

# Media Briefing

Advance: Thursday 2<sup>nd</sup> December

## **NO MORE BHOPALS. NOT HERE. NOT ANYWHERE**

### **Introduction**

On the night of 2/3 December 1984 the Union Carbide pesticide plant at Bhopal in central India, began leaking 27 tonnes of the deadly gas methyl isocyanate and other toxins. Half a million people were exposed to the lethal gas as it spread throughout the city. Twenty thousand have died to date. This is seven times more than the death toll resulting from the terrorist attack on the US on September 11th 2001. Today, 150,000 remain chronically ill and one person dies every day from the effects of their exposure to the gases.

### **The toxic legacy lives on**

The site has never been cleaned up and the facility is slowly rusting and the buildings are crumbling. Years of monsoon rains have washed toxic pollutants into drinking wells from the sacks of chemicals which still litter the site and from chemical waste dumped in pits by routine mismanagement.

Today, 20,000 people are exposed to high levels of carcinogenic and mutagenic toxins from drinking water. People are suffering effects such as liver and kidney problems, reduced immunity, skin disorders, cancers and birth defects.

Tests carried out in 1999 found that soil and water around the site was contaminated with organochlorines and heavy metals. In 2002 the breast milk of women in the area was found to contain organochlorines, mercury and lead. In the last few weeks a BBC investigation found levels of water contamination 500 times higher than the maximum limits recommended by the World Health Organisation.

### **No justice for the people of Bhopal**

Efforts by survivors to seek justice over the years have proved fruitless. Ever since Union Carbide was taken over by Dow Chemicals in 2001, Dow has refused to admit responsibility. In 1989, prior to Dow's takeover, the Indian government agreed a partial settlement with Union Carbide amounting to some \$470 million - about \$750 each for the 592,000 who had filed claims. The victims were not consulted in the settlement discussions. Almost all of those who have received compensation have been given less than \$500 so far.

In 1991 prosecuting agencies in India revived manslaughter charges against Warren Anderson, Union Carbide's CEO. He has never stood trial. Anderson has evaded an international arrest warrant and summons to appear before a US court. Union Carbide itself was charged with culpable

homicide, the penalty for which has no upper limit. The company has refused to appear in an Indian court to face this and other criminal charges, and has been declared a 'fugitive from justice'.

### **Friends of the Earth supports the Bhopal survivors in their demands for Dow Chemicals to:**

**1. Face Trial:** Ensure that prime accused Warren Anderson, former chairman of Union Carbide ceases absconding from criminal justice in India and the authorised representatives of the company [Dow-Union Carbide] face trial in the Bhopal criminal court.

**2. Provide long-term health care:** Assume responsibility for the continuing and long-term health consequences among the exposed persons and their children. This includes medical care, health monitoring and necessary research studies. The company must provide all their information on the health consequences of the leaked gases.

**3. Clean up the poison:** Clean up toxic wastes and contaminated ground water in and around the Union Carbide factory site. Provide safe drinking water to the community, and just compensation for those who have been injured or made ill by this contamination.

**4. Provide economic and social support:** Dow must provide income opportunities to victims who can not pursue their usual trade as a result of exposure induced illnesses and income support to families rendered destitute due to death or incapacitation of the breadwinner of the family.

### **Learning the lessons: Corporate accountability and environmental justice**

Friends of the Earth never wants to see another Bhopal. Not here. Not anywhere. Friends of the Earth believes prevention is better than cure. Here and around the world Friends of the Earth is empowering communities to stand up to big business. Where communities have no voice Friends of the Earth helps communities get heard. But support from NGOs, although invaluable to such communities, is not enough.

Bhopal has another potentially more positive legacy. It is such a clear cut case of corporate irresponsibility and injustice that the anniversary has been declared an international Day for Corporate Accountability.

Union Carbide, the absentee owners of the plant, operated it to standards that would never have been tolerated in their home market in the USA. For example, they had failed to take preventative action after a series of smaller leaks in the previous three years, and had actually cut back the number of maintenance staff at the methyl isocyanate unit. When the leak occurred, the company failed to warn the local neighbourhood and emergency services immediately.

Yet while the world's economic powers have advocated and enforced liberalisation of investment so that such ownership arrangements are now commonplace, there has been no parallel effort to ensure common standards of environmental performance and liability. Union Carbide, Dow and Anderson have been able to abdicate responsibility.

Friends of the Earth International is campaigning for international rules for corporate accountability that would enable the victims of such disasters and of the more routine impacts of corporate irresponsibility to obtain justice: both remedy and redress for the impacts. We believe that where justice cannot be delivered in local courts, such victims must be assisted to pursue the company in its home courts. We believe that such companies should no longer benefit from government grants, subsidies and lucrative public contracts.

Friends of the Earth England, Wales and Northern Ireland has helped establish the Corporate Responsibility coalition (CORE) to press the UK Government to introduce new laws to ensure that people can hold corporations accountable for their impacts.

Corporate accountability rules would give communities improved rights to information in advance about the risks of company activities, and the right of prior informed consent before accepting risky

developments. Alongside rights to redress where negative impacts arise, this would establish a framework that would discourage the sort of double standards and irresponsible management that led to catastrophe in Bhopal.

### **What now?**

Friends of the Earth supports the International Campaign for Justice in Bhopal and urges individuals to sign the international petition for Justice in Bhopal. We will continue to campaign for:

- justice for the people of Bhopal
- international corporate accountability rules
- UK corporate responsibility legislation
- an end to UK public finance and support for irresponsible companies

### **No more Bhopals, not here, not anywhere!**

#### **Useful links:**

*International Campaign for Justice in Bhopal:* The International Campaign for Justice in Bhopal (ICJB) is a coalition of people's organizations, non-profit groups and individuals who have joined forces to campaign for justice for the survivors of the Union Carbide Disaster in Bhopal. Coordinating Global Day of Action on 3 December. <http://www.bhopal.net/>

*Union Carbide:* This website provides Union Carbide's statement regarding the tragedy, details its response, and other historical and legal information about the incident. <http://www.bhopal.com/>

*Friends of the Earth International:* developed a briefing outlining the case for an effective legally binding international framework on corporate accountability and liability. <http://www.foei.org/publications/corporates/accountability.html>

*Corporate Responsibility Coalition:* First established at a UK-level by Amnesty International UK, Christian Aid, Friends of the Earth, the New Economics Foundation and Traidcraft and is now supported by over 100 organisations. <http://www.corporate-responsibility.org>