



25th Anniversary of Bhopal Chemical Disaster
December 3, 2009
www.dumpyourdow.org * www.studentsforbhopal.org

FACT SHEET

What happened?

On December 3, 1984 the worst peacetime chemical disaster in history took place in Bhopal, India. Twenty-seven tons of lethal gases leaked from Union Carbide's pesticide factory, immediately killing at least 8,000 people and poisoning half a million others. The factory's six safety systems that would have prevented the disaster were all either malfunctioning, under repair, or switched off as part of a cost-cutting exercise. Tens of thousands have died from the toxic exposure in the years since, and the death toll continues to rise as a result of long-term effects.

Is this an old story?

No. Today, at least 150,000 people, including children born to parents who survived the disaster, are suffering from exposure-related health effects, such as cancer, neurological damage, nausea, breathlessness, numb limbs, headaches, body aches, fevers, anxiety attacks, chaotic menstrual cycles, depression and mental illness. Over 20,000 people have been forced to drink water laced with alarmingly high levels of mercury, dichlorobenzene, chloroform, carbon tetrachloride and other persistent organic pollutants and heavy metals. Traces of lead and mercury have also been found in the breast milk of women living in these communities. Many of the victims do not have access to appropriate medical treatment and are unable to pursue their usual means of livelihood due to illness.

Who is responsible?

In 2001 Union Carbide (UC) became a wholly-owned subsidiary of The Dow Chemical Company. Dow, according to its own public statements, made the decision to acquire the company with full knowledge of the criminal charges pending against UC and their status as a fugitive from justice. Despite repeated public requests and protests around the world, Dow Chemical has refused to make its new subsidiary appear before the Bhopal District Court to face the criminal charges pending against it. Dow also insists that UC corrected the situation when they settled the civil damages for \$470 million with the Indian government in 1989. However, this settlement did not extinguish the criminal charges against the company or its officials. Moreover, the settlement amount, which was based on inaccurate statistics about the scale and magnitude of the disaster, resulted in each survivor getting only \$500 (Rs. 25,000) – less than five cents a day to pay for a lifetime of medical needs.

What should be done?

The International Campaign for Justice in Bhopal demands the following:

- Clean up the poisoned groundwater and contaminated areas within and outside the factory. The Indian government requested a \$23 million deposit from Dow for clean up,

which Dow has not provided. The government must begin clean up now to prevent further spread of the toxins, and use the courts to get reimbursed by Dow.

- Dow's subsidiary, Union Carbide, must show up in court to face trial in the ongoing criminal proceedings against them in India.
- In August 2008, the Indian Government promised to establish an "empowered commission" to address the health, environmental, social, and economic issues in Bhopal. They need to fulfill this promise now.
- The Indian Government also promised to build pipelines to bring clean water to the communities that have been drinking, eating, and washing with water contaminated by the chemicals that Union Carbide left behind. Construction was started, but has been stalled, and needs to be completed urgently.

What is the legal update?

Union Carbide and its former chairman Warren Anderson face serious criminal charges at the Chief Judicial Magistrate's court in Bhopal. Neither party has appeared in court to face trial, and both have been declared absconders (fugitives from justice) by the Bhopal court. The Supreme Court of India, in its judicial review in October 1991, held that the 1989 settlement did not extinguish criminal charges, and directed that the criminal prosecution against UC must proceed in the courts of India. Just this year, the judge in Bhopal reissued the arrest warrant against Warren Anderson, instructing the Central Bureau of Investigations to take any necessary means to produce Anderson in court. UC is also facing civil trials about the contamination it left behind when it abandoned the site after the disaster. The groundwater contamination from the chemicals left at the factory continues to spread into new neighborhoods every year. Survivors say that UC and Dow are responsible for cleaning up this toxic mess and for compensating victims, particularly the children in these communities.

Dow's Toxic Legacy

In addition to Bhopal, Dow is responsible for many other toxic trails including:

Agent Orange: More than three million people are suffering from health effects related to the U.S. military's use of the dioxin-contaminated chemical warfare agent, Agent Orange, used during the Vietnam War. A class action suit is pending against Dow, Monsanto and the other Agent Orange manufacturers for massive related health damages.

Dioxin: The Dow chemical complex in the company's hometown of Midland, Michigan is a major source of Dioxin, one of the most lethal carcinogens on the planet. Dow has poisoned 22 miles of Midland's Tittabawassee River, many neighborhood parks and thousands of properties with this toxin.

Dursban: Chlorpyrifos, the nerve poison insecticide better known by the trade name Dursban, is one of Dow's best selling pesticides. Although Dow spent more than \$100 million dollars on studies suggesting that chlorpyrifos is "harmless when properly applied," independent scientists and the EPA found otherwise. In 2000, the EPA restricted most home and garden uses of chlorpyrifos in a special action to protect children's health, and in 1995 fined Dow a record \$732,000 for not fully reporting the chemical's health effects. In 2008 the US Securities and Exchange Commission fined Dow for having paid more than \$200,000 in bribes to Indian agriculture ministry officials to expedite registration of 3 pesticides, including Dursban.

Silicone Breast Implants: In the 1970's Dow Corning produced "new & improved" silicone breast implants that medical journals soon began suggesting were permeable, allowing silicone gel to leak out over time and into women's bodies. Internal memos later revealed that Dow officials were fully aware that the implants leaked before they began marketing them.

#