

## The Deadliest Corporate Massacre in History

**When :** December 3, 1984

**Where :** 16 square miles of the city of Bhopal, capital of Madhya Pradesh, with the gas cloud at its densest in the slums lying south of the factory.

**How :** 27 tonnes of Methyl Isocyanate (MIC), a chemical 500 times more poisonous than Hydrogen cyanide, leaked from a pesticide plant majority-owned and operated by Union Carbide Corporation, a US Multinational corporation now owned by Dow Chemical.

**Why :** The design of the Union Carbide plant was much different from its sister facility in the US, with far fewer safety features and inferior construction materials (to cut investment costs by 30%). The Corporation ran a Global Economy Drive in 1980, the year the MIC plant was started. As part of this Drive, vital safety systems were shut off, almost half the workers, in particular those vocal on worsening occupational health conditions were sacked and warnings of the corporation's own safety audits ignored.

**What :** MIC entered the bloodstream of people who inhaled it and caused damage to eyes, lungs, brain, and the immune, reproductive, musculoskeletal and other systems as well as their mental health.

- 8,000 people were killed in the first three days. In total, over 22,000 people were killed from their exposure to MIC that night. Deaths attributable to MIC exposure on the night of the disaster continue to occur today.
- More than half a million were maimed for life, and continue to live with the consequences 40 years later. These include chronic health issues, 3 generations of birth defects, lasting economic consequences, and ongoing groundwater contamination.

## **BHOPAL TODAY :**

### **The Perpetrators**

- Though charged with manslaughter and other grievous offences, Union Carbide continues to abscond Indian courts and is currently owned by Dow Chemical, another US multinational.
- By using its political clout, including that of Henry Kissinger, Union Carbide was able to get the Indian government to accept a settlement amount that was half covered by their insurance and cost the corporation only 43 cents per share.
- The Chairman of the Corporation who had personally approved the unsafe design of the Bhopal MIC plant jumped bail and died unshackled at a beach town in USA.
- None of the 8 executives of UCC's Indian subsidiary have spent a minute in jail since 1984 and UCC's Asian subsidiary has deregistered itself and reincarnated as two corporations thereby escaping criminal liability.
- After ignoring 6 summons from Indian courts, survivors in Bhopal were able to get 12 US congresspeople to pressure the US Department of Justice and Dow Chemical to respond. In October 2023, a representative of Dow Chemical showed up in a Bhopal court after two decades of evasion. Still, the company holds that the court has no jurisdiction, and that it has no responsibility to pay for a clean up in Bhopal.

### **The Victims and the Survivors**

- Over 22,000 people have died in the years following the disaster and among those severely exposed, the death rates are still 26 % more compared to a control population.
- Over 150, 000 persons continue to battle chronic diseases caused due to toxic exposure in December 1984.
- Majority of the affected population could not continue with their usual occupation and tens of thousands of families remain undernourished and hungry.
- Rates of Cancers, Tuberculosis and fatal diseases of the Kidneys continue to be much higher among the gas affected population compared to national rate
- Tens of thousands of children of gas exposed parents are born with physical growth and mental development disorders and birth defects, at much higher rates compared to a control population.

- 93 % of the survivors of the disaster received only 500 \$s as compensation for personal injuries, families of the dead received 2000 \$s for each death. Death figures and extent of health injuries have been downplayed by government agencies, so as to tailor the overall damage to fit the meagre settlement offered by Union Carbide.

## **The Environmental Disaster**

- Unconnected to the gas disaster and as a consequence of Union Carbide's unsafe disposal of poisonous wastes within the factory compound from 1969, pumping hazardous waste in to wrongly designed ponds from 1977 and reckless dumping of the ponds' toxic sludge outside the factory in 1996 there is an ongoing environmental disaster in the city due to contamination of groundwater.
- As per records of the Supreme Court of India close to 100 thousand residents of 48 communities within 5 kms of the factory are currently affected by contamination of groundwater.
- Analysis of groundwater by official scientific agencies have reported the presence of toxic chemicals, pesticides and heavy metals that are known to accumulate in the bodies of exposed persons and cause damage to the brain, lungs, liver, kidneys and genetic material.

## **International Politics**

- There is documented evidence that points to US Secretary of State and National Security Advisor Henry Kissinger's active involvement in getting financing and official approval of the Bhopal MIC plant. There is also evidence showing a Kissinger associate's continued lobbying for legal impunity of Dow Chemical.
- In the last 40 years, the US government has sheltered the fugitives from the criminal case on the disaster and refused to pay heed to the concerns of the survivors. The US government continued to violate the Mutual Legal Assistance Treaty with India, protecting Dow Chemical from being summoned before the Bhopal District court, until October 2023.
- International organizations such as the UN and WHO, that rush to help in cases of natural disasters have hardly moved a finger in the case of the ongoing man-made disaster in Bhopal. The International Court of Justice has expressed its inability to respond to the legal and juridical issues.

