

Bhopal Gas Disaster Verdict: Virtual Clean Chit for Corporate Crime

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More than 25 years after the infamous Bhopal Gas Disaster, a trial court in Bhopal has delivered a verdict that is nothing but a cruel mockery of justice. Not only does the verdict insult the victims of one of the world's worst industrial disasters by letting off the mighty CEOs who were the chief perpetrators either scot free or with a ridiculously light sentence, it amounts to an assurance to MNCs they will enjoy total impunity in India even when their negligence and violations of regulations leads to loss of thousands of Indian lives and injury to several thousand more.

In December 1984, 40 tonnes of Methyl Isocyanate (MIC) leaked out of the Union Carbide Corporation's pesticide plant in Bhopal, exposing over 5,00,000 people to the toxic fumes. 25,000 people died as a result, and hundreds of thousands of persons suffered irreversible damages to their health. The poison in the soil and water continues to affect future generations.

After over 25 years, the trial Court gave its verdict allowing the Union Carbide CEO Warren Anderson (declared an absconder) to go scot free, while convicting eight representatives of the Indian operatives Union Carbide India Limited (UCIL) including former UCIL Chairman (and present CEO of Mahindra and Mahindra) Keshub Mahindra for a mere two years. All those convicted received bail on the same day.

The injustice of the Bhopal verdict is not just a comment on judicial failure to deliver justice – it rings a warning bell that every Indian should heed. It warns us as to how the Indian establishment's policy of pandering to the United States and its corporations (a policy of which the Civilian Nuclear Liability Bill is the latest example) is injurious to the health and safety of India's people. The US establishment is fully aware of these implications: it has reacted to the Bhopal verdict by "hoping that the verdict will not affect" the growing ties between India and the US and the Nuclear Liability Bill in particular, and instead will provide "closure" for the victims of the tragedy.

For the Obama Administration to speak of the verdict offering "closure" to the Bhopal Gas victims is a callous act of adding insult to injury. The US has ruled out any discussion of extradition of Warren Anderson to face criminal charges in India, and is urging India to pass the Civilian Nuclear Liability Bill that seeks to protect the US suppliers of nuclear reactors from liability to pay compensation in the case of a nuclear accident, and to cap the liability of operators at a mere \$470 million – a sum that the Bhopal experience has proved to be grossly inadequate.

Contrast this attitude of the US with the Obama Administration's angry declarations to pursue criminal charges against British Petroleum for the oil spill off the Louisiana coast that claimed 11 lives recently. Protecting US corporations from civil and criminal liabilities for Indian lives lost, and pursuing criminal charges against corporations responsible for American lives lost – the shameful US double standards are all too apparent!

The Indian Government has done nothing to demand that Warren Anderson, CEO of Carbide, be extradited to India to face trial. Dow Chemicals, which has taken over Carbide, has refused to take responsibility for cleaning up the Union Carbide factory wastes, yet Indian ruling class parties and

governments have done their best to roll out the red carpet for Dow. Following the trial court verdict, Congress spokesperson Abhishek Manu Singhvi has shed crocodile tears for the Bhopal victims by demanding that the laws on rash and negligent acts be made more stringent. This posturing is exposed by the fact that Singhvi himself is also the long-term legal counsel for Dow Chemicals!

Not only must we protest against the shameful verdict and demand that Warren Anderson be extradited and Dow Chemicals made to pay for cleaning up the polluted sites and for medical care of the victims, we must also call insist on the blacklisting of the offending MNCs and above all, scrapping of the Civil Nuclear Liability Bill to ensure that the tragedy of Bhopal and its shameful consequences are never repeated on Indian soil!

P.S.

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