

India: Victory for Bhopal survivors

Thursday 28 August 2008, by [International Campaign for Justice in Bhopal](#), [WILLIAMS Kerry](#) (Date first published: 15 August 2008).

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After a massive campaign launched in February by survivors of the 1984 Bhopal disaster, the Indian government announced on August 8 that it would concede their demands to establish an “empowered commission” for rehabilitation of victims and the environment, and pursue legal action against Dow Chemicals.

Thousands of people were killed when a chemical explosion at the Union Carbide pesticide plant filled the city with deadly gases. A further 150,000 people were left with serious disabilities and health problems. Drinking water continues to be contaminated around the site, which was abandoned by the company, poisoning new victims including those born long after the initial disaster.

Union Carbide was taken over by Dow Chemicals in 2007, but Dow has denied any responsibility for the ongoing effects of the horrific incident. The company has refused to clean the site, compensate victims or even provide all the information it has regarding the leaked chemicals and their effects.

The latest chapter in the survivors’ ongoing battle for justice began in February with a long march from Bhopal to New Delhi — more than 700 kilometres. The protesters set up camp on the footpath near parliament and refused to leave until the government agreed to their demands.

On June 9, they held a “die-in” in front of the prime minister’s office and 36 people were arrested. On June 10, an international hunger strike was launched and the campaign ended in victory on August 8.

Dow Chemicals has also faced substantial resistance in recent years to its attempts to relocate much of its manufacturing and research to India to reduce its labour costs. Protesters have blocked construction of Dow projects, prevented the company from recruiting engineers at Indian universities and forced Indian companies to abandon collaboration with Dow.

[For more information, visit <http://www.bhopal.net> and see below.]

Kerry Williams, 15 August 2008

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Historic statement by the Minister of Chemicals and Fertilizers

International Campaign for Justice in Bhopal

Press Release

August 08, 2008

The following statement finally represents a full response to the 172 day 'Walk Your Talk' campaign begun by Bhopalis on February 20th, 2008. The object of the campaign - the longest sustained campaign by the Bhopalis yet - was fulfillment of a set of clear demands [See below]. The following statement achieves this. [1]

Statement to be made by the Hon'ble Minister of Chemicals and Fertilizers and Steel on 8th August, 2008 at Jantar Mantar, New Delhi before the representatives of Bhopal Gas Victims.

The Group of Ministers (GoM) constituted to oversee the matters related to Bhopal Gas Leak Disaster, in its meeting held on 11th June, 2008, had taken certain important decisions. Based on these decisions, the following action has been/is being taken by the Government.

(i) Plan of Action for rehabilitation of Bhopal Gas Victims

The government of M.P. has submitted a Memorandum on the Plan of Action for the rehabilitation of the gas victims and their families, with estimates amounting to Rs. 982.75 crore. The Department of C&PC has forwarded the Action Plan to the Planning Commission for their comments and would thereafter be placed before the GoM, for further necessary action.

(ii) Declaration of remaining 20 wards of Bhopal as ' gas affected'

The request of the Govt. of M.P. for declaring the remaining 20 wards of Bhopal as Gas affected was not agreed to by the GoM. However, the GoM decided that the Government of M.P. may take an appropriate decision to allow free treatment and availability of medicines to the people of the 20 unaffected wards, in the Government Hospitals, without prejudice to the benefits and entitlements of the recognized gas victims in 36 'gas affected' wards.

(iii) Setting up of an Empowered Commission for rehabilitation of Bhopal Gas Victims:

The Gom decided that the Department of C&PC would prepare a Draft Proposal on the Terms of Reference , modalities, functions, powers, headquarters and other related requirements for setting up of the proposed Empowered Commission. A draft Resolution/ Executive Order, after approval of the Minister of C&F and S and the Chairman of the GoM, has been circulated to the Ministries/ Departments concerned of the Government of India and the Government of M.P., for comments/ views.

