

P6_TA(2004)0114

Bhopal

European Parliament resolution on Bhopal

The European Parliament,

- having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas 2004 is the 20th anniversary of the Bhopal tragedy, which was the worst industrial disaster in history,
- B. whereas, on the night of 2 December 1984, over 35 tons of toxic gases leaked from a pesticide plant in Bhopal owned by the US-based multinational Union Carbide Corporation (UCC)'s Indian subsidiary, Union Carbide India Limited (UCIL), consisting in the main of at least 24 tons of extremely poisonous methyl isocyanate,
- C. whereas in the next 2-3 days more than 7 000 people died and many more were injured, and whereas over the last 20 years an estimated 15 000 - 30 000 people have died from illnesses related to gas exposure; whereas the 2003 annual report of the Madhya Pradesh Government's Bhopal Gas Tragedy Relief and Rehabilitation Department revealed that, by October 2003, compensation had been awarded in 15 248 cases of death and 554 895 cases of injury or disability,
- D. whereas today more than 100 000 people affected by the gas exposure continue to suffer chronic and debilitating illnesses for which treatment is largely ineffective, which often condemn them to a life as social outcasts in deprivation and misery, and which have led to them being perceived as the 'living dead',
- E. whereas Union Carbide clearly did not apply the same standards of safety in design or operations to Bhopal as it had in place in the USA, notably any comprehensive emergency plan or system in Bhopal to warn local communities about leaks, despite warnings as early as 1982 of major safety concerns regarding the Bhopal plant,
- F. whereas, even today, the chemicals that Union Carbide left behind continue to poison the water supply, causing cancer and birth defects,
- G. whereas, in 1999, local groundwater and well-water testing near the site of the accident revealed mercury at levels between 20 000 and 6 million times those expected; whereas chemicals causing cancer, brain-damage and birth-defects were also found in the water; and whereas trichloroethene (a chemical that has been shown to impair foetal development) was found at levels 50 times higher than U.S. Environmental Protection Agency safety limits,
- H. whereas, since the purchase of Union Carbide by Dow Chemicals in 2001, for more than \$ 10 billion, the new owners have refused to clean up the Bhopal site, which continues to contaminate, and to fund medical care for those affected,

- I. whereas, 20 years later, the survivors still await just compensation, adequate medical assistance and treatment, and comprehensive economic and social rehabilitation,
 - J. whereas, in 1989, Union Carbide and its Indian subsidiary entered into a legal settlement with the Government of India in the sum of \$ 470 million to cover all claims, which was affirmed by the Supreme Court of India and pursuant to which that sum was paid out in full to the Government of India immediately after the Supreme Court decision,
 - K. whereas the amount of \$ 470 million, after payment of lawyers' fees and alleged bribes to corrupt Indian officials, was reduced to a derisory sum of \$ 300 for each victim of the catastrophe, an amount which did not even cover medical expenses,
 - L. whereas in July 2004 the Supreme Court of India ordered the Government of India to release all additional settlement funds to the victims,
 - M. whereas over the years the money meant for 105 000 victims has been distributed amongst more than five times the number of dead, injured and disabled used by the Supreme Court to calculate the settlement, which has resulted in grave injustice to victims, and whereas payments of whatever little money was finally distributed only started in 1992,
 - N. whereas the Indian Government has done little to protect people from additional exposure and injury and there has still been no assessment of the damage or plan for remediation,
 - O. whereas, pursuant to the settlement, the Government of India assumed responsibility for providing medical coverage to citizens of Bhopal in the event of future illnesses,
 - P. whereas the poor quality of the health care system has meant that most survivors have had to spend most of their compensation money on private medical treatment,
 - Q. whereas despite a Supreme Court order in May 2004 to provide clean drinking water to communities affected by the contaminated water the Government of Madhya Pradesh has not yet implemented the order in full,
 - R. acknowledging that both UCC/Dow and the Indian and Madhya Pradesh Governments failed to comply with their respective obligations and responsibilities to prevent the gas leak and fully address its consequences, as well as to prevent and stop the continuing pollution of the environment and water through the dispersal of toxic and hazardous substances,
- 1. Expresses its sincerest sympathy to the relatives of the deceased and those still suffering from the after-effects of exposure to the gas, and calls for better compensation and treatment for the victims;
 - 2. Condemns the fact that inhabitants still do not have access to anything near their daily requirements in clean water while lawyers continue debating who should shoulder responsibility for those affected by the disaster;
 - 3. Calls on the Governments of India and Madhya Pradesh to

- (a) ensure the effective and prompt decontamination and clean-up of the Bhopal site,
 - (b) ensure regular supplies of adequate safe water for domestic use by the affected communities, in line with the order issued by the Supreme Court, and ensure adequate and accessible health care for all survivors,
 - (c) reassess the compensation received by victims, following the 1989 settlement, and make up any shortfall, in line with the Supreme Court's 1991 order;
4. Deeply regrets that the 1989 settlement between Union Carbide and the Indian Government has never had any positive impact on those exposed to the gas, or indeed paid any attention to the environmental impact thereof;
 5. Stresses that the overall efforts by survivors to get proper justice through both the US and Indian courts have so far been unsuccessful;
 6. Calls for an independent inquiry into the current situation in Bhopal, possibly under the auspices of the UN Commission on Human Rights, engaging the relevant Special Rapporteurs to visit India in order to examine the effect of UCIL/UCC activities and the Bhopal disaster on contamination of the groundwater and the environment, and consequently on the human rights of affected communities;
 7. Supports the World Health Organization initiative launched in December 2001, through the International Programme on Chemical Safety, for improving both national and global chemical incident preparedness and response through the development of an early warning system and a programme of capacity strengthening in Member States;
 8. Underlines that bad working conditions, the lack of any proper security systems and totally inadequate risk assessment in the plant in Bhopal, elements which were well known to the executive management of the plant as well to the Indian authorities, were the main causes of the disaster;
 9. Considers that ensuring health and safety in the workplace should be a prerequisite for all corporations investing in developing countries, if such a disaster is to be avoided in the future;
 10. Calls on the Commission to look into ways in which the European Union could assist in the comprehensive and definitive decontamination of the site and, in the meantime, in ensuring the supply of drinking water;
 11. Welcomes the Commission's legislative proposals (COM(2003)0644) to make more information available about some 30 000 chemical substances currently in use;
 12. Instructs its President to forward this resolution to the Council, the Commission, the UN Commission on Human Rights, the Governments of India and Madhya Pradesh and the Dow Chemical Company.