## National Politics

- Irrespective of the political party in power there has been an unbroken and close nexus between the Indian government and the culprit corporations in the last 40 years. Successive Prime Ministers have justified official leniency towards Union Carbide on grounds that such a policy was necessary to ensure continued investment of US capital in India.
- Political parties have never paid serious attention to the unfolding disaster and a communist ruled state government went so far as to welcome Dow Chemical's investment in the state disregarding its Bhopal liabilities.

## Survivor's struggle

- Several survivor-led organizations have been fighting for justice and a life of dignity (proper health care, economic and social rehabilitation and safe living conditions) for over four decades.
- An overwhelming majority of the survivor-activists are women, among the poorest and those worst affected by the disaster.
- As a guide to action, survivors' organizations have generally followed a policy of "by all means necessary" and their protest methods have included fasting including the waterless kind, rallies, marches from Bhopal to New Delhi, Die-ins at the busiest street crossing and at the office of the Prime Minister as well as legal petitions before different courts.
- Some of the main victories of the long struggle of the Bhopal survivors are: official revoking of criminal immunity granted to Union Carbide, successful assertion of the right to interest accrued on compensation amount for each claimant, Bhopal survivors' right to health care judicially acknowledged to be a fundamental constitutional right, forcing the Indian government to seek Anderson's extradition, judicial summons issued against Dow Chemical, provision of clean drinking water to 20 thousand families residing in areas affected by contaminated groundwater, judicial acceptance of barefoot monitoring of spread of contamination and making it difficult for Dow Chemical to expand its business in India.
- Organizations and individuals from different parts of the world have long extended active solidarity with the Bhopal survivors' struggle, playing a critical role in their success. The International Campaign for Justice in Bhopal is a worldwide association of

organizations active on environmental and environmental-justice, human rights, corporate crime and other issues.

### **Mobilize for the 40th Anniversary:**

December 3, 2024 will mark the 40th anniversary of the world's worst corporate crime. In these 40 years, thousands of communities and millions of lives have been victimized by criminal corporations that continue to increase their profits and expand their operations.

We call on all victims of corporate crime, university students and faculty, environmental activists, and all global citizens concerned about environmental injustice to mobilize on the week of December 2nd, 2024.

Hold a demonstration, organize direct actions, candle light vigils, symposium, public lectures, or film screenings to commemorate the 40<sup>th</sup> Anniversary. Support the Demands of the Bhopal Survivors and call on your elected officials (from local to federal) to pass a resolution acknowledging the 40th anniversary, reiterating the demands of the Bhopal survivors, and marking December 3 as 'Chemical Disaster Awareness Day.'

*Most importantly, merge the struggle for justice in Bhopal with the struggle in your community.* Together, we must ensure that corporate crimes no longer go unpunished, and people are no longer sacrificed for the profits of corporations.

### **Demands on the 40<sup>th</sup> Anniversary**

1. **Clean up** : Indian government must ensure comprehensive scientific assessment of the depth, spread and nature of soil and groundwater contamination in and around the abandoned pesticide factory. Dow Chemical must pay for the clean-up of the soil and groundwater up to international standards. The state government must cease and desist from covering up the contamination by building a memorial to the disaster on top of the contaminated lands.
2. **Compensation** : Dow Chemical must pay a minimum of 8 thousand US dollars to each Bhopal survivor as additional compensation for personal injuries as claimed in the Supreme Court of India. The Indian government must make Dow Chemical pay compensation for health and environmental damage caused by contamination of soil and groundwater.

3. **Criminal punishment** : The US government must stop obstructing the criminal prosecution of Dow Chemical.
4. **Health care and research** : The Indian government must ensure that standardized treatment protocols are developed for gas exposure related chronic diseases. The Indian government must establish a population based registry for all deaths, births and congenital malformations in the gas exposed families. The Indian government must ensure that NIREH (National Institute for Research on Environmental Health ) fulfils its commitment to the Bhopal survivors by generating scientific information on the long term health damage by the gas disaster and most effective means of ameliorating them. The Madhya Pradesh state government must ensure that free medical care is available to residents who drank contaminated groundwater for six months or more.
5. **Rehabilitation** : The Indian and MP state governments must ensure that a monthly pension of Rs. 3000/- is paid to all women widowed by the disaster and all those left without means to support themselves as a consequence of gas exposure.

**Please visit [www.bhopal.net](http://www.bhopal.net) for resources and more information.**

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