(iv) Continuation of Medical Research by ICMR

The ICMR should resume the research work which was stopped in the year 1994 and give its recommendations for the right line of treatment for different medical problems faced by the gas victims and their families. the Department of Health Research, Ministry of Health and Family Welfare, has been requested to take further necessary action.

(v) Application of the Deptt. of C&PC filed in the High Court of M.P. in W.P. No. 2802 of

2004 (Alok Pratap Singh vs Union of India & Others)

The Department of C&PC would not withdraw its application filed in the High Court of Madhya Pradesh requesting the Court to direct Respondents No. 4 to 6, in the P.I.L filed in W.P. No. 2802 of 2004, to deposit Rs. 100 crore as advance for environmental remediation of the former UCIL plant site at Bhopal. The outcome of the matter pending before the High Court of Madhya Pradesh may be awaited in this regard.

(vi) Offer of Sh. Ratan Tata to set up Site Remediation Fund to clean UCIL Plant site

The offer of Shri Ratan Tata is not acceptable in its current form as it is a conditional offer to absolve Dow Chemicals Company from the liability for environmental remediation of the former UCIL plant site at Bhopal

(vii) Extradition of Warren Anderson

The legal pursuit for the extradition of Warren Anderson may be expediated by the MEA with the US Authorities

(viii) Cancellation of Registration of Pesticides of Dow obtained by payment of bribes

The CBI has been directed to expediate its report on the investigations into the alleged payment of bribes to the officials of Ministry of Agriculture by Dow for obtaining the registration of four pesticides, including Dursban

(ix) Environmental Remediation of the Former UCIL Plant site at Bhopal

The Government of India and the Government of M.P. may go ahead with the implimentation of the Roadmap for the environmental remediation of the former UCIL Plant site at Bhopal

(x) Review of approval of FTC between Reliance and Dow Global Technologies Inc.

As the representative of the concerned Ministry was not present for the meeting of the GoM, therefore, the views of the Minsitry were not available for the GoM to take a holistic view in the matter related to approval of FTC. The GoM deferred a decision on the issue.

PADYATRA/DHARNA/HUNGERSTRIKE 2008 DEMANDS

1. Set up a Special Commission on Bhopal for the next 30 years to address the following issues affecting people (and their children) exposed to Union Carbide's poisons. The Bhopal Commission must have survivors' representatives and the necessary funds and authority to carry out its tasks.

- a) Medical Care Research and Monitoring
- b) Social and Economic Rehabilitation
- c) Environmental Remediation

d) Safe Drinking Water

2. Take legal action against Dow

a) Pursue the Ministry of Chemicals' application in the MP High Court seeking money from Dow Chemical for toxic clean up in Bhopal

b) Move for extradition of the authorized representative of Union Carbide Corporation and prime accused Warren Anderson

c) Revoke approval given to Reliance Industries for purchase of Union Carbide's Unipol technology, which is intellectual property that must be confiscated as Union Carbide has been absconding since 1992

d) Cancel registration for all four pesticides, including Dursban, obtained by bribing Agriculture Ministry officials as established by the Securities & Exchange Commission, USA

Bhopal Gas Peedit Mahila Stationary Karamchari Sangh

Rashida Bee, Champa Devi Shukla

tel. 09302432298

Bhopal Gas Peedit Mahila Purush Sangarsh Morcha

Syed M Irfan

tel. 09329026319

Bhopal Group for Information and Action

Rachna Dhingra, Satinath Sarangi

tel. 09826167369

Contact : House No. S-3, Tulsi Towers , Patel Nagar (Near Sangam Talkies), Bhopal 462 001

Footnotes

[1] You can read in detail about the three stages of the campaign at the following links:

38 day Padyatra <http://www.bhopal.net/march/padyatr...>

73 day Dharna <http://www.bhopal.net/march/dharna2...>

60 day Global Relay Hungerstrike <http://www.bhopal.net/2008hungerstr...>