



International
Campaign for Justice
in Bhopal



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Dow Shareholder Resolutions on Bhopal Liabilities and Chemical Body Burden Filed

Bostonians Commemorate 20th Anniversary of Bhopal Chemical Disaster As Dow Chemical Continues to Deny Legal Responsibility for the Disaster Victims

This week Boston Common Asset Management filed a shareholder resolution with Dow Chemical (parent company of Union Carbide) on behalf of its client, The Brethren Benefit Trust, Inc. and other shareholders, to address the liabilities associated the Bhopal legacy and its survivors. The resolution asks Dow to quantify and analyze the impacts that the Bhopal issue may reasonably pose to the company, its reputation, its finances, and its expansion in Asia and elsewhere.

Sanford Lewis, the attorney representing shareholder proponents of Boston Common Asset Management filed a complaint with the Securities & Exchange Commissions this past August alleging misleading statements by Dow Chemical on its website regarding potential liabilities associated with Bhopal. Lewis said, "Dow's position related to Bhopal has changed. Since we filed the letter with the SEC in August, Dow has dispensed with website language that we had complained about asserting absolutely no liability for Bhopal, while continuing to assert that it has 'no responsibility.'" See www.dow.com/commitments/debate/d15.html

"This is not just an issue of humanitarian obligation to the Bhopal survivors, but also of prudent risk management," said Lauren Compere, Chief Administrative Officer of Boston Common Asset Management. "The reality is that Dow Chemical has not done well by its shareholders. There is and will continue to be a very real and tangible impact on shareholder value from the ongoing negative public relations surrounding Bhopal and Dow's lack of accountability and the exposure to litigation that Dow is now facing from both criminal and civil cases here in the U.S. and India, which could result in Dow's assets in India being seized. After 20 years, isn't it time for Union Carbide and Dow to finally face the music?" In 2004, a similar resolution garnered favorable analysis from proxy voting services like IRRC and Institutional Shareholder Services including a For Vote recommendation from ISS's Social Investment and Proxy Voting Services division whose clients are social investors, pension funds and labor unions. Institutional investors who supported the call for a report by Dow on these issues included CalPERS and NYCERS. Shelley Alpern of Trillium Asset Management introduced another Dow resolution regarding the liability issues surrounding the body burden of Dow products people are unknowingly carrying such as chlorpyrifos which the CDC found in 93% of Americans tested and is known to cause neurological damage in animals.

At midnight on December 2, 1984 an estimated 40 tons of lethal gases leaked from Union Carbide's pesticide factory in Bhopal, India, immediately killing 8,000 people and poisoning thousands of others. 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, chaotic menstrual cycles and mental illness. Over 20,000 people are forced to drink water laced with unsafe levels of

mercury, carbon tetrachloride and other persistent organic pollutants and heavy metals. Many events worldwide are taking place to coincide with the 20th anniversary of the disaster, including the release of a new Amnesty International report exposing Dow Chemical, teach-ins and vigils at over 60 colleges worldwide and a new book by investigative reporter Jack Doyle, entitled Trespass Against Us: Dow Chemical and the Toxic Century.

Investors and human rights, labor and environmental health advocates gathered at Wainwright Bank downtown yesterday, where the resolution was introduced. Ashim Roy from the Indian Trade Union Initiative, spoke about Bhopal as an example of untested technologies being transferred to developing countries and having deadly effects. Bhopal is an early example who what can happen when in the rush to globalize, multinational corporations roll over basic human rights and the social obligations they would have to meet in their home country. An Amnesty International member also spoke about the human rights report released on Dow and Bhopal on Nov. 29th, the first Amnesty report to highlight a corporate rather than solely governmental human right abuse. “Twenty years later, the people of Bhopal are still waiting for justice. Dow will not even release basic information about the composition of the gas so that doctors can treat the victims nor take responsibility for getting clean water to those drinking their toxic legacy,” said Sunita Dubey, a former activist on Bhopal and other issues with Indian NGO Toxics Link.

The group watched short documentary, Twenty Years Without Justice: The Bhopal Chemical Disaster; depicting the injustices the people of Bhopal have endured in the decades since the disaster, and the current efforts to bring Union Carbide and its parent company, Dow Chemical, to justice. View the video at <http://bhopal.strategicvideo.net>. There will also be screenings of another new film, Bhopal - The Search for Justice, at MIT on Dec 4th at 2pm and at Tufts on Dec 6th at 7pm. More details on this film at <http://www.cbc.ca/natureofthings/>. For event details e-mail secular@mit.edu.

The 1984 Union Carbide gas disaster in Bhopal – known as the Hiroshima of the Chemical Industry – has left an estimated 150,000 people chronically ill, 50,000 of whom are too sick to earn a living. “The impact on survivors’ health continues to exceed the most pessimistic predictions. The compensation paid by Union Carbide is less than nine U.S. cents a day per victim – a pathetically inadequate amount, given the economic and health needs of survivors,” says Tim Edwards of the International Campaign for Justice in Bhopal. Dow Chemical assumed liability for the Bhopal plant when it acquired Union Carbide in 2001.

Union Carbide’s \$470 million compensation package covered only civil awards for the half million people exposed, leaving unresolved the potential damages for criminal charges and for environmental contamination unrelated to the disaster. “Accused of culpable homicide, Union Carbide is officially a ‘fugitive from justice’, defying orders of the US and Indian courts to face trial in India,” said Satinath Sarangi of the Bhopal Group for Information and Action. “After leaving its factory a ‘global toxic hotspot,’ so poisoning Bhopal a second time, Carbide also faces a case in the US courts. The growing movement for corporate accountability will never let this issue rest.”

For More Information :

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On the 20th Anniversary of the Bhopal Chemical Disaster Worldwide Events: <http://www.bhopal.net/gda2004.php> or contact Diana Ruiz at diana@panna.org or (415) 981-6205 ext 321

On the National Tour of Indian Trade Unionists, contact Russ Davis, Jobs with Justice, 617-524-8778

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