for justice in Bhopal.*

Corporate Accountability Bhopal began as a classic instance of corporate double-standards: UCC used inferior and unproven equipment and employed lax operating procedures, maintenance, and safety standards relative to those used in its U.S. 'sister-plant.' UCC used a strategy of delay, denial and disinformation. Multinational corporations have frequently gotten away with taking advantage of powerless people around the world. *To hold them accountable, we must work for justice in Bhopal.*

Environment In 1999, mercury levels were found to be between **20,000 and 6,000,000 times** above the permitted norm. Carcinogenic and mutagenic chemicals have also poisoned the water supply; trichloroethene, a chemical that has been shown to impair fetal development, was found at levels 50 times higher than U.S. safety limits. A 2002 **'Surviving Bhopal: Toxic Present, Toxic Future'** report revealed poisons such as 1,3,5-trichlorobenzene, dichloromethane, chloroform, lead and mercury in the breast milk of nursing women. *If we are concerned about nature, we must work for justice in Bhopal.*

Human Rights Bhopal was not only a disaster, but also continues to be a fundamental violation of human rights. Amnesty International cites Bhopal and Dow-Carbide as a leading example of the corporate violation of human rights: its report on Bhopal, "Clouds of Injustice" notes that "Thousands of people in Bhopal were denied their right to life, and tens of thousands of people have had their right to health undermined... Thousands of poor families have suffered illness and bereavement, further impairing their ability to realize their right to a decent standard of living." The Bhopal case tragically demonstrates that transnational companies need to be better regulated to eliminate corporate complicity in human rights abuses. *If we are concerned about human rights, we must work for justice in Bhopal.*

You Can Help! Contact International Campaign for Justice in Bhopal in North America at icjb.us.ab@gmail.com, 989-750-1649 (North America) to learn how.

www.bhopal.net – www.studentsforbhopal